

DRAFT FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

Document considered draft until Board considers document

Al Larson Boat Shop Improvement Project

Environmental Impact Report (EIR)

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FINDINGS OF FACT AND STATEMENT OF OVERRIDING CONSIDERATIONS

I Introduction

These Findings of Fact have been prepared by the Los Angeles Harbor Department (LAHD, or Port) as the Lead Agency pursuant to Section 21081 of the Public Resources Code (PRC) and Section 15091 of the State California Environmental Quality Act (CEQA) Guidelines to support a decision on the Al Larson Boat Shop Improvement Project (proposed Project).¹ Section 21081 of the Public Resources Code and Section 15091 of the CEQA Guidelines provide that no public agency shall approve or carry out a project for which an Environmental Impact Report (EIR) has been certified that identifies one or more significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

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

Additionally, the Lead Agency must not approve a project that will have a significant effect on the environment unless it finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the unavoidable adverse environmental effects (PRC § 21081(b); 14 California Code of Regulations [CCR] § 15093). The Board of Harbor Commissioners (Board) adopts the Statement of Overriding Considerations set forth below, which identifies the specific overriding economic, legal, social, technological, or other benefits of the project that outweigh the significant environmental impacts identified in the Final EIR.

¹ The proposed Project includes project elements that will require federal permits from the U.S. Army Corps of Engineers (USACE). As such, an Environmental Assessment (EA) has also been prepared for the proposed Project separate of the EIR. The USACE will consider certification and approval of the EA separate from the Board of Harbor Commissioner's consideration of the EIR.

Project Overview

Introduction

This section describes the proposed Project for the construction and operation of the Al Larson Boat Shop Improvements Project (hereafter referred to as the “proposed Project”). The proposed Project is located 1046 Seaside Avenue on Terminal Island, within the Port of Los Angeles Community in the City of Los Angeles. The Al Larson Boat Shop (ALBS) occupies Berth 258 at the entrance to Fish Harbor, within Los Angeles Harbor Department (LAHD) property.

Project Purpose

The LAHD operates the Port under the legal mandates of the Port of Los Angeles Tidelands Trust (Los Angeles City Charter, Article VI, Section 601) and the California Coastal Act (PRC Division 20 Section 30700 *et seq.*), which identify the Port and its facilities as a primary economic and coastal resource of the State of California and an essential element of the national maritime industry for the promotion of commerce, navigation, fisheries, and Harbor operations. Activities should be water dependent and the LAHD must give highest priority to navigation, shipping, and necessary support and access facilities to accommodate the demands of foreign and domestic waterborne commerce. The LAHD is chartered to develop and operate the Port to benefit maritime uses, and it functions as a landlord by leasing Port properties to more than 300 tenants.

The proposed Project is needed to renew a new long-term lease (30 years) to modernize and upgrade the existing ALBS, and bring it into compliance with their National Pollution Discharge Elimination System (NPDES) permit and Water Discharge Requirement (WDR).

CEQA Objectives

CEQA Guidelines (Section 15124[b]) require that the project description contain a statement of objectives, including the underlying purpose of the proposed Project. To meet the overall Project purposes, the following objectives need to be accomplished:

- Place ALBS in compliance with its WDR and NPDES requirements by re-contouring the site, removing three existing marine railways and constructing a stormwater collection and treatment system.
- Demolish existing wharfs, piers and buildings/structures to allow for the subsequent creation and use of two CDF cells, which will sequester contaminated sediment and expand use of the boat shop.
- Dredge sediment to accommodate deeper draft vessels, remove contaminated sediment to improve water quality, and promote regional sediment management objectives by beneficially reusing dredged material to create two CDFs.
- Remove buildings/structures in order to modernize and reconfigure the facility, to optimize and expand the existing boat shop operation at the present location and continue to meet a regional need for marine vessel repair.
- Replace aging infrastructure and construct new office space to support operations.
- Clean-up site legacy contaminants from the historical use of the site as a boat shop, including contaminants located beneath existing pavement and buildings.

- Enter a 30-year lease renewal between ALBS and LAHD changing the facility's leasehold from 7.7 acres (2.35 acres of land and 5.35 acres of water) to 7.3 acres (4.1 acres of land and 3.2 acres of water).

Project Description

To minimize operational impacts to the facility during construction, the proposed Project would be constructed in three phases. The basic elements of the three phases are as follows:

Phase 1

- Demolish the existing 200-foot creosote-treated timber wharf and piles within the Phase 1 footprint.
- Demolish Buildings D, C1, and H1 in the Phase 1 footprint.
- Construct a sealed steel sheet pile bulkhead to form the perimeter of the CDF cell.
- Dredge approximately 3,000 cubic yards within the Phase 1 footprint to a depth of -22 feet MLLW, plus an additional 2-foot overdredge allowance. The dredged material would be placed in the CDF cell.
- Install two concrete finger piers supported by 24-inch octagonal concrete piles for each pier (126 total) to support new 600- and 100-ton boat hoists.
- Install new 600- and 100-ton boat hoists on the new piers along the north end of the Project site.
- Install facilities consistent with the Standard Urban Stormwater Mitigation Plan (SUSMP) requirements, including new storm drain system within the Phase 1 footprint and the installation of an oil/water separator.
- Construct a raised curb/step around Buildings C2 and A1.
- Remove pavement, excavate (from open area and building footprints) and export for disposal approximately 2,000 cubic yards (cy) of contaminated landside contaminated soil from Phase 1 area followed by import of approximately 2,000 cy of clean soil to approximately the same elevation of the Phase 1 CDF (12 feet MLLW).
- Grading, high-strength paving, and lighting improvements within the Phase 1 footprint.

Phase 2

- Removal of the finger piers associated with the existing marine railways for the existing boat hoist (the rails associated with the existing lift system would remain because this area would be contained within the second CDF).
- Demolish structure H2.
- Construction of a second sealed sheet pile bulkhead for the second CDF.
- Dredge approximately 16,000 cy of material to -22 feet MLLW (plus an additional 2-foot overdredge allowance) to provide navigation for the upgraded facilities. The dredged material would be treated and placed in the CDF cell.

- Excavate approximately 2,800 cy of contaminated landside soil from under the buildings and export for disposal followed by import of approximately 2,800 cy of clean material to bring the upland area to approximately the same elevation as the Phase 2 CDF (approximately 12 feet MLLW).
- Install facilities consistent with the SUSMP provisions, including new storm drain system within the Phase 2 footprint that directs stormwater to the oil/water separator installed Phase 1.
- Grading, high strength pavement and lighting improvements within the Phase 2 footprint.

Phase 3

- Demolish Buildings A2 and A3, landside of the Phase 2 CDF.
- Remove asphalt, excavate approximately 2,800 cy of contaminated landside soil from the Phase 3 footprint area, including from the footprints of the demolished buildings, export the contaminated soil for disposal and import of approximately 2,800 cy of clean fill.
- Implement landside improvements including grading, paving, existing utility protection, electrical relocations, yard lighting, shop air and installation of new storm drain system.
- Construct a new 2,400 square foot, two-story office building on the reconfigured site to replace Buildings A2, A3, C1, and D that were demolished in Phases 1 and 2.

The proposed Project would also require a permit from the USACE to perform maintenance dredging and to construct the CDFs. The National Environmental Policy Act (NEPA) analysis is being completed separately from the CEQA analysis; a preliminary determination has been made by the USACE that an Environmental Impact Statement is not required for the proposed work. A Public Notice was circulated by the USACE from October 9, 2009 to November 9, 2009. An Environmental Assessment is currently being prepared by the USACE to comply with Section 404(b)(1) guidelines (40 C.F.R. Part 230 *et seq.*) for the proposed Project.

Project Elements

Following is a more detailed discussion of several of the Project elements listed above:

Stormwater Management & Best Management Practices (BMP)

One of the major components of the Project is the installation of facilities to change the direction of the flow of stormwater on the site. Currently, stormwater flows untreated through the existing stormwater system or over the wharf and into the harbor in a storm event.

As part of the proposed Project, a new storm drain system would be installed in conjunction with the installation of an oil/water separator. The current pavement would be replaced with high strength pavement (including over the newly-constructed CDF cells) designed to drain stormwater away from harbor waters to be collected by the storm drain system for treatment in the proposed oil/water separator facility.

Under the proposed Project, dikes would be used to redirect the flow of stormwater around the remaining buildings. A raised curb/step would be constructed around Buildings C2 and A1, a combination of either trench drains and/or catch basins to capture the flow would be introduced, and the flow would be directed to the new oil/grease separator unit(s) to comply with the BMP requirements for NPDES and WDR permitted discharge into harbor waters. Along the north side of the remaining buildings, a small retaining structure would be required to allow the grades for

Phase 1 to be raised. On the south side of the wall, a concrete curb and trench drain to capture any drainage from the Phase 1 area would be required.

Maintenance Dredging

Maintenance dredging would be performed as part of the proposed Project to remove the accumulated sediment and to allow for the safe transit of vessels to the facility. The approach channel would be dredged to -22 feet below MLLW (-22 feet below MLLW with an allowable overdredge of an additional -2 feet, per the Master Dredge Permit). The maintenance dredging, along with the installation of the 600- and 100-ton capacity boat hoists would enable ALBS to accommodate the building and repair of deeper draft vessels. Approximately 19,000 cy of sediments would be dredged over two phases (Phases 1 and 2) and beneficially reused through creation of two CDFs.

CDF Creation

Two CDFs would be created (one each in Phases 1 and 2) to beneficially reuse contaminated dredged sediments to create additional land area for ALBS.

Phase 1 CDF

A sealed steel sheet pile bulkhead consisting of interlocking sheets of steel placed in the ground to contain the contaminated soil material would be constructed to form the perimeter of the CDF cell. The CDF created in Phase 1 would be approximately 200 feet wide and up to 32 feet in length. Approximately 3,000 cy of marine sediments would be dredged working from a barge using a clamshell bucket that would ultimately be used to fill the CDF.

Cement stabilization would be used to solidify the dredged materials. Cement stabilization, or immobilization technology, stabilizes and solidifies contaminated dredged material with cement-based additive mixed to convert contaminants in the material into the least soluble, mobile, or toxic form and enhances the physical properties of the material. Cement stabilization is very successful in immobilizing contaminants generally not mobile through air, soil, and water. Cement stabilization binds soluble constituents, reduced chloride mobility, and significantly reduces compaction times.

After being dredged, the dredged material would be placed on a scow, and the binder would be added to the sediment and mechanically mixed. There is no access for a cement truck at the ALBS wharf; therefore, scows would be tugged to an accessible area north of the dredge location. Using two scows, the material would be first allowed to stabilize (approximately one to two days), and then returned to ALBS and placed behind the sheet pile bulkhead and into the CDF.

Phase 2 CDF

The same process would be used to stabilize the dredged materials for the second CDF, which would be created during Phase 2 of the proposed Project. However, the Phase 2 CDF would be approximately 145 feet wide and up to 140 feet in length and would hold 16,000 cy of dredged material.

Removal of Marine Railways and Installation of Boat Hoists

Currently the dry docking capacity at the ALBS is comprised of four marine railways, one floating dry dock for repair and maintenance, and dock space for dockside repairs. ALBS can simultaneously remove five vessels from the water via the four existing marine railways and

floating dry dock. The current size and configuration of the facility limits the capacity of the operation. The proposed project would create the Phase 1 CDF in conjunction with constructing new piers to support the installation of two new boat hoists - 600- and 100-ton. Once installed, the boat hoists would provide flexibility to ALBS' operation, as operations would no longer be limited by the number of railways and dry docks. Now redundant, the three marine railways (Nos. 1 to 3) would be incorporated into of the Phase 2 CDF. The large railway (No. 4) and the floating dry dock would remain.

With the introduction of the boat hoists there would no longer be the need to solely depend upon the use of the existing railways, which require the tides to be high enough to remove or launch the vessel safely. Instead, ALBS would be able to launch vessels without these tidal delays and optimize the operation. Also the boat hoists would allow for better utilization of available space at the facility by opening (through building demolition described below) passageways for transit to the backland and CDF and providing more open area for dry docking of vessels from construction of CDFs, demolition of the buildings and expansion of the ALBS leasehold. This would allow ALBS to dry dock more vessels at a time, thus maximizing the efficiency of the operation.

Elimination of the marine railways together with site re-contouring, installation of a new storm water drainage system and water treatment system (oil/water separator) would reduce discharge of stormwater pollutants into harbor waters.

Demolition of Potentially Historic Structures

As indicated in the section above, the proposed Project would require the demolition of six structures/buildings on the site (two are small sheds – H1 and H2). Of these buildings, it has been determined that three are potentially historic. These structures include Buildings A2 and A3 (part of the Office and Workshop Complex) and Building C1 (part of the Machine Shop Complex). The removal of these structures is necessary to accommodate the placement of the new boat hoists on the site, as well as to provide the appropriate access to use the new boat hoists. The necessary access to the CDFs and backland required by the boat hoists and creation of addition open space requires the removal of Buildings A2, A3, C1 and D).

Landside Contaminated Soils

Once the structures and pavement have been demolished, contaminated soil would be excavated during Phases 1, 2 and 3 to remediate the site. It is estimated that approximately 7,600 cubic yards of soil and approximately 2,470 cubic yards of concrete/asphalt would be removed to an off-site location. The contaminated material would be tested on-site and disposed of off-site at an approved disposal facility. In addition, approximately 7,600 cubic yards of clean fill would be imported.

Replacement of Infrastructure

Electrical utilities, water lines, utility protection, yard lighting, and security lighting would be installed. In addition, a new 2,400 square foot building would be constructed to the east of the existing Building A1 or the far northern segment of the lease hold to support the new facility the proposed operation.

Renewal of ALBS' Lease

ALBS has applied for a 30-year renewal of their existing leasehold with expansion of the premises by 9,304 square feet of land and 43,368 square feet of water. Additionally, from the existing leasehold, 0.9 acres (39,204 square feet) would be converted from water to land by the

creation of the two CDFs (refer to revised Figure ES-4 in Chapter 3, Modifications to the Draft EIR, of the Final EIR). This would require an amendment to the Port's Master Plan.

Port Master Plan (PMP) Amendment

The PMP provides for the development, expansion, and alteration of the Port (both short-term and long-term) for commerce, navigation, fisheries, Port-dependent activities, and general public recreation. Those objectives are consistent with the provisions of the California Coastal Act (1976), the Charter of the City of Los Angeles, and applicable federal, state, and municipal laws and regulations. Creation of the CDFs would require an amendment to change the land use of this acreage from water to Maritime Support. The proposed Project's proposed uses are consistent with the Plan but will necessitate an amendment of the PMP.

II CEQA Findings

The Findings of Fact are based on information contained in the Draft EIR and the Final EIR for the proposed Project, as well as information contained within the administrative record. The administrative record includes, but is not limited to, the proposed Project application, Project staff reports, Project public hearing records, public notices, written comments on the Project and responses to those comments, proposed decisions and findings on the proposed Project, and other documents relating to the agency decision on the Project. When making CEQA findings required by Public Resources Code Section 21081(a), a public agency shall specify the location and custodian of the documents or other material, which constitute the record of proceedings upon which its decision is based. These records are in the care of the Director of Environmental Management, Los Angeles Harbor Department, 222 West 6th Street, San Pedro, California 90731.

The Draft EIR addresses the Project's potential effects on the environment, and was circulated for public review and comment pursuant to the State CEQA Guidelines for a period of 45 days. Comments were received from a variety of public agencies, organizations, and individuals. The Final EIR contains copies of all comments and recommendations received on the Draft EIR, a list of persons, organizations and public agencies commenting on the Draft EIR, responses to comments received during the public review, and identifies changes to the Draft EIR. This section provides a summary of the environmental effects of the proposed Project that are discussed in the Draft EIR, and provides written findings for each of the significant effects, which are accompanied by a brief explanation of the rationale for each finding.

Environmental Impacts of the Proposed Project

Less Than Significant Impacts

The EIR concludes that all impacts of the proposed Project in the following environmental resource areas would be less than significant:

- Aesthetics and Visual Resources
- Geology
- Groundwater and Soils
- Hazards and Hazardous Materials
- Land Use
- Population and Housing

- Public Services and Utilities
- Traffic and Transportation
- Water Quality, Sediments, and Oceanography

In addition, the EIR concludes that some, but not all, impacts of the proposed Project in following environmental resource areas would be less than significant prior to mitigation:

- Air Quality, Meteorology and Greenhouse Gases
- Biological Resources
- Cultural Resources
- Noise

Significant Impacts

The EIR concludes that some, but not all, impacts of the proposed Project in the following environmental resource areas would be significant prior to mitigation:

- Air Quality, Meteorology and Greenhouse Gases
- Biological Resources
- Cultural Resources
- Noise

In addition, the EIR concludes that all significant impacts of the proposed Project in the following environmental resource areas would be less than significant after mitigation:

- Biological Resources

Many of the significant impacts in the above resources areas could be reduced to less than significant with mitigation. However, as discussed below, of the EIR determines that certain significant impacts cannot feasibly be mitigated and remain significant and unavoidable.

Significant and Unavoidable Impacts

The EIR concludes that some, but not all, impacts of the proposed Project in the following environmental resource areas would remain significant and unavoidable despite imposition of all feasible mitigation:

- Air Quality, Meteorology and Greenhouse Gases
- Cultural Resources
- Noise

The impacts identified above are respectively presented in Tables 1-1, 1-2 and 1-3. Findings are provided for impacts found not to be significant, significant impacts that are mitigated to less-than-significant levels, as well as significant unavoidable environmental impacts.

In addition to the mitigation measures that have been required in, or incorporated into, the proposed Project, several alternatives were identified in the EIR in order to attempt to reduce significant environmental impacts associated with the proposed Project. All alternatives to the proposed Project and associated findings are discussed in this document.

Findings Regarding Environmental Impacts Found to Be Significant and Unavoidable

The LAHD Board of Commissioners hereby finds that the following environmental impacts (in Table 1-1) of the proposed Project are significant and unavoidable:

Table 1-1. Significant and Unavoidable Environmental Impacts for the Proposed Project			
<i>Environmental Impact</i>	<i>Impact Determination</i>	<i>Mitigation Measures</i>	<i>Impacts after Mitigation</i>
AIR QUALITY, METEROLOGY AND GREENHOUSE GASES			
AQ-1: The proposed Project would result in construction-related emissions that exceed an SCAQMD threshold of significance in Table 3.2-7.	Significant for NO _x	MM AQ-1. Harbor Craft Used during Construction MM AQ-2. On-Road Trucks MM AQ-3. Construction Equipment MM AQ-4. Best Management Practices MM AQ-5. Additional Fugitive Dust Controls MM AQ-6. General Mitigation Measure	Significant and unavoidable for NO _x during construction
AQ-2: Proposed Project construction would result in off-site ambient air pollutant concentrations that exceed a SCAQMD threshold of significance in Table 3.2-8.	Maximum off-site ambient air pollutant concentrations would be significant for PM ₁₀ (24-hour average), PM _{2.5} (24-hour average) and NO ₂ (1-hour average)	MM AQ-1 through MM AQ-6	Maximum off-site ambient air pollutant concentrations would remain significant and unavoidable for PM ₁₀ (24-hour average), PM _{2.5} (24-hour average) and NO ₂ (1-hour average) during construction
AQ-4: Proposed Project operations would result in off-site ambient air pollutant concentrations that exceed a SCAQMD threshold of significance in Table 3.2-10.	Significant for NO ₂ , PM ₁₀ , and PM _{2.5}	Feasible mitigation measure not identified	Significant and unavoidable for NO ₂ , PM ₁₀ , and PM _{2.5} during operations
AQ-6: The proposed Project would expose receptors to significant levels of TACs for occupational acute.	During construction the acute hazard index would be significant for occupational receptors.	MM AQ-1 through MM AQ-6	The acute hazard index would be significant and unavoidable at occupational receptors during construction.

