

**ADDENDUM TO THE SAN PEDRO WATERFRONT PROJECT  
ENVIRONMENTAL IMPACT REPORT FOR THE JANKOVICH  
COMPANY RELOCATION PROJECT**

*[SCH No. 2005061041, APP No. 160815-117]*

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**June 2017**

## **INTRODUCTION AND OVERVIEW**

Pursuant to the California Environmental Quality Act (CEQA) Public Resources Code section 21000 et. seq., this Addendum to the San Pedro Waterfront Project (SPW Project) Final Environmental Impact Statement/Environmental Impact Report (FEIS/EIR) has been prepared to address proposed changes associated with marine fueling station uses since the EIR was certified by the Los Angeles Board of Harbor Commissioners on September 29, 2009 (State Clearinghouse No. 2005061041). Since certification four previous addenda were prepared for the SPW FEIS/EIR: 1) Warehouse Nos. 9 and 10, Crafted at the Port of Los Angeles, 2) Harbor Boulevard/7th Street/Sampson Way Intersection Improvements, 3) San Pedro Public Market (SPPM) Project and 4) Los Angeles Maritime Institute (LAMI) Relocation Project.

The City of Los Angeles Harbor Department (LAHD) has prepared this fifth Addendum to address the potential environmental effects of the proposed changes to marine fueling station uses on the San Pedro Waterfront (Jankovich Relocation Project). As assessed in the certified EIR, the marine fueling station operated by the Jankovich Company (Jankovich) at Berth 74 was to be decommissioned, Mike's Main Channel Marine (Mike's fueling station) fueling station at Berth 71 and 73A was to remain in operation at its existing location and a new fueling station was to be built at Berth 240 on Terminal Island. An operator for the new Berth 240 fueling station was not specified and the facility could be operated by Jankovich or another company.

Under the proposed Jankovich Relocation Project (proposed Project) , Jankovich would take over operation of the existing Mike's fueling station facility at Berths 71 and 73A, and make improvements at Berths 51, 71 and 73A and the former U.S. Customs Building at 309 E. 22<sup>nd</sup> Street (309 E. 22<sup>nd</sup> Street). The renovated 309 E. 22<sup>nd</sup> Street would be used for administration and storage space. LAHD proposed to enter into a lease Jankovich with a term of 10-years with two 5-years options for the above premises. This project also includes a redesign of the waterfront promenade alignment at Berth 51 and 71 through 73A to accommodate the Jankovich relocation.

The existing Jankovich facility would still be decommissioned as assessed in the SPW EIR and no new fueling station would be built at Berth 240.

The LAHD has prepared this Addendum to the SPW FEIS/EIR in accordance with CEQA (Public Resources Code [PRC] 21000 et seq.), and the State CEQA Guidelines Section 15164 to adequately assess the proposed modifications to the SPW FEIS/EIR.

## **PURPOSE AND USE OF AN ADDENDUM TO A PREVIOUSLY CERTIFIED EIR**

According to Section 15164(a) of the State CEQA Guidelines, the lead agency or the responsible agency shall prepare an Addendum to a previously certified Environmental Impact Report (EIR) or adopted negative declaration if changes or additions are necessary, but none of the conditions described in Section 15162 calling for the

preparation of a subsequent or supplemental to the certified EIR or adopted negative declaration have occurred. An Addendum need not be circulated for public review but can be included in or attached to the adopted negative declaration or certified EIR. The decision-making body considers the Addendum with the adopted EIR or negative declaration prior to making a decision on the project.

Section 15162 of the State CEQA Guidelines states that, for a project covered by a certified EIR or adopted negative declaration, no subsequent EIR or negative declaration shall be prepared for that project unless the Lead Agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- 1) Substantial changes are proposed in the project that would require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- 2) Substantial changes occur with respect to the circumstances under which the project is undertaken that would require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- 3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
  - a. The project would have one or more significant effects not discussed in the previous EIR or negative declaration;
  - b. Significant effects previously examined would be substantially more severe than shown in the previous EIR or negative declaration;
  - c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
  - d. Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR or negative declaration would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

## **PREVIOUS ENVIRONMENTAL DOCUMENTS INCORPORATED BY REFERENCE**

- Los Angeles Harbor Department. 2008, September. San Pedro Waterfront Project Draft EIS/EIR (SCH No. 2005061041).
- Los Angeles Harbor Department. 2009, September. San Pedro Waterfront Project Findings of Fact and Statement of Overriding Considerations.
- Los Angeles Harbor Department. 2009, September. San Pedro Waterfront Project Mitigation Monitoring Report and Program.
- Los Angeles Harbor Department. 2009, September. San Pedro Waterfront Project Final EIS/EIR (SCH No. 2005061041).
- Los Angeles Harbor Department. 2011, November. Addendum to the San Pedro Waterfront Project EIR/EIS Warehouse Nos. 9 and 10, Crafted at the Port of Los Angeles.
- Los Angeles Harbor Department. 2015, June. EIR Addendum San Pedro Waterfront Project, Harbor Boulevard/7th Street/Sampson Way Intersection Improvements.
- Los Angeles Harbor Department. 2016, May. EIR Addendum to the San Pedro Waterfront Project, San Pedro Public Market Project.
- Los Angeles Harbor Department. 2016, August. EIR Addendum to the San Pedro Waterfront Project, Los Angeles Maritime Institute Relocation Project.

## **EVALUATION OF ENVIRONMENTAL IMPACTS**

This document, prepared pursuant to CEQA, constitutes an Addendum to the SPW FEIS/EIR. This document, together with the other documents incorporated by reference herein, serve as the environmental review of the Jankovich Relocation Project, as required pursuant to the provisions of CEQA, the State CEQA Guidelines, and the City of Los Angeles procedures for CEQA implementation.

The SPW Environmental Impact Statement/Environmental Impact Report (EIS/EIR) described the affected resources and evaluated the potential impacts on those resources because of building and operating the SPW, including marine fueling station uses. Impacts on Cultural Resources, Groundwater and Soils, Hazards and Hazardous Materials, Land Use and Planning, Transportation and Navigation (Marine), and Utilities and Public Services were determined to be less than significant or were reduced to a level that is considered less than significant through the adoption of mitigation

measures. Impacts on Aesthetics, Air Quality, Biological Resources, Geology, Noise, Recreation, Ground Transportation, and Water Quality, Sediments, and Oceanography, however, were identified as significant and unavoidable. For those impact areas, the Board adopted a Statement of Overriding Considerations.

The first EIR Addendum for Crafted at the Port of Los Angeles Project involving Warehouses 9 and 10 analyzed the development of a marketplace for handmade goods with a higher number of visitors and workers than for the originally proposed low-intensity uses. This document concluded that there were no new significant impacts nor was there an increase in severity of previously identified impacts.

A second EIR Addendum was prepared to analyze design changes to the Harbor Boulevard/7th Street/Sampson Way Intersection. This document did not find any new significant impacts or increases in severity of previously identified impacts as previously disclosed in the SPW EIS/EIR.

A third EIR Addendum analyzed the SPPM Project. This document found it is consistent with the development scenario for Ports O' Call analyzed in the Final EIS/EIR. The SPPM Project would introduce a similar mix of land uses and would include most of the other SPW components, such as extension of the promenade, recreational elements, a trolley, parking areas, and waterside improvements. Under the SPPM Project, overall development intensity would be similar; however, the development of a 75,000-square foot conference center, which was a possibility discussed in the SPW FEIS/EIR, is not currently anticipated to be developed. In addition, the SPPM Project would reconfigure the promenade to avoid the coverage and shading of the mudflat at Berth 78 that would have occurred under the development scenario for Ports O'Call analyzed in the SPW FEIS/EIR. This eliminates a significant impact and the need for compensatory mitigate at the Salinas de San Pedro Salt Marsh. Additionally, the proposed lease would be for 50 years, which extends beyond the planning horizon of 2037, which was assumed in the SPW Final EIS/EIR. Lastly, adjustments to the SPPM Project from that which was analyzed in the Final EIS/EIR would require review by the U.S. Army Corps of Engineers for all in-water development. All modifications are being developed and designed in coordination with the respective resource agencies (U.S. Army Corps of Engineers and California Department of Fish and Wildlife). This document did not find any new significant impacts or increases in severity of previously identified impacts as previously disclosed in the SPW EIS/EIR.

The fourth EIR Addendum analyzed the LAMI Relocation Project. This document changed the relocation site from original Crowley Building at Berth 87 to Building G at Berth 73W. This document did not find any new significant impacts or increases in severity of previously identified impacts as previously disclosed in the SPW EIS/EIR.

This fifth EIR Addendum addresses whether the conditions set forth in Section 15162 of the State CEQA Guidelines that would require a subsequent or supplemental EIR are met, and whether there are new significant impacts or a substantial increase in the severity of previously identified impacts resulting from the project. For purposes of

determining whether new or substantially more severe “significant effects” would occur under State CEQA Guidelines Section 15162, the criteria for determining whether environmental effects would be significant in this Addendum analysis are the same as the significance thresholds contained within the certified SPW EIS/EIR.

The scope of analysis contained within this Addendum addresses the environmental resource areas that were previously analyzed in the certified SPW EIS/ EIR as follows:

- Aesthetics
- Air Quality and Greenhouse Gases
- Biological Resources
- Cultural Resources
- Geology
- Groundwater and Soils
- Hazards and Hazardous Materials
- Land Use and Planning
- Noise
- Recreation
- Transportation and Circulation – Ground and Marine
- Utilities and Public Services
- Water Quality, Sediments, and Oceanography
- Environmental Justice
- Socioeconomics and Environmental Quality
- Growth Inducement
- Cumulative Impacts

## **SUMMARY OF FINDINGS**

Based on the findings of this Addendum, the proposed Project would not result in any new significant impacts or a substantial increase in the severity of previously identified impacts that were analyzed in the SPW EIS/EIR, and none of the conditions set forth in Section 15162 of the State CEQA Guidelines that would otherwise require preparation of a subsequent EIR are met in this instance.

## **PROJECT LOCATION AND SETTING**

The Port of Los Angeles is located at the southernmost portion of the city and comprises 43 miles of waterfront and 7,500 acres of land and water, with approximately 300 commercial berths. The Port is approximately 23 miles south of downtown Los Angeles and is surrounded by the community of San Pedro to the west, the Wilmington community to the north, the Port of Long Beach to the east and the Pacific Ocean to the south. The proposed Project encompasses four locations Berth 51, Berth 73A, the former Mike’s fueling station at Berths 71 and 73A, and 309 E. 22<sup>nd</sup> Street (Figures 1 and 2).

Figure 1 - Jankovich Current Operations and Four Relocation Sites

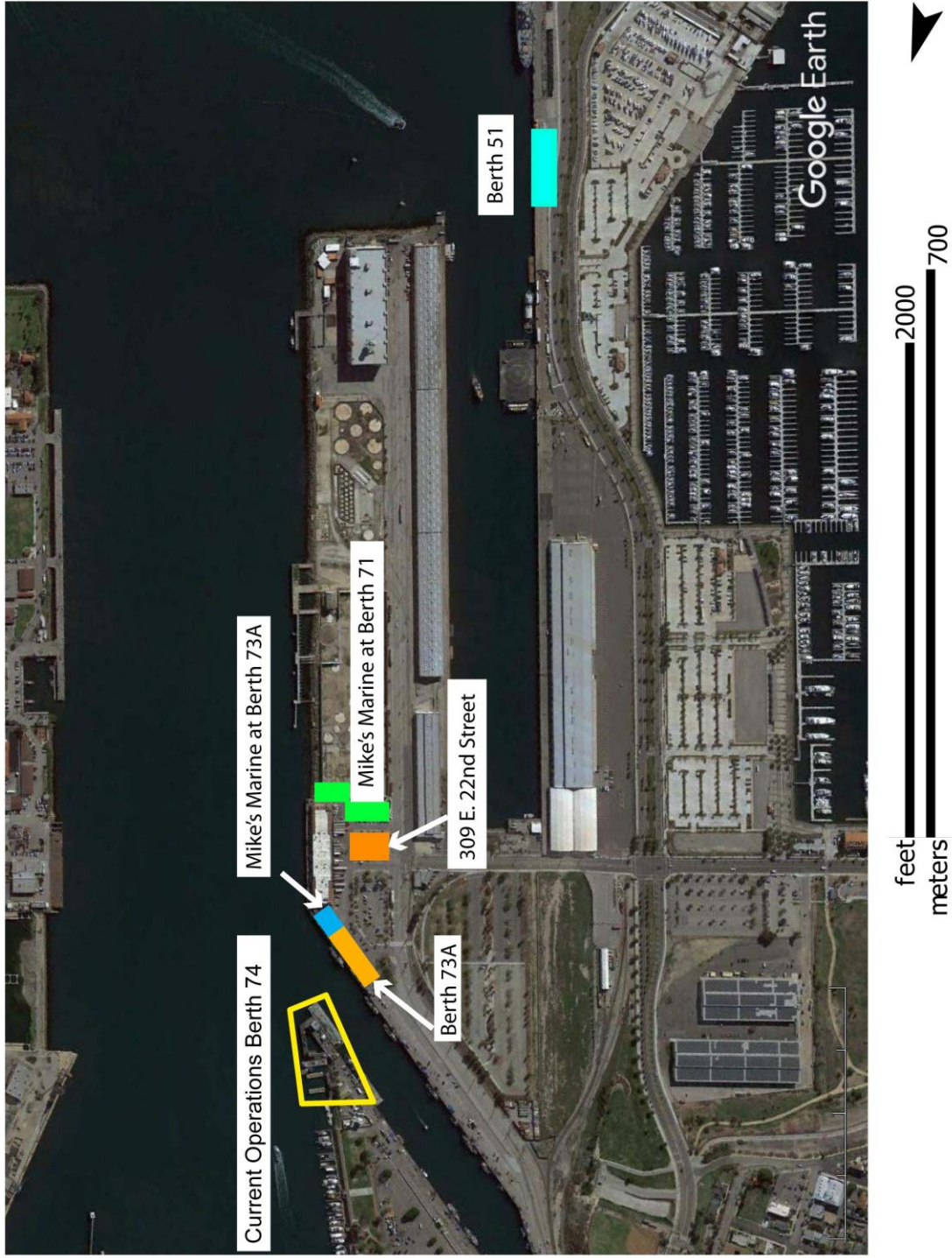
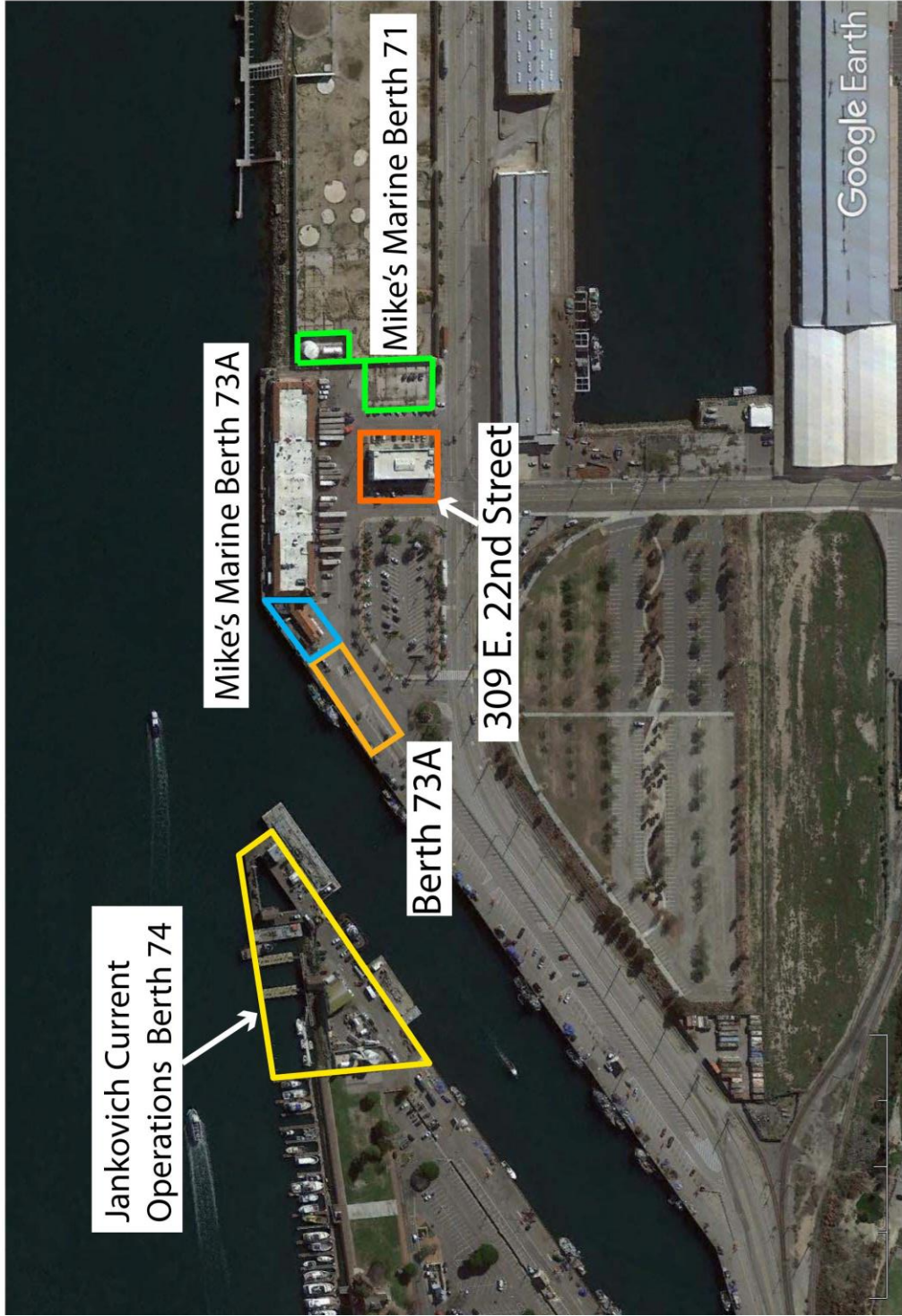