Table 1-1. Significant and Unavoidable Environmental Impacts for the Proposed Project			
<i>Environmental Impact</i>	<i>Impact Determination</i>	<i>Mitigation Measures</i>	<i>Impacts after Mitigation</i>
AQ-8: The proposed Project would produce GHG emissions that would exceed baseline levels.	Exceedance of baseline emissions for construction and operations.	MM AQ-1 through MM AQ-6 MM AQ-7. Compact Fluorescent Light Bulbs MM AQ-8. Energy Audit MM AQ-9. Recycling. MM AQ-10. Tree Planting.	Significant and unavoidable
CULTURAL RESOURCES			
CUL-2: Construction of the proposed Project would impact significant historic architectural resources	Significant	MM CUL-2: Historic Resource Recordation. MM CUL-3: Recordation Posting.	Significant and unavoidable
NOISE			
NOI-1: Construction activities lasting more than 10 days in a 3-month period would exceed existing ambient exterior noise levels by 5 dBA or more at a noise-sensitive use (i.e., Al Larson Marina).	Significant	MM NOI-1: Noise Reduction During Pile Driving MM NOI-2: Erect Noise Attenuation Barriers next to Pile Driving MM NOI-3: Temporary Noise Attenuation Barriers w/in 500 feet of sensitive receptors	Significant and unavoidable

Findings Regarding Environmental Impacts Found to Be Less Than Significant after Mitigation

The LAHD Board of Commissioners hereby finds that the following environmental impacts (in Table 1-2) of the proposed Project are less than significant after implementation of mitigation measures.

Table 1-2. Significant Impacts of the Proposed Project that can be Mitigated			
<i>Environmental Impacts</i>	<i>Impact Determination</i>	<i>Mitigation Measures</i>	<i>Impacts after Mitigation</i>
BIOLOGICAL RESOURCES			
BIO-2: Construction and operation of the proposed Project would result in a substantial reduction or alteration of a state, federally, or locally designated natural habitat, special aquatic site, or plant community, including wetlands.	Significant	MM BIO-1: Apply Habitat Mitigation Credits.	Less than significant
BIO-5: Construction and operation of the proposed Project would result in a permanent loss of marine habitat.	Significant	MM BIO-1.	Less than significant

Findings Regarding Environmental Impacts Found to Be Less Than Significant

The LAHD Board of Commissioners hereby finds that the following environmental impacts (Table 1-3) of the proposed Project are less than significant. Under CEQA, no mitigation measures are required for impacts that are less than significant (14 Cal. Code Regs. §15126.4(a)(3)).

Table 1-3. Less than Significant Impacts of the Proposed Project			
<i>Environmental Impacts</i>	<i>Impact Determination</i>	<i>Mitigation Measures</i>	<i>Impacts after Mitigation</i>
AESTHETICS AND VISUAL RESOURCES			
AES-1: The proposed Project would not result in an adverse effect on a scenic vista from a designated scenic resource due to obstruction of views.	Less than significant	No mitigation is required	Less than significant
AES-2: The proposed Project would not substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic buildings along a scenic highway.	Less than significant	No mitigation is required	Less than significant
AES-3: The proposed Project would not substantially degrade the existing visual character or quality of the site and its surroundings.	Less than significant	No mitigation is required	Less than significant
AES-4: Construction and operation of the proposed Project would not result in an adverse effect due to shading on the	No impact	No mitigation is required	No impact

Table 1-3. Less than Significant Impacts of the Proposed Project

<i>Environmental Impacts</i>	<i>Impact Determination</i>	<i>Mitigation Measures</i>	<i>Impacts after Mitigation</i>
existing visual character or quality of the site or its surroundings.			
AES-5: The proposed Project would not create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area.	Less than significant	No mitigation is required	Less than significant
AIR QUALITY, METEROLOGY AND GREENHOUSE GASES			
AQ-3: The proposed Project would not result in operational emissions that exceed 10 tons per year of VOCs or an SCAQMD threshold of significance in Table 3.2-9.	Less than significant	No mitigation is required	Less than significant
AQ-5: The proposed Project would not create an objectionable odor at the nearest sensitive receptor.	Less than significant	No mitigation is required	Less than significant
AQ-6: The proposed Project would not expose receptors to significant levels of TACs for cancer or chronic non-cancer impacts for all receptor types. The proposed Project would not expose receptors to significant levels of TACs for acute impacts to residential, sensitive, student, and recreational receptors.	During construction and future incremental operations cancer risk would be less than significant for all receptors. The chronic hazard index would be less than significant for all receptors. During construction the acute hazard index would be less than significant for residential, sensitive, student, and recreational receptors.	No mitigation is required	Less than significant for cancer and chronic risk at all receptors and less than significant for acute hazards index for residential (livaboards in Al Larson Marina), sensitive, student, and recreational receptors.
AQ-7: The proposed Project would not conflict with or obstruct implementation of an applicable air quality plan.	Less than significant	No mitigation is required	Less than significant
BIOLOGICAL RESOURCES			
BIO-1: Construction and operation of the proposed Project would not cause a loss of individuals or habitat of a state- or federally-listed endangered, threatened, rare, protected, or candidate species, or a Species of Special Concern or the loss of federally listed critical habitat.	Less than significant	No mitigation is required	Less than significant
BIO-3: Construction and operation of the proposed Project would not interfere with wildlife movement/migration	Less than significant	No mitigation is required	Less than significant

Table 1-3. Less than Significant Impacts of the Proposed Project

<i>Environmental Impacts</i>	<i>Impact Determination</i>	<i>Mitigation Measures</i>	<i>Impacts after Mitigation</i>
corridors that may diminish the chances for long-term survival of a species.			
BIO-4: Construction and operation of the proposed Project would not substantially disrupt local biological communities	Less than significant	No mitigation is required	Less than significant
CULTURAL RESOURCES			
CUL-1: Construction of the proposed Project has an extremely low potential to disturb, damage, or degrade unknown archaeological and ethnographic cultural resources.	Less than significant	Although the impact on unknown resources is remote, mitigation is recommended: MM CUL-1: Archaeological and Ethnographic Resources.	Less than significant
CUL-3: The proposed Project would have a low potential to disturb paleontological resources.	Less than significant	No mitigation is required	Less than significant
GEOLOGY			
GEO-1: During the construction period (through 2014) and operations period (through 2042), the proposed Project would not result in substantial damage to structures or infrastructure or expose people to substantial risk of injury from seismic activity along the Palos Verdes Fault zone or other regional faults that could produce fault ruptures, seismic ground shaking, liquefaction, or other seismically induced ground failure.	Less than significant	No mitigation is required	Less than significant
GEO-2: Construction and operation of the proposed Project in the Port area would not expose people and structures to substantial risk involving tsunamis or seiches.	Less than significant	No mitigation is required	Less than significant

Table 1-3. Less than Significant Impacts of the Proposed Project

<i>Environmental Impacts</i>	<i>Impact Determination</i>	<i>Mitigation Measures</i>	<i>Impacts after Mitigation</i>
GEO-3 Construction and operation of the proposed Project would not result in substantial damage to structures or infrastructure or expose people to substantial risk of injury from subsidence/soil settlement.	Less than significant	No mitigation is required	Less than significant
GEO-4: Construction and operation of the proposed Project would not result in substantial damage to structures or infrastructure or expose people to substantial risk of injury from soil expansion.	Less than significant	No mitigation is required	Less than significant
GEO-5: Construction and operation of the proposed Project would not result in or expose people or property to a substantial risk of landslides or mudflows.	No Impact	No mitigation is required	No Impact
GEO-6: Shallow groundwater, which would cause unstable collapsible soils, may be encountered during excavation, but it would not expose people or structures to substantial risk.	Less than significant	No mitigation is required	Less than significant
GEO-7: Construction and operation of the proposed Project would not result in the destruction, permanent covering or the material and adverse modification of one or more distinct and prominent geologic or topographic features.	No impact	No mitigation is required	No impact
GEO-8: Construction and operation of the proposed Project would not result in the permanent loss of availability of a known mineral resource of regional, statewide or local significance.	No impact	No mitigation is required	No impact
GEO-9: Construction and operation of the proposed Project in the Port area would not expose people and structures to substantial risk involving sea level rise.	Less than significant	No mitigation is required	Less than significant
GROUNDWATER AND SOILS			
GW-1: Proposed Project construction activities may encounter toxic	Less than significant	With implementation of	Less than significant

Table 1-3. Less than Significant Impacts of the Proposed Project

<i>Environmental Impacts</i>	<i>Impact Determination</i>	<i>Mitigation Measures</i>	<i>Impacts after Mitigation</i>
substances or other contaminants associated with historical uses of the Port, resulting in short-term exposure (duration of construction) to construction/operations personnel and/or long-term exposure to future site occupants.		lease measures LM GW-1 and LM GW-2 and adherence to regulations, no mitigation is required	
GW-2: Proposed Project construction and operation would not result in expansion of the area affected by contaminants.	Less than significant	No mitigation is required	Less than significant
GW-3: Proposed Project construction and operation would not result in a change to potable water levels.	No impact	No mitigation is required	No impact
GW-4: Proposed Project construction and operation would not result in a demonstrable and sustained reduction in groundwater recharge capacity (for potable water storage).	No impact	No mitigation is required	No impact
GW-5: Proposed Project construction and operation would not result in violation of regulatory water quality standards at an existing production well.	No impact	No mitigation is required	No impact
HAZARDS AND HAZARDOUS MATERIALS			
RISK-1: Construction and operation of the proposed Project would comply with applicable safety and security regulations and policies guiding development within the Port.	Less than significant	No mitigation is required	Less than significant
RISK-2: Construction and operation of the proposed Project would not substantially increase the frequency and severity of consequences to people or property from accidental exposure to health hazards.	Less than significant	No mitigation is required	Less than significant
RISK-3: Construction and operation of the proposed Project would not substantially interfere with an existing emergency response or evacuation plan, thereby increasing the risk of injury or death.	Less than significant	No mitigation is required	Less than significant

Table 1-3. Less than Significant Impacts of the Proposed Project			
<i>Environmental Impacts</i>	<i>Impact Determination</i>	<i>Mitigation Measures</i>	<i>Impacts after Mitigation</i>
RISK-4: Construction and operation of the proposed Project would not result in a substantial increase in public health and safety concerns as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.	Less than significant	No mitigation is required	Less than significant
RISK-5: Construction and operation of the proposed Project would not substantially increase the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist attack.	Less than significant	No mitigation is required	Less than significant
LAND USE			
LU-1: The proposed Project would be consistent with the adopted land use/density designation in the Community Plan, redevelopment plan, or specific plan for the site.	Less than significant	No mitigation is required	Less than significant
LU-2: The proposed Project would be consistent with the General Plan or adopted environmental goals or policies contained in other applicable plans.	Less than significant	No mitigation is required	Less than significant
LU-3: The proposed Project would not substantially affect the types and/or extent of existing land uses in the Project area.	Less than significant	No mitigation is required	Less than significant
LU-4: The proposed Project would not cause secondary impacts to surrounding land uses.	Less than significant	No mitigation is required	Less than significant
NOISE			
NOI-2: Noise levels from construction activities would not exceed the ambient noise level by 5 dBA at a noise-sensitive use between the hours of 9:00 p.m. and 7:00 a.m. Monday through Friday, before 8:00 a.m. or after 6:00 p.m. on Saturday, or at any time on Sunday.	No impact	No mitigation is required	No impact
NOI-3: Operations would not generate noise levels that exceed existing ambient noise levels at sensitive receivers by 3 dBA in CNEL to or within the 'normally unacceptable' or 'clearly unacceptable category,' or otherwise by 5 dBA or greater.	Less than significant	No mitigation is required	Less than significant

Table 1-3. Less than Significant Impacts of the Proposed Project

<i>Environmental Impacts</i>	<i>Impact Determination</i>	<i>Mitigation Measures</i>	<i>Impacts after Mitigation</i>
POPULATION AND HOUSING			
POP-1: The proposed Project would not 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	No mitigation is required	Less than significant
PUBLIC SERVICES AND UTILITIES			
PS-1: The proposed Project would not increase the demand for additional law enforcement officers and/or facilities such that the USCG, LAPD, or Port Police would not be able to maintain an adequate level of service without additional facilities, the construction of which could cause significant environmental effects.	Less than significant	No mitigation is required	Less than significant
PS-2: Development of the proposed Project would not require the addition of a new fire station or the expansion, consolidation, or relocation of an existing facility to maintain service.	Less than significant	No mitigation is required	Less than significant
PS-3: The proposed Project would not result in a substantial increase in utility demands; however, construction and/or expansion of on-site water, wastewater, or storm drain lines would be required to support new boat shop development.	Less than significant	No mitigation is required	Less than significant
PS-4: The proposed Project would not generate substantial solid waste, water, and/or wastewater demands that would exceed the capacity of existing facilities in the proposed Project area	Less than significant	No mitigation is required	Less than significant
PS-5: Implementation of the proposed Project would generate minor increases in energy demands; however, construction of new off-site energy supply facilities and distribution infrastructure would not be required to support proposed Project activities.	Less than significant	No mitigation is required	Less than significant
TRAFFIC AND TRANSPORTATION			
TRANS-1: The proposed Project would not result in a short-term, temporary increase in construction-related truck	Less than significant	No mitigation is required	Less than significant

Table 1-3. Less than Significant Impacts of the Proposed Project

<i>Environmental Impacts</i>	<i>Impact Determination</i>	<i>Mitigation Measures</i>	<i>Impacts after Mitigation</i>
and auto traffic that could result in decreases in roadway capacity, potential safety hazards, and disruption of travel for vehicular and nonmotorized travelers.			
TRANS-2: Operation of the proposed Project would not result in a long-term increase in truck and auto traffic that would result in a significant impact on transportation/circulation.	Less than significant	No mitigation is required	Less than significant
TRANS-3: Operation of the proposed Project would not result in a significant increase in related public transit use beyond the supply of such services anticipated at Project build-out.	No impact	No mitigation is required	No impact
TRANS-4: The proposed Project would not result in increases considered significant related to freeway congestion.	No impact	No mitigation is required	No impact
WATER QUALITY, SEDIMENTS, AND OCEANOGRAPHY			
WQ-1: Proposed Project construction and operation would not create pollution, contamination, or a nuisance as defined in Section 13050 of the CWC or cause regulatory standards to be violated in Harbor waters.	Less than significant	No mitigation is required	Less than significant
WQ-2: Proposed Project construction and operation would not result in increased flooding that would have the potential to harm people or damage property or sensitive biological resources.	Less than significant	No mitigation is required	Less than significant
WQ-3: Construction and operation of the proposed Project would not result in a permanent adverse change in movement of surface water in the Harbor.	Less than significant	No mitigation is required	Less than significant
WQ-4: Construction and operation of the proposed Project would not accelerate natural processes of wind and water erosion and sedimentation, resulting in sediment runoff or deposition that would not be contained or controlled on-site.	Less than significant	No mitigation is required	Less than significant

Significant Environmental Impacts that are Reduced to Less Than Significant by Mitigation Measures Required in or Incorporated into the Project

The EIR determines that all significant impacts in the following resource area could be reduced to less than significant through the implementation of appropriate mitigation measures. With mitigation, all of these impacts of the proposed Project in this resource area are found to be less than significant:

- **Biological Resources**

The Board hereby finds that mitigation measures have been identified in the EIR that will avoid or substantially lessen the following significant environmental impacts to less than significant. The significant impacts and the mitigation measures that will reduce them to less than significant are as follows.

As discussed in Section 3.3 of the Draft EIR, there would be two significant impacts to Biological Resources that would be mitigated to less than significant levels as a result of a mitigation measure incorporated into the Project. There would also be three less than significant impacts to Biological Resources, but no additional conditions or measures are applied. The impacts and mitigation measures are discussed below.

Impact BIO-2: Construction and operation of the proposed Project would result in a substantial reduction or alteration of a state, federally, or locally designated natural habitat, special aquatic site, or plant community, including wetlands.

The construction of the CDFs would result in the permanent loss of 0.9 acres of Essential Fish Habitat (EFH). Although this does not represent a substantial portion of the EFH present in the Port, any loss of EFH is considered significant. The loss of marine habitat would be mitigated through the use of existing mitigation credits as discussed below under Mitigation Measure **MM BIO-1**.

Finding

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect of fill creation in Fish Harbor that would result in the permanent loss of 0.9 acre of EFH. This mitigation measure would mitigate impacts to EFH to a less than significant level. These changes are set forth in **MM BIO-1** below.

MM BIO-1: Apply Habitat Mitigation Credits

The LAHD shall apply 0.45 credits available in the Bolsa Chica or Outer Harbor mitigation banks to compensate for loss of 0.9 acres of marine habitat in the Inner Harbor due to construction of fill in Fish Harbor. This mitigation measure would also offset the impacts to Essential Fish Habitat.

Rationale for Finding

With implementation of **MM BIO-1**, residual impacts as a result of proposed Project construction activities would be less than significant.

Impact BIO-5: Construction and operation of the proposed Project would result in a permanent loss of marine habitat.

Construction of the proposed Project includes fill (disposal of sediment to create the CDFs) that would result in the direct loss of approximately 0.9 acres of marine habitat in Fish Harbor. Even though the area proposed for construction of the CDFs is considered “impacted” due to the presence of contaminated sediments, it is still considered EFH for the Coastal Pelagics and Pacific Groundfish. The loss of marine habitat is considered significant.

Finding

Changes or alterations have been required in, or incorporated into, the Project that avoid or substantially lessen the significant environmental effect of fill creation in Fish Harbor that would result in the permanent loss of 0.9 acre of EFH. This mitigation measure would mitigate impacts to marine habitat to a less than significant level. These changes are set forth in **MM BIO-1** described above.

Rationale for Finding

With implementation of **MM BIO-1**, residual impacts as a result of proposed Project construction activities would be less than significant.

Significant and Unavoidable Environmental Impacts That Cannot Be Reduced to a Less-Than-Significant Level

Unavoidable Significant Impacts. The EIR concludes that unavoidable significant impacts to the following environmental resources would occur if the proposed Project were implemented.

- Air Quality, Meteorology and Greenhouse Gases
- Cultural Resources
- Noise

Attachment 1 contains a list of comments received on the Draft EIR that contain suggested mitigation measures and/or alternatives suggested to reduce significant and unavoidable impacts. The discussion below refers to Attachment 1 and indicates whether the proposed mitigation measure and/or alternative has been added to the Final EIR and/or required in, or incorporated into, the Project. The Board has determined that certain proposed mitigation measures and/or alternatives are infeasible in light of specific economic, legal, social, technological, and other considerations and, therefore, have not been required in, or incorporated into, the Project. The evidence of such infeasibility is explained below within the discussions of the significant impacts for which the measures and/or alternatives were suggested.

Air Quality, Meteorology and Greenhouse Gases

As discussed in Section 3.2 of the EIR, there would be five unavoidable significant impacts to air quality, meteorology and greenhouse gases related to construction and operation as a result of the proposed Project. The impacts and mitigation measures are discussed below.

Impact AQ-1: The proposed Project would result in construction-related emissions that exceed an SCAQMD threshold of significance.

Peak daily construction emissions shown in the Draft EIR (Table 3.2-11) in Phase 1, Phase 2, and Phase 3 would exceed the SCAQMD NO_x threshold for construction emissions; peak daily

emissions in Phase 2 would exceed the SCAQMD VOC threshold for construction emissions. Emissions of all other criteria pollutants would not exceed SCAQMD thresholds in any phase.

Finding

The EIR discussed impacts to regional air quality that would result during construction activities associated with the proposed Project (Impact AQ-1). Implementation of the mitigation measures below would substantially lessen emissions from criteria pollutants associated with construction of the proposed Project, as listed below in Table AQ-1. Therefore, the Board hereby finds that changes or alterations have been required in, or incorporated into the project that avoid or substantially lessen the significant environmental effect identified in the Final EIR. However, emissions of NO_x during construction would remain significant. Incorporation of mitigation measures, however, would still not reduce construction emissions below significance. Specific economic, legal, social, technological, or other considerations make infeasible additional mitigation measures or Project alternatives, as explained below.

Table AQ-1: Peak Daily Emissions Associated with Proposed Project Construction Activities – Proposed Project Without Mitigation

Emission Source	Peak Daily Emissions (lb/day) ^c					
	VOC	CO	NO _x	SO _x	PM ₁₀ ^a	PM _{2.5} ^a
Phase 1 Construction						
Marine Construction	19	73	200	<1	2	7
Civil Construction	6	25	57	0	9	3
Building Demolition	0	0	0	0	0	0
Peak Daily Phase 1 – Impact^{b,d}	25	98	257	<1	11	10
Thresholds	75	550	100	150	150	55
Significant?	No	No	Yes	No	No	No
Phase 2 Construction						
Marine Construction	13	49	126	<1	2	5
Civil Construction	74	287	852	1	73	41
Building Demolition	2	12	18	0	1	1
Peak Daily Phase 2 – Impact^{b,d}	89	349	996	1	75	47
Thresholds	75	550	100	150	150	55
Significant?	Yes	No	Yes	No	No	No
Phase 3 Construction						
Marine Construction	0	0	0	0	0	0
Civil Construction	31	126	303	0	23	15
Building Demolition	0	0	0	0	0	0
Peak Daily Phase 3 – Impact^{b,d}	31	126	303	0	23	15
Thresholds	75	550	100	150	150	55
Significant?	No	No	Yes	No	No	No

Table AQ-1: Peak Daily Emissions Associated with Proposed Project Construction Activities – Proposed Project Without Mitigation

Emission Source	Peak Daily Emissions (lb/day) ^c					
	VOC	CO	NO _x	SO _x	PM ₁₀ ^a	PM _{2.5} ^a

^a Emissions of PM10 and PM2.5 assume that fugitive dust is controlled in accordance with SCAQMD Rule 403 by watering disturbed areas 3 times per day.

^b Emissions might not add precisely due to rounding. For more explanation, refer to the discussion in Section 3.2.4.1.

^c The emission estimates presented in this table were calculated using the latest available data, assumptions, and emission factors at the time this document was prepared. Future studies might use updated data, assumptions, and emission factors that are not currently available.

^d The impact equals total Project construction emissions minus baseline construction emissions (which are zero). Exceedances of the thresholds are indicated in **bold**.

MM AQ-1: Harbor Craft Used during Construction

1. *As of January 1, 2011: All harbor craft with USEPA designated Category 1 (C1) or Category 2 (C2) marine engines must utilize a USEPA Tier-3 engine, or cleaner.*
2. *Three exception conditions from this measure may apply*
 - a. *A piece of specialized equipment is unavailable in a controlled form, or within the required Tier level, within the state of California, including through a leasing agreement.*
 - b. *A contractor has applied for necessary incentive funds to put controls on a piece of uncontrolled equipment planned for use on the project, but the application process is not yet approved, or the application has been approved, but funds are not yet available.*
 - c. *A contractor has ordered a control device for a piece of equipment planned for use on the project, or the contractor has ordered a new piece of controlled equipment to replace the uncontrolled equipment, but that order has not been completed by the manufacturer or dealer. In addition, for this exemption to apply, the contractor must attempt to lease controlled equipment to avoid using uncontrolled equipment, but no dealer within 200 miles of the project has the controlled equipment available for lease.*

MM AQ-2: On-Road Trucks

1. *Trucks hauling material such as debris or any fill material will be fully covered while operating off Port property.*
2. *USEPA Standards:*
 - a. *For On-road trucks except for Import Haulers and Earth Movers: Comply with the most recent (i.e., 2007) on-road emission standards for PM10 and NOx*
 - b. *For Import Haulers: Comply with the most recent (i.e., 2004) on-road emission standards for PM10 and NOx*

- c. *For Earth Movers: Comply with the most recent (i.e., 2004) on-road emission standards for PM10 and NOx*

MM AQ-3: Construction Equipment

1. *All dredging equipment shall at a minimum meet Tier 3 standards. Construction equipment will incorporate, where feasible, emissions-savings technology such as hybrid drives and specific fuel economy standards.*
2. *Idling will be restricted to a maximum of 5 minutes when not in use.*
3. *Equipment Engine Specifications:*
 - a. *If not electric, meet Tier 3, or 4 standards depending on timing.*
 - b. *Two categories of exceptions exist*
 - i. *Requirements do not apply to equipment less than 50hp.*
 - ii. *Requirements do not apply to marine vessels and harbor craft.*

MM AQ-4: Best Management Practices

BMPs shall be implemented to reduce air emissions from construction activities, including:

1. *Use of diesel oxidation catalysts and catalyzed diesel particulate traps*
2. *Maintain equipment according to manufacturers' specifications*
3. *Install high-pressure fuel injectors on construction equipment vehicles*
4. *Re-route construction trucks away from congested streets or sensitive receptor areas.*

MM AQ-5: Additional Fugitive Dust Controls

The project construction contractor shall reduce fugitive dust emissions by 90 percent from uncontrolled levels. The project construction contractor shall specify the dust-control methods that will achieve this control level in the Dust Control Plan submitted to the South Coast Air Quality Management District (SCAQMD) for review and approval in compliance with SCAQMD Rule 403. These measures shall also apply, as appropriate, during holiday and weekend periods when work may not be in progress.

The following measures to reduce dust shall be included in this plan, at a minimum:

- *SCAQMD's Best Available Control Technology (BACT) measures must be followed on all projects. They are outlined on Table 1 in Rule 403. Large construction projects (on a property which contains 50 or more disturbed acres) shall also follow Rule 403 Tables 2 and 3.*

- *Active grading sites shall be watered three times per day.*
- *Contractors shall apply approved non-toxic chemical soil stabilizers to all inactive construction areas or replace groundcover in disturbed areas.*
- *Contractors shall provide temporary wind fencing around sites being graded or cleared.*
- *Trucks hauling dirt, sand, or gravel shall be covered or shall maintain at least 2 feet of freeboard in accordance with Section 23114 of the California Vehicle Code. (“Spilling Loads on Highways”).*
- *Construction contractors shall install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off tires of vehicles and any equipment leaving the construction site.*
- *The grading contractor shall suspend all soil disturbance activities when winds exceed 25 mph or when visible dust plumes emanate from a site; disturbed areas shall be stabilized if construction is delayed.*
- *Open storage piles (greater than 3 feet tall and a total surface area of 150 square feet) shall be covered with a plastic tarp or chemical dust suppressant.*
- *Stabilize the materials while loading, unloading and transporting to reduce fugitive dust emissions.*
- *Belly-dump truck seals should be checked regularly to remove trapped rocks to prevent possible spillage.*
- *Comply with track-out regulations and provide water while loading and unloading to reduce visible dust plumes.*
- *Waste materials should be hauled off-site immediately.*

MM AQ-6: General Mitigation Measure

For any of the above mitigation measures (MM AQ-1 through MM AQ-5), if a CARB-certified technology becomes available and is shown to be as good as or better in terms of emissions performance than the existing measure, the technology shall replace the existing measure pending approval by the LAHD.

Rationale for Finding

Changes or alterations in the form of mitigation measures have been incorporated into the Project in the form of **MM AQ-1 through MM AQ-6**, which lessen significant construction emissions. Although reduced as a result of the mitigation measures, construction emissions remain significant and unavoidable. Table AQ-2 below presents the construction emissions and thresholds mitigation (Table AQ-1 above presents the emissions prior to mitigation).

Table AQ-2: Peak Daily Emissions Associated with Proposed Project Construction Activities – Proposed Project With Mitigation

Emission Source	Peak Daily Emissions (lb/day) ^c					
	VOC	CO	NO _x	SO _x	PM ₁₀ ^a	PM _{2.5} ^a
Phase 1 Construction						
Marine Construction	17	73	194	<1	8	7
Civil Construction	1	13	19	<1	1	1
Building Demolition	0	0	0	0	0	0
Peak Daily Phase 1–Impact^{b,d}	19	86	213	<1	10	8
Thresholds	75	550	100	150	150	55
Significant?	No	No	Yes	No	No	No
Phase 2 Construction						
Marine Construction	12	49	125	<1	6	5
Civil Construction	18	99	264	1	31	10
Building Demolition	2	12	17	<1	1	1
Peak Daily Phase 2 –Impact^{b,d}	32	160	406	1	38	16
Thresholds	75	550	100	150	150	55
Significant?	No	No	Yes	No	No	No
Phase 3 Construction						
Marine Construction	0	0	0	0	0	0
Civil Construction	12	82	130	<1	9	7
Building Demolition	0	0	0	0	0	0
Peak Daily Phase 3 –Impact^{b,d}	12	82	130	<1	9	7
Thresholds	75	550	100	150	150	55
Significant?	No	No	Yes	No	No	No

^a Emissions of PM10 and PM2.5 assume that fugitive dust is controlled in accordance with SCAQMD Rule 403 by watering disturbed areas 3 times per day.

^b Emissions might not add precisely due to rounding. For more explanation, refer to the discussion in Section 3.2.4.1.

^c The emission estimates presented in this table were calculated using the latest available data, assumptions, and emission factors at the time this document was prepared. Future studies might use updated data, assumptions, and emission factors that are not currently available.

^d The impact equals total Project construction emissions minus baseline construction emissions (which are zero).

Exceedances of the thresholds are indicated in **bold**

While the mitigation measures presented in the Final EIR reduce emissions, emissions would still exceed SCAQMD emissions for NO_x during construction. Mitigation measures **MM AQ-1 through MM AQ-6** represent feasible means to reduce air pollution impacts from proposed construction sources.

Emissions will largely come from diesel-powered construction equipment. The largest contributors to peak daily construction emissions are dredging equipment during Phase 1 and 2 dredging activities and CDF construction and heavy duty off-road construction equipment used during Phase 3 building construction, earthmoving, and storm water system installation. Grading activities are the main source of fugitive dust during construction.

While electric dredging equipment is recommended by LAHD under the CAAP, there is no existing infrastructure within sufficient distance that would support electric dredging within Fish Harbor. Currently there is a single dredge company in the Port of Los Angeles with the required electrical infrastructure in place, at Berth 174, to support the use of an electric dredge via a 15,000 foot underwater cable. The water distance from Berth 174 to ALBS is 21,000 feet, precluding the use of the electric dredge. Equipment associated with the Alternative Marine Power (AMP) program at the Evergreen Container Terminal is available within 15,000 feet of the ALBS location. However, this equipment supplies shore power to container ships while at berth, as called for in the CAAP, to reduce emission from ship auxiliary generators while at berth. Use of the AMP equipment for the dredge would disrupt container terminal operation by necessitating rescheduling of ships or berthing them at a non-AMP equipped berths at the terminal, leading to increased pollutant emissions from use of the auxiliary generator. Further the equipment within Evergreen's lease-hold is not available for use by others. LAHD will be constructing infrastructure on Terminal Island to supply power to electric dredges, however the construction may not be completed in time to be used during ALBS dredging. For these reasons, use of an electric dredge was found to be infeasible. Dredging activities and therefore would be required to use dredge equipment with a minimum of Tier 3 engines as electric dredging equipment is not feasible to implement.

As part of the Draft EIR, mitigation was developed aimed at reducing these emissions; however, no additional mitigation beyond that identified in the Final EIR is feasible at this time because of limitations on the availability of required technology in the existing construction fleet. Most construction contractors do not own their own equipment because of the costs associated with owning, maintaining and storing large equipment, but instead rent equipment. The pool of rental construction equipment featuring the most stringent available emissions control technologies is limited, however, and construction contractors cannot be sure of being able to rent that equipment. For example, new Tier 3 standard off-road engines first became commercially available in 2006/2007 for the prevalent horsepower categories proposed for Project construction. Since most of the construction would occur within a few years after this time, and construction equipment rental firms have not yet had time to entirely update their fleets, not all Project construction equipment is expected to comply with the most stringent emissions control standards. Hence, **MM AQ-1 through MM AQ-3** proposes feasible measures to reduce emissions during marine and non-marine construction activity. No mitigation measures or alternatives to reduce impacts to air quality were raised in comments on the Draft EIR.

Public Comment

No public comments regarding construction air quality were submitted.

Impact AQ-2: Proposed Project construction would result in off-site ambient air pollutant concentrations that exceed a SCAQMD threshold of significance.

Dispersion modeling of on-site Project construction emissions was performed to assess the impact of the proposed Project on local ambient air concentrations. A complete dispersion modeling report is included in Appendix C1 of the Draft EIR. Table AQ-3 presents the maximum off-site ground level concentrations of NO₂, CO, PM10, and PM2.5 from construction without mitigation. The maximum off-site annual PM10 and NO₂ concentration increments and the maximum 1-hour and 8-hour CO concentrations would not exceed the SCAQMD thresholds. The maximum off-site 24-hour PM10 and PM2.5 concentration increments would exceed SCAQMD significance thresholds. In addition, the maximum off-site 1-hour NO₂ concentration, including background, would exceed the SCAQMD significance threshold.

Without mitigation, maximum off-site ambient pollutant concentrations associated with the construction of the proposed Project would be significant for PM10 (24-hour average), PM2.5 (24-hour average) and NO₂ (1-hour average). Therefore, significant impacts would occur.

Table AQ-3: Maximum Off-site Ambient Concentrations – Proposed Project Construction without Mitigation

Pollutant	Averaging Time	Background Concentration (µg/m ³)	Maximum Concentration (without Background) (µg/m ³)	Total Ground-Level Concentration (µg/m ³)	Threshold ^a (µg/m ³)	Exceed Threshold?
NO ₂	Federal 1-hour ^a	147	405	552	188	Yes
	State 1-hour ^b	235	492	727	338	Yes
	Federal annual ^c	40	2	42	100	No
	State annual ^c	40	2	42	57	No
CO ^e	1-hour	4,600	2,155	6,755	23,000	No
	8-hour	2,878	620	3,498	10,000	No
PM ₁₀ ^d	24-hour	NA	30.3	NA	10.4	Yes
	Annual	NA	0.2	NA	1.0	No
PM _{2.5} ^d	24-hour	NA	19.4	NA	10.4	Yes

^a The high 8th highest modeled 1-hour NO₂ was added to the design value background concentration for comparison with the federal 1-hour standard.

^b The high 1st highest modeled 1-hour NO₂ was added to the background concentration for comparison with the state 1-hour standard.

^c The 1st highest modeled annual average NO₂ was added to the background concentration for comparison with the Federal and state annual average standards.

^d The PM10 and PM2.5 thresholds are incremental thresholds. Therefore, the high 1st highest modeled 24-hour and annual PM10 and 24-hour PM2.5 were compared to the incremental threshold.

^e The high 1st highest modeled 1-hour and 8-hour CO values were respectively added to the background concentration for comparison with the federal 1-hour and 8-hour standards.

Exceedances of the thresholds are indicated in **bold**

Finding

Implementation of mitigation measures **MM AQ-1 through MM AQ-6** would reduce ambient pollutant impacts from Project construction. Implementation of these measures would substantially lessen emissions from criteria pollutants associated with construction of the proposed Project, as listed in Table AQ-4 below. Therefore, the Board hereby finds that changes or alterations have been required in, or incorporated into the project that avoid or substantially lessen the significant environmental effect identified in the Final EIR. The residual air quality impacts would be temporary but significant during construction for annual and 1-hour NO₂, 24-hour PM₁₀, and 24-hour PM_{2.5} after mitigation. Specific economic, legal, social, technological, or other considerations make infeasible additional mitigation measures or Project alternatives, as explained below.

Table AQ-4: Maximum Off-site Ambient Concentrations – Proposed Project Construction with Mitigation

Pollutant	Averaging Time	Background Concentration (µg/m ³)	Maximum Concentration (without Background) (µg/m ³)	Total Ground-Level Concentration (µg/m ³)	Threshold ^a (µg/m ³)	Exceed Threshold?
NO ₂	Federal 1-hour ^a	147	395	542	188	Yes
	State 1-hour ^b	235	478	713	338	Yes
	Federal annual ^c	40	2	42	100	No
	State annual ^c	40	2	42	57	No
CO ^e	1-hour	4,600	2,151	6,751	23,000	No
	8-hour	2,878	619	3,496	10,000	No
PM ₁₀ ^d	24-hour	NA	17.8	NA	10.4	Yes
	Annual	NA	0.2	NA	1.0	No
PM _{2.5} ^d	24-hour	NA	15.4	NA	10.4	Yes

a The high 8th highest modeled 1-hour NO₂ was added to the design value background concentration for comparison with the federal 1-hour standard.

b The high 1st highest modeled 1-hour NO₂ was added to the background concentration for comparison with the state 1-hour standard.

c The 1st highest modeled annual average NO₂ was added to the background concentration for comparison with the Federal and state annual average standards.

d The PM₁₀ and PM_{2.5} thresholds are incremental thresholds. Therefore, the high 1st highest modeled 24-hour and annual PM₁₀ and 24-hour PM_{2.5} were compared to the incremental threshold.

e The high 1st highest modeled 1-hour and 8-hour CO values were respectively added to the background concentration for comparison with the federal 1-hour and 8-hour standards.

Exceedances of the thresholds are indicated in **bold**

Rationale for Finding

Changes or alterations in the form of mitigation measures have been incorporated into the project in the form of mitigation measures **MM AQ-1 through MM AQ-6** which substantially lessen significant construction emissions, as shown in Tables AQ-5 and AQ-6. Although reduced as a result of the mitigation measures, construction emissions remain significant and unavoidable during construction.

Public Comment

No public comments regarding construction air quality were submitted.

Impact AQ-4: Proposed Project operations would result in off-site ambient air pollutant concentrations that exceed a SCAQMD threshold of significance in Table 3.2-10.

Dispersion modeling (on-site and off-site) of Project operational emissions of NO_x, PM₁₀ and PM_{2.5} was performed to assess the impact of the proposed Project on local ambient air concentrations to assess the potential for proposed Project operations to significantly increase concentrations of these pollutants. A summary of the dispersion modeling results is presented in Table AQ-5 below, and the complete dispersion modeling report is included in Appendix C1 of the Draft EIR with revised portions in Chapter 3, Modifications to the Draft EIR, of the Final EIR). Maximum off-site ambient pollutant concentrations associated with the proposed Project operations would be significant for Federal 1-hour NO₂, peak day and annual PM₁₀, and peak day PM_{2.5} would exceed SCAQMD operational thresholds. Therefore the total ground level concentrations would be significant.

Table AQ-5: Maximum Off-site NO₂, PM₁₀ and PM_{2.5} Concentrations Associated with Operation of the Proposed Project without Mitigation

Pollutant	Averaging Time	Maximum Modeled Concentration of Proposed Project (µg/m ³)	Background Concentration ^b (µg/m ³)	Total Ground Level Concentration ^a (µg/m ³)	Threshold (µg/m ³)	Exceed Threshold?
NO ₂ ^c	Federal 1-hour ^d	65	147	212	188	Yes
	State 1-hour	72	235	307	339	No
	Federal Annual	10	40	50	100	No
	State Annual	10	40	50	57	No
PM ₁₀	24-hour	110.8	NA	NA	2.5	Yes
	Annual	30.8	NA	NA	1.0	Yes
PM _{2.5}	24-hour	25.7	NA	NA	2.5	Yes

a Exceedances of the thresholds are indicated in **bold**.

b The background concentrations were obtained from the North Long Beach Monitoring Station. The maximum concentrations during the years of 2007, 2008, and 2009 were used.

c NO₂ concentrations were calculated using the ozone limiting method (OLM) with ozone data from the North Long Beach monitoring station. The Federal 1-hour NO₂ concentration is calculated using the 98th percentile of the daily maximum 1-hour average to compare with the new federal 1-hour NO₂ standard of 0.100 ppm (188 µg/m³) (effective January 22, 2010).

d According to USEPA guidance, the modeled design value (98th) for 1-hour NO₂ is added to the background design value (98th) for NO₂. (USEPA, 2011b)

Finding

The main source of NO_x emissions from the ALBS is the air compressors used during spray coating operations. The air compressors must be portable and cannot feasibly be replaced with electric units and no other feasible methods to reduce emissions were identified. As a result, no

mitigation measures are proposed to reduce NO₂ emissions. Therefore, the Board hereby finds that no feasible mitigation measures are available to avoid or substantially lessen the significant environmental effect identified in the EIR.

Rationale for Finding

Because no feasible mitigation measures are available to avoid or substantially lessen the significant environmental effect identified in the EIR, ambient air concentrations emissions remain significant and unavoidable for 1-hour NO₂, 24-hour and annual PM₁₀, and 24-hour PM_{2.5}.

Public Comment

No public comments regarding on-site or off-site NO₂, PM₁₀, or PM_{2.5} concentration impacts were submitted.

Impact AQ-6: The proposed Project would expose receptors to significant levels of Toxic Air Contaminants (TACs).

An HRA spanning years 2012-2081 was conducted pursuant to the LAHD's protocol.² The period 2012-2081 is the 70-year exposure period during which proposed Project construction and operation would occur. The Hotspots Analysis and Reporting Program (HARP), version 1.4c (CARB, 2009), was used to perform health risk calculations based on output from the AERMOD dispersion model. The complete HRA report is included in Appendix C3 of the EIR and the revised HRA (in its entirety is in Chapter 3, Modifications to the Draft EIR, of the Final EIR).