Figure 2 - Jankovich Current Location and Proposed Berth 71, 73A and 309 E 22nd Street Relocation Sites



feet 1000  
meters 300





## **PROJECT OBJECTIVES**

The CEQA project objectives identified in the SPW EIS/EIR includes creation of a continuous waterfront promenade throughout the project area allowing the public access to the water's edge and providing for enhanced visitor-serving commercial opportunities within Ports O'Call. The decommissioning of Jankovich at Berth 74 for the construction of the Waterfront Promenade and SPPM Project in that area supports these objectives. Because Jankovich would be taking over the existing Mike's fueling station Marine fueling station, which was to remain under the SPW Project, the proposed Project does not conflict with the objectives stated in the SWP Project EIS/EIR. The primary goal of the proposed Project is to relocate the Jankovich operation to allow for continued existence of a marine fueling station to meet the fueling needs of vessels in the Port of Los Angeles.

## **FINAL SAN PEDRO WATERFRONT EIS/EIR PROJECT COMPONENTS**

As described in the SPW Final EIS/EIR, the Jankovich marine fueling station at Berth 74 would be demolished to allow for construction of the waterfront promenade. The Jankovich facility as assessed the SPW FEIS/EIR contained six aboveground storage tanks, including a 100,000-gallon fixed-roof tank within an approximately 2,500-square-foot diked area that is used to store diesel fuel. The other five tanks are located within a separate diked area, and include four 25,000-gallon fixed-roof tanks that are used to store diesel fuel and one 15,000-gallon tank used to store gasoline. The facility also included four buildings, parking, two floating docks and a response vessel float. With the secession of operations the Jankovich fueling station would be decommissioned, including removal of the tanks and other facilities. Remediation of the site would occur, if necessary, under the oversight of the Regional Water Quality Control Board.

The SPW Project EIS/EIR described the development of a new fueling station at Berth 240, including the proposed waterside wharf and dock constructions, as well as operation pursuant to a 20-year lease. The improvements described in the SPW FEIS/EIR include new storage tanks, new equipment and infrastructure, and spill control dikes that would meet UL 142 specifications for aboveground tanks. The mix of products and tank sizes include:

- one 120,000-gallon ultra-low-sulfur diesel tank,
- one 50,400-gallon biodiesel tank, and
- one 6,000-gallon gas tank.

Waterside construction would include the development of approximately 6,400 square feet of new floating docks, to be supported by 46 new piles. The Berth 240 facility would operate a marine service station supplying diesel fuel and gasoline to vessels either at the Berth 240 facility or via fueling barge to ships at berth or anchored in the

Outer harbor. The market served by the Berth 240 facility would be the same as that of the current Jankovich operation. In serving the same market the same operational levels at the current Jankovich operation and the Berth 240 facility are expected.

The SPW FEIS/EIR also took into consideration the continued operation of Mike's fueling station, located south of the Municipal Fish Market (MFM) at Berth 71, and north of the MFM in the southern portion of Berth 73A. This fueling station primarily sells fuel and alternative fuels to commercial fishing boats and commercial trucks that service adjacent facilities. The portion of the facility at Berth 71 has five aboveground storage tanks, with capacities ranging from 500 to 200,000 gallons. The portion of the facility at Berth 73A north of the MFM consists of an existing building (1,487square feet), one 300-gallon for waste oil tank, two 4,000-gallons tanks for lubricating oil and a fuel dispenser.

Mike's fueling station handles and stores hazardous materials (defined by the LAHD as materials with flashpoints below 140 degrees) and, therefore, has an existing hazardous footprint per LAHD's Risk Management Plan (RMP). The SPW FEIS/EIR discusses the impacts on vulnerable resources from this facility. Because the proposed waterfront promenade would extend past this facility, and due to the existing hazards associated with Mike's fueling station, mitigation measure MM RISK-1 was included in the SPW Final EIS/EIR to require this facility to cease handling hazardous materials with flashpoints below 140 degrees prior to the operation of the proposed waterfront promenade.

The promenade would extend from the SP Slip west of the MFM south towards City Dock No. 1, and over the water along the edge of the Main Channel beginning at Berth 71, providing access to Warehouse No. 1 (Figure 3). The promenade in this area would entail construction of approximately 66,000 square feet of new structures over the water, supported by the installation of approximately 224 new piles.

## **CURRENT JANKOVICH OPERATION**

Jankovich currently operates a marine service station supplying diesel fuel and gasoline to vessels at Berth 74 in the Port of Los Angeles. This fueling station currently services tugboats, cruise ships, Port Police, U.S. Coast Guard, California Department of Fish and Wildlife, and Los Angeles Fire Department vessels, and other shipping operations within the harbor, including alternative fuels. Jankovich also engages in refueling ships at berth in the Port or anchored in the Outer Harbor by barge. This facility is 1.3 acres and currently contains three aboveground storage tanks, including a 100,000-gallon fixed-roof tank and a 25,000-gallon fixed-roof tank both storing diesel fuel and a 10,000-gallon tank storing gasoline. The three tanks are within a diked area of approximately 4,700 square feet. Eight tanker trucks transport fuel to the Jankovich operation per month, with at most four trucks on any day. Fuel is dispensed to vessels calling at the facility and to fuel barges that service ships at anchor though out the harbor. The facility also contains waste oil and lubricating oil tanks, four buildings, two floating docks and

Figure 3 - San Pedro Waterfront EIR/EIS Promenade Route



one wharf (15,696 square-feet). Jankovich has 30 employees and services two large and 60 small vessels on the average day.

## **PROPOSED MODIFICATIONS TO FUELING STATION USES ASSESSED IN THE FINAL SAN PEDRO WATERFRONT EIS/EIR**

The SPW EIS/EIR analysis included decommissioning the Jankovich facility at Berth 74, the continued operation of Mike's fueling station at Berths 71 and 73A and the construction and operation of a new marine fueling facility at Berth 240. Table 1 provides the storage capacity for those three operations and for the Jankovich Relocation Project operation.

Under the Jankovich Relocation Project, the construction of the Berth 240 facility would not take place. Consistent with the SPW EIS/EIR Jankovich's existing facility at Berth 74 would be decommissioned. Jankovich would move its current operation from Berth 74 to four locations at Berths 51, 71, 73A, and 309 E. 22<sup>nd</sup> Street. The LAHD proposes to enter into a term permit with Jankovich for 10 years with two 5-year options for the four sites. Jankovich proposes to occupy the former Mike's fueling station which occupies Berth 71 a portion of Berth 73A and utilize existing 150,000 gallon and 30,000 gallon aboveground tanks at Berth 71 for storage of diesel fuel. For the portion of Berth 73A outside the leasehold of Mike's fueling station an 8,000-gallon horizontal aboveground gasoline storage tank with containment would be constructed. Berth 51 would serve as a lay berth for Jankovich barges and also for loading fuel from tanker trucks into barges on occasion. The building at 309 E. 22<sup>nd</sup> Street would be renovated for use as an administrative office and warehouse. As part of the proposed Project the promenade alignment as assessed in the Final EIS/EIR would be redesigned at two locations: Berths 51 and 71 through 73A.

Before the Port Master Plan (PMP) Update of 2014, the land use of the Berth 71, and 73A area included liquid bulk facilities. After the update, the area was restricted to Commercial Fishing and Visitor-serving Commercial uses. As an existing operation, Mike's fueling station was allowed to continue operations (grandfathered) under the updated PMP. As a new tenant, Jankovich must conform to the existing land use designations of the 2014 Update, absent an amendment to the PMP. In addition, the PMP Update of 2014 changed the land use at 309 E 22<sup>nd</sup> Street to Institutional and that of Berth 51 to Visitor-serving Commercial uses. As part of the proposed Project, the PMP would be amended to include a Maritime Support use, which would include marine fueling stations such as Jankovich, to the Berths 51, 71, and 73A, and 309 E 22<sup>nd</sup> Street.

The proposed Project would also change the alignment of the waterfront promenade from what was assessed in the SPW EIS/EIR in several discrete locations, routing it around the proposed Jankovich operation at Berths 51 and 71 through 73A.

The new Jankovich operations would serve the existing marine fuel market in the area. The level of operational activity to serve this market would not change, only the location where these services are provided.

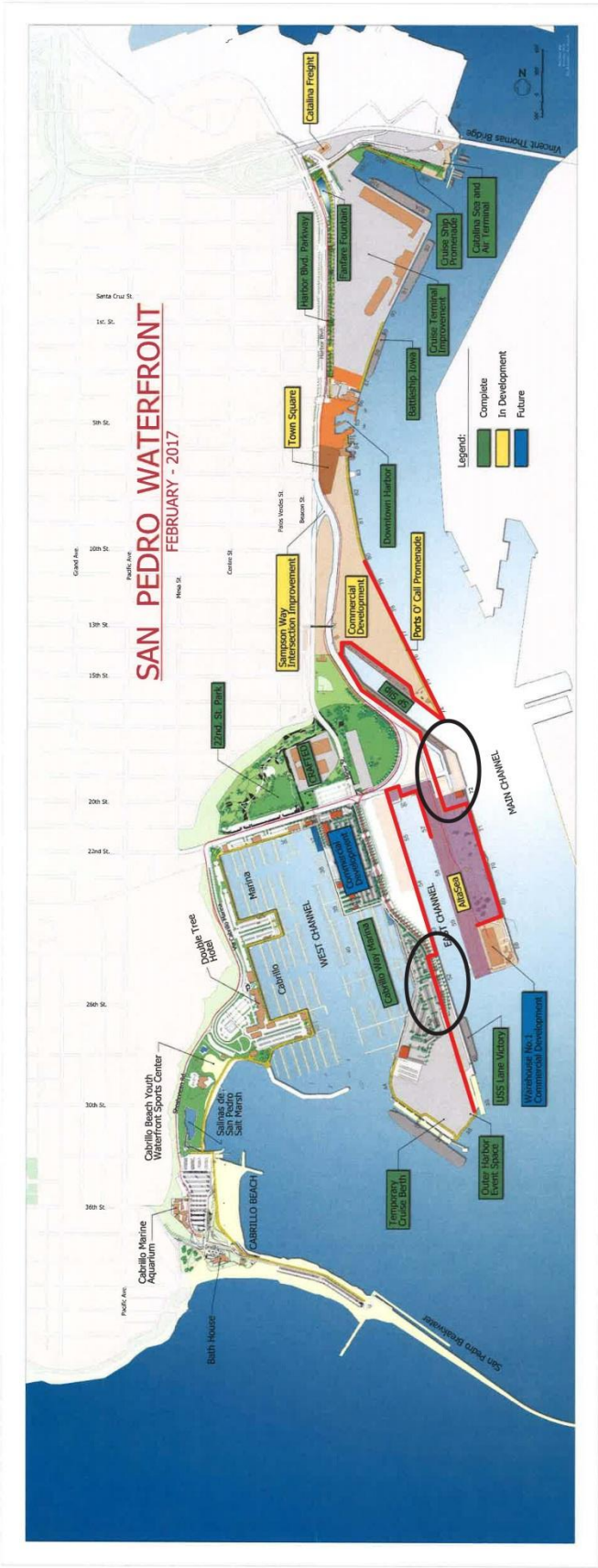
## **Construction**

The proposed improvements associated with the Jankovich Relocation Project consist of:

- 309 E. 22<sup>nd</sup> Street - The renovation and use of a two-story building for offices and warehousing. Renovation consists of installing new interior lighting, a roof mounted HVAC system and associated ducting, and. A false ceiling two feet below the existing ceiling would conceal the HVAC ducting. Renovation would also repair holes in the wall with blue drywall. After repair, plaster would be applied to the new drywall and any cracks in the original walls to resemble the original plaster and painted in a color similar to the original. An elevator would be installed in a small office in proximity to the existing stair well would. The parking lot would be repaved. Construction equipment to be employed includes a crane for placing the HVAC system on the roof the building and paving equipment to asphalt the parking lot. An estimated construction workforce at the site is eight with three on-road heavy-duty trucks per day. The construction schedule is 6-12 months.
- Berth 51 – Improvements include installation of metal plates on the wharf face, creation of a truck turning area, and installation of traffic bollards and security fencing. Eight 6' by 7' fender panels and 16 fender elements (rubber bumpers between the fender panel and wharf) would be removed and replaced by eight new 6' by 13' metal fender panels with new fender elements. Attachment of new fender panels to the wharf face would prevent barges from drifting under the wharf at low tide. At high tide, the plates would extend into the water. Equipment for construction not assessed in the SPW EIS/EIR includes a crane for lifting the steel plates for attachment to the wharf and a backhoe and a paver for the truck turn area. An estimated daily construction workforce at the site is eight within four on-road heavy-duty trucks. The construction schedule is 6-12 months.
- Mike's fueling station at Berth 71 – Improvements include installation of piping, security fencing, traffic bollards and electrical equipment. An estimated daily construction workforce at the site is six with two on-road heavy-duty trucks. The construction schedule is 6-12 months.
- Mike's fueling station at Berth 73A – No new improvements would be constructed but maintenance would be undertaken on the existing building (1,487square feet), 300-gallon waste oil tank, two 4,000-gallon lubricating oil tanks, and the fuel dispenser.