The major pollutant contributing to health risk impacts is DPM, and the main sources of DPM are the spray coating compressor engines, other on-site mobile diesel engines and the heavy-duty off-road construction equipment.

For health effects resulting from long-term exposure, CARB considers DPM as representative of the total health risks associated with the combustion of diesel fuel. TAC emissions from nondiesel sources (such as gasoline fuel engines and cleaning/coating operations) also were evaluated in the HRA, although their impacts were minor in comparison to DPM. Since the Project would generate emissions of DPM, Impact AQ-6 also discusses the effects of ambient PM on increased mortality and morbidity.

The HRA evaluated three different types of health effects: individual lifetime cancer risk, chronic noncancer hazard index, and acute noncancer hazard index. Individual lifetime cancer risk is the additional chance for a person to contract cancer after a lifetime of exposure to Project emissions. The "lifetime" exposure duration assumed in this HRA is 70 years for a residential receptor and 40 years for an occupational receptor.

The chronic hazard index is a ratio of the long-term average concentrations of TACs in the air to established reference exposure levels. A chronic hazard index below 1.0 indicates that adverse noncancer health effects from long-term exposure are not expected. Similarly, the acute hazard index is a ratio of the short-term average concentrations of TACs in the air to established reference exposure levels (i.e., short-term exposure, which as described above consists of DPM emissions from off-road equipment, trucks, and dredging equipment during construction activities). An acute hazard index below 1.0 indicates that adverse noncancer health effects from short-term exposure are not expected.

² The HRA prepared for the Draft EIR assumed 2011-2080. Based on public comment (SCAQMD-3), the HRA has been revised in the Final EIR as described in further detail in the following pages.

For the determination of significance, the HRA determined the increase in health effects values due to the proposed Project construction. The health effects values were compared to the significance thresholds for health risk described in Section 3.2.4.2 of the Draft EIR.

To estimate residential cancer risk impacts, VOC and DPM emissions were calculated for proposed Project construction and incremental operations, and averaged over a 70-year period, from approximately 2012 through 2081. Occupational risk was determined over a 40-year period, from approximately 2012 to 2051. Recreational, student, and sensitive receptor risks are determined from the calculated residential and occupational risks and according to receptor-type locations. Where applicable, emission factors were allowed to change with time in accordance with normal fleet turnover rates (for trucks and off-road equipment), and existing regulations and agreements listed in Table 3.2-8 of the Draft EIR.

Table AQ-6 presents the maximum predicted health impacts associated with the proposed Project without mitigation. The table includes estimates of individual lifetime cancer risk (long-term), chronic noncancer hazard index (long-term), and acute noncancer hazard index (short-term) at the maximally exposed residential, occupational, sensitive, student, and recreational receptors. For each receptor type, the various health values in Table AQ-6 often occur at different locations.

Table AQ-6: Maximum Health Impacts Associated With the Construction and Incremental Operation of the Proposed Project Without Mitigation, 2012 – 2081

Health Impact	Receptor Type	Maximum Predicted Impact ^{a,b}	Significance Threshold
		Increment ^c	
Cancer Risk	Residential ^d	8.5 x 10 ⁻⁰⁶ (8.5 in a million)	10 x 10 ⁻⁶ 10 in a million
	Occupational	3.6 x 10 ⁻⁰⁶ (3.6 in a million)	
	Sensitive	5 x 10 ⁻⁰⁸ (0.05 in a million)	
	Student	7 x 10 ⁻¹⁰ (0.0007 in a million)	
	Recreational	2.6 x 10 ⁻⁰⁶ (2.6 in a million)	
Chronic Hazard Index	Residential	0.07	1.0
	Occupational	0.1	
	Sensitive	0.0003	
	Student	0.0001	
	Recreational	0.07	
Acute Hazard Index	Residential	0.7	1.0
	Occupational	1.7	
	Sensitive	0.004	
	Student	0.04	
	Recreational	0.7	

^a Exceedances of the significance thresholds are in **bold**. The significance thresholds apply to the increments only.

^b Data represent the receptor locations with the maximum impacts or increments. The impacts or increments at all other receptors would be less than these values.

^c The increment represents Project minus baseline.

^d The cancer risk values reported in this table for the residential receptor are based on the 80th percentile breathing rate.

Table AQ-6 shows that the maximum cancer risk (long-term) increment associated with the unmitigated combined construction and operation of the proposed Project is predicted to be 8.5 in a million at a residential receptor and 3.6 in a million or less at an occupational, recreational, sensitive, and student receptors. The cancer risk therefore would not be significant at a residential receptor. The peak residential impact occurs at the liveaboards directly to the south of the proposed Project, but their risk exposure would be less than the significance threshold. No residential locations would exceed the threshold of 10 in a million for cancer risk.

As shown on Table AQ-6, the maximum chronic (long-term) hazard index increment associated with the unmitigated Project is predicted to be 0.07 at residential and 0.1 or less for occupational, sensitive, recreational, and student receptors. No chronic hazard index impact exceeds the threshold of 1.0; therefore, chronic health risk impacts associated with the proposed Project would be less than significant.

As shown on Table AQ-6, the acute (short-term) hazard index increments associated only with occupational receptors (2) would exceed the significance criterion hazard index of 1.0 during construction and therefore impacts would be significant for off-site occupational workers. The acute risk is less than significant for all other receptor types. The acute risk is driven by formaldehyde emissions, also from diesel engines. The maximum occupational impact occurs at the receptor located approximately 80 feet west of the Project site, on the west side of Seaside Avenue.

The 24-hour PM_{2.5} impact shown in Table AQ-3 for proposed Project construction is 19.4 µg/m³. This exceeds the SCAQMD threshold of 10.4 µg/m³. To assess whether morbidity and mortality calculations were required, additional dispersion modeling was performed to determine whether the extent of the PM_{2.5} exceedance reaches a residential area. With the exception of the liveaboards, no exceedance of the PM_{2.5} SCAQMD threshold for construction occurs outside approximately 50 meters of the project boundary. There are only a few potential liveaboards that are impacted; therefore, a population exposure determination would not apply to this area. Similarly, while the operational PM_{2.5} concentrations in Table 3.2-17 of the Draft EIR is 25.7 µg/m³ which exceeds the SCAQMD threshold of 2.5 µg/m³, the range of the exceedance would not extend into residential areas beyond the Project boundary with the exception of the few potential liveaboards within Al Larson Marina. Appendix C3 in the Draft EIR shows the results of this analysis in greater detail. Therefore the 24-hour PM_{2.5} concentration is considered to be less than significant for the purposes of a mortality and morbidity analyses, and a mortality and morbidity determination is not required.

Finding

Mitigation measures **MM AQ-1 through MM AQ-6**, as required under Impact AQ-1, would also reduce TAC emissions. Implementation of these measures would slightly lessen emissions from criteria pollutants associated with operation of the proposed Project, as listed in Table AQ-7 below. Therefore, the Board hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect identified in the EIR. However, after mitigation, the maximum mitigated Project construction impacts would still exceed the acute hazard threshold at occupational receptors. Therefore, significant and unavoidable acute hazard would remain for the occupational receptor to the west of the Project site. Specific economic, legal, social, technological, or other considerations make infeasible additional mitigation measures or Project alternatives, however, as explained below.

Table AQ-7: Maximum Health Impacts Associated With the Construction of the Proposed Project With Mitigation, 2012 – 2081

Health Impact	Receptor Type	Maximum Predicted Impact ^{a,b}	Significance Threshold
		Increment ^c	
Acute Hazard Index	Residential	<u>0.6</u>	1.0
	Occupational	1.4	
	Sensitive	<u>0.003</u>	
	Student	<u>0.04</u>	
	Recreational	<u>0.6</u>	

NOTE: Only acute risks associated with construction were found to require mitigation; therefore, only acute is presented in this table.

^a Exceedances of the significance thresholds are in **bold**. The significance thresholds apply to the increments only.

^b Data represent the receptor locations with the maximum impacts or increments. The impacts or increments at all other receptors would be less than these values.

^c The increment represents Project minus baseline.

^d The cancer risk values reported in this table for the residential receptor are based on the 80th percentile breathing rate.

Rationale for Finding

Changes or alterations in the form of mitigation measures have been required in, or incorporated into the project in the form of mitigation measures **MM AQ-1 through MM AQ-6** which slightly lessen significant toxic air emissions, as shown in Table AQ-7 above. Although reduced as a result of the mitigation measures, the acute hazard index remains significant and unavoidable for occupational receptors.

Public Comment

The SCAQMD commented that the HRA analysis in the Draft EIR was unclear on whether or not ALSB operations were included in the analysis. In reviewing the HRA evaluation, it was determined that toxic air contaminant (TAC) emission from construction rates in pounds per hour (lbs/hr) were treated as tons per year (tpy) when incorporated into HARP. Thus, the long-term TAC construction emissions in HARP were overestimated by a factor of approximately 24 when compared to the actual annual emission estimates. In addition, several of the peak daily TAC emissions (lbs/day) were incorrectly reported as lbs/hr, also overestimating short-term TAC emissions for several sources. Therefore, the HARP results in the Draft EIR grossly overestimated risk results for cancer and chronic non-cancer risks, and also overestimated the acute risks. The Draft EIR erroneously reported a significant cancer risk for residential receptors and a significant acute hazard index for residential receptors.

The operational emissions had been initially screened out of the HRA using the SCAQMD's Tier 2 risk assessment spreadsheet model. The HARP analysis has since been revised in the Final EIR (refer to Chapter 3, Modifications to the Draft EIR, of the Final EIR) to reflect the correction of construction TAC emissions to appropriate units and inclusion of operational TAC emissions. The revised results indicate that health risks for cancer and chronic non-cancer impacts will be less than the appropriate thresholds for all receptor types. The acute risks remain significant, although less than previously reported in the Draft EIR. The Findings above reflect the revised HRA. The HRA update did not result in identification of additional or new significant health risk impacts compared to the significance determinations in the Draft EIR; rather, it decreased the

significance determinations from those disclosed in the Draft EIR. No other public comments regarding the HRA were submitted.

Impact AQ-8: The proposed Project would produce GHG emissions that would exceed baseline levels.

Climate change, as it relates to man-made GHG emissions, is by its nature a global impact. An individual project does not generate enough GHG emissions to significantly influence global climate change by itself (AEP, 2007). The issue of global climate change is, therefore, a cumulative impact. Nevertheless, for the purposes of this EIR, the LAHD has opted to address GHG emissions as a Project-level impact. In actuality, an appreciable impact on global climate change would only occur when the Project GHG emissions combine with GHG emissions from other man-made and naturally occurring activities on a global scale.

Table AQ-8 summarizes the total GHG construction emissions associated with the proposed Project. The emissions are totaled over the entire multiple-year construction period. The construction sources for which GHG emissions were calculated include off-road construction equipment, on-road trucks, dredging equipment, and worker commute vehicles.

Table AQ-8: Total GHG Emissions from Construction Activities – Proposed Project

Emission Source	CO ₂	CH ₄	N ₂ O	CO ₂ e ^a
	Total Emissions ^b (Metric Tons ^c)			
Phase 1	463	0.04	0.0	464
Phase 2	338	0.03	0.0	339
Phase 3	556	0.06	0.0	557
Total Construction –Impact^{d,e}	1,358	0.12	0.0	1,360

^a CO₂e = the carbon dioxide equivalent emissions of all GHGs combined. The carbon dioxide equivalent emission rate for each GHG represents the emission rate multiplied by its global warming potential (GWP). The GWPs are 1 for CO₂; 21 for CH₄; and 310 for N₂O.

^b The emission estimates presented in this table were calculated using the latest available data, assumptions, and emission factors at the time this document was prepared. Future studies might use updated data, assumptions, and emission factors that are not currently available.

^c One metric ton equals 1,000 kilograms, 2,205 lbs, or 1.1 U.S. (short) tons.

^d Emissions might not add precisely due to rounding. For more explanation, refer to the discussion in Section 3.2.4.1

^e The impact equals total Project construction emissions minus baseline emissions. In the case of construction, baseline emissions are zero.

Table AQ-9 summarizes the annual unmitigated GHG emissions that would occur in California from operation of the proposed Project. The emission sources for which GHG emission were calculated include machine shop operations, building operations, off-road equipment, harbor craft transit, and worker trips to the site. The table also shows the net change in the Project’s GHG emissions relative to the baseline.

Table AQ-9: Total Annual GHG Emissions from Operational Activities – Proposed Project

Emission Source	CO ₂	CH ₄	N ₂ O	CO ₂ e ^a
	Total Emissions (Metric Tons ^b)			
Machine Shop Operations	174	0.01	0.00	175
Building Operations	560	0.02	0.01	562
Off-road Equipment ^c	202	0.01	0.01	204
Harbor Craft Transit	6,739	0.20	0.30	6,836
Worker Trips	675	0.02	0.01	680
Total For Proposed Project	8,350	0.26	0.32	8,456
Baseline	4,318	0.14	0.18	4,375
Project Minus Baseline	4,033	0.12	0.15	4,081

^a CO₂e = the carbon dioxide equivalent emissions of all GHGs combined. The carbon dioxide equivalent emission rate for each GHG represents the emission rate multiplied by its global warming potential (GWP). The GWPs are 1 for CO₂; 21 for CH₄; and 310 for N₂O.

^b One metric ton equals 1,000 kilograms, 2,205 lbs, or 1.1 U.S. (short) tons.

^c Off-road equipment includes mobile off-road equipment on-site and the new boat hoists.

Finding

Construction and operational GHG emissions would exceed the baseline. Therefore, emissions of Project-related GHGs would be significant. Although mitigation measures reduce GHG emissions, emissions remain significant and unavoidable. In the Final EIR, mitigation measures **MM AQ-7**, **MM AQ-8**, **MM AQ-9**, and **MM AQ-10** are identified as reducing GHG emissions. Therefore, the Board hereby finds that changes or alterations have been required in, or incorporated into, the project that avoid or substantially lessen the significant environmental effect identified in the Final EIR. However, as the mitigation measures would not reduce emissions to their baseline levels, incorporation of these mitigation measures would not reduce GHG emissions below significance. Specific economic, legal, social, technological, or other considerations make infeasible additional mitigation measures or Project alternatives, however, as explained below.

MM AQ-7: Compact Fluorescent Light Bulbs

All interior buildings on the premises shall exclusively use compact fluorescent light bulbs fluorescent light bulbs, or a technology with similar energy-saving capabilities for ambient lighting within all ALBS buildings. The tenant shall also maintain and replace any Port-supplied compact fluorescent light bulbs. Instructions on proper disposal of used bulbs and clean-up of broken bulbs in compliance with USEPA recommendations shall be posted in visible location within each building to reduce potential exposure to mercury vapor.

Fluorescent light bulbs produce less waste heat and use substantially less electricity than incandescent light bulbs. Although not quantified in this analysis, implementation of this measure is expected to reduce the

Project's GHG emissions by less than 0.1 percent.

MM AQ-8: Energy Audit

The tenant shall conduct a third party energy audit every 5 years and install innovative power saving technology where feasible, such as power factor correction systems and lighting power regulators. Such systems help to maximize usable electric current and eliminate wasted electricity, thereby lowering overall electricity use.

This mitigation measure primarily targets large on-site electricity consumers such as lighting and electric machine shop equipment. These sources and other building energy uses consume the majority of on-site electricity, and account for about 30 percent of overall Project GHG emissions. Therefore, implementation of power saving technology on-site could minimally reduce overall Project GHG emissions. The effectiveness of this mitigation measure was not quantified.

MM AQ-9: Recycling

The tenant shall ensure a minimum of 40 percent of all waste generated in all ALBS buildings are recycled by 2014 and 60 percent of all waste generated in all ALBS buildings are recycled by 2016. Recycled materials shall include: (a) white and colored paper; (b) post-it notes; (c) magazines; (d) newspaper; (e) file folders; (f) all envelopes including those with plastic windows; (g) all cardboard boxes and cartons; (h) all metal and aluminum cans; (i) glass bottles and jars; and; (j) all plastic bottles.

In general, products made with recycled materials require less energy and raw materials to produce than products made with un-recycled materials. This savings in energy and raw material use translates into GHG emission reductions. The effectiveness of this mitigation measure was not quantified due to the lack of a standard emission estimation approach.

MM AQ-10: Tree Planting

The applicant shall plant shade trees where appropriate/feasible around the on-site buildings, and the tenant shall maintain all trees through the life of the lease.

Trees act as insulators from weather, thereby decreasing energy requirements. On-site trees also provide carbon storage (AEP, 2007). Although not quantified, implementation of this measure is expected to reduce Project GHG emissions by less than 0.1 percent.

Rationale for Finding

Climate change, as it relates to man-made GHG emissions, is by nature a global impact. An individual project does not generate enough GHG emissions to significantly influence global climate change by itself (AEP, 2007). The issue of global climate change is, therefore, a cumulative impact. Nevertheless, the LAHD has opted to address GHG emissions as a Project-level impact, as well as a cumulative impact. GHG emissions are significant and unavoidable for construction and operation.

Public Comment

No public comments regarding GHG emissions were submitted.

Cultural Resources

As discussed in Section 3.4 of the EIR, there would be one significant impact to cultural resources from the demolition of three historic structures under the proposed Project. The impacts and mitigation measures are discussed below.

Impact CUL-2: Construction of the proposed Project would impact significant historic architectural resources

As discussed in EIR, three buildings that are eligible for listing in the California Register would be demolished. Two of the buildings to be demolished (Buildings A2 and A3) are part of the Office and Workshop Complex (comprised of Buildings A1, A2, and A3) and are eligible for listing in the California Register of Historical Resources under Criterion 1 for their contribution to influencing patterns significant in our past. The third building (C1) is part of the Machine Shop Complex (comprised of Buildings C1 and C2), and is eligible for listing in the California Register of Historical Resources under Criterion 1 and Criterion 3. Demolition of Buildings A2, A3, and C1 would constitute a significant direct impact to cultural resources related to a significant adverse impact to a historical resource. In addition, because the buildings are part of historic complexes, their demolition would also destroy the integrity of the two complexes (each as a whole), which is also significant.

Finding

The EIR discussed impacts to these cultural resources associated with the proposed Project (**Impact CUL-2**). Implementation of the mitigation measures below would lessen the effects the demolitions on historic properties. Therefore, the Board hereby finds that changes or alterations have been required in, or incorporated into the project that lessens the significant environmental effect identified in the Final EIR. Incorporation of mitigation measures, however, would still not reduce impacts to historic resources to a level below significance. Specific economic, legal, social, technological, or other considerations make infeasible additional mitigation measures or Project alternatives, as explained below.

MM CUL-2: Historic Resource Recordation

Impacts resulting from the demolition of Buildings A2, A3, and C1 shall be minimized through archival documentation of both building complexes in as-built and as-found condition. Prior to issuance of demolition permits, the Los Angeles Harbor Department (LAHD) shall ensure that documentation of the buildings proposed for demolition is completed in the form of a Historic American Building Survey (HABS) Level II documentation that shall comply with the Secretary of the Interior's Standards for Architectural and Engineering Documentation. The documentation shall include large-format photographic recordation, detailed historic narrative report, and compilation of historic research. The documentation shall be completed by a qualified architectural historian or historian who meets the Secretary of the Interior's Professional Qualification Standards for History and/or Architectural History. The original archival-quality documentation shall be placed in the LAHD archives, where it would be available to local researchers.

Rationale for Finding

Changes or alterations in the form of mitigation measures have been incorporated into the Project in the form of Mitigation Measure **MM CUL-1**, which lessens but does not completely eliminate the significant impact to historic resources. Therefore, even with Mitigation Measure **MM CUL-1**, impacts to historic resources would remain significant and unavoidable.

Public Comment

Public comments regarding historic resources were submitted by the Los Angeles Conservancy and the San Pedro Bay Historic Society (comment letter and public hearing testimony). Both groups expressed concerns with demolishing the three historic buildings and requested that an alternatives and/or mitigation be implemented to avoid demolition of the historic buildings.

Alternative 2 – Reduced Project: Limited Demolition. The Los Angeles Conservancy commented that there appears to be sufficient space to allow implementation of Alternative 2 (retention of Buildings A3 and C1) without demonstrating that a 600-ton hoist is necessary to meet market demand. The Conservancy also requested that the Final EIR consider a smaller hoist such as a 400-ton hoist that would allow some historic buildings to be retained.