- Western portion of Berth 73A (Figure 5) –Improvements include installation of two floating fuel docks and a response vessel float with twelve pilings, four for each floating dock and four for the response vessel float. Construction includes installation of an 8,000-gallon horizontal tank for storage of gasoline and aboveground piping from the tank to the two floating docks. A structure 10 feet high, 19 feet wide and 36 feet long around the gasoline tank would be constructed as would a cinder block wall to prevent entry into the facility. The excavation depths for construction of the tank, walls and pipeline would be approximately three feet. Construction equipment for the installation of the horizontal tank and the pipeline to connect the tank to the fuel docks consists of a crane and a backhoe. Installing the twelve pilings would require a barge mounted pile driver and a tugboat. An estimated daily construction workforce at the site is eight within one on-road heavy-duty truck. The construction schedule is 6-12 months.
- Realignment of waterfront promenade design around new Jankovich operation at Berths 51, and 71 through 73a (Figure 4) - The construction would be the same as that analyzed in the SPW FEIS/EIR with the exception of the overwater section at Berth 71 which would be realigned landside and would forego construction of a deck and support piles.

Figure 4 - Rerouting of Promenade at Berths 51, 71-73A



## Operation

Jankovich's fueling operation would consist of the following locations and activities. They would conduct their operation under a term permit of 10-years with two 5-year options.

- Berth 51 – The five fuel barges would be primarily (approximately 98 % of the time) loaded at various marine oil terminals in the Port and occasionally (approximately two % of the time) by tanker truck at this location. The barges would move within the port complex to refuel ships as is done in the current operation and as analyzed in the SPW FEIS/EIR. When not in use the barges would be berthed at this location.
- Berth 71 – This location would be used for storage of diesel fuel in one 150,000-gallon tank for red diesel and one 30,000-gallon tank for clear diesel. Pipelines connect the diesel fuel tanks to the floating fuel docks at Berth 73A. The diesel tanks would be loaded from tanker trucks.
- Berth 73A – This location includes the former Mike's fueling station and the portion of Berth 73A that was outside the Mike's fueling station leasehold. This location would store waste oil tank, two lubricating oil tanks, a gasoline tank and a fuel. The facility would provide fuel service for an estimated two large and 60 small vessels on the average day. At the most the facility would be serviced by four tanker trucks per day.
- 309 E. 22<sup>nd</sup> Street – This location would function as office space and warehouse for the operation. The majority of the 30 employees would work out of this location.
- Port Master Plan Amendment - The PMP would be amended to include Maritime Support uses for Berths 51, 71, 73A and 309 E. 22<sup>nd</sup> Street.
- The PMP would be amended to include Maritime Support uses for Berths 51, 71, 73A and 309 E. 22<sup>nd</sup> Street.

The SPW FEIS/EIR included the construction and operation of a marine fueling facility at Berth 240, continued operation of Mike's fueling station and the decommissioning of Jankovich at Berth 74. In the proposed Project Jankovich would occupy the former Mike's fueling station along with additional sites, its Berth 74 facility would be decommissioned and removed and the Berth 240 facility would not be constructed or operated. Table 1 provides the storage capacity for the two operations discussed in the SPW FEIS/EIR and for the operation in the proposed Jankovich Relocation Project.

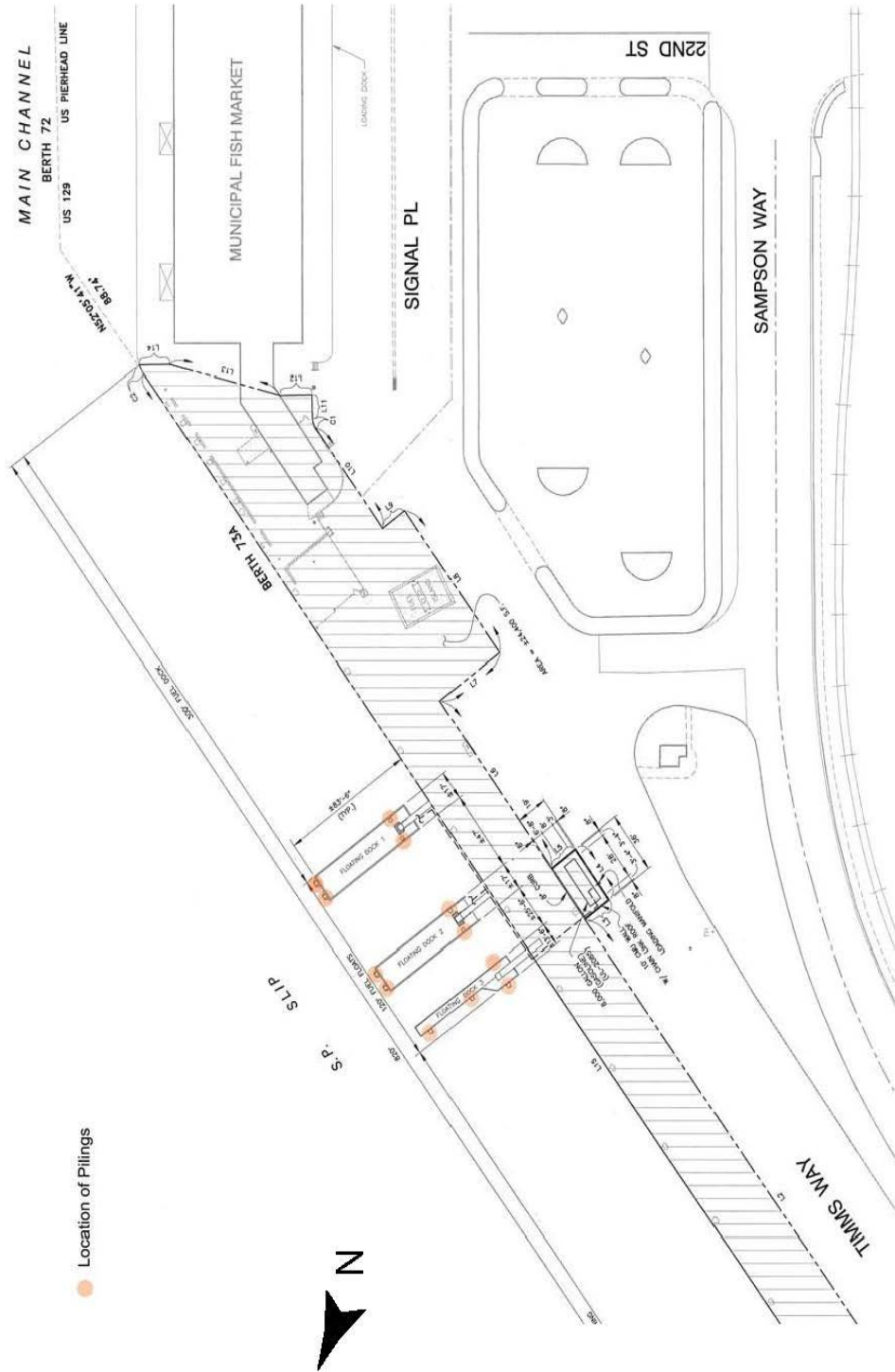


Table 1: Marine Fueling Capacity Analyzed in the SPW FEIS/EIR and the Jankovich Relocation Project (gallons)

Facility	Status in SPW EIS/EIR	Diesel Storage	Gasoline Storage
Mike's fueling station Berth 71 and 73A	Existing to Remain	240,000	10,500
Berth 240	New	170,400	6,000
<b>Total for SPW Project</b>		<b>414,400</b>	<b>16,500</b>
Proposed Jankovich Relocation Project	N/A	180,000	8,000
<b>Difference</b>		<b>-234,400</b>	<b>-8,500</b>

Under the proposed Jankovich Relocation Project, there would be one marine fueling station instead of the two assessed in the SPW FEIS/EIR. There would be a decrease in overall fuel storage capacity on the SP Waterfront of 234,000 gallons of diesel fuel (43%) and 8,500 gallons of gasoline (50%).

Figure 5 - Proposed Project at Berth 73A



## ENVIRONMENTAL IMPACT ANALYSIS

This section provides an impact assessment of the proposed modifications to the SPW Project from the proposed Jankovich Relocation Project. The sections below compare the modified project against the findings made in the 2009 SPW FEIS/EIR to determine whether any new impacts would be created by the modifications and/or if previously identified impacts would be exacerbated by the proposed changes.

As described below, no new impact areas have been identified nor do any impacts cause an increase in severity of previously identified impacts.

### ***Aesthetics***

#### **AES-1: Would the proposed Project result in an adverse effect on a scenic vista from a designated scenic resource due to obstruction of view?**

The SPW FEIS/EIR found the construction of parking structures at the existing Inner Harbor cruise ship terminal would block views to the Vincent Thomas Bridge (a scenic vista) for approximately 1,440 feet from a locally designated scenic highway (Harbor Boulevard). A reduction in the height of the proposed structures, partial subterranean construction, or a reduced footprint could offer opportunities to maintain views; however, these options would not meet the parking requirements for the SPW Project. Consequently, no mitigation was available and impacts would be significant and unavoidable from a short segment of Harbor Boulevard. This component is unchanged with the Jankovich Relocation Project.

The proposed Jankovich Relocation Project would relocate the existing Jankovich facility to four sites. The impact of the removal of the existing Jankovich facility on the scenic vistas was evaluated in the SPW FEIS/EIR. The proposed Project would install a new 8,000-gallon horizontal gasoline tank, containment walls, aboveground pipelines, security fencing and traffic bollards as well as eight steel extension plates 6-8 feet long would be attached to the wharf face at Berth 51 to prevent barges from drifting under the wharf. The improvements are in keeping with the industrial nature of the area. The gasoline tank would be horizontal, of similar scale to the other structures in the vicinity and would not obstruct the view from a designated scenic resource. Security fencing and traffic bollards are small structures would not obstruct view from a designated scenic resource. The extension plates at Berth 51 would be attached to the wharf face, not extend above the edge of the wharf and As such, obstruct the view from a designated scenic resource. Therefore, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

#### **AES-2: Would the proposed Project substantially damage scenic resources (including, but not limited to, trees, rock outcroppings, and historic buildings) within a state scenic highway?**

The SPW FEIS/EIR found no designated state scenic highways within the SPW Project area and that no impact would occur.

The proposed Jankovich Relocation Project is within the boundaries of the SPW Project and therefore not near any scenic highways. The proposed Project would not introduce a new significant impact or substantially increase previously identified impacts.

**AES-3: Would the proposed Project substantially degrade the existing visual character or quality of the site or its surroundings?**

The impact of the removal of the existing Jankovich facility and construction of a new fueling facility at Berth 240 on the scenic vistas was evaluated in the SPW FEIS/EIR. The SPW FEIS/EIR found project features would not degrade the existing visual character or quality of the site or its surroundings. Impacts were determined to be less than significant.

The proposed Jankovich Relocation Project would relocate Jankovich's current operation to four sites. Under the revised project the new facility at Berth 240 would not be built. Instead, the proposed Project would install a new 8,000-gallon horizontal gasoline tank, containment walls, aboveground pipelines, and a wall at Berth 73A, and security fencing and traffic bollards at Berths 51 and 71. In addition, eight steel extension plates 6-8 feet long would be attached to the wharf face at Berth 51. The gasoline tank would be horizontal, on a scale similar to the other structures in the vicinity. Security fencing and traffic bollards are small structures common within the Port. The extension plates to be installed at Berth 51 would be six feet wider than those they replace. The area consists of the SP Slip, with its wharves and berthing of fishing vessels, and commercial buildings. Adjacent to the slip are Ports of Call Village, the MFM, and the existing tanks and containment wall at Berth 71 and the existing building and small tanks at Berth 73A. The new structures are in keeping with the industrial and maritime nature of the area. They would not degrade the existing visual character or quality of the site or its surroundings. The proposed Project would not introduce a new significant impact or substantially increase previously identified impacts.

**AES-4: Would the proposed Project result in an adverse effect due to shading on the existing visual character or quality of the site or its surroundings?**

The SPW FEIS/EIR found little effect on shade sensitive viewers because sensitive viewers would not be present in the specific settings where shadows cast by limited multiple-story development would occur. Impacts were determined be less than significant.

The proposed Jankovich Relocation Project would involve minor improvements at several sites and forgo the new facility at Berth 240 which would remove a source of shading. The overwater promenade on the west side of the Main Channel at Berth 71 would not be constructed but rather the promenade would be rerouted inland. The only

new structures of substance are the gasoline tank and containment walls at Berth 73A. These structures would be no more than one story and oriented in a general east-west direction minimizing the amount of shadow cast. The area surrounding these structures is open space and the shading would have minimal impact. The proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**AES-5: Would the proposed Project create a new source of substantial light or glare that would adversely affect day or nighttime views of the area?**

The existing visual setting is brightly lit at night to ensure a safe nighttime outdoor work environment. The major sources of illumination within the Port are down lights on tall light standards and floodlighting, including floodlights on the crane booms used in loading and unloading cargo. Lighting is designed to provide an almost daylight environment through the use of these tall light standards. The SPW FEIS/EIR found lighting associated with the project components would comply with the San Pedro Waterfront and Promenade Design Guidelines, which include lighting recommendations to minimize light pollution, spill light, and glare while promoting goals to create an attractive and safe daytime and nighttime waterfront that supports local economic growth. Additionally, lighting would comply with the PMP, which requires an analysis of design and operational effects on existing community areas. Design consistency with these guidelines and regulations would ensure that views of the area would not be adversely affected. New lighting would be both functional and decorative to enhance visual quality. Impacts were determined to be less than significant.

The proposed Jankovich Relocation Project would not build the facility at Berth 240 which was assessed in the SPW EIS/EIR which would remove a potential source of light and glare. Instead new outdoor lighting would be installed at Berths 73A and 51. Outdoor lighting at Berths 73A and 51 would follow the San Pedro Waterfront and Promenade Design Guidelines and the LAHD Engineering Design Guidelines. As such, the proposed Jankovich Relocation Project would not introduce a new significant impact or substantially increase a previously identified impact.

***Air Quality and Meteorology***

**Impact AQ-1: Would the proposed Project result in construction-related emissions that exceed an SCAQMD daily emission threshold?**

The SPW FEIS/EIR found peak daily SPW construction emissions of VOC, CO, NOx, PM10, and PM2.5 after applying Mitigation Measures AQ-1 through AQ-8 would be significant and unavoidable. SOx emissions were found to be less than significant.

In the proposed Jankovich Relocation Project the marine fuel station at Berth 240 would not be constructed nor would the overwater portion of the promenade on the west side of the Main Channel at Berth 71. The proposed Project construction would be less intensive and shorter, which would result in lower emissions than Berth 240 construction emissions which were assessed in the SPW EIS/EIR. As such, the proposed Project

would not introduce a new significant impact or substantially increase a previously identified impact. However, Mitigation Measures AQ-1 and AQ-3 through AQ-7 would apply to the proposed Project.

**Impact AQ-2: Would the proposed Project construction result in offsite ambient air pollutant concentrations that exceed a SCAQMD Ambient Concentration Threshold?**

The SPW FEIS/EIR found after applying Mitigation Measures AQ-1 through AQ-8 the maximum offsite ambient pollutant concentrations associated with construction for CO would be less than significant but impacts of NO<sub>2</sub>, PM<sub>10</sub>, and PM<sub>2.5</sub> would be significant and unavoidable.

The proposed Jankovich Relocation Project emissions would be less than Berth 240 construction emissions (Table 1). As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact. However, Mitigation Measures AQ-1 and AQ-3 through AQ-7 would apply to the proposed Project.

**Impact AQ-3: Would the proposed Project result in operational emissions that exceed 10 tons per year of VOCs or an SCAQMD Daily Emission Threshold?**

The SPW FEIS/EIR found that after applying Mitigation Measures AQ-9 through AQ-24 project daily operational emissions would be significant for all pollutants in all project analysis years, with the exception of CO in years 2011 and 2037.

The proposed Jankovich Relocation Project reduces the number of marine fuel facilities in the Port from two to one and reduce diesel and gasoline storage capacity significantly compared to that analyzed in the SPW FEIS/EIR which would result in lower operational emissions than those analyzed in the SPW EIS/EIR. The proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact AQ-4: Would the proposed Project operations result in offsite ambient air pollutant concentrations that exceed a SCAQMD Ambient Concentration Threshold?**

The SPW FEIS/EIR found maximum offsite ambient pollutant concentrations associated with the proposed project operations would be less than significant before mitigation for CO, but after applying Mitigation Measures AQ-9 through AQ-24 the impacts from for NO<sub>2</sub> (1-hour average and annual average), PM<sub>10</sub> and PM<sub>2.5</sub> (24-hour average), and annual PM<sub>10</sub> would be significant and unavoidable.

The proposed Jankovich Relocation Project reduces the number of marine fuel facilities in the Port from two to one and reduce diesel and gasoline storage capacity significantly compared to that analyzed in the in the SPW FEIS/EIR. These reductions would reduce operational emissions compared to what was analyzed in the SPW EIS/EIR. As such,

the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact AQ-5: Would the proposed Project generate on-road traffic that would contribute to an exceedance of the 1-hour or 8-hour CO standards?**

The SPW FEIS/EIR found maximum CO concentrations for project operational study years 2015 and 2037 would not exceed the CO standards with or without the SPW Project. Despite increasing traffic volumes in the future, the results show a declining trend in CO concentrations. This declining trend is due to the phasing in of cleaner fuels, tighter vehicle emissions standards, and the gradual replacement of older vehicles with newer, cleaner vehicles. The SPW FEIS/EIR found the CO generated by on-road traffic to be below the significance threshold in all analysis years.

The proposed Jankovich Relocation Project reduces the number of marine fuel facilities compared to what was assumed in the SPW FEIS/EIR from two to one. The worst day traffic for the proposed Project, 30 passenger vehicles and 10 heavy-duty on-road trucks, is minimal compared to the overall SPW Project traffic and is not likely to exceed the amount of traffic assumed for marine fueling uses since the number of fueling stations and the total fuel storage capacity are less than what was assumed. . The operation of the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact AQ-6: Would the proposed Project create an objectionable odor at the nearest sensitive receptor?**

The SPW FEIS/EIR found the potential for the SPW Project to produce objectionable odors that would affect a sensitive receptor to be less than significant.

The proposed Jankovich Relocation Project would reduce marine fueling construction and operations compared to what was assessed in the SPW FEIS/EIR. . As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact AQ-7: Would the proposed Project expose receptors to significant levels of TACs?**

The SPW FEIS/EIR found the main source of Toxic Air Contaminants (TACs) from SPW Project operations would be Diesel Particulate Matter (DPM) emissions from cruise vessels, terminal equipment, and motor vehicles. After applying Mitigation Measure AQ-9 through AQ-24 the cancer risk for the occupational Maximum Exposed Individuals (MEIs) remains significant and unavoidable. Most of the cancer risk for occupational exposure comes from cruise vessel emission. After applying Mitigation Measure AQ-9 through AQ-24 the acute hazard index for occupational, residential, and recreational MEI remains significant and unavoidable.

The proposed Jankovich Relocation Project would occupy the former Mike's fueling station facility at Berths 71 and 73A, an operation that was included in the SPW FEIS/EIR analysis, as was the operation of the Berth 240 facility that would no longer be built. Exposure of sensitive receptors to TACs is largely associated with operation of the cruise terminals and, therefore, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact AQ-8: Would the proposed Project conflict with or obstruct implementation of an applicable AQMP?**

The SPW FEIS/EIR found the LAHD regularly provides Southern California Association of Governments (SCAG) with its Port-wide commercial forecasts for development of the Air Quality Management Plan (AQMP). Therefore, attainment demonstrations included in the 2007 AQMP accounted for the emissions generated by projected future growth at the Port. In addition, the rules and regulations pertaining to air quality are designed to bring the air basin into compliance with the AQMP. The SPW Project would not conflict with or obstruct implementation of the AQMP and impacts were determined to be less than significant.

The proposed Jankovich Relocation Project is consistent with the project objectives of the SPW Project. Its construction emissions are less than those of from construction of the Berth 240 facility. The operational emissions are less than those analyzed in the SPW FEIS/EIR. The 2016 AQMP was approved in March of 2017 and the LAHD continues to regularly provide SCAG with its Port-wide cargo forecasts for development of the AQMP. The Jankovich Relocation Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact AQ-9: Would the proposed Project produce GHG emissions that would exceed CEQA and NEPA baseline levels?**

The SPW FEIS/EIR found the SPW Project total mitigated construction CO<sub>2</sub>e emissions to be 48,617 metric tons CO<sub>2</sub>e. Construction of the Berth 240 facility would result in 226.0 metric tons. The SPW FEIS/EIR also found future operations would generate 50,766 to 65,633 metric tons CO<sub>2</sub>e depending on the year after mitigation. After applying Mitigation Measures AQ-9, AQ-11 through AQ-13, AQ-16 through AQ-20 and AQ-25 through AQ -30 the impact for both construction and operation of the SPW Project would remain significant and unavoidable.

The proposed Jankovich Relocation Project would not include construction of the Berth 240 facility and would instead include less intensive and smaller-scale construction at several locations. . Also, with the number of fueling facilities reduced from two to one and the total fuel storage capacity reduced, GHG operational emissions in the proposed Project would be less than those analyzed in the SPW FEIS/EIR. The construction and operation of the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.



## ***Biological Resources***

### **Impact BIO-1a: Would construction of the proposed Project result in the loss of individuals or the reduction of existing habitat, of a state- or federally listed endangered, threatened, rare, protected, candidate, or sensitive species or a species of special concern, or the loss of federally listed critical habitat?**

The SPW FEIS/EIR found construction of the SPW Project would result in significant and a substantial reduction or alteration of a state, federally, or locally designated natural habitat, special aquatic site, or plant community, including wetlands. Dredging and construction activities would affect several special aquatic sites in the project area, including a small mudflat at Berth 78–Ports O’ Call; mudflat and eelgrass habitat at the proposed location for the rock groin; salt marsh, cord grass, eel grass and mudflat habitat in the Salinas de San Pedro Salt Marsh; and kelp outcroppings at Berths 68–69 and Berths 47–50 at the proposed Outer Harbor Cruise Terminals. Mitigation Measures BIO-4 and BIO-5 mitigate the loss of habitat through the expansion and enhancement of the Salinas de San Pedro Salt Marsh. Construction activities associated with expansion and enhancement of the Salinas de San Pedro Salt Marsh would benefit the marsh over the long-term but would result in significant short-term impacts on the salt marsh, and eelgrass and mudflat habitat within the marsh. The third addendum to the SPW FEIS/EIR, San Pedro Public Market Project, changed the location of the promenade to avoid the mudflat at Berth 78. In relation to other impacts to biological resources, Mitigation Measures BIO-1 through BIO-3 would reduce the impacts of in-water construction turbidity, impacts to nesting bird habitat and impacts of pile driving on marine mammals to less-than-significant levels.

The construction phase of the proposed Jankovich Relocation Project would involve construction at Berths 51, 71, 73A, and renovation of a building at 309 E. 22<sup>nd</sup> Street. The pile driving associated with building the Berth 240 facility and the promenade at Berth 71 would not occur. However, twelve piles would be driven at Berth 73A. No known species of special concern or listed as endangered, threatened, rare, protected, or as a candidate for listing occur at the sites nor does any federally listed critical habitat. However, marine mammals occur throughout the Port. The pile driving at Berth 73A could adversely impact marine mammals. However, with SPW FEIS/EIR Mitigation Measure BIO-3 the impact would be less than significant. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

### **Impact BIO-2a: Would the construction of the proposed Project 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 SPW FEIS/EIR found project construction activities would affect several special aquatic sites in the project area, including a small mudflat at Berth 78–Ports O’ Call; mudflat and eelgrass habitat within the Salinas de San Pedro Salt Marsh and at the proposed location for the rock groin; salt marsh habitat, cord grass, and mudflat habitat

in the Salinas de San Pedro Salt Marsh; and kelp outcroppings at Berths 68–69 and Berths 47–50 at the proposed Outer Harbor Cruise Terminals. Avoidance measures and mitigation would reduce these impacts to less-than-significant levels. However, construction activities associated with expansion and enhancement of the mudflat and salt marsh for the long-term benefit of the marsh would result in significant short-term and unavoidable impacts on the salt marsh, and eelgrass and mudflat habitat within the marsh at Salinas de San Pedro Salt Marsh. The third addendum to the SPW FEIS/EIR (SPPM) changed the location of the promenade to avoid the mudflats at Berth 78.

The Jankovich Relocation Project would Forego the construction of the new marine fueling facility at Berth 240 which would remove the construction of the new wharf with its 46 pilings. In addition, the pile driving for construction of the promenade at Berth 71 would not occur. The construction phase of the proposed Project would involve construction at Berths 51, 71, 73A, and renovation of a building at 309 E. 22<sup>nd</sup> Street. The four locations are situated in urban industrial setting with no designated natural habitat, plant communities special aquatic sites or wetlands. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact BIO-3a: Would the construction of the proposed Project interfere with wildlife movement/migration corridors that may diminish the chances for long-term survival of a species?**

The SPW FEIS/EIR found no defined terrestrial wildlife migration corridors in the SPW Project area. The SPW FEIS/EIR found the only defined migratory species in the harbor are birds. California least tern is a migratory bird species that nests on Pier 400; construction of the SPW Project would not interfere with the aerial migration of this species. California brown pelican move to breeding sites in Mexico and on offshore islands for part of the year. A number of other water-related birds that are present at least seasonally in the harbor are migratory as well. Construction activities within the project area would not block or interfere with migration or movement of any of these species covered under the Migratory Bird Treaty Act because the work would be in a small portion of the harbor area where the birds occur and the birds could easily fly around or over the work. Fish species would avoid constructions areas but otherwise their movement would not be constrained. Project-related construction vessel traffic to and from the harbor (i.e., tugboats carrying disposal materials to LA-2 or LA-3) would not interfere with marine mammal migrations along the coast because these vessels would represent a small proportion (3%) of the total Port-related commercial traffic in the area. The Project would not create any physical barriers to movement. Impacts would be less than significant.

The SPW FEIS/EIR found contaminated sediments released during dredging could adversely affect aquatic organisms if toxic substances are present in sediments and if those sediments are suspended in the water column during dredge activities or when disposed of at a marine disposal site. Impacts would be significant. Project construction activities have the potential to introduce or redistribute invasive species or

spread the invasive green alga *Caulerpa*. However, the potential for introduction during construction activity would be essentially the same as under normal Port operations. *Caulerpa* has not been found within the Port of Los Angeles. If found during the required preconstruction survey a *Caulerpa* eradication program per the U.S. and California Fish and Wildlife agencies would be implemented and impacts would be less than significant.