Alternative 2 would allow for some increased capacity at the ALBS site. Although, to what extent would depend on which structures are retained. Retention of Building C1 would reduce the maneuver space available for the boat hoists from approximately 112 feet to 70 feet. The 600-ton boat hoist has an effective width (boat hoist width plus clearance) of 59 feet thus the 600-ton hoist could transverse this corridor, however, the length of vessels it could maneuver would be reduce from 195 feet to 136 feet reducing the utility of the backland and Phase 2 CDF. It would also reduce space for dry docking by 2,680 square feet. Retention of Building A2 will result in a 36-foot corridor between Building A2 and Marine Railway 4 rendering the Phase 2 CDF inaccessible to the larger boat hoist. Retention of Building A3 will provide space for the large travel lift to transit to the Phase 2 CDF, but would narrow the gap between retained structures (Building A2 and the Southwest Marine Administration building). Retention of Building A3 reduces the length of vessel able to access the Phase 2 CDF from 195 feet to 136 feet and reduces the area available for dry docking by 3,770 square feet.

Currently ALBS can only service vessel greater than 350 tons with the floating dry dock or Marine Railway #4. The purpose of the 600-ton hoist is to replace the three marine railways, with their 350 ton limitation, and increase the capability of ALBS to service vessels between 350 and 600-tons. As part of the planning process, the tenant (Al Larson Boat Shop) had reviewed other size hoists, such as a 400-ton hoist. The 400-ton hoist would increase the capacity of ALBS to service vessels between 350 and 400-tons, however, ALBS capacity to service vessel between 400 and 600-tons would remain the same. The smaller sized hoist would not be as efficient or practical and would not maximize the use of space; therefore, the 600-ton hoist is the appropriate-size equipment. In any situation, Alternative 2 would limit the operational capacity on the site. Further, retention of a potentially historic building would constrain the opportunities to redesign the site to fully and most effectively comply with NPDES requirements, upgrade the existing infrastructure, constructing a new modern office space, and it would reduce the ability to clean up site legacy containments from beneath the existing pavement and buildings. This alternative would not be achieve the Project's goals due to the restrictive nature of its improvements. A market analysis, summarized in the Final EIR, states "[T]he only market for growth in boatyard services for commercial vessels appears to be barges and tugs. Such sized vessels could be serviced in-water or at the redeveloped Al Larson facility." Also, in survey of vessels which could use ALBS, 34 percent are greater than 136 feet in length and under 600-tons. This demonstrates that the ALBS expansion under the proposed Project is the only option for meeting

the need of this growing market, unless one travels to San Diego Bay, San Francisco Bay or beyond.

Alternative 3: Retention of Historic Buildings. The Los Angeles Conservancy commented that Alternative 3 is feasible, alternative configurations should be considered that retain the building while allowing for a 600-ton hoist, and retention of the historic buildings under Alternative 3 should be implemented because it would allow for water quality improvements while also encapsulating onsite contamination. Although impacts to the potentially historic structures would be completely eliminated under this alternative, implementation of this alternative would neither result in the complete modernization of the existing boat yard facilities nor provide for the same level of operational efficiency that would occur under the proposed Project. Further, retention of a potentially historic building would constrain the opportunities to redesign the site to fully and most effectively comply with NPDES requirements, upgrade the existing infrastructure, and would reduce the ability to clean up site legacy containments from beneath the existing pavement and buildings. Retention of historic buildings would reduce the space available for dry docking of vessels by the boat hoists by their 10,500 square foot footprint and reduce the length of vessel accessing the backland from 195 feet to 136 feet. Under Alternative 3, the 600-ton hoist would not be able to access the Phase 2 CDF. Therefore, implementation of Alternative 3 would not result in the complete modernization of the existing boat yard facilities, provide for the same level of operational efficiency, or meet the long term business goals of ALBS, as would occur under the proposed Project. Further, retention of potentially historic buildings would constrain the opportunities to redesign the site to fully and most effectively comply with NPDES requirements, upgrade the existing infrastructure, and reduce the ability to clean up site legacy contaminants from beneath the existing pavement and buildings. Contrary to the comment, leaving the historic buildings in place would not provide encapsulation of the legacy contamination beneath those buildings. Building A2 and A3 do not rest on concrete foundations but upon sand, having no foundations other than footing and piles. The contaminants under these buildings are not completely isolated from the environment as would be the case with a concrete slab foundation. Alternative 3 also limits the modernization of the site and affects the ability of the site to meet the local demands of the boat repair industry.

Alternative 4: Relocation of Historic Buildings. The Los Angeles Conservancy commented that the LAHD should make every effort to relocate the historic buildings and that the cost estimates for the relocations are overly high. The request to relocate to the historic buildings was also submitted by the San Pedro Bay Historic Society.

Chapter 6, Analysis of Alternatives, of the Draft EIR analyzed Alternative 4, Relocation of Historic Buildings. This alternative would be the same as the proposed Project; however, all of the potentially historic buildings slated for demolition would be moved to another location within the Port. The relocation site would be one of two redevelopment project sites within the Port: the San Pedro Waterfront project or the Wilmington Waterfront project (see Figure 6-2 in Chapter 6 of the Draft EIR). Relocation to either of the redevelopment project sites would be consistent with the LAHD's "Procedures to Implement the Real Estate Leasing Policy," which incorporates long-range facility planning and objectives in the two redevelopment project areas. Relocation to either of the two redevelopment project areas would not guarantee that the buildings would be located on the waterfront, which would result in a loss in the integrity of the structures. In addition, the relocated buildings would be removed from the other portions of the historic buildings, which would further result in a loss in the integrity of the complexes. If relocated to either of the two redevelopment project areas, the structures would need to comply with the Design Criteria associated with the redevelopment areas (e.g. installation of windows and minimal use of blank wall) that would further compromise the integrity of the buildings and

improvements to meet building code requirements, which could include alterations to the structures that could result in a loss in the integrity of the structures.

Although all of the potentially historic structures slated for demolition would be relocated, the actual relocation process would result in a loss in the integrity of the structures. Thus, under this alternative, impacts on historic resources would remain significant.

This alternative would not be ideal because of the complexity and resulting high cost to relocate the potentially historic structures. The buildings have a frame structure and would need to be disassembled to be moved. The reassembly of the buildings would likely require improvements to meet current building standards and correct any damage that occurring during disassembly. The new site would require reinforced concrete foundations, reinforced concrete slab on grade and site development documents similar to what a new building would require (geotechnical report, design documents, permitting documents, building site permitting documents) and structural drawings. It is estimated that the approximate cost for disassembly and re-assembly at another site of Buildings C1, A2 and A3 could be as much as \$12 million (refer to Appendix D3 – Structural Assessment Memorandum, of the Draft EIR). The total cost for the proposed Project is estimated at \$13 to \$16 million; therefore, relocation would increase total cost of this alternative by as much as approximately 75 percent.

In conclusion, the relocation of the potentially historic structures would reduce the impacts of demolition but it would remain significant because of the loss of integrity of the structures due to relocation away from the waterfront, removal from the other portions of the complexes, possible alteration due to Design Criteria and/or building code required alterations or damage from relocation, all which have the potential to compromise the structure's historic significance.

Alternative: Redefine Project Boundaries. The Los Angeles Conservancy commented that the EIR alternatives failed to capture the parking area where the 600-ton boat hoist will operate, that the alternatives did not include the Bethlehem Steel Administration Building area, and that the project area should be redefined. There are two boundaries associated with the proposed Project: 1) portion of the facility that is affected by the proposed improvements; and 2) the new lease area which involves the entire ALBS facility and involves changes in the lease, which is part of the proposed Project, converting from water to land by the creation of the two CDFs (refer to revised Figure 2-3 in Chapter 3, Modifications to the Draft EIR, of the Final EIR). The Draft EIR describes the Southwest Marine Administration Building's relationship to the site and the proposed Project. In addition, Chapter 5, Cumulative Analysis, of the Draft EIR analyzes the Southwest Marine Demolition Project (project #25).

Contrary to the comment, the boundary of the proposed Project is appropriately defined. Although located within the edge of the ALBS, the Southwest Marine Administration Building is owned by the BAE Systems and is not part of the ALBS lease area. The proposed Project was designed, and the environmental impacts analyzed, considering the modernization and increased efficiency of the facility with the Southwest Marine Administration Building at its current location. The building is vacant, there is currently no proposed use for the building and hence the issue of parking is speculative. However, should an application concerning the building by its owner be submitted to the LAHD for review, which could include restoration and reuse of the building; it will be subject to the CEQA review process. The proposed Project includes the construction of a new office building, which if built would be a maximum of 2,400 square feet. Instead of a permanent office building, ALBS is also examining using temporary trailers on an as-needed basis based on operational need. Potential locations for either building or trailers include, east of Building A1 or the far northern segment of the lease hold.

Mitigation: Rehabilitate the Bethlehem Steel Administration Building. The Los Angeles Conservancy commented that rehabilitation and reuse, or at minimum, stabilization of the

Bethlehem Steel Administration Building should also be included as a mitigation measure. Because the proposed Project would not impact the Bethlehem Steel Administration Building, the requested mitigation is not appropriate under CEQA.

Other Comments. SPBHS commented (at the Public Hearing) that although Buildings A2, A3, and C1 are not listed in the National Registry, they have historical importance and should be preserved. Because these buildings are not considered historic, and given the Project objectives, their preservation is not planned under the proposed Project.

Noise

As discussed in Section 3.9 of the Draft EIR, there would be one temporary but significant noise impact due to construction of the proposed Project. The impacts and mitigation measures are discussed below.

Impact NOI-1: Construction activities lasting more than 10 days in a 3-month period would exceed existing ambient exterior noise levels by 5 dBA or more at a noise-sensitive use.

The Al Larson Marina would experience an increase in ambient noise levels by 5 dBA or more from the following construction equipment: derrick barge crane hoist, generator, barge crane, pile driver, excavator, grader, trenching machine, and dozer. Noise produced by such equipment may be perceived as intrusive or annoying by the Al Larson Marina liveboards. In particular, the impact pile driver used for wharf construction and representative of construction of the sheet pile walls (associated with construction of the CDFs) would be the noisiest of all construction equipment. However, the noise would be intermittent since pile driving typically involves short periods of driving interspersed with longer periods of adjustment, alignment, or relocating equipment from one driving location to another. Therefore, the average noise level, though indicative of the overall effect of the noise on the auditory environment, may not reflect the typical individual's perception of the noise as intrusive or annoying. Nonetheless, on the basis of the likely perception of some individuals that pile driving noise is intrusive or annoying, the impact of construction noise is considered potentially significant, but temporary.

Finding

Changes or alterations have been required in, or incorporated into, the project that substantially lessens the significant noise impact resulting from Project construction. Mitigation measures would reduce potential noise impacts to receptors at liveboards at the Al Larson Marina, but would not reduce the noise levels to a less than significant level. The changes are set forth in mitigation measures **MM NOI-1**, **MM NOI-2**, and **MM NOI-3** below.

MM NOI-1: Noise Reduction during Pile Driving

Where feasible, the contractor shall be required to use a pile driving system, such as a Bruce hammer (with silencing kit), an IHC Hydrohammer SC series (with sound insulation system), or equivalent silenced hammer, which is capable of limiting maximum noise levels at 50 feet from the pile driver to 104 dBA, or less, for wharf construction.

MM NOI-2: Erect Temporary Noise Attenuation Barriers Adjacent to Pile Driving Equipment, Where Necessary and Feasible

Erect temporary noise attenuation barriers suitable for pile driving equipment where feasible and effective. The barriers should be installed directly between the equipment and the nearest noise sensitive use to the construction site. The need for and feasibility of noise attenuation barriers should be evaluated on a case-by-case basis considering the

distance to noise sensitive receptors, the available space at the construction location, and taking account of safety and operational considerations.

MM NOI-3: Temporary Noise Attenuation Barriers

When construction is occurring within 500 feet of a residence, temporary noise barriers (solid fences or curtains) will be located between noise-generating construction activities and sensitive receivers. The following will reduce the impact of noise from construction activities:

a) Idling Prohibitions. Unnecessary idling of internal combustion engines near noise-sensitive areas will be prohibited.

b) Equipment Location. All stationary noise-generating construction equipment, such as air compressors and portable power generators, will be located as far as practical from existing noise-sensitive land uses.

c) Quiet Equipment Selection. All internal combustion powered equipment shall be equipped with properly operating mufflers and kept in tune to avoid backfires. In addition, if exposed, engines are to be fitted with protective shrouds to reduce motor noise. Comply where feasible with noise limits established in the City of Los Angeles Noise Ordinance.

d) Notification. Sensitive receptors including residences within 500 feet of the proposed Project site will be notified of the construction schedule in writing prior to the beginning of construction.

Rationale for Finding

With implementation of **MM NOI-1 through MM NOI-3**, residual noise impacts as a result of project construction would be reduced but would still be considered a significant unavoidable temporary impact.

Public Comment

No public comments regarding noise impacts were received.

Cumulatively Considerable Impacts

The State CEQA Guidelines (Section 15130) require an analysis of the project’s contribution to significant and unavoidable cumulative impacts. Cumulative impacts include “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts” (State CEQA Guidelines, Section 15355). A total of 146 present or reasonably foreseeable future projects (approved or proposed) were identified within the general vicinity of the Project that could contribute to cumulative impacts. The 146 projects include projects in the Ports of Los Angeles and Long Beach, the City of Long Beach, the communities of San Pedro, Wilmington, and Carson, and other areas such as Harbor City, Lomita, and Torrance.

The discussion below identifies cumulatively significant impacts that can either be mitigated to less than significant or that cannot be mitigated to a less than significant level and represent significant unavoidable impacts. All feasible mitigation measures to reduce or avoid the cumulatively considerable contribution of the proposed Project to these impacts have been required in, or incorporated into, the proposed Project. The Board has determined that additional proposed mitigation measures and/or alternatives are infeasible in light of specific economic, legal, social, technological, and other considerations and, therefore, have not been required in, or incorporated into, the Project. The evidence of such infeasibility is explained below.

According to CEQA Guidelines Section 15130(b): “The discussion of cumulative impacts shall reflect the severity of the impacts and their likelihood of occurrence, but the discussion need not provide as great detail as is provided for the effects attributable to the project alone. The discussion should be guided by the standards of practicality and reasonableness...” The cumulative analysis presented in the Draft EIR in Chapter 4, Cumulative Analysis, meets this criterion. Chapter 2 of this Final EIR contains detailed responses to each particular comment, and where applicable, the responses to the cumulative comments are discussed generally below under each resource.

CEQA limits mitigation measures for cumulative impacts to only those measures that would feasibly and effectively avoid or substantially reduce the cumulatively considerable contribution of a proposed Project to a significant cumulative impact. All mitigation measures that meet that definition are identified in the EIR. CEQA does not require the mitigation of cumulative impacts above and beyond the cumulatively considerable contribution of a proposed Project.

Air Quality, Meteorology, and Greenhouse Gases

Cumulative Impact AQ-1: The proposed Project would contribute to cumulatively considerable construction-related emissions that exceed an SCAQMD threshold of significance – Cumulatively Considerable and Unavoidable

Cumulative Impact AQ-1 assesses the potential for proposed project construction along with other cumulative projects to produce a cumulatively considerable increase in criteria pollutant emissions for which the proposed project region is in nonattainment under a national or state ambient air quality standard or for which the SCAQMD has set a daily emission threshold.

Emissions from proposed Project construction would increase relative to baseline emissions for VOCs, CO, NO_x, SO_x, PM₁₀, and PM_{2.5}. Because Project construction would result in additive criteria pollutant emissions (VOCs, CO, NO_x, SO_x, PM₁₀, and PM_{2.5}) and cumulative emissions would likely exceed threshold levels, Project construction is deemed to make a cumulatively considerable contribution to significant cumulative air quality impacts. For the Project, only the VOC and NO_x emissions would exceed the SCAQMD threshold for construction. Emissions of VOC and NO_x would therefore combine with emissions from concurrent construction projects, which would already be cumulatively significant. As a result, emissions from proposed Project construction would make a cumulatively considerable contribution to a significant cumulative impact for VOC and NO_x emissions.

Mitigation measures **MM AQ-1 through MM AQ-6** would help reduce construction emissions. After mitigation, construction emissions of NO_x would continue to be significant. Therefore, during construction, the proposed Project after mitigation would make a cumulatively considerable and unavoidable contribution to a cumulative significant impact for NO_x emissions.

Finding

While mitigation has been incorporated to reduce impacts, proposed Project construction emissions would continue to exceed CEQA baseline emissions for NO_x even with mitigation incorporated. The Board hereby finds that specific technological considerations make infeasible additional mitigation measures or Project alternatives which would reduce these impacts to less-than-significant levels.

Rationale for Finding

Due to its substantial amount of emission sources and topographical/meteorological conditions that inhibit atmospheric dispersion, the South Coast Air Basin is a “severe-17” nonattainment

area for 8-hour O₃, a “serious” nonattainment area for PM₁₀, a nonattainment area for PM_{2.5}, and a maintenance area for CO in regard to the National Ambient Air Quality Standards (NAAQS). The South Coast Air Basin is in attainment of the NAAQS for SO₂, NO₂, and lead. In regard to the California Ambient Air Quality Standards (CAAQS), the South Coast Air Basin is presently in nonattainment for O₃, PM₁₀, and PM_{2.5}. The South Coast Air Basin is in attainment of the CAAQS for SO₂, NO₂, CO, sulfates, and lead, and is unclassified for hydrogen sulfide and visibility-reducing particles. These pollutant nonattainment conditions within the project region are therefore cumulatively significant. In the time period between 2012 and 2014, a number of large construction projects will occur at the two ports and surrounding areas that will overlap and contribute to significant cumulative construction impacts. The *2007 Air Quality Management Plan* (AQMP) predicts attainment of all NAAQS within the South Coast Air Basin, including PM_{2.5} by 2014 and O₃ by 2020. However, the predictions for PM_{2.5} and O₃ attainment are speculative at this time.

The construction impacts of the related projects would be cumulatively significant if their combined construction emissions would exceed the SCAQMD daily emission thresholds for construction. Mitigation measures **MM AQ-1 through MM AQ-6** would help reduce construction emissions; however, would not reduce impacts below significance for NO_x. As a result, the related projects would result in a significant cumulative air quality criteria pollutant (NO_x) impact.

Public Comment

No public comments regarding cumulative air quality impacts were received.

Cumulative Impact AQ-2: Potential for Construction to Produce Emissions that Exceed an Ambient Air Quality Standard or Substantially Contribute to an Existing or Projected Air Quality Standard Violation – Cumulatively Considerable and Unavoidable

Cumulative Impact AQ-2 assesses the potential for proposed Project construction along with other cumulative projects to produce ambient pollutant concentrations that exceed an ambient air quality standard or substantially contribute to an existing or projected air quality standard violation.

Project construction emissions would produce off-site impacts that would exceed the SCAQMD ambient thresholds for Federal 1-hour NO₂ and 24-hour PM₁₀ and PM_{2.5}. Any concurrent emissions-generating activity that occurs near the Project site would add additional air emission burdens to these significant levels. As a result, prior to mitigation, emissions from Project construction would make a cumulatively considerable contribution to a significant cumulative impact related to ambient NO₂, PM₁₀, and PM_{2.5} levels.

Finding

The main source of NO_x emissions from the ALBS is the air compressors used during spray coating operations. The air compressors must be portable and cannot feasibly be replaced with electric units and no other feasible methods to reduce emissions were identified. As a result, no mitigation measures are proposed to reduce NO₂ emissions and impacts from proposed Project construction would continue to exceed the Federal 1-hour NO₂, and 24-hour PM₁₀ and PM_{2.5} thresholds. Construction emissions would also make a cumulatively considerable contribution to a cumulatively significant (and unavoidable) impact relative to ambient NO₂, PM₁₀, and PM_{2.5} levels from concurrent related-project construction. In addition, under Mitigation Measure **MM AQ-3** which requires use of Tier 3 dredging equipment, cumulatively significant impacts would increase over baseline and also be cumulatively considerable and unavoidable for NO₂, PM₁₀ and

PM2.5. As a result, the proposed Project would make a cumulatively considerable contribution to a significant cumulative impact related to ambient NO₂, PM10, and PM2.5 levels.

Rationale for Finding

The past, present, and reasonably foreseeable future projects for **Cumulative Impact AQ-2** would result in significant cumulative impacts if their combined ambient pollutant concentrations, during construction, would exceed the SCAQMD ambient concentration thresholds for pollutants from construction. Even with Mitigation Measure **MM AQ-3**, cumulatively significant impacts would increase over baseline and also be cumulatively considerable and unavoidable for NO₂, PM10 and PM2.5.

Public Comment

No public comments regarding cumulative air quality impacts were received.

Cumulative Impact AQ-4: Potential for Operation to Produce Emissions that Exceed an Ambient Air Quality Standard or Substantially Contribute to an Existing or Projected Air Quality Standard Violation – Cumulatively Considerable and Unavoidable

Cumulative Impact AQ-4 assesses the potential for proposed Project operation along with other cumulative projects to produce ambient concentrations that exceed an ambient air quality standard or substantially contribute to an existing or projected air quality standard violation.

The proposed Project operational emissions do not exceed the SCAQMD's CEQA thresholds of significance for any criteria pollutant on a maximum pounds per day basis. However the SCAB is a nonattainment area for NO₂, PM10 and PM2.5. Dispersion modeling of on-site and off-site Project operational emissions of NO_x, PM10 and PM2.5 was performed to assess the impact of the proposed Project on local ambient air concentrations to assess the potential for proposed Project operations to significantly increase concentrations of these pollutants.

The dispersion modeling evaluation found the proposed Project ambient concentration impacts for Federal 1-hour NO₂, peak day and annual PM10, and peak day PM2.5 would exceed SCAQMD operational thresholds. Therefore, the total ground level concentrations would be significant. Project operations would make a cumulatively considerable contribution to a significant impact.

Finding

There are no mitigation measures to reduce NO₂ emissions; therefore, impacts from Project operation would exceed 24-hour and annual PM10, and 24-hour PM2.5 ambient thresholds. As a result, emissions from operation of the proposed Project and alternatives would make a cumulatively considerable contribution to a significant impact.

Rationale for Finding

The past, present, and reasonably foreseeable future projects for **Cumulative Impact AQ-4** would result in significant cumulative impacts if their combined ambient pollutant concentrations, during operation, would exceed the SCAQMD ambient concentration thresholds for pollutants from construction. Because there are no mitigation measures available to reduce NO₂ emissions, emission from Project operations would remain cumulatively considerable and unavoidable for NO₂, PM10 and PM2.5.

Public Comment

No public comments regarding cumulative air quality impacts were received.

Cumulative Impact AQ-6: Exposure of Receptors to Significant Levels of Toxic Air Contaminants – Cumulatively Considerable and Unavoidable

Cumulative Impact AQ-6 assesses the potential of the proposed Project construction and operation along with other cumulative projects to produce toxic air contaminants (TACs) that exceed acceptable public health criteria.

The main source of health risk associated with the proposed Project would occur during construction for acute risks, and during operations for cancer and chronic non-cancer risks. Prior to mitigation, proposed Project emissions of TACs would increase risks above baseline; however, only acute risks for occupational receptors would be above significance thresholds.

The maximum cancer risk (long-term) increment associated with the unmitigated combined construction and incremental operation of the proposed Project is predicted to be 8.5 in a million at a residential receptor, 3.6 in a million at an occupational receptor, 2.6 in a million at a recreational receptor, and less than 1 in a million at sensitive and student receptors. Although the Project-level cancer risk is below the significance threshold, the proposed Project would result in an increase in cancer risk in the Project area; consequently, the proposed Project would make a cumulatively considerable and unavoidable contribution to a significant cumulative cancer risk at the Port. The cancer risk therefore would be cumulatively significant for residential, occupational, and recreational receptors.

The maximum chronic hazard index increment associated with the unmitigated Project is predicted to be 0.07 at residential receptors, up to 0.1 at occupational receptors, 0.07 at recreational receptors, and less than 0.01 at sensitive, and student receptors. No chronic hazard index impacts exceed the threshold of 1.0 and are noticeably less than the threshold. Therefore, chronic health risk impacts associated with the proposed Project would not be cumulatively significant.

The acute hazard index increments associated with occupational receptors after mitigation (1.4) would exceed the significance criterion hazard index of 1.0. As a result, acute non-cancer effects would be cumulatively significant.

Any concurrent emissions-generating activity that occurs near the Project site would add additional airborne health burdens to these significant levels. As a result, emissions from Project construction would make a cumulatively considerable contribution to a significant impact.

Finding

Mitigation measures **MM AQ-1 through MM AQ-6** would help reduce TACs. The residential and occupational cancer risks after Project mitigation would be 8.5 in a million and 3.6 in a million, respectively. The acute occupational hazard index (1.4) remains significant after mitigation. Therefore, after mitigation, the occupational acute hazard index remains significant and unavoidable. As a result, even with mitigation, the proposed Project would make a cumulatively considerable contribution to a significant health risk impact.

Rationale for Finding

The LAHD has approved Port-wide air pollution control measures through their CAAP (LAHD et al., 2006). Implementation of CAAP measures and Project mitigation measures will reduce the health risk impacts from the Project and future projects at the Port. Currently adopted regulations and future rules proposed by the CARB and USEPA also will further reduce air emissions and associated cumulative health impacts from Port operations. However, because future proposed measures (other than CAAP measures) and rules have not been adopted, they have not been accounted for in the emission calculations or health risk assessment for the Project. Therefore, it is unknown at this time how these future measures would reduce cumulative health risk impacts within the Port area, and therefore, airborne cancer and noncancer impacts within the project region would therefore still be cumulatively significant. **MM AQ-1 through MM AQ-6** would help reduce TACs, however would not reduce impacts below significance.

Public Comment

The SCAQMD commented on the Project-level HRA analysis in the Draft EIR, which was revised for the Final EIR (see the discussion of this comment under Project-level Impact AQ-6 above). The HRA update did not result in identification of additional or new significant health risk impacts compared to the significance determinations in the Draft EIR; rather, it decreased the significance determinations from those disclosed in the Draft EIR. No other comments on the HRA or cumulative air quality impacts were submitted.

Cumulative Impact AQ-8: Potential Contribution to Global Climate Change – Cumulatively Considerable and Unavoidable

Cumulative Impact AQ-8 represents the potential of the proposed Project along with other cumulative projects to contribute to global climate change.

Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors (California Energy Commission, 2009). Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on Earth. According to the IPCC's Climate Change 2007 Synthesis Report (IPCC, 2007), global anthropogenic emissions of GHGs in 2004 were 49.0 gigatonnes of carbon dioxide equivalent (CO₂e). In California alone, CO₂e emissions totaled approximately 483.88 million metric tons or 0.5 gigatonnes in 2004 (CARB, 2010). Based upon this information, past, current, and future global GHG emissions, including emissions from projects in the Port Complex and elsewhere in California, are cumulatively considerable.

Considering Cumulative Impact AQ-8, which states that any GHG increase over the baseline is significant, emissions from proposed Project construction and operation would make a cumulatively considerable contribution to a significant cumulative impact in regards to global climate change.

Finding

Mitigation measures **MM AQ-7, MM AQ-8, MM AQ-9, and MM AQ-10** would help reduce GHG emissions. With mitigation, the proposed Project would produce higher GHG emissions in each future project year, compared to CEQA baseline levels. The way in which GHG emissions associated with the proposed Project might or might not influence actual physical effects of global climate change cannot be determined. For these reasons, it is uncertain whether emissions from the proposed Project would make a cumulatively considerable contribution to a significant cumulative impact relative to global climate change when considered with the emissions generated by human activity. Nevertheless, as discussed in Chapter 3.2 of the Draft EIR, existing GHG levels are projected to result in changes to the climate of the world, with significant warming seen in some areas, which, in turn, will have numerous indirect effects on the environment and humans. Considering Cumulative Impact AQ-8, which states that any increase in GHG emissions over the CEQA baseline is significant, emissions from construction and operation of the proposed Project would make a cumulatively considerable and unavoidable contribution to a significant impact relative to global climate change under CEQA.

The Board hereby finds that specific technological considerations make infeasible additional mitigation measures or Project alternatives which would reduce these impacts to less-than-significant levels.

Rationale for Finding

Scientific evidence indicates a trend of warming global surface temperatures over the past century due at least partly to the generation of GHG emissions from human activities. Some observed changes include shrinking glaciers, thawing permafrost, and shifts in plant and animal ranges. Credible predictions of long-term impacts from increasing GHG levels in the atmosphere include sea level rise, changes to weather patterns, changes to local and regional ecosystems including the potential loss of species, and significant reductions in winter snow packs. These and other effects would have environmental, economic, and social consequences on a global scale. Emissions of GHGs contributing to global climate change are attributable in large part to human activities associated with the industrial/manufacturing, utility, transportation, residential, and agricultural sectors (California Energy Commission, 2006a). Therefore, the cumulative global emissions of GHGs contributing to global climate change can be attributed to every nation, region, and city, and virtually every individual on Earth. In California alone, CO₂ emissions totaled approximately 477.77 million metric tons in year 2003 (CEC, 2006), which was an estimated 6.4 percent of global CO₂ emissions from fossil fuels. Based upon this information, past, current, and future global GHG emissions, including emissions from projects in the Ports of Los Angeles and Long Beach and elsewhere in California, are cumulatively significant. Mitigation measures **MM AQ-7 through MM AQ-10** would help reduce GHG emissions; however, they would not reduce impacts below significance.

Public Comment

No public comments regarding GHG emissions were received.

Biological Resources

Cumulative Impact BIO-2: The proposed Project would not contribute to a cumulatively substantial reduction or alteration of state, federally, or locally designated natural habitats, special aquatic sites, or plant communities, including wetlands – Less than Cumulatively Considerable after Mitigation

Cumulative Impact BIO-2 represents the potential of the proposed Project along with other cumulative projects to substantially reduce or alter state, federally, or locally designated natural habitats, special aquatic sites, or plant communities, including wetlands.

The construction of the CDFs would result in the permanent loss of 0.9 acres of EFH. Although this does not represent a substantial portion of the EFH present in the Port, any loss of EFH is considered significant. Thus, the proposed Project would make a cumulatively considerable contribution to a significant impact.

Finding

Mitigation Measure **MM BIO-1** requires the application of 0.45 credits available in the Bolsa Chica or Outer Harbor mitigation banks to compensate for this loss of EFH. This measure would reduce the proposed Project's contribution to less than cumulatively considerable.

Rationale for Finding

Because **MM BIO-1** will be implemented and will offset EFH habitat losses, the proposed Project would not make a cumulatively considerable contribution to a significant cumulative impact after mitigation.

Public Comment

No public comments regarding mitigation or alternatives to address cumulative biological resource impacts of the proposed Project were received.

Cumulative Impact BIO-5: The proposed Project would contribute to a cumulatively considerable and permanent loss of marine habitat – Less than Cumulatively Considerable after Mitigation

Cumulative Impact BIO-5 represents the potential of the proposed Project along with other cumulative projects to result in a permanent loss of marine habitat.

Construction of the proposed Project would include fill activities, or the disposal of sediment/dredged materials to create the CDF units. These activities would result in the direct loss of approximately 0.9 acre of marine habitat in the waters of Fish Harbor. Although the CDFs would be constructed in an area of Fish Harbor that is designated as "impacted" due to the presence of contaminated sediments, it is still considered EFH for the Coastal Pelagics and Pacific Groundfish and thus is considered a significant impact. This loss of marine habitat would make a cumulatively considerable contribution to a significant cumulative impact.

Finding

Mitigation Measure **MM BIO-1** requires the application of 0.45 credits available in the Bolsa Chica or Outer Harbor mitigation banks to compensate for this loss of marine habitat. This measure would reduce the proposed Project's contribution to less than cumulatively considerable.

Rationale for Finding

Because **MM BIO-1** will be implemented and will offset marine habitat losses, the proposed Project would not make a cumulatively considerable contribution to a significant cumulative impact after mitigation.

Public Comment

No public comments regarding mitigation or alternatives to address cumulative biological resource impacts of the proposed Project were received.

Cultural Resources

Cumulative Impact CUL-2: The proposed Project would result in a cumulatively significant adverse change in the significant of a historic architectural resource that reduced the integrity or significant of important resource on the site – Cumulatively Considerable and Unavoidable

Cumulative Impact CUL-2 represents the potential of the proposed Project when combined with past, present, and reasonably foreseeable future projects to disturb structures that have been determined eligible for the California Register of Historic Places or the National Register of Historic Places, or otherwise considered unique or important historic architectural resources.

Project construction would require the demolition of six buildings on the site. Three of the six were determined to be potentially historic. Building C1 is part of the Machine Shop Complex while the other two (Buildings A2 and A3) are part of the Office and Workshop Complex. The demolition of the three buildings represents a significant project impact to historic resources. The remaining portions of both historic building complexes would also be significantly impacted, as their partial demolition would destroy the integrity of each historical resource.

Although demolition of historic structures in the redevelopment area of the Project site is a Project specific impact there are other historic structures within the Project vicinity that have similar historical significance (i.e., locally significant for its association with the development of the Los Angeles shipbuilding and fishing industries between 1924 and 1959). As a result, the contribution of the proposed Project would make a cumulatively considerable contribution to a significant cumulative impact under Cumulative Impact CUL-2.

Finding

Mitigation measures **MM CUL-2** and **MM CUL-3** (both associated with the recordation of the potential historical resources) would reduce the impacts to the Project's historic structures. Although these mitigation measures reduce Project level impacts, impacts to historic resources would still be significant.

Rationale for Finding

Mitigation measures **MM CUL-2** and **MM CUL-3** relate to the recordation of the potential historical resources, but do not retain the structures to prevent damage to the resources. As a consequence, the proposed Project would still make a cumulatively considerable contribution to a significant cumulative impact after mitigation.

Public Comment

Public comments regarding historic resources were submitted by the Los Angeles Conservancy and the San Pedro Bay Historic Society (comment letter and public hearing testimony), as discussed above under the project-level Impact CUL-2 above. Both groups expressed concerns with demolishing the three historic buildings and requested that an alternative and/or mitigation be implemented to avoid demolition of the historic buildings. As discussed above, alternatives and recommended mitigation is not feasible or applicable to the proposed Project. In addition, the Los Angeles Conservancy commented that the proposed Project would have a cumulatively significant adverse impact, which was disclosed in the Draft EIR.

Noise

Cumulative Impact NOI-1: Construction Noise – Cumulatively Considerable and Unavoidable

Cumulative Impact NOI-1 represents the potential of construction activities of the proposed Project along with other cumulative projects to cause a substantial increase in ambient noise levels at sensitive receivers within the cumulative geographic scope.

Because construction activities would occur over a 3-year period the probability that it would overlap, or be implemented concurrently with other related nearby projects is high (refer to Table 5-1). In particular, construction of the proposed Project and the adjacent APL Container Terminal (#29) would occur concurrently. Construction of projects within close proximity to the Project area would contribute to a significant cumulative construction noise impact to the sensitive receptors identified in Section 3.9, Noise, including Al Larson Marina (Fish Harbor) and Reservation Point, as well as locations of related projects. Therefore, the Project would make a cumulatively considerable contribution to a significant cumulative impact regarding noise impacts when combined with any other project that would affect these same receptor locations during the proposed Project's pile driving activities.

Finding

Implementation of mitigation measures **MM NOI-1** (Noise Reduction during Pile Driving), **MM NOI-2** (Temporary Noise Barriers Adjacent to Pile Driving), and **MM NOI-3** (Temporary Noise Attenuation Barriers) would reduce the maximum noise levels during construction. Even with implementation of these mitigation measures, the proposed Project would make a cumulatively considerable contribution to a significant cumulative impact related to noise.

Rationale for Finding

Mitigation measures **MM NOI-1** and **MM NOI-2** would reduce construction noise impacts; however, considering the distances between the construction noise sources and receivers, the standard controls and temporary noise barriers may not be sufficient to reduce the projected increase in the ambient noise level to the point where it would no longer cause a cumulatively considerable impact. Consequently, construction of the proposed Project would contribute to a cumulatively considerable impact at closest sensitive receptors.

Public Comment

No public comments regarding mitigation or alternatives to address cumulative noise impacts of the proposed Project were received.

Environmental Justice

While not a CEQA Impact Section, the EIR includes an environmental justice analysis. The environmental justice analysis complies with Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which requires federal agencies to assess the potential for their actions to have disproportionately high and adverse environmental and health impacts on minority and low-income populations, and with the Council on Environmental Quality (CEQ) *Guidance for Environmental Justice Under NEPA* (CEQ 1997). This assessment is also consistent with California state law regarding environmental justice.

After implementation of mitigation measures, the proposed Project would result in disproportionate effects on minority and low-income populations as a result of significant unavoidable project and cumulative impacts related to air quality (Impacts AQ-1, AQ-2, AQ-4, and AQ-6) and noise (Impact NOI-1).

Although the proposed Project would result in significant unavoidable impacts (either project –level or cumulative) to Cultural Resources, the impacts are to a resource area that is not considered to disproportionately impact low income or minority populations.

Public Comment

No public comments were received regarding Environmental Justice impacts.

Finding Regarding Responses to Comments on the Draft EIR

The Board of Harbor Commissioners finds that all information added to the EIR after public notice of the availability of the Draft EIR for public review but before certification merely clarifies or amplifies or makes insignificant modifications in an adequate EIR and does not require recirculation.

After careful consideration of all comments, the Board recognizes that disagreements among experts remain with respect to environmental impacts identified in the Final EIR. Main points of disagreements include assessment of environmental impacts and mitigation related to Air Quality, Biological Resources, Cultural Resources, Noise, as well as implementation of project alternatives and mitigation measures to avoid impacts to cultural resources. These disagreements are addressed in detail in response to comments. The Board finds that substantial evidence supports the conclusions in the Final EIR.

Alternatives to the Proposed Project

Seven alternatives were analyzed in the Draft EIR. The seven alternatives meet a majority of the proposed Project's objectives and would reduce at least one potentially significant impact of the proposed Project. The seven alternatives that were carried through the analysis of impacts in Chapter 3 in conjunction with the proposed Project are:

- Alternative 1 – Reduced Project: Water Quality Improvements
- Alternative 2 – Reduced Project: Limited Demolition
- Alternative 3 – Retention of Historic Buildings
- Alternative 4 – Relocation of Historic Buildings
- Alternative 5 – Alternate Site

- Alternative 6 – No Project
- Alternative 7 – No Federal Action

Reasonable Range of Alternatives

Under CEQA, a lead agency is required to evaluate a “reasonable range” of alternatives but are not required to evaluate every possible alternative. Under CEQA, “an EIR need not consider every conceivable alternative to a project” (CEQA Guidelines 15126.6(a)). The “range of alternatives required in an EIR is governed by a ‘rule of reason’ that requires an EIR to set forth only those alternatives necessary to permit a reasoned choice” (CEQA Guidelines § 15126.6(f)). The Draft EIR contained seven alternatives to the proposed Project, discussed in Section 2.7 and which are summarized in Table A-1 below. The seven alternatives plus the proposed Project constitute a reasonable range of alternatives, which permits the decision makers to make a reasoned choice regarding proposed Project approval (or approval of one of its alternatives), approval with modifications, or disapproval. Furthermore, CEQA does not require an EIR to consider multiple variations on the alternatives analyzed in the Draft EIR. “What is required is the production of information sufficient to permit a reasonable choice of alternatives so far as environmental aspects are concerned (Village Laguna of Laguna Beach, Inc. v. Board of Supervisors of Orange County (1982) 134 Cal.App.3d 1022).