The proposed Jankovich Relocation Project would involve construction at Berths 51, 71, 73A, renovation of a building at 309 E. 22<sup>nd</sup> Street and revision to the promenade alignment. The construction at Berth 73A includes the driving of twelve piles. The project areas are developed would little vegetation and that present would not be removed. There are no known wildlife movement/migration corridors at the locations. The proposed Project would not involve dredging or filling. The new fender panels would extend into the water only at high tide and is not an impediment to migration. The proposed Project would install far fewer piling than called for the in SPW FEIS/EIR and wharf at Berth 240 and the overwater promenade at Berth 71 would not be constructed. During construction, Jankovich would comply with SWPP and construction best management practices (BMPs) as called for the in SPW FEIS/EIR. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact related to wildlife movement and migration corridors.

**Impact BIO-4a: Would dredging, filling, and wharf construction activities for the proposed Project substantially disrupt local biological communities?**

The SPW EIS/EIR found construction activities in the study area would cause short-term and locally significant impacts on individuals (e.g. birds, marine mammals, and fish including those with designated EFH). Permanent impacts to mudflat habitat at Berth 78–Ports O’Call and at the inlet to the Salinas de San Pedro Salt Marsh, as well as eelgrass impacts associated with groin placement and lowering the elevation of the salt marsh, would be significant. Construction of the promenade at the inlet to the salt marsh habitat would be significant. Contaminated sediments released during dredging would be significant. Construction activities that have the potential to introduce or redistribute invasive species would be less than significant. Temporary loss of habitat function from construction expansion and enhancement activities within the mudflat, eelgrass, and salt marsh habitat is expected and would result in a short-term significant and unavoidable impact. However, the redesign of the promenade discussed in the third addendum to the FEIS/EIR for the SPPM Addendum reduces this impact to less than significant. With Mitigation Measures (BIO-1 thru 6), impacts from dredging, filling, and wharf construction activities would be less than significant. The third addendum to the SPW FEIS/EIR (SPPM) changed the location of the promenade to avoid the mudflats at Berth 78.

With the proposed Jankovich Relocation Project the 6,400 square foot wharf with 46 new pilings would not be built at Berth 240. In addition, there would be no construction of the overwater promenade with associated pilings at Berth 71. The construction phase of the proposed Project would involve construction at Berths 51, 71, 73A

(including driving twelve piles) and renovation of a building at 309 E. 22<sup>nd</sup> Street. The project areas are developed with little vegetation and that present would not be removed. The proposed Project would not involve dredging or filling. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact to biological communities.

**Impact BIO-5a: Would construction of the proposed Project result in a permanent loss of marine habitat?**

The SPW FEIS/EIR found project construction would result in an increase in water area, which could add 6.8 acres of mitigation credit to LAHD's Inner Harbor Mitigation Bank. This creation of new Inner Harbor water area would result in increased biological production until the time that banked mitigation credits might be used for some future Port fill. There would be no permanent loss of marine habitat as a result of SPW Project construction. Although there would be changes in habitat character/type from discharge of materials and physical structures, the total quantity of open-water habitat would be increased. Impacts would be less than significant.

The proposed Jankovich Relocation Project would forego construction of the marine fueling facility at Berth 240, including the 6,400 square foot wharf and 46 piles. In addition, there would be no in-water construction of the promenade with its supporting piles at Berth 71. The construction phase of the proposed Project would involve construction at Berths 51, 71, 73A (including driving twelve piles), renovation of a building at 309 E. 22<sup>nd</sup> Street and rerouting the promenade. There would be no filling or major shading resulting in loss of marine habitat. The proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact BIO-1b: would the operation of the proposed Project result in the loss of individuals or the reduction of existing habitat, of a state- or federally listed endangered, threatened, rare, protected, candidate, or sensitive species or a species of special concern, or the loss of federally listed critical habitat?**

The SPW FEIS/EIR found increased vessel traffic would incrementally increase the potential for accidental fuel spills and illegal discharges. Impacts would be significant; however, implementation of spill control mitigation measures required by regulation would reduce the potential for spills to a level that is less than significant. The SPW FEIS/EIR cruise ships transiting the coastal waters of southern California could potentially cause harm to endangered, threatened, or species of concern such as marine mammals and sea turtles from vessel collisions. Impact of project-related vessel traffic on marine mammals was considered less than significant because of the low probability of vessel strikes. Given the small increase in number of vessels compared to the small number of reported strikes per year (less than three), the likelihood of such a collision is very low and only a small incremental increase in the likelihood of a vessel strike would occur. Therefore, this impact would be less than significant.

The proposed Jankovich Relocation Project locations are fully developed and within an industrial port and do not contain federally listed critical habitat or habitat of endangered, threatened, rare, protected, candidate, sensitive species or a species of special concern. The proposed Project involves a reduction of the number of marine fueling facilities from two to one and a reduction of the number of tanks and storage capacity associated with marine fuel operations. The reduction of storage tanks and capacity would reduce the risk of spills and would reduce overall marine fueling-related operations compared to that analyzed in the SPW Project. . . . The proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact BIO-2b: would operation of the proposed Project 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 SPW FEIS/EIR found the Project would not 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 salt marsh promenade would shade portions of the unvegetated entrance to the Salinas de San Pedro Salt Marsh and potentially small portions of the vegetated salt marsh habitat. Because the promenade would be elevated 18 feet and would be 30 feet wide, shading occurrences in any one area would be brief and are not anticipated to alter the vegetation. However, impacts associated with operation of the waterfront promenade over the 0.175-acre mudflat located at Berth 78—Ports O’Call and the 0.04-acre mudflat area at the entrance to the salt marsh would be significant prior to mitigation. The third addendum to the SPW FEIS/EIR (SPPM) changed the location of the promenade to avoid the mudflat at Berth 78. With SPW FEIS/EIR Mitigation Measures NIO-4 and BIO-5 these impacts would be less than significant.

The proposed Jankovich Relocation Project would result in one fewer marine fueling operations compared to what was analyzed in the SPW Project. The wharves and pilings at Berths 71 and Berth 240 would not be constructed. The four locations are in an urban industrial setting with no designated natural habitat, plant communities, special aquatic sites or wetlands. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact BIO-3b: would operation of the proposed Project interfere with wildlife movement/migration corridors that may diminish the chances for long-term survival of a species?**

The SPW FEIS/EIR found no barriers to wildlife passage would result from operation of the SPW Project. The type of activity that would occur within the harbor (vessel traffic) would slightly increase by 24 calls per year and would have no effect on wildlife movement or migration within the harbor. Impacts would be less than significant.

The proposed Jankovich Relocation Project would reduce the number of marine fueling stations by one and reduce the number of tanks and capacity compared to what was analyzed in the SPW FEIS/EIR. The proposed Project locations are in an urbanized setting consisting of wharves, paved land and an existing building. The terrestrial locations do not contain habitat suitable for wildlife species and are not used by native resident or migratory species for movement or nursery purposes. The proposed Project would not interfere with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact BIO-4b: would operation of the proposed Project cause a substantial disruption of local biological communities?**

The SPW FEIS/EIR found pilings and floating docks constructed as part of the SPW Project would provide shaded (horizontal and vertical) submerged attachment surfaces that would support invertebrate communities, and some fish species would likely be attracted to the new over-water and in-water structures. Additionally, newly placed piles would support a different community of invertebrates compared to rock or soft-bottom habitats. Habitat complexity and cover would increase as well, as rock provides attachment for sessile invertebrates, macro-algae, and cover for motile organisms. Where it replaces vertical bulkheads, there would also be an increase in physical habitat complexity and cover. In addition, this area of disruption, specifically between Berths 83–88, is a relatively small part of the harbor, and this small-scale disruption would not be considered a substantial disruption of a local biological community. Although there would be a short-term disruption to biological communities in part of the SPW Project area as a result of removal of existing over-water and in-water structures, and recolonization of these areas would take 1 to 3 years, there would be no net loss of open-water marine habitat or long-term biological community disruption overall. There would be no impact from operation of the structures.

The SPW FEIS/EIR found, while unlikely, the SPW Project has the potential to introduce invasive marine species into the harbor through minor ballast water exchanges that could occur, or through attachment to ship hulls or equipment. Invasive species would substantially disrupt biological communities, which would be a significant impact. No feasible mitigation is currently available for total prevention of invasive species introductions via vessel hulls, equipment, or ballast water, due to the lack of a proven technology, therefore this impact is significant and unavoidable.

The proposed Jankovich Relocation Project reduces the number of marine fueling facilities, tanks and storage capacity within the Port compared to what was analyzed in the SPW FEIS/EIR. The wharf and pilings for the Berth 240 facility and the overwater promenade at Berth 71 would not be built reducing shaded horizontal submerged attachment surfaces. The proposed Project would fuel vessels within the Port of Los Angeles. The operation of the proposed Project would not require barges or tugboats to venture outside the Ports of Los Angeles and Long Beach. As such, the proposed

Project would not introduce a new significant impact or substantially increase a previously identified impact.

### ***Cultural Resources***

#### **Impact CR-1: Would construction of the proposed Project disturb, damage, or degrade known prehistoric and historic archaeological resources?**

The SPW FEIS/EIR found no known prehistoric or historic archaeological sites located in the SPW Project area. However one non-listed historic archaeological site associated with previously unidentified early twentieth century Mexican settlements colloquially named “Mexican Hollywood” within the SPW Project boundaries and two listed historic archaeological sites adjacent to the SPW Project area. Construction of the SPW Project would result in significant impacts to Mexican Hollywood and potentially impact the adjacent site. Buried cultural resources that were not identified during field surveys could be inadvertently unearthed during ground-disturbing activities associated with construction. Mitigation Measures CR-1, CR-2a, CR-2b and CR-3 reduce these impacts to less than significant

The proposed Jankovich Relocation Project sites are located on approximately 14 feet of fill material and away from known prehistoric archaeological or historical archaeological sites and Mexican Hollywood. There would be minimal ground disturbance (3 feet in depth for the gasoline tank, and walls at Berth 73A and the revised promenade alignment) during construction. Mitigation Measure CR-3 would apply to the proposed Project. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

#### **Impact CR-2: Would construction of the proposed Project disturb, damage, or degrade unknown archaeological and ethnographic cultural resources?**

The SPW FEIS/EIR found that while buried cultural resources were not identified during field surveys, archaeological resources and human remains could be inadvertently unearthed during ground-disturbing activities, which would potentially result in the demolition or substantial damage to significant cultural resources. In addition, submerged sites could also be located during dredging activities. However, there is low potential for underwater resources due to the disturbed nature of the harbor from previous dredging. The SPW FEIS/EIR Mitigation Measure CR-3 reduces this impact to less than significant.

The proposed Jankovich Relocation Project sites are located in areas that were part of the waters of San Pedro Bay before being filled in the early 20<sup>th</sup> century with approximately 14 feet of dredged sediment. There would be minimal ground disturbance for construction of the gasoline tank, walls, and underground pipelines, installation of security fencing and traffic bollards and along revised promenade alignment. As such, the proposed Project would not introduce a new significant impact

or substantially increase a previously identified impact. However, mitigation measure CR-3 of the SPW FEIS/EIR would apply to the proposed Project.

**Impact CR-3: Would the proposed Project result in a substantial adverse change in the significance of a historical resource, involving demolition, relocation, conversion, rehabilitation, alteration, or other construction that reduces the integrity or significance of important resources on the site or in the vicinity?**

The SPW FEIS/EIR found several historic resources within the project boundary. Among these are SP Slip and the U.S. Immigration Station at 309 E. 22<sup>nd</sup> Street. Both are eligible for listing for the National Register of Historic Places (NRHP), California Register of Historic Resources (CRHR) and as a City of Los Angeles Historic-Cultural Monument (LACHM). SP Slip is eligible as the first large mooring facility for Pacific Coast lumber schooners in the early history of the Port of Los Angeles. The SPW FEIS/EIR determined the impacts to historic resources were less than significant.

The proposed Jankovich Relocation Project would place part of Jankovich's operation at Berth 73A directly across the SP Slip from their current location. The physical characteristics of the SP Slip that convey its historic significance and justifies its eligibility for inclusion on a historic register would remain.

The U.S. Immigration Station is an historic resource. The exterior of the building, the interior skylight over the interior stairs, the plaster walls, open architectural space of the rooms with their chamfered wood posts and girders, 10 foot high ceilings, and schoolhouse lighting fixtures character-defining features. The proposed Jankovich Relocation Project would renovate the building for reuse as administrative and warehouse space. The renovation of the building includes installation of new lighting; a roof mounted Heating Ventilation and Air Conditioning (HVAC) system and associated ducting. As part of the HVAC installation, a false ceiling would be installed two feet below the existing ceiling. Holes in the wall would be repaired with blue drywall. The new drywall and any cracks in the original walls would be plastered over to resemble the original plaster. The wall would then be painted in a color similar to the original. The skylight over the interior stairs would be retained. The Secretary of the Interior's Standards for the Treatment of Historic Properties (Standards) recommend placing new elevators in secondary and service areas of a historic building. An elevator would be installed in proximity to the existing stairwell, ensconced in the several small rooms away from the large inspection room and discharge room on the first floor as suggested in the Standards. An Architectural Historian evaluated the proposed alterations for conformance to the Standards regarding the treatment of historic properties (SWCA, 2015). The evaluation found that the character defining features associated with the overall external physical aspects and visual characteristics would remain intact. The use of blue board to repair holes and the use of plaster to cover the blue board and wall cracks was found to be consistent with the Standards.

The proposed Project would convert a vacant building into one occupied and maintained by Jankovich for a minimum of ten years. This would serve to preserve the



building. Regarding the Interior Spaces and Features identified in the evaluation as character defining features, only the installation of a false ceiling, the obscuring of the chamfered wood posts and girders and schoolhouse lighting fixtures fail to comply with the Standards. A false ceiling approximately two feet below the original ceiling would be installed to facilitate the HVAC ducting. The open architectural space of the rooms provided by the height of the 10 feet ceiling is a character-defining feature and would be reduced by approximately 2 feet. In addition, the schoolhouse lights fixtures would be removed, if necessary, but the chamfered wood posts and girders would remain behind the false ceiling. These alternations represent an adverse impact to the historic resource but do not rise to the level of significance. The original ceiling and the chamfered wood posts and girders would not be destroyed but remain in-place above the false ceiling that could be removed later to expose the character-defining features. The portion of the building most readily observed by the public, the exterior, would be retaining the original doors and windows. Though there would be loss of some of the interior character-defining features the building retains enough integrity to convey the historical operation. The impact would be less than significant. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact CR-4: Would the proposed Project result in the permanent loss of or loss of access to a paleontological resource of regional or statewide significance?**

The SPW FEIS/EIR found grading, trenching, and construction of the North Harbor cut, as well as other ground-disturbing actions, have the potential to damage or destroy significant paleontological resources within the project area due to the presence of San Pedro Sand and Timms Point Silt, and Miocene-age marine deposits of the Malaga Mudstone where fossils have been found. Mitigation Measure CR-4 would reduce impacts to less than significant.