Table A-1: Summary of Project Elements Associated with the Alternatives

Project Element	Alternative 1 – Reduced Project – Water Quality Improvements	Alternative 2 – Reduced Project” Limited Demolition	Alternative 3 – Retention of Historic Buildings	Alternative 4 – Relocation of Historic Buildings	Alternative 5 – Alternate Site	Alternative 6 – No Project	Alternative 7 – No Federal Action
Comply with NPDES/ WDR	Yes - change site drainage and install oil/ water separator	Yes	Yes	Yes	Yes	No	Yes - change site drainage and install oil/water separator
Dredging contaminated sediment and creation of CDFs	No	Yes	Yes	Yes	Yes (at ALBS site) – but no CDFs would be created.	Yes – but no CDFs would be created.	No
Remove three marine railways and construct concrete piers for new boat hoists	No	Yes - one or more of Buildings A2, A3, or C1 will be retained	Yes - limited use due to turning radius limitations	Yes	Yes - marine railways would be removed at ALBS site. New pier would be constructed at alternative site.	Partial – marine railways would be removed. No new pier would be constructed.	No
Optimize and modernize space through removal of historic buildings	No	Partial - limited use due to turning radius and space limitations	No	Yes - relocation of 3 historic structures to the San Pedro or Wilmington Waterfront	Yes - relocation of historic buildings to alternate site; removal of buildings (some potentially historic) at the alter. site.	Yes – historic structures would be removed to bring site back to pre-lease conditions	No
Remove landside legacy contamination	No	Partial – no clean up under remaining building(s)	Partial - no clean up under remaining buildings	Yes	Yes - required to bring site back to pre-lease conditions	Yes - required to bring site back to pre-lease conditions	No
Replace infrastructure (lighting, pavement, etc) and construct new office	No	Partial – some new infrastructure but no office building)	No	Partial – some new infrastructure but no office building)	Yes	No	Yes
30-year lease renewal	Yes - but no new area	Yes	Yes	Yes	Yes - but for a different location	No	Yes - but no new area
Return site to pre-lease conditions (nothing on site)	No	No	No	No	Yes	Yes	No

1 **Alternatives Analyzed in the EIR**

2 Chapter 6 of the Draft EIR contains a detailed comparative analysis of the alternatives that were
 3 found to achieve the project objectives, are considered ostensibly feasible, and may reduce
 4 environmental impacts associated with the proposed Project.

5 A summary of the impact analysis for the proposed Project and the alternatives is shown in Table
 6 A-2 below, which identifies the resource areas where the proposed Project or alternative would
 7 result in an unavoidable significant impact under CEQA, as discussed in resource analyzes in
 8 Chapter 3 of the Draft EIR. The table also presents the resource areas that would have significant
 9 impacts mitigated to less than significant. The nine resource areas with less than significant
 10 impacts (not requiring any mitigation) are not listed in the tables below, as their impacts are not
 11 significant and do not enter into the ranking evaluation. Detailed discussions of the resources
 12 with unavoidable significant impacts, significant impacts that can be mitigated to less than
 13 significant and less than significant impacts that can be further reduced through incorporation of
 14 lease measures or standard conditions of approval are provided in Chapter 6 of the Draft EIR.

15 As shown on Table A-2, the proposed Project and Alternatives 1 through 7 have significant
 16 unavoidable impacts in the areas of Air Quality, Cultural Resources, and Noise.

17 **Table A-2: Summary of Significant Impacts by Alternative**

Environmental Resource Area*	Proposed Project	Alt 1	Alt 2	Alt 3	Alt 4	Alt 5	Alt 6	Alt 7
Air Quality	S	S	S	S	S	S	S	S
Biological Resources	M	L	M	M	M	M	L	L
Cultural Resources	S	N	S	N	S	S	S	S
Noise	S	L	S	S	S	S	L	L

Notes:

*Only environmental resources with unavoidable significant impacts or significant but mitigable impacts are included in the table and the analysis used to rank alternatives; the analysis includes project-level impacts, not cumulative effects.

S = Unavoidable significant impact

M = Significant but mitigable impact

L = Less than significant impact (not significant)

N = No impact

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 19 Table A-3 ranks the alternatives based on a comparison of their environmental impacts with those
 20 of the proposed Project. The ranking is based on the significance determinations for the resource
 21 areas contained in Table A-2, as discussed in Chapter 3 of the Draft EIR, and reflects differences
 22 in the levels of impact among alternatives. This ranking also takes into consideration the relative
 23 number of significant impacts that are mitigated to a level below significance, and the number of
 24 impacts that remain significant after mitigation.

Table A-4: Comparison of Alternatives to the Proposed Project

Environmental Resource Area*	Alt 1	Alt 2	Alt 3	Alt 4	Alt 5	Alt 6	Alt 7
Air Quality	-2	-1	-1	+1	+1	-1	-1
Biological Resources	-1	0	0	0	0	-1	-1
Cultural Resources	-2	-1	-2	-1	-1	0	0
Noise	-2	-1	-1	+1	0	-2	-2
Total	-7	-3	-4	+1	0	-4	-4

Notes:

*

(-2) = Impact considered to be substantially less when compared with the proposed Project.

(-1) = Impact considered to be somewhat less when compared with the proposed Project.

(0) = Impact considered to be equal to the proposed Project.

(1) = Impact considered to be somewhat greater when compared with the proposed Project.

(2) = Impact considered to be substantially greater when compared with the proposed Project.

Where significant unavoidable impacts would occur across numerous alternatives but there are impact intensity differences between those alternatives, decimal points are used to differentiate alternatives (i.e., in some cases, there are differences at the individual impact level, such as differences in number of impacts or relative intensity).

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Environmentally Superior Alternative

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As shown in the table above, Alternative 1 - Reduced Project: Water Quality Improvements is the environmentally superior alternative because it would impact fewer resources, including those which would be significant and unavoidable.

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Under Alternative 1, Reduced Project, Water Quality Improvements, ALBS would not implement any of the proposed improvements on the site. However, in order to comply with the Los Angeles RWQCB requirements and remain in operation, they would implement measures on the site to redirect water away from Fish Harbor. Under this alternative, ALBS would place dikes around existing buildings and/or change the slope of the site so stormwater runoff would drain away from Fish Harbor into an oil/water separator before discharge. Under this alternative, ALBS would continue to operate on the site. Impacts on Air Quality, Meteorology, and Greenhouse Gases, Biological Resources, Cultural Resources, and Noise, would all be reduced. Impacts on Air Quality, Meteorology, and Greenhouse Gases would remain significant and unavoidable. The benefits to water quality that would occur by removing and sequestering legacy contaminants would not occur under Alternative 1.

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As discussed above, this alternative would only meet one of the Project objectives. Under this alternative, ALBS would only be in compliance with its WDR and NPDES requirements by rerouting runoff away from Fish Harbor and into an oil/water separator. As a result, ALBS would be able to enter into a new 30-year lease.

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Alternatives Suggested as Part of Public Comment on the Draft EIR

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Two comment letters and oral testimony at the Public Hearing were submitted by the Los Angeles Conservancy and the San Pedro Bay Historic Society (comment letter and public hearing testimony). Both groups expressed concerns about demolishing the three historic buildings and requested that an alternatives and/or mitigation be implemented to avoid demolition of the historic buildings. In addition, the San Pedro Bay Historic Society commented that the non-historic buildings that would be demolished, while not eligible for listing the National Register, still have historic value. The comments are summarized as follows:

29

1 **Project Objectives:**

2 The following Project objectives were considered for the Alternatives analysis:

- 3 ■ Place ALBS in compliance with its WDR and NPDES requirements by re-contouring the
4 site, removing the existing marine railways, and constructing a storm water collection and
5 treatment system;
- 6 ■ Demolish existing wharves, piers, and buildings/structures to allow for the subsequent
7 creation and use of two CDF cells, which will sequester contaminated sediment and
8 expand use of the boat shop;
- 9 ■ Dredge sediment to accommodate deeper draft vessels, remove contaminated sediments
10 to improve water quality, and promote regional sediment management objectives by
11 beneficially reusing dredged materials to create two CDFs;
- 12 ■ Remove building/structures in order to modernize and reconfigure the facility, to
13 optimize and expand the existing boat shop operation at the present location and continue
14 to meet a regional need for marine vessel repair;
- 15 ■ Replace aging infrastructure and construct a new building to support improved
16 operations;
- 17 ■ Clean-up site legacy contamination from the historical use of the site as a boat shop,
18 including contaminants located beneath existing pavements and buildings; and
- 19 ■ Enter a 30-year lease renewal between ALBS and LAHD changing the facility's lease
20 hold from 7.7 acres (2.35 acres of land and 5.35 acres of water) to 7.3 acres (4.1 acres of
21 land and 3.2 acres of water).

22 **Alternative 1: Reduced Project: Water Quality Improvements**

23 Under this alternative, ALBS would not implement any of the proposed improvements on the
24 Project site. However, in order to comply with the Los Angeles RWQCB requirements and
25 remain in operation, ALBS would implement measures on the site to redirect water away from
26 Fish Harbor. ALBS would place dikes around existing buildings, dikes along the wharf edges,
27 and/or change the slope of the site so stormwater runoff would drain away from Fish Harbor into
28 an oil/water separator before discharge. Under this alternative, ALBS would remain in operation
29 on the site under a new 30-year lease for the existing site. The new lease term would begin in
30 2012.

31 As compared to the proposed Project, this alternative would retain the existing development
32 footprint on the site, as no buildings would be demolished/relocated and/or reconstructed on the
33 Project site. The three marine railways would remain. Although not mandated by the Los
34 Angeles RWQCB for removal, these three marine railways could affect the ALBS sites ability to
35 meet its long-term water quality requirements. The land and water leasehold would remain the
36 same, and no CDFs would be constructed. Site soils would not be disturbed and none of the
37 existing soil contamination would be removed. Should the slope of the site be changed to alter
38 drainage, this would involve adding new pavement on top of the existing pavement so as not to
39 disturb the soils.

1 This alternative would reduce the amount of construction materials, construction vehicle
2 emissions, and construction noise, and it would eliminate grading and earthwork and in-water
3 construction activities. In addition, the impacts to the potentially historic resources on the site
4 would not occur. This alternative would also shorten the construction time in comparison to the
5 proposed Project. Minor changes to the existing operations would occur due to impediments
6 from the dikes and berms.

7 **Finding**

8 The Board hereby finds that the Alternative 1: Reduced Project: Water Quality Improvements
9 would not feasibly meet most of the Project Objectives, and on that basis, rejects the Reduced
10 Project: Water Quality Improvements alternative.

11 **Facts in Support of Finding**

12 This alternative would only implement measures on the site to redirect water away from Fish
13 Harbor (by placing dikes around buildings, berms around the wharfs edges, or changing the slope
14 of the site), thus meeting the objective to improve site drainage to comply with current and future
15 environmental requirements, including NPDES stormwater regulations. However, with the three
16 marine railways remaining, it is unclear if the ALBS site could meet its long-term water quality
17 requirements. Operation would occur under a new 30-year lease, with the new lease term would
18 begin in 2012; however, the lease would involve the existing site and no new land would be
19 created or added to the lease.

20 This alternative would not include any development of the site, including the installation of the
21 600- and 100-ton boat hoists. As a result, this alternative would not result in the modernization of
22 the existing boat yard facilities, including the replacement of aging infrastructure with newer,
23 state-of-the-art equipment. In addition, Alternative 1 would not optimize the existing boat shop
24 location by increasing the site's efficiency and the land-area available to increase vessel
25 maintenance and repair capacity.

26 No dredging would occur under this alternative. As a result, the navigable capacity of the facility
27 would not be restored, and the sediments that have accumulated above the design depth of -22
28 feet MLLW would remain.

29 As Alternative 1 would not include site grading or earthwork, on-site legacy contaminants would
30 not be removed and placed into CDF cells. The soil contaminants beneath the Project site and
31 within the sediments in Fish Harbor would remain and would continue to contribute to the poor
32 water quality in Fish Harbor, and the CDFs would not be constructed as a way to store
33 contaminated materials and create more land area on the site.

34 The potentially historic buildings would remain on the site under this alternative. The impacts on
35 potentially historic buildings would be eliminated under this alternative.

36 While this alternative would provide for ALBS compliance with the NPDES/WDR requirements,
37 it would not be ideal due to the lack of improvements needed to safely and efficiently utilize the
38 site. The existing operations would not be upgraded and modernized to allow a greater number of
39 vessels (and deeper draft vessels) to be repaired at the facility. The legacy contaminants, both on
40 the landside and within the water, would not be removed. Thus, the sediments would continue to
41 adversely impact the water quality in Fish Harbor and would not be beneficially reused to create
42 the CDF and additional land space on the site. Thus, based on the analyses in Chapter 3 of the
43 Draft EIR, the Reduced Project: Water Quality Improvements Alternative would result in fewer
44 environmental impacts than the proposed Project, but would not meet the majority of project
45 objectives under CEQA.

Alternative 2: Reduced Project: Limited Demolition

This alternative would be very similar to the proposed Project; however, not all of the three potentially historic buildings (A2, A3, or C1) would be demolished. Most of the other Project components would be constructed/implemented (i.e., drainage improvements, soil clean-up, dredging, 100-ton boat hoist, and CDFs). However, due to the retention of some of the potentially historic buildings, some of these components would not be implemented to their fullest extent, or, as is the case with the 600-ton boat hoist, not implemented at all (due to reduced clearance as a result of the retention of buildings). In particular, the clean-up of landside legacy contaminants would not fully occur, as some of the potentially historic buildings would remain (i.e., contaminated soils beneath the buildings and asbestos from the buildings themselves would remain). Further, the maneuverability and versatility of the boat hoists would be limited due to site constraints. No new structures would be constructed on the site, since some of the potentially historic buildings would remain available for reuse. However, as many of the structures have asbestos, any physical disturbance (i.e., such as related to reuse) or demolition of buildings could require asbestos abatement.

Under this alternative, impacts on operations would differ with the choice of which buildings to retain. The retention of any of the historic buildings would limit the ability of ALBS to modernize and expand the site.

This alternative would reduce the amount of construction materials, resources, construction vehicle emissions and noise, earthwork and grading, and demolition work when compared to the proposed Project. However, under Alternative 2, the operational capacity of ALBS would be constrained by access issues posed by the remaining building. Operation would occur under a new 30-year lease for the new area. The new lease term would begin in 2012.

Finding

The Board hereby finds that the Alternative 2: Reduced Project: Limited Demolition would meet several of the Project Objectives, but would not meet other key Project Objectives, and on this basis, rejects the Reduced Project: Limited Demolition alternative.

Facts in Support of the Finding

This alternative would meet several of the Project objectives. Under this alternative, the site would comply with its WDR and NPDES requirements and clean up legacy contaminants. In addition, this alternative would result in the retention of only one or two of the potentially historic buildings proposed for demolition under the proposed Project, which would result in fewer impacts to historic resources as compared to the proposed Project, but would also reduce the modernization and optimization of the site.

Alternative 2 would allow for some increased capacity at the ALBS site. Although, to what extent would depend on which structures are retained. The retention of any of the historic buildings slated for demolition would impair the ability of ALBS to modernize and expand the site to the extent planned under the proposed Project. Retention of Building C1 would reduce the space available for the boat hoists from approximately 112 feet to 70 feet. The 600-ton boat hoist has an effective width (boat hoist width plus clearance) of 59 feet with a turning radius of 93 feet for the outside wheel and 33 feet for the inside wheel (see revised Figure 6-1 of Chapter 3, Modifications to the Draft EIR, of the Final EIR). This would preclude the 600-ton hoist from accessing the ALBS backland and land area created by the construction of the Phase 2 CDF. Retention of Building A2 will result in a 36-foot corridor between Building A2 and Marine Railway 4 rendering the Phase 2 CDF inaccessible to the larger boat hoist. Retention of Building A3 will provide a 76-foot access corridor, which would also restrict access.

1 In any situation, this alternative would limit the operational capacity on the site; however, any
2 operational increase would be to a lesser degree than the proposed Project. Further, retention of a
3 potentially historic building would constrain the opportunities to redesign the site to fully and
4 most effectively comply with NPDES requirements, upgrade the existing infrastructure,
5 constructing a new modern office space, and it would reduce the ability to clean up site legacy
6 containments from beneath the existing pavement and buildings.

7 Thus, based on the analyses in Chapter 3 of the Draft EIR, the Reduced Project: Limited
8 Demolition Alternative would result in fewer environmental impacts than the proposed Project,
9 but would not meet several key objectives under CEQA.

10 **Alternative 3 – Retention of Historic Buildings**

11 This alternative would contain most of the elements of the proposed Project; however, none of the
12 potentially historic buildings (A2, A3, and C1) would be demolished. No new structure would be
13 constructed on the site, since the historic buildings would remain. As compared to the proposed
14 Project, this alternative would reduce the development of the site by not demolishing/relocating
15 any of the potentially historic buildings.

16 Because this alternative would retain the potentially historic structures, this alternative would
17 reduce the amount of construction materials, resources, construction vehicle emissions and noise,
18 earthwork and grading, and demolition work when compared to the proposed Project. The
19 increase in land area as a result of the CDF units would allow for a minimal increase in ALBS
20 operations, however, to a lesser degree than the proposed Project as retention of the potentially
21 historic buildings would prevent the site from operating at maximum efficiency. Operation
22 would occur under a new 30-year lease for the new area. The new lease term would begin in
23 2012.

24 **Finding**

25 The Board hereby finds that although Alternative 3 would meet several Project Objectives and
26 result in few environmental impacts than the proposed Project, Alternative 3 would not meet
27 other key Project Objectives and would not meet the operational needs of ALBS. As a result, the
28 Board rejects Alternative 3 because the proposed Project would better accomplish the Project
29 goals and objectives.

30 **Facts in Support of the Finding**

31 This alternative would meet some of the Project objectives, notably allowing the site to comply
32 with its WDR and NPDES requirements and includes partial clean-up of legacy contaminants
33 (i.e., sediments within Fish Harbor). The potentially historic structures would remain on the site,
34 so impacts to the potentially historic structures would be completely eliminated under this
35 alternative. However, because the existing historic buildings would not be demolished or
36 relocated, implementation of this alternative would neither result in the complete modernization
37 of the existing boat yard facilities nor provide for the same level of operational efficiency that
38 would occur under the proposed Project. Further, retention of a potentially historic building
39 would constrain the opportunities to redesign the site to fully and most effectively comply with
40 NPDES requirements, upgrade the existing infrastructure, and would reduce the ability to clean
41 up site legacy containments from beneath the existing pavement and buildings.

42 As discussed under Alternative 2, the retention of any of the historic buildings would impair the
43 ability of ALBS to modernize and expand the site to the extent planned under the proposed
44 Project. Retention of Building C1 would reduce the space available for the boat hoists from
45 approximately 112 feet to 70 feet. The 600-ton boat hoist has an effective width (boat hoist width
46 plus clearance) of 59 feet with a turning radius of 93 feet for the outside wheel and 33 feet for the

1 inside wheel (see revised Figure 6-1 in Chapter 3, Modifications to the Draft EIR, of the Final
2 EIR). This would preclude the 600-ton hoist from accessing the ALBS backland and land area
3 created by the construction of the Phase 2 CDF. Retention of Building A2 will result in a 36-foot
4 corridor between Building A2 and Marine Railway 4 rendering the Phase 2 CDF inaccessible to
5 the larger boat hoist. Retention of Building A3 will provide a 76-foot access corridor, which
6 would also restrict access.

7 This alternative would not be ideal due to the restricted nature of the improvements. In order to
8 meet the operational needs of ALBS, including access to the existing facilities as well as the
9 proposed 600- and 100-ton boat hoists, the potentially historic structures need to be removed.
10 The removal of the structures is also necessary to allow for adequate clean-up of legacy landside
11 contamination. As a result, the proposed Project would better accomplish the Project goals and
12 objectives compared to Alternative 3.

13 **Alternative 4 – Relocation of Historic Buildings**

14 This alternative would be the same as the proposed Project; however, all of the potentially
15 historic buildings slated for demolition would be moved to another location within the Port. The
16 relocation site would be one of two redevelopment project sites within the Port: the San Pedro
17 Waterfront project, or the Wilmington Waterfront project (see Figure 6-2). Relocation to either
18 of the redevelopment project sites would be consistent with the LAHD’s “Procedures to
19 Implement the Real Estate Leasing Policy,” which incorporates long-range facility planning and
20 objectives in the two redevelopment project areas (LAHD, 2006b).

21 All of the components of the proposed Project would be constructed under this alternative, as all
22 of the potentially historic buildings slated for demolition would be removed from the site.
23 Because the potentially historic structures would be removed, the site would be able to
24 accommodate all of the components of the proposed Project. The amount of construction
25 materials and the actual construction process would remain the same as the proposed Project.
26 More construction related air emissions and noise emissions would occur under this alternative
27 due to the relocation of one or more of the potentially historic structures. Impacts would occur
28 beyond the boundaries of the existing Project site under this alternative. Operation would occur
29 under a new 30-year lease. The new lease term would begin in 2012.