The proposed Jankovich Relocation Project sites are located in areas that were part of the waters of San Pedro Bay before being filled in the early 20<sup>th</sup> century with approximately 14 feet of dredged sediment and outside the areas identified in the SPW EIS/EIR as having a potential to contain paleontological resources. There would be minimal ground disturbance for construction of the gasoline tank, walls and underground pipelines and installation of security fencing and traffic bollards and relocation of the promenade. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

***Geology***

**Impact GEO-1a: Would construction of the proposed Project would in substantial damage to structures or infrastructure, or expose people to substantial risk of injury from fault rupture, seismic ground shaking, liquefaction, or other seismically induced ground failure?**

The SPW FEIS/EIR found seismic activity along the Palos Verdes Fault zone, or other regional faults, would potentially produce fault rupture, seismic ground shaking,

liquefaction, or other seismically induced ground failure. Seismic hazards are common to the Los Angeles region and are not increased by the SPW Project. However, because the project area is potentially underlain by strands of the active Palos Verdes Fault and liquefaction-prone hydraulic fill, there is a substantial risk of seismic impacts. Design and construction in accordance with applicable laws and regulations pertaining to seismically induced ground movement would minimize structural damage in the event of an earthquake. However, increased exposure of people and property to seismic hazards from a major or great earthquake during construction cannot be precluded even with incorporation of modern construction engineering and safety standards. Therefore, impacts due to seismically induced ground failure would be significant and unavoidable.

The construction phase of the proposed Jankovich Relocation Project would involve construction of a gasoline tank, containment walls, security fencing, two floating fuel docks and a response vessel float at Berth 73A, installation of security fencing at Berth 51, 71 and 73A, traffic bollards at Berth 51 and 71, and replacement of fender panels and elements at Berth 51. In addition, construction includes renovation of the building at 309 E. 22<sup>nd</sup> Street and revision of the promenade alignment at Berths 51, 71 and 73A. This construction would be located in the same seismically active area as assessed in the SPW FEIS/EIR and would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact GEO-2a: Would construction of the proposed Project result in substantial damage to structures or infrastructure, or expose people to substantial risk involving tsunamis or seiches?**

The SPW FEIS/EIR found designing new facilities based on existing building codes during construction might not prevent substantial damage to structures from coastal flooding as a result of a tsunami. In addition, projects in construction phases are especially susceptible to damage due to temporary conditions, such as unfinished structures, which are typically not in a condition to withstand tsunami flooding. Mitigation Measure GEO-1 would reduce the impact but it would remain significant and unavoidable.

The construction phase of the proposed Jankovich Relocation Project would involve construction at Berths 51, 71, 73A, renovation of a building at 309 E. 22<sup>nd</sup> Street and construction of the promenade in the vicinity of Berths 51 and 71 through 73A. All of these locations are within the SPW project boundaries. The impact from tsunamis is the same as that identified in the SPW FEIS/EIR. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact. However, SPW FEIS/EIR Mitigation Measure GEO-1 would apply to the proposed Project.

**Impact GEO-3a: Would construction of the proposed Project result in substantial damage to structures or infrastructure, or expose people to substantial risk of injury from land subsidence/settlement?**

The SPW FEIS/EIR found subsidence in the SPW Project vicinity, due to previous oil extraction in the Port area, has been alleviated through water injection. An adverse impact to the SPW Project from subsidence is not anticipated. However, in the absence of proper engineering, proposed structures could be cracked and warped because of saturated, unconsolidated/compressible sediments. During SPW Project design, a geotechnical engineer would evaluate the settlement potential in areas where structures are proposed. Design and construction would be in compliance with the recommendations of the geotechnical engineer, consistent with Sections 91.000 through 91.7016 of the Los Angeles Municipal Code, and in conjunction with criteria established by LAHD, and would not result in substantial damage to structures or infrastructure, or expose people to substantial risk of injury. Therefore, settlement impacts in upland areas were determined to be less than significant.

The construction phase of the proposed Jankovich Relocation Project would involve construction at Berths 51, 71, 73A, and renovation of a building at 309 E. 22<sup>nd</sup> Street. The construction would be subject to the same design and construction criteria as described in the SPW FEIS/EIR. The proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact GEO-4a: Would construction of the proposed Project result in substantial damage to structures or infrastructure, or expose people to substantial risk of injury from expansive soils?**

The SPW FEIS/EIR found the SPW Project would be designed and constructed in compliance with the recommendations of the geotechnical engineer, Sections 91.000 through 91.7016 of the Los Angeles Municipal Code, and criteria established by LAHD, and would not result in substantial damage to structures or infrastructure, or expose people to substantial risk of injury. Therefore, expansive soil impacts in upland areas were determined to be less than significant.

The construction phase of the proposed Jankovich Relocation Project would involve construction at Berths 51, 71, 73A and renovation of a building at 309 E. 22<sup>nd</sup> Street. It would be designed and constructed in compliance with the Los Angeles Municipal Code and in conjunction with criteria established by LAHD. The proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact GEO-5a: Would construction of the proposed Project result in substantial damage to structures or infrastructure, or expose people to a substantial risk of landslides or mudslides?**

The SPW FEIS/EIR found the topography in the SPW Project site's vicinity is flat and not subject to landslides or mudflows and that no impacts would occur.

The proposed Jankovich Relocation Project sites are within the SPW Project boundaries and are, as such, not subject to landslides or mudflows. As such, the proposed Project

would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact GEO-6a: Would construction of the proposed Project result in substantial damage to structures or infrastructure, or expose people or property to a substantial risk of unstable soil conditions from excavation, grading, or fill?**

The SPW FEIS/EIR found that with implementation of standard engineering practices regarding unstable soils, people and structures would not be exposed to substantial adverse effects from the SPW Project, and impacts associated with unstable soil would be less than significant.

The construction phase of the proposed Jankovich Relocation Project would involve minor excavation for the gasoline tank, and walls, the installation of security fencing, traffic bollards at and the revision of the promenade alignment which would require minor grading and excavation (< 3 feet). These excavations would be subject to the same engineering practices described in the SPW FEIS/EIR. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact GEO-7a: Would construction of the proposed Project result in one or more distinct and prominent geologic or topographic features being destroyed, permanently covered, or materially and adversely modified?**

The SPW FEIS/EIR found no construction impact from the SPW Project as the topography in the project site's vicinity is flat and does not contain prominent geologic or topographic features that would be destroyed, permanently covered, or materially and adversely modified.

The proposed Jankovich Relocation Project sites are within the SPW Project boundaries. The relocations sites are developed flat and do not contain prominent geologic or topographic features that would be destroyed, permanently covered, or materially and adversely modified. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact GEO-8a: Would construction of the proposed Project result in the permanent loss of availability of any mineral resource of regional, statewide, or local significance?**

The SPW FEIS/EIR found the SPW Project site to be located in MRZ-1, defined as an area where adequate information indicates that no significant mineral deposits are present or where it is judged that little likelihood exists for their presence. With respect to petroleum resources, the SPW Project site is not located within the Wilmington Oil Field, which is a large oil-producing field in the state. The southwesterly edge of the field is located to the northeast of the site on the north side of the Vincent Thomas Bridge. The SPW FEIS/EIR found no permanent loss of availability of a known mineral

resource that would be of future value to the region and the residents of the state due to construction. Mineral resource impacts were determined to be less than significant.

The proposed Jankovich Relocation Project sites are within the SPW Project boundaries and do not contain mineral resources of regional, statewide, or local significance. The proposed Project does not introduce a new significant impact or substantially increase a previously identified impact.

**Impact GEO-1b: Would operation of the proposed Project result in substantial damage to structures or infrastructure, or expose people to substantial risk of injury from fault rupture, seismic ground shaking, liquefaction, or other seismically induced ground failure?**

The SPW FEIS/EIR found seismic activity along the Palos Verdes Fault zone, or other regional faults, would potentially produce fault rupture, seismic ground shaking, liquefaction, or other seismically induced ground failure. Seismic hazards are common to the Los Angeles region and are not increased by the SPW Project. However, because the project area is potentially underlain by strands of the active Palos Verdes Fault and liquefaction-prone hydraulic fill, there is a substantial risk of seismic impacts. Design and construction in accordance with applicable laws and regulations pertaining to seismically induced ground movement would minimize structural damage in the event of an earthquake. However, increased exposure of people and property to seismic hazards from a major or great earthquake cannot be precluded even with incorporation of modern construction engineering and safety standards. Therefore, impacts due to seismically induced ground failure would be significant and unavoidable.

The proposed Jankovich Relocation Project would operate at four sites within the SPW Project boundaries. The only new landside structures are a new gasoline tank with containment walls, security fencing, and traffic bollards. As stated above, the increased exposure of people and property to seismic hazards from a major or great earthquake cannot be precluded even with incorporation of modern construction engineering and safety standards. The proposed Project does not introduce a new significant impact or substantially increase a previously identified impact.

**Impact GEO-2b: Would operation of the proposed Project result in substantial damage to structures or infrastructure, or expose people to substantial risk involving tsunamis or seiches?**

The SPW FEIS/EIR found designing new facilities based on existing building codes may not prevent substantial damage to structures from coastal flooding as a result of a tsunami. Impacts due to seismically induced tsunamis and seiches are typical for the entire California coastline and would not be increased by construction of the proposed Project. Emergency planning and coordination between tenants and LAHD, as outlined in the SPW FEIS/EIR, would contribute to reducing onsite injuries during a tsunami. However, even with incorporation of emergency planning and construction in accordance with current City and State regulations, substantial damage and/or injury could occur in the event of a tsunami or seiche. Because portions of the SPW Project

site are at elevations lower than the predicted tsunami wave heights, there is a substantial risk of coastal flooding due to tsunamis and seiches. Raising the elevation of the site or constructing a wall along the perimeter of the site of sufficient height to mitigate the potentially damaging effects of tsunami would be the only way to mitigate potential impacts. However, elevating the approximately 400 acres within the site or building a wall around the entire perimeter of the SPW Project area would be cost-prohibitive and would significantly impact existing infrastructure requiring extensive modification of existing improvements. Mitigation Measure, GEO-1 would reduce the impact but it would remain significant and unavoidable.

The proposed Jankovich Relocation Project sites are within the SPW boundaries and subject to the same risks from tsunami or seiche as described in the SPW FEIS/EIR. The proposed Project does not introduce a new significant impact or substantially increase a previously identified impact. However, SPW FEIS/EIR Mitigation Measure GEO-1 would apply to the proposed Project.

**Impact GEO-3b: Would operation of the proposed Project result in substantial damage to structures or infrastructure, or expose people to substantial risk of injury from land subsidence/settlement?**

The SPW FEIS/EIR found subsidence in the SPW Project's vicinity, due to previous oil extraction in the Port area. This subsidence has been reversed through water injection and no adverse impact to the Project is anticipated. However, in the absence of proper engineering, proposed structures could be cracked and warped because of saturated, unconsolidated/compressible sediments. During SPW Project design, a geotechnical engineer would evaluate the settlement potential in areas where structures are proposed. Design and construction in compliance with the recommendations of the geotechnical engineer, consistent with Sections 91.000 through 91.7016 of the Los Angeles Municipal Code, and in conjunction with criteria established by LAHD, would prevent substantial damage to structures or infrastructure, and exposure of people to substantial risk of injury during operations. Therefore, settlement impacts in upland areas would be less than significant.

The Jankovich Relocation Project would involve operations at Berths 51, 71, 73A, and 309 E. 22<sup>nd</sup> Street. The same design and construction criteria found in the SPW FEIS/EIR would apply to this project, which would prevent substantial damage to structures or infrastructure, and exposure of people to substantial risk of injury during operations. The proposed Project does not introduce a new significant impact or substantially increase a previously identified impact.

**Impact GEO-4b: Would operation of the proposed Project result in substantial damage to structures or infrastructure, or expose people to substantial risk of injury from expansive soils?**

The SPW FEIS/EIR found the project would be designed and constructed in compliance with the recommendations of the geotechnical engineer, consistent with implementation

of Sections 91.000 through 91.7016 of the Los Angeles Municipal Code, and in conjunction with criteria established by LAHD, and would not result in substantial damage to structures or infrastructure, or expose people to substantial risk of injury during operations. Therefore, expansive soil impacts in upland areas would be less than significant.

The Jankovich Relocation Project would involve operations at Berths 51, 71, 73A and E. 22<sup>nd</sup> Street. The same design and construction criteria found in the SPW FEIS/EIR would apply to this project which would prevent substantial damage to structures or infrastructure, and exposure of people to substantial risk of injury during operations. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact GEO-5b: Would operation of the proposed Project result in substantial damage to structures or infrastructure, or expose people to a substantial risk of landslides or mudslides?**

The SPW FEIS/EIR identified the topography in the project site's vicinity as flat and not subject to landslides or mudflows, and concluded no impacts would occur.

The proposed Jankovich Relocation Project sites are within the SPW Project boundaries and are flat and not subject to landslides or mudflows. The proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact GEO-6b: Would operation of the proposed Project result in substantial damage to structures or infrastructure, expose people or structures to substantial risk of unstable soil conditions from excavation, grading, or fill?**

The SPW FEIS/EIR found that no excavations would be performed as a part of SPW Project operations; therefore, impacts associated with unstable soils would not occur.

The proposed Jankovich Relocation Project proposes no excavations during operations. The Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact GEO-7b: Would operation of the proposed Project result in one or more distinct and prominent geologic or topographic features being destroyed, permanently covered, or materially and adversely modified?**

The SPW FEIS/EIR found no impact from the proposed Project as the topography in the Project site's vicinity is flat and does not contain prominent geologic or topographic features that would be destroyed, permanently covered, or materially and adversely modified.

The proposed Jankovich Relocation Project sites are within the SPW Project boundaries and contain no distinct and prominent geologic or topographic features. The

proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact GEO-8b: Would operation of the proposed Project result in the permanent loss of availability of any mineral resource of regional, statewide, or local significance?**

The SPW FEIS/EIR found no known mineral resources that would be of future value to the region and the residents of the state within the SPW Project boundaries (see GEO-8a). Mineral resource impacts would be less than significant.

The proposed Jankovich Relocation Project sites are within the SPW Project boundaries. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

***Groundwater and Soils***

**GW-1a: Would construction activities for the proposed Project encounter toxic 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?**

The SPW FEIS/EIR found grading and construction within areas containing contamination could expose construction personnel, existing operations personnel, and future occupants of the site to contaminated soil. Similarly, grading in the proposed park and open space areas could expose construction personnel and future recreational users to contaminated soil. Human health and safety impacts would be significant pursuant to exposure levels established by Cal/EPA's Office of Environmental Health Hazard Assessment (OEHHA) prior to mitigation. With Mitigation Measures GW-1, GW-1a, GW-1b, GW-1c and GW-2 these impacts would be less than significant.

The proposed Jankovich Relocation Project would include construction of a gasoline tank, containment walls, security fencing, two floating fuel docks and a response vessel float, installation of security fencing and traffic bollards, replacement of fender panels and elements, renovation of a building at 309 E. 22<sup>nd</sup> Street and rerouting the promenade. The Berth 71 location is listed as a contaminated site per the California Government Code Section 65962.5 (Cortese List). SPW FEIS/EIR Mitigation Measure GW-2 would apply to the proposed Project. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact. However, SPW FEIS/EIR Mitigation Measure GW-2 would apply to the proposed Project.

**GW-2a: Would construction of the proposed Project alter contaminant transport pathways and result in expansion of the area affected by contaminants?**



The SPW FEIS/EIR found grading and construction in upland areas could inadvertently spread contaminated soil to non-contaminated areas, thus potentially exposing construction personnel, existing operations personnel, and future occupants of the site to contaminants. Human health and safety impacts would be significant pursuant to exposure levels established by OEHHA prior to mitigation. With SPW FEIS/EIR Mitigation Measures GW-1, GW-1a, GW-1b, GW-1c and GW-2, these impacts would be less than significant.

The proposed Jankovich Relocation Project would include excavation (< 3 feet) for the installation of the gasoline tank, walls, fencing, bollards and construction of the realigned promenade. The excavations are limited in depth and extent. There would be no dewatering required for these excavations. Mitigation Measure GW-2 from the SPW FEIS/EIR would apply to the proposed Project. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**GW-3a: Would construction of the proposed Project result in a change to potable water levels?**

The SPW FEIS/EIR found saline, non-potable groundwater underlies the SPW project site. LADWP provides drinking water to the Project area from sources outside the Project area. There would be no impact with respect to changes in potable water levels beneath the site.

The construction phase of the proposed Jankovich Relocation Project would involve improvements at four locations. All of the locations are within the SPW boundaries. No dewatering would be required and saline, non-potable groundwater underlies the proposed Project sites. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**GW-4a: Would construction of the Proposed Project result in a demonstrable and sustained reduction in potable groundwater recharge capacity?**

The SPW FEIS/EIR found proposed Project construction would result in a temporary increase in groundwater recharge of the saline, non-potable groundwater at the site. Because the water is non-potable, the amount of recharge is irrelevant with respect to potential utilization of the perched aquifer as a drinking water source. Therefore, any temporary increase in recharge would be inconsequential, and no impacts to potable groundwater recharge would occur.

The proposed Jankovich Relocation Project locations are within the boundaries of the SPW Project. Minimal ground disturbance would occur during construction at the four locations. Saline, non-potable groundwater underlies the proposed Project sites. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact GW-5a: Would construction of the proposed Project result in violation of regulatory water quality standards at an existing production well?**

The SPW FEIS/EIR found that no existing production wells are located in the vicinity of or within the proposed SPW boundaries and no impact would occur.

The proposed Project locations are within the boundaries of the SPW Project and As such, are not located in the vicinity of any existing projection wells. Saline, non-potable groundwater underlies all of the proposed Project locations. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact GW-1b: Would operation of the proposed Project result in uncovering of toxic substances or other contaminants associated with historical uses of the Port that might result in exposure to operations personnel?**

The SPW FEIS/EIR found soil and groundwater in limited portions of the SPW Project site have been impacted by hazardous substances and petroleum products as a result of spills during historic industrial land uses. While no excavations that might encounter contaminated soil would be completed as part of Project operations, operations related to the SPW Project on these sites would be significantly impacted prior to mitigation. With SPW FEIS/EIR Mitigation Measures GW-1, GW-1a, GW-1b, GW-1c and GW-2, these impacts would be less than significant.

Operations under the proposed Jankovich Relocation Project would occur at Berths 51, 71, 73A, and 309 E 22nd Street. The Berth 71 location is listed as a contaminated site per the California Government Code Section 65962.5. There would be no groundwater extraction during operations though some excavations may be required in the course of normal maintenance. would. Mitigation Measure GW-2 from the SPW FEIS/EIR would apply to the proposed Project. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact

**Impact GW-2b: Would operation of the proposed Project result in expansion of the area affected by contaminants?**

The SPW FEIS/EIR found soil and groundwater in limited portions of the SPW Project site have been impacted by hazardous substances and petroleum products as a result of spills during historic industrial land uses. While no excavations that might encounter contaminated soil would be completed as part of Project operations, operations related to the SPW Project on these sites would be significantly impacted prior to mitigation. With SPW FEIS/EIR Mitigation Measures GW-1, GW-1a, GW-1b, GW-1c and GW-2, these impacts would be less than significant.

The proposed Jankovich Relocation Project would not withdraw or inject groundwater altering the hydraulic gradient to expand the extent of any unknown contamination. Some soil excavation may be required in the course of normal maintenance. With SPW

FEIS/EIR Mitigation Measures GW-2 the impact would be less than significant. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact

**GW-3b: would operation of the proposed Project result in a change to potable water levels?**

The SPW FEIS/EIR found saline, non-potable groundwater underlies the SPW Project site. LADWP provides drinking water from sources outside the Project area. There would be no impact with respect to changes in potable water levels beneath the site.

The proposed Jankovich Relocation Project would be within the boundaries of the SPW Project. As such, the site is underlain by saline, non-potable groundwater and drinking water is provided to the proposed Project area by LADWP from sources outside the area. The proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**GW-4b: Would operation of the proposed Project result in a demonstrable and sustained reduction in potable groundwater recharge capacity?**

The SPW FEIS/EIR found paving across most of the site would substantially reduce any groundwater recharge of underlying groundwater but that the SPW Project site is underlain by saline, non-potable groundwater. Therefore, impact to respect to loss of potable groundwater recharge is less than significant.

The proposed Jankovich Relocation Project locations are within the SPW Project boundaries and saline, non-potable groundwater underlies the proposed Project locations. The proposed Project would not increase the amount of paved land and would not alter the current groundwater recharge for the area. The proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**GW-5b: would operation of the proposed Project result in violation of regulatory water quality standards at an existing production well?**

The SPW FEIS/EIR found no existing production wells located near or within the SPW boundaries and that no impact would occur.

The proposed Jankovich Relocation Project locations are within the boundaries of the SPW Project and would not impact any existing production well. The proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

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

### **Impact RISK-1a: Would construction of the proposed Project comply with applicable safety and security regulations and policies guiding development within the Port?**

The SPW FEIS/EIR found construction and demolition activities for the SPW Project would involve the handling and use of certain amounts of hazardous materials. This handling would comply with all applicable regulations. The potential consequences of construction-related spills are generally minor when compared to other types of accidental spills and releases. because the amount of hazardous material released during a construction-related spill is small, as the volume in any single piece of construction equipment is generally less than 50 gallons, and fuel trucks are limited to 10,000 gallons or less. Construction-related spills of hazardous materials are not uncommon. However, the enforcement of construction and demolition standards, including BMPs by appropriate local and state agencies (i.e., Port Police, Los Angeles Fire Department (LAFD), and LAHD) would minimize the potential for an accidental release of petroleum products and/or hazardous materials or explosions during construction and impacts would be less than significant.

The equipment used for the construction in the proposed Jankovich Relocation Project is similar to that of the overall SPW Project. The contractor would be required to adhere to the security and safety regulations and LAHD polices guiding Port development as described in the SPW FEIS/EIR. The proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

### **Impact RISK-2a: Would construction of the proposed Project substantially interfere with an existing emergency response or evacuation plan, thereby increasing the risk of injury or death?**

The SPW FEIS/EIR found the project contractors would be required to adhere to all Homeland Security, Port Police, and LAFD emergency response and evacuation regulations, ensuring compliance with existing emergency response plans. The construction/demolition activities would not substantially interfere with an existing emergency response or evacuation plan or increase the risk of injury or death. Impacts would be less than significant.

The construction of the proposed Jankovich Relocation Project would involve construction at Berths 51, 71, 73A, renovation of a building at 309 E. 22<sup>nd</sup> Street and the construction of the realigned promenade, which are within the footprint of the SPW project. The project contractors would be required to adhere to all Homeland Security, Port Police, and LAFD emergency response and evacuation regulations, ensuring compliance with existing emergency response plans. The proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact RISK-3a: Would construction of the proposed Project 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?**

The SPW FEIS/EIR found that risks related to seismically induced tsunamis and seiches are typical for the entire California coastline and the construction of the SPW Project would not increase these impacts. The potential is very low for a major tsunami to occur that would cause the kind of results predicted in the tsunami model (Moffatt and Nichol 2007). The volume of spilled fuel resulting from a tsunami is also expected to be relatively low. While there would be fuel-containing equipment present during construction, most equipment would be equipped with watertight tanks, with the most likely scenario being the infiltration of water into the tank and fuel combustion chambers and very little fuel spilled. Thus, the volume spilled in the event of a tsunami would likely be less than 10,000 gallons, which is a manageable amount to clean up that, would not result in significant environmental impacts. Therefore, construction and/or demolition activities would not result in a substantial increased public health and safety concern because of the accidental release, spill, or explosion of hazardous materials due to a tsunami. Impacts would be less than significant.

The proposed Jankovich Relocation Project would install a gasoline tank, containment walls, security fencing, two floating fuel docks, a response vessel float, and replacement of wharf fender panels and elements. It would also involve the renovation of a building at 309 E. 22<sup>nd</sup> Street and construction of a realigned promenade. The proposed Project sites are located within the boundaries of SPW Project and would be constructed using the same types of equipment containing the same types and amounts of hazardous material as in the SPW Project. The proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact RISK-4a: Would construction of the proposed Project result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action?**

The SPW FEIS/EIR construction and demolition activities for the SPW Project would involve the handling and use of certain amounts of hazardous materials. The potential consequences of a spill, release, or explosion of the hazardous materials due to a terrorist action are generally minor when compared to other accidents, because generally the amount of hazardous material released during construction or demolition activities is small. Generally, the volume in any single piece of construction equipment is generally less than 50 gallons and fuel trucks are limited to 10,000 gallons or less. The enforcement of construction and demolition standards, including BMPs by appropriate local and state agencies (i.e., Port Police, LAFD, and LAHD) would minimize the potential for a release or explosion of hazardous materials during construction due to a terrorist action. Furthermore, the enforcement of construction and demolition standards, including BMPs by appropriate local and state agencies (i.e., Port Police, LAFD, LAHD), would minimize the potential for a spill, release, or explosion of hazardous materials or during construction due to a terrorist action. Therefore,

construction and/or demolition activities would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action. Impacts would be less than significant.

The construction of the proposed Jankovich Relocation Project would use equipment similar to that use in SPW Project and would comply with the requirements as described above. The proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact RISK-5a: Would construction of the proposed Project substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials as a result of modifications related to the proposed Project?**

The SPW FEIS/EIR found construction and demolition activities for the SPW Project would not involve the handling of significant amounts of hazardous materials beyond those needed for said activities. Furthermore, implementation of construction and demolition standards, including BMPs, and compliance with the state and federal requirements for the transport, handling, and storage of any hazardous materials during construction and demolition phases would minimize the potential for an accidental release of petroleum products and/or hazardous materials and/or explosion. The decommissioning of Westway Terminal, the SP Railyard, and the Jankovich fueling station at Berth 74 would require the adherence to the Emergency Planning and Community Right-to-Know Act (EPCRA), LAFD regulations, and other state and federal regulations and guidelines governing the decommissioning and remediation of hazardous materials and providing oversight and prevention techniques for the decommissioning. Additionally, the decommissioning would include remediation efforts as part of the SPW Project to remove the known or suspected hazardous groundwater and soil contamination at various locations. Adherence to the regulations would reduce impacts to less than significant.

The abandonment and removal of the Navy surge pipeline could result in a hazardous material spill, release, or explosion and the impacts are significant. After application of SPW FEIS/EIR Mitigation Measure GW-1c, these impacts would be less than significant.

In the proposed Jankovich Relocation Project, there is no construction of the Berth 240 marine fuel station. Rather, construction would take place at four locations (Berths 51, 71, 73A and 309 E. 22<sup>nd</sup> Street). No Jankovich Relocation Project components would be constructed on any of the sites to be demolished and remediated in the SPW FEIS/EIR. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact RISK-1b: Would operation of the proposed Project comply with applicable safety and security regulations and policies guiding development within the Port?**

The SPW FEIS/EIR found the operation of Mike's fueling station at Berth 71 in proximity of the visiting public and recreators (defined as vulnerable populations under the Port's RMP) would not comply with the RMP with respect to locating vulnerable resources near existing or approved facilities handling hazardous liquid bulk cargos. Therefore, the operation of the SPW Project would not comply with applicable safety regulations . and the impact would be significant prior to mitigation. The SPW FEIS/EIR Mitigation Measure RISK-1 reduces the impact to a less than significant level.

The Jankovich Relocation Project would be required to remove materials with a flash point below 140 degrees from areas where those materials would be in close proximity to visitors and the public in order to comply with Mitigation Measure RISK-1. To help accomplish this, the SPW Project area would be modified to provide a wider buffer around the Jankovich (former Mike's fueling station) Project site by shifting the promenade to the north and east as shown in Figures 3 and 4. This would allow the proposed Project to include a gasoline tank (flashpoint below 140 degrees) on its site with a hazard footprint that would not overlap with the newly aligned promenade. As such, Jankovich would remain in compliance with Mitigation Measure RISK-1 by not placing materials with a flashpoint below 140 degrees in areas where those materials would be in close proximity to visitors and the public and would therefore not introduce a new significant impact or substantially increase a previously identified impact.

**Impact RISK-2b: Would operation of the proposed Project substantially interfere with an existing emergency response or evacuation plan, thereby increasing the risk of injury or death?**

The SPW FEIS/EIR found that although the SPW Project is designed to and would likely bring a large number of visitors to the waterfront area, the current emergency preparedness plans would accommodate the Project. Furthermore, LAHD was in the process of updating the evacuation plan and establishing an Emergency Notification System (EMS), which would include the project area and assist with the notification and evacuation of the increase in visitors to the waterfront. The operation of the SPW Project would not substantially interfere with an existing emergency response or evacuation plan or require a new emergency response or evacuation plan. Impacts would be less than significant.