30 **Finding**

31 The Board hereby finds that although Alternative 4 would meet the Project Objectives and would
32 result in less impact to historic structures than the proposed Project, Alternative 4 would increase
33 the total cost for the Project by up to 75 percent (estimated at \$13 to \$16 million) while still not
34 eliminating impacts to historic structures (the relocation of the potentially historic structures
35 would result in a loss of integrity of the structures and this would compromise the structure’s
36 historic significance). As a result, the proposed Project would better accomplish the Project goals
37 and objectives compared to Alternative 4.

38 **Facts in Support of the Finding**

39 This alternative would meet all of the Project objectives. Under this alternative, the site would
40 comply with its WDR and NPDES requirements, clean up legacy contaminants, and allow for the
41 modernization and optimization of the site.

42 Although all of the potentially historic structures slated for demolition would be relocated, the
43 actual relocation process would result in a loss in the integrity of the structures. Thus, under this
44 alternative, impacts on historic resources would be reduced, but not eliminated.

45 This alternative would not be ideal because overall environmental impacts would be greater than
46 the proposed Project. Under this alternative, the operational capacity of ALBS would be the

1 same as the proposed Project because the potentially historic structures would be removed.
2 However, this alternative would not be ideal because of the complexity and resulting high cost to
3 relocate the potentially historic structures. The buildings have a frame structure and would need
4 to be partially disassembled to be moved. The reassembly of the buildings would likely require
5 improvements to meet current building standards and correct any damage that occurring during
6 disassembly. The new site would require reinforced concrete foundations, reinforced concrete
7 slab on grade and site development documents similar to what a new building would require
8 (geotechnical report, design documents, permitting documents, building site permitting
9 documents) and structural drawings. It is estimated that the approximate cost for disassembly and
10 re-assembly at another site of Buildings C1, A2 and A3 could be as much as \$12 million (refer to
11 Appendix D3 – Structural Assessment Memorandum). The total cost for the proposed Project is
12 estimated at \$13 to \$16 million; therefore, relocation would increase total cost of this alternative
13 by as much as approximately 75 percent.

14 In addition, the relocation of the potentially historic structures would result in a loss of integrity
15 of the structures and this would compromise the structure’s historic significance.

16 **Alternative 5 – Alternate Site**

17 This alternative would construct and operate the ALBS at a different location elsewhere within
18 the Port under a new 30-year lease for the alternate site. LAHD has identified four possible
19 alternate sites, which are shown on Figure 6-3 of the Draft EIR. Each alternate site is similar in
20 size as the existing ALBS site. Two sites are located in Fish Harbor to the east of the Project site,
21 one is to the west of Seaside Avenue with vessel access from the Main Channel (former
22 Southwest Marine shipyard), and the fourth site is on the mainland, off the East Basin. ALBS
23 would operate on one of the alternate sites at the same level and capacity as the proposed Project.
24 Each alternate site has varying levels of development within its boundaries, which could impact
25 potential ALBS operations at each of the four potential sites. Demolition of existing buildings
26 would be required at each of the alternate sites. Three of the possible alternate sites currently
27 contain historic resources that would be impacted by the relocation of ALBS facilities to one of
28 these sites.

29 Under this alternative, ALBS would need to construct facilities on the alternate site. In order to
30 operate at a different location at levels desired under the proposed Project, it is assumed that the
31 boat shop would require the relocation or replacement of a majority of the existing equipment,
32 including finger piers (for new boat hoists) and new marine railways. In order for this alternative
33 to be considered in reducing impacts on historic resource, it is assumed that operation at alternate
34 location also includes the relocation of all the potentially historic structures at the existing site
35 (Buildings A1, A2, A3, C1 and C2).

36 Under this alternative, ALBS would not renew its existing lease at the Project site and would be
37 required to return the site to its pre-lease conditions, meaning all remaining structures would be
38 demolished and legacy contaminants within the landside soils would have to be cleaned.
39 Dredging and removal of legacy contaminants within the sediments under the water surface
40 would occur at the existing site. No CDFs would be created and instead the dredge material
41 would be hauled off-site to a licensed landfill. It is assumed that no dredging would occur at the
42 new site. Returning the existing ALBS site to pre-lease conditions would also include the
43 elimination of the flow of runoff from Seaside Avenue through the site into Fish Harbor.

44 Impacts would occur beyond the boundaries of the existing Project site under this alternative.
45 Operation would occur at the alternate site under a new 30-year lease. The new lease term would
46 begin in 2012.

1 **Finding**

2 The Board hereby finds that Alternative 5 would meet several of the Project Objectives, but
3 would result in greater environmental impacts compared to the proposed Project (because
4 construction would occur at the current site and a new site). Although this Alternative would
5 relocate the historic structures to a new location, it would do so at a great expense, while still not
6 eliminating impacts to historic resources. Because of this, the proposed Project is preferred over
7 Alternative 5.

8 **Facts in Support of the Finding**

9 This alternative would meet several of the Project objectives with the exception of clean up
10 legacy contaminants located in the sediments under the water surface

11 Under Alternative 5, operations would move to a new site and ALBS would attempt to operate at
12 levels similar to the proposed Project under a new 30-year lease for the alternate site. Because
13 each of the four alternate sites are developed and the existing structures would have to be
14 demolished or worked into the functionality of the site, each site could have different operational
15 limitations.

16 Because of the demolition that would likely be required at both the existing ALBS and at the
17 alternate site, and relocation of five potentially historic buildings, this alternative would result in a
18 much greater amount of construction materials and resources used, construction vehicle emissions
19 and noise, earthwork and grading, and demolition work when compared to the proposed Project.
20 Under this alternative, environmental impacts would occur at two sites, instead of one. In
21 addition, this alternative would result in a greater impact on potentially historic resources as three
22 of the four alternate sites currently contain potentially historic structures that would be impacted
23 by the relocation of ALBS facilities. Relocation of all five potentially historic structures on the
24 ALBS site would maintain a portion of the structures historic significance because the building
25 complexes would remain intact and continue to be part of the future boat shop location; however,
26 this alternative would be cost prohibitive. As noted under Alternative 4, the estimated cost for
27 disassembly and re-assembly at another site of three of the five buildings (Buildings C1, A2, and
28 A3) could be as much as \$12 million and relocation of the other two buildings would add to that
29 estimate (costs could be as much as doubled). The total cost for the proposed Project is estimated
30 at \$13 to \$16 million; therefore, relocation would increase total cost of this alternative would be
31 more than the total cost of the proposed Project. Although by relocating all five of the potentially
32 historic structures (both building complexes) there would be less of a loss of integrity of the
33 structures and less of a compromise in the structure's historic significance of the ALBS buildings,
34 other potentially historic structures and their integrity and significance would be compromised.
35 Additionally, depending on the site size and layout, relocating all of the potentially historic
36 buildings could result in site constraints limiting the maneuverability of the boat hoists. It would
37 also limit the ability of ALBS to modernize operations and replace aging infrastructure. For these
38 reasons, this alternative is infeasible.

39 **Alternative 6 – No Project Alternative**

40 Alternative 6 would be the same as the proposed Project; however, LAHD would redevelop and
41 this alternative considers what would reasonably be expected to occur on the Project site if no
42 future discretionary actions were to occur. Under this alternative, no development would occur
43 on the site and no other action would be taken by the tenant to bring the site into compliance with
44 the applicable surface water quality standards.

45 Currently, ALBS has a revocable permit and month to month lease with the LAHD to operate on
46 the site. ALBS is required to implement improvements to bring the site into compliance with the
47 current NPDES permit, including the establishment of site-specific management processes for

1 minimizing storm water runoff containing pollutants from being discharged into surface water
2 and ensuring that the stormwater discharges from the facility would neither cause, nor contribute
3 to, the exceedance of water quality standards and objectives, nor create conditions of nuisance in
4 the receiving water. Without implementation of measures to ensure compliance with the NPDES
5 permit, ALBS would be forced to cease operation.

6 Upon cessation of the existing operation on the site, ALBS would be required to clear the site,
7 including contaminated soil and sediment, and return it to its original condition. This site would
8 then be available for use consistent with its zoning: shipbuilding/ship repair facilities, light
9 manufacturing and industrial activities, or ocean resource-oriented industries.

10 **Finding**

11 **The Board hereby finds that Alternative 6 would not meet several key Project**
12 **Objectives, but would still result in impacts to historic resources. Because of this,**
13 **the proposed Project is preferred over Alternative 6.**

14 **Facts in Support of the Finding**

15 Because none of the proposed improvements would be made, and the ALBS would cease
16 operations after approximately 87 years at the present location, this alternative would not meet
17 any of the Project objectives with the exception of clean-up of landside contaminated soils.

18 Under this alternative, most of the impacts would be less than the proposed Project. However,
19 the impacts related to clearing the site of current operations would occur, including impacts
20 related to construction air quality, noise, water quality, and hazardous materials. In addition, the
21 potentially historic structures on the site would have to be relocated or demolished under this
22 alternative, in order to return the site to its pre-lease conditions. Removal of the structures would
23 result in a significant and unavoidable impact on potentially historic resources. As part of
24 returning the site to pre-lease conditions, once the buildings have been removed landside
25 contaminated soil would be excavated and removed off-site.

26 Dredging and removal of legacy contaminants within the sediments under the water surface
27 would occur, however, no CDFs would be created. The dredge material would be hauled off-site
28 to a licensed landfill. Runoff from Seaside Avenue would continue to flow through the site into
29 Fish Harbor.

30 This alternative is infeasible in that it would require the cessation of ALBS operations within the
31 Port, while including significant and unavoidable impacts on air quality and historic resources.

32 **Alternative 7 – No Federal Action**

33 This alternative represents what would reasonably be expected to occur in the foreseeable future
34 if the USACE Permit were not approved. Under the No Federal Action Alternative, there would
35 be no dredging, no CDF construction (no removal of historical sediment and soil contamination),
36 and no construction of the concrete piers for the 600- and 100-ton boat hoists. However, the
37 landside construction could occur and a new lease would be issued to ALBS for the existing lease
38 area. Operation would occur at the alternate site under a new 30-year lease for the existing site.
39 The new lease term would begin in 2012.

1 **Finding**

2 The Board hereby finds that Alternative 7 would not meet several key Project Objectives, but
3 would still result in impacts to historic resources. Because of this, the proposed Project is
4 preferred over Alternative 7.

5 **Facts in Support of the Finding**

6 This alternative would only meet a few of the Project objectives. This alternative would only
7 implement landside improvements, including those improvements required to meet NPDES
8 stormwater regulations. Improvements would be made that would bring the operation into
9 compliance with the NPDES stormwater requirements. As a result, ALBS would be able to enter
10 into a new 30-year lease.

11 In addition, the landside aging infrastructure would be improved, including the replacement of
12 paving, lighting, and utilities. The potentially historic structures would also be removed under
13 this alternative.

14 This alternative would not include any of the proposed development on the site that involves
15 impacting the water, including the installation of the 600- and 100-ton boat hoists. As a result,
16 this alternative would not result in the complete modernization of the existing boat yard facilities,
17 including the replacement of aging infrastructure with newer, state-of-the-art equipment. In
18 addition, because the majority of the proposed development would not occur, it would not
19 optimize the existing boat shop location by increasing the land available for use in order to safely
20 increase shipbuilding and vessel maintenance and repair capacity.

21 No dredging would occur under this alternative. As a result, the navigable capacity of the facility
22 would not be restored and the sediments that have accumulated above the design depth of -22 feet
23 MLLS would remain. ALBS would not be able to serve larger vessels without dredging.

24 As only landside improvements would occur under this alternative, Project site legacy
25 contaminants in the sediments under the water surface (within Fish Harbor) would not be
26 removed and placed into CDF cells. The contamination would thereby continue to contribute to a
27 degradation of water quality in Fish Harbor.

28 Impacts under this alternative would be less than the proposed Project, as less construction would
29 occur in conjunction with implementation of the alternative. Impacts on air quality and noise, in
30 particular, would be reduced. However, impacts on the potentially historic resources would be
31 similar to the proposed Project, as the potentially historic structures would be demolished under
32 this alternative. In addition, the beneficial impacts on water quality and hazardous materials
33 would not occur as the maintenance dredging would not occur and legacy contaminants in the
34 sediments under the water surface in Fish Harbor would not be cleaned up. For these reasons,
35 and the fact that this alternative would meet very few of the Project objectives, this alternative is
36 infeasible.

37 **Summary**

38 Based on the alternatives discussion provided in the Final EIR and the information above, the
39 Board determines the proposed Project is the feasible alternative that, when taking into account
40 environmental and economic factors, best meets project objectives of meeting water quality
41 standards, creating CDFs that sequester sediment contamination and expand the boat shop, meets
42 regional demand for marine vessel repair while modernizing the boat shop at its present location,
43 cleans up legacy contamination, and rebalances the land and water allocations under a new 30-
44 year lease.

Comment Received on the Final EIR

Placeholder for comments submitted on the Final EIR before BOHC consideration.

Statement of Overriding Considerations

Pursuant to Section 15093 of the CEQA Guidelines, the Board must balance the benefits of the proposed Project against unavoidable environmental risks in determining whether to approve the project. The proposed Project would result in significant unavoidable impacts to Air Quality, Cultural Resources, and Noise. The proposed Project would also result in a cumulatively considerable contribution to significant cumulative impacts to Air Quality, Cultural Resources, and Noise.

Air Quality:

The proposed Project would result in significant unavoidable impacts to air quality during construction and operation even with the adoption and implementation of mitigation measures. Specifically, construction emissions would exceed the SCAQMD thresholds (Impact AQ-1) with mitigation for NO_x. Project construction would also result in offsite ambient air pollutant concentrations that exceed the SCAQMD threshold of significance (Impact AQ-2) for PM₁₀ (24-hour average), PM_{2.5} (24-hour average), and NO₂ (1-hour average), after mitigation.

Project operation (after mitigation) would result in offsite ambient air pollutant concentrations that exceed the SCAQMD threshold of significance (Impact AQ-4) for 1-hour NO₂, 24-hour and annual PM₁₀, and 24-hour PM_{2.5}.

After mitigation, the proposed Project would result in an acute occupational hazard index (short-term risk) of 1.4, which exceeds the 1.0 threshold (Impact AQ-6).

Due to lack of clear regulatory guidance, the LAHD adopted for this project a no net increase significance criteria for GHG emissions. Impacts from GHG emissions would be significant after mitigation (Impact AQ-8). The LAHD will implement mitigation measures for direct impacts that will substantially reduce impacts, however, the impacts would still remain significant and unavoidable (Impacts AQ-1, AQ-2, AQ-4, AQ-6 and AQ-8).

As provided in the Findings above, there will also be cumulative air quality construction and operational impacts (see **Cumulative Impact AQ-1, Impact AQ-2, Impact AQ-4, Impact AQ-6 and Impact AQ-8**) that would remain significant and unavoidable.

Cultural Resources:

Construction of the proposed Project would result in the demolition of three structures eligible for listing in the National register (Impact CUL-2). Although mitigation would be implemented (**MM CUL-2** and **MM CUL-3**), the measures would not fully mitigate impacts to historic structures. No other mitigation or alternatives are considered economically feasible, as relocation of the historic structures would not fully mitigate the historic resource impacts and the relocation costs would render the project infeasible. In addition, leaving the historic structures in place on the site would result in limited contamination clean-up and would limit the ability of the ALBS to meet demand for vessel repairs. Therefore, this impact is considered significant and unavoidable.

As provided in the Findings above, there will be cumulative Cultural Resource impacts (See **Cumulative Impact CUL-2**) that would remain significant and unavoidable.

Noise:

As provided in the Findings above, there will be cumulative noise impacts (See **Cumulative Impact NOI-1**) that would remain significant and unavoidable.

1 Project Benefits

2 The proposed Project offers several benefits that outweigh the unavoidable adverse
3 environmental effects of the project. The Board of Harbor Commissioners adopts the following
4 Statement of Overriding Considerations. The Board recognizes that significant and unavoidable
5 impacts will result from implementation of the Project, as discussed above. Having (i) adopted all
6 feasible mitigation measures, (ii) rejected as infeasible alternatives to the Project discussed above, (iii)
7 recognized all significant, unavoidable impacts, and (iv) balanced the benefits of the Project against
8 the Project's significant and unavoidable impacts, the Board hereby finds that the benefits outweigh
9 and override the significant unavoidable impacts for the reasons stated below.

10 The below stated reasons summarize the benefits, goals, and objectives of the proposed Project and
11 provide the rationale for the benefits of the Project. These overriding considerations justify adoption
12 of the Project and certification of the completed Final EIR. Many of these overriding considerations
13 individually would be sufficient to outweigh the adverse environmental impacts of the Project. These
14 benefits include the following:

- 15 ■ **Fulfills Port legal mandates and objectives.** The proposed Project would fulfill the
16 Port's Tidelands Trust to promote and develop commerce, navigation and fisheries, and
17 other uses of statewide interest and benefit including industrial, and transportation uses.
18 The Coastal Act identifies the Port as an essential element of the national maritime
19 industry and obligates the LAHD to modernize and construct necessary facilities to
20 accommodate deep-draft vessels and to accommodate the demands of foreign and
21 domestic waterborne commerce and other traditional and water dependent and related
22 facilities in order to preclude the necessity for developing new ports elsewhere in the
23 state. Further the Coastal Act provides that the LAHD should give highest priority to the
24 use of existing land space within harbors for port purposes, including, but not limited to
25 navigational facilities, shipping industries and necessary support and access facilities.
26 The project would also meet the Mayor's goal and the LAHD's strategic objectives
27 including the goal to "grow the Port green" which for this project includes maximizing
28 the efficiency and the capacity of facilities, including mitigation measures that adhere to
29 and/or exceed CAAP requirements, maintaining financial self-sufficiency through the
30 long term lease while raising environmental standards and protecting for public health.
31 The strategic plan also calls for developing more and higher quality jobs. The Proposed
32 Project provides significant high quality operational and construction employment while
33 still providing for long-term air quality improvements as provided below.
- 34 ■ **Conforms to Los Angeles City Council Adopted Motion (Council File No. 09-2025-**
35 **82).** At its February 1, 2011 meeting the Los Angeles City Council adopted a motion
36 (Item No. 7-A) requesting the Board of Harbor Commissioners "designate a location for a
37 shipbuilding and repair facility for large vessels at the Port of Los Angeles".
- 38 ■ **Provides new construction jobs.** Project construction would generate approximately 20-
39 30 direct jobs.
- 40 ■ **Provide new operational jobs.** Project operation would generate between 20-30 direct
41 permanent jobs.
- 42 ■ **Accommodate Regional Need for Marine Vessel Repair Services.** The Project would
43 allow the ALBS to meet current and future long-term regional vessel repair demands in
44 Southern California by modernizing the boat shop to handle larger and deeper draft
45 vessels, by increasing the vessel hoist capacity, and by reconfiguring the site to allow
46 servicing of larger and a greater number of vessels. ALBS is one of the few remaining

1 local medium boat yards in the Ports of Los Angeles and Long Beach, as well as southern
2 California and the west coast. The ability to haul out vessels above 150 tons is limited to
3 ALBS and a facility in the Port of Long Beach. When vessels above 300 tons are
4 considered, ALBS is the only option unless one travels to San Diego Bay or San
5 Francisco Bay or beyond. The capacity for haul out of vessels above 350 tons is limited
6 to two at one time using ALBS's one large marine railway and its floating dry dock.
7 After modernization and replacement of the three 350 ton marine railways by the 600 ton
8 travel lift, ALBS will be able to remove vessels in the 350 to 600 tons range and position
9 them in various configurations, limited only by the available backland, within the
10 additional area created by the modernization. This will increase the capacity of ALBS to
11 meet the needs of this underserved market, as well as, an increased capacity to serve all
12 vessels under 600 tons. By upgrading and increasing the capacity of their existing
13 facility on Terminal Island, the ALBS would provides jobs and potentially reduce costs
14 for larger ships seeking repairs outside of their normal schedules.

15 In summary, the Project will allow the LAHD/Port to meet its legal mandates to accommodate
16 water-dependent commerce and navigation, while minimizing Port air emissions, and provide
17 jobs to the local economy. The Board hereby finds that the benefits of the proposed Project
18 described above outweigh the significant and unavoidable environmental effects of the project,
19 which are therefore considered acceptable.

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1 *INSERT ATTACHMENT 1*