The Jankovich Relocation Project will operate at Berth 71 and 73A, 309 E. 22<sup>nd</sup> Street and Berth 51. The LAHD maintains an evacuation plan and EMS. The proposed Project is within the SPW Project boundaries and is accommodated in the existing plans. As such, the proposed Project's impact would be less than significant. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact RISK-3b: Would operation of the proposed Project 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?**

The SPW FEIS/EIR found that designing new facilities based on existing building codes may not prevent substantial damage to structures from coastal flooding as a result of tsunamis or seiches. Impacts due to seismically induced tsunamis and seiches would be the same for the entire California coastline and would not increase through operation of the SPW Project. However because the SPW Project would be located between 1.5 meters above MSL and 3.41 meters above MSL, there is a risk of coastal flooding during a tsunami, which, in turn, could lead to an accidental release, spill, or explosion of hazardous materials. Since the SPW Project would remove a number of industrial uses that could potentially cause a release, spill, or explosion of a hazardous material in the event of a tsunami, operation of the SPW Project would generally reduce the potential for a release, spill, or explosion of hazardous materials. . . Mike's fueling station. Mike's fueling station. . . Since Mike's fueling station fueling station would remain at its existing location at existing capacity, the risk of an accidental spill, release, or explosion at Mike's fueling station fueling station due to a tsunami would not increase over the baseline condition. The SPW Project would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami. Impacts would be less than significant.

The proposed Jankovich Relocation Project would relocate Jankovich to Mike's fueling station at Berth 71 and Berth 73A and use Berth 51 for loading of fuel into barges and for lay berthing of barges. The tanks at Berth 71 and the gasoline tank at Berth 73A are within containment structures. In the worst-case scenario, the tsunami wave height is less than the elevation of the Berth 71, 73A and 309 22<sup>nd</sup> Street. The SPW FEIS/EIR analyzed the risk involving the capacity of two marine fueling facilities with a total capacity of 443,900 gallons. The amount of fuel to be stored in the proposed Project is 44% of that analyzed in the SPW FEIS/EIR.

The Berth 51 operation under the Jankovich Relocation Project would not involve a fixed facility storing hazardous materials; rather fuel barges would be filled from tanker trucks on an as-needed basis. The proposed Project would load the fuel barges at marine oil terminal, as is done now, most of the time (approximately 98 % of the time). When loading occurs at Berth 51, a maximum of four trucks would service the site on any day. The worst-case scenario tsunami modeled in the 2007 Moffatt and Nichol report would overtop the wharf at Berth 51. However, given the overall reduction of marine fueling operations from two to one and reduces the fuel storage capacity (44 % reduction) compared to what was assessed in the SPW FEIS/EIR, the overall risk for a spill or explosion of a hazardous material in the event of a tsunami is greatly reduced. The proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.



**Impact RISK-4b: Would operation of the proposed Project result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action?**

The SPW FEIS/EIR found that although the SPW Project would increase the number of cruise terminals, cruise berths, and visiting cruise vessels to the Port, it would ultimately not substantially increase the vulnerability of these facilities or the seriousness of the consequences over the existing conditions. The environmental consequences of a terrorist action, including casualties arising from the action and from the release, explosion, or spill of hazardous materials, would remain relatively the same due to a relative small increase in the number of vessels and the existing safeguards and security that would be in place. The development of the Berth 240 fueling station would replace the existing Jankovich fueling station at Berth 74 and represents a reduced risk compared to existing conditions by relocating the risk further away from vulnerable resources. Therefore, operation of the SPW Project would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action. Impacts would be less than significant.

The proposed Jankovich Relocation Project reduces the number of marine fueling from two to one and reduces the fuel storage capacity (44 % reduction) compared to what was assessed in the SPW FEIS/EIR. The proposed Project does not alter the nature of the cruise operations or facilities as analyzed in the SPW FEIS/EIR. Jankovich's existing operation at Berth 74 would still be removed as assessed in the SPW FEIS/EIR. Jankovich would move part of its operation to Berth 71 and 73a and would take over operation of Mike's fueling station. Mike's fueling station was analyzed to remain in operation in the SPW FEIS/EIR. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact RISK-5b: Would the operation of the proposed Project substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials as a result of modifications related to the proposed Project?**

Although the SPW FEIS/EIR found an increase in the number of cruise terminals, cruise berths, and visiting cruise vessels to the Port, it would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials. Operation of the marine fueling facility at Berth 240 would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials because it would replace the decommissioned Jankovich facility at Berth 74 and would be more modern than the facility it was replacing. It would also be located farther from vulnerable resources. Additionally, the proposed expansion of the square footage in the Ports O'Call area would not substantially increase the likelihood of an accidental hazardous material spill, release, or explosion involving people or property because regulations are in place to minimize spills, releases, and explosions of hazardous materials. This serves to reduce the risk associated with any slight increase in use of these materials within the existing cruise facility, the two new Outer Harbor Cruise Terminals, and the

expanded Ports O'Call area. The SPW FEIS/EIR found Mike's fueling station fueling station handles hazardous materials with a flashpoint below 140 degrees, which would result in significant explosion hazards to users of the promenade. Therefore, the potential for a hazardous materials spill, release, or explosion at Mike's fueling station fueling station is significant. With Mitigation Measure RISK-1, the impact is less than significant.

The proposed Jankovich Relocation Project reduces the number of marine fueling stations by one and also reduces total fuel storage capacity compared to what was assessed in the SPW FEIS/EIR. The proposed Project does not alter the nature of the cruise operations or facilities as analyzed in the SP FEIS/EIR. Jankovich would take over operation of Mike's fueling station. The Berth 51 operation would not involve a fixed facility storing hazardous materials; rather tanker trucks would fill fuel barges on an as needed basis. A maximum of four trucks would service the site on any day. Regulations in place to minimize spills, releases, and explosions of hazardous materials and would serve to reduce risk. This coupled with the reduction of risk associated with the removal of hazardous materials in the SPW Project and the foregoing of the Berth 240 facility, the overall risk for a spill, or explosion of a hazardous material is greatly reduced.

The Jankovich Relocation Project would be required to remove materials with a flash point below 140 degrees from areas where those materials would be in close proximity to visitors and the public in order to comply with Mitigation Measure RISK-1. To help accomplish this, the SPW Project area would be modified to provide a wider buffer around the Jankovich (former Mike's fueling station) Project site by shifting the promenade to the north and east as shown in Figures 3 and 4. This would allow the proposed Project to include a gasoline tank (flashpoint below 140 degrees) on its site with a hazard footprint that would not overlap with the newly aligned promenade. As such, Jankovich would remain in compliance with Mitigation Measure RISK-1 by not placing materials with a flashpoint below 140 degrees in areas where those materials would be in close proximity to visitors and the public and would therefore not introduce a new significant impact or substantially increase a previously identified impact.

### ***Land Use and Planning***

#### **Impact LU-1: Would the proposed Project be consistent with the adopted land use/density designation in the Community Plan, redevelopment plan, or specific plan for the site?**

The SPW FEIS/EIR found the proposed Project would generally be consistent with the Port of Los Angeles Plan, the PMP, and City zoning [Q]M2 or [Q]M3 for the Port. The SPW Project would require amendments to the PMP for the proposed water cuts. Because the SPW Project would be consistent with all applicable land use/zoning designations (after the approval of the PMP Amendment) impacts on land use would be less than significant. The SPW FEIS/EIR also found the SPW Project would locate the proposed waterfront promenade adjacent to Mike's fueling station fueling station, which

stores and handles hazardous liquid bulk materials. This would be inconsistent with the objective of the RMP of the PMP to locate vulnerable populations away from hazardous facilities. This land use inconsistency could result in adverse physical environmental impacts to vulnerable resources should Mike's fueling station ever have an accidental release, spill, or explosion of the hazardous liquid bulk materials resulting in a significant impact. Implementation of Mitigation Measure RISK-1 would reduce impacts to less-than-significant level.

The proposed Jankovich Relocation Project would generally be consistent with the Port of Los Angeles Plan and City zoning [Q]M2 or [Q]M3 for the Port. Before the PMP Update of 2014, the land use of the Berth 71 and 73A area included liquid bulk facilities. The PMP update of 2014 changed the Berths 51 and 73A to a visitor-serving commercial use. Berth 71 and 309 E. 22nd Street were changed to institutional use. After the update, the Mike's fueling station operation was allowed to continue under the updated PMP as an existing use. As a new tenant with a new lease, Jankovich must conform to the existing land use designations of the 2014 Update. The proposed Project would include a PMP amendment to include maritime support use for Berths 51, 71, 73A, and 309 E. 22nd Street.

As a new tenant, Jankovich's operation must also be reassessed for consistency with the RMP of the PMP. Operation of the proposed Jankovich Relocation Project at Berth 71 would be inconsistent with the RMP in relation to vulnerable resources, as defined in the RMP, which are currently occupying the two most southerly stalls of the MFM. Implementation of SPW FEIS/EIR Mitigation Measure RISK-1 would reduce impacts. . Additionally, the LAHD is in active negotiations with the two MFM stall tenants for relocation of their operations. Upon vacation of the two stalls by MFM tenants, the RMP requires that vulnerable resources be excluded from the stalls as long as the proposed Jankovich Relocation Project is in operation, bringing the proposed Jankovich Relocation Project into compliance with the RMP. Because Mike's fueling station was assessed to continue operation under the SPW FEIS/EIR and mitigation was included, which will be adhered to under Jankovich's operation, and because the proposed Project will be brought into compliance with the PMP and RMP through an amendment to the PMP and the issuance of a Coastal Development Permit, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact LU-2: Would the proposed Project be consistent with the General Plan or adopted environmental goals or policies contained in other applicable plans?**

The SPW FEIS/EIR found the project would be consistent with the California Coastal Act, Southern California Association of Governments policies including the Regional Comprehensive Plan and Guide, and the adjacent San Pedro Community Plan and San Pedro Coastal Specific Plan. The SPW Project would be consistent with the General Plan and adopted environmental goals, objectives, policies, and purposes contained in other applicable plans. The SPW FEIS/EIR found policy inconsistency between the SPW Project and the RMP of the PMP could result in a physical

environmental impact (i.e., accidental explosion or release of hazardous materials from Mike's fueling station) that would affect vulnerable resources. . Implementation of Mitigation Measure RISK-1 would reduce impacts to less-than-significant levels.

The proposed Jankovich Relocation Project would include a PMP amendment to include a maritime support as an allowable use for to Berths 51, 71, 73A, and 309 E 22nd Street. See LU-1 above for a discussion of the Jankovich Relocation Project in relation to the RMP. The proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact LU-3: Would the proposed Project physically disrupt, divide, or isolate existing neighborhoods, communities, or land uses?**

The SPW FEIS/EIR found the SPW Project would not physically disrupt, divide, or isolate the existing neighborhoods, communities, or land uses within the existing SPW Project area. The SPW Project would serve to further provide access to the coast and Port recreational areas and would reroute Port traffic away from existing residential and commercial neighborhoods. Impacts would be less than significant.

The proposed Jankovich Relocation Project sites are within the SPW Project boundaries and consists of a building at 309 E. 22<sup>nd</sup> Street, wharves and back land (Berths 51 and 73A) and marine service station (Berth 71 and 73A). These sites are removed from the San Pedro and Wilmington communities in an established commercial-industrial setting with similar land uses. The proposed Project would not disrupt, divide or isolate existing neighborhoods, communities or land uses. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Noise**

**Impact NOI-1: Would the proposed Project exceed construction noise standards?**

The SPW FEIS/EIR analyzed the noise from the various projects elements and found construction of many of the elements resulted in significant impact to sensitive receptors. The implementation of mitigation, considering the distances between the construction noise sources and receivers, the standard controls and temporary noise barriers would not be sufficient to reduce the projected increase in the ambient noise level to the point where noise increase from construction would be less than significant. After applying Mitigation Measure NOI-1, these impacts would remain significant and unavoidable.

The proposed Jankovich Relocation Project would forego construction of the Berth 240 marine fueling facility. Rather it would involve construction at Berth 73A including driving 12 piles for the floating fuel docks and response vessel float, as well as construction at Berths 51, 71, 73A, and 309 E. 22<sup>nd</sup> Street. The construction equipment

would be similar to that discussed in the SPW FEIS/EIR with pile driving generating the highest noise levels of 101 dBA at 50 feet. The nearest sensitive receptor to proposed pile driving at Berth 73A (2,500 feet) is ST-4 (Beacon Street and 12<sup>th</sup> Street). The measured ambient noise level at ST-4 was 62.6 dBA in the SPW FEIS/EIR. The pile driving at Berth 73A for the proposed Project would result in a noise level of 66.9 dBA at ST-4. The increased dBA from the proposed Project pile driving is less than 5 dBA. Impact from pile driving would be less than significant. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact. However, SPW FEIS/EIR Mitigation Measure NOI-1 would apply to the proposed Project.

**Impact NOI-2: Would construction activities for the proposed Project 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?**

The SPW FEIS/EIR found no construction activities would occur 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. Impacts would be less than significant.

The proposed Jankovich Relocation Project would not include construction 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. Impact from proposed Project would be less than significant. As such, the proposed Project does not introduce a new significant impact or substantially increase a previously identified impact. However, SPW FEIS/EIR Mitigation Measure NOI-2 would apply to the proposed Project.

**Impact NOI-3a: Would the proposed Project cause noise from motor vehicle traffic measured at the property line of affected uses to increase by 3 dBA in CNEL, to or within the “normally unacceptable” or “clearly unacceptable” category, or any 5 dBA or greater noise increase?**

The SPW FEIS/EIR found no feasible mitigation measure for motor vehicle traffic noise on Miner Street south of 22<sup>nd</sup> Street and that the impact was significant and unavoidable. For all other street segments, no significant noise impacts are anticipated, and impacts would be less than significant.

The daily traffic of the proposed Jankovich Relocation Project is 30 employee vehicles and 4 tanker trucks daily. The tanker trucks would call at Berth 51, 71 or 73A while the majority of the employee trips would be to 309 E. 22<sup>nd</sup> Street. Traffic to Berth 51 would involve transit on Miner Street south of 22<sup>nd</sup> Street and would include the four tank trucks and one to two employee vehicles. The proposed Project traffic and noise is minimal compared to the overall traffic generated by the SPW Project and SPW Project traffic projected for the Miner Street south of 22<sup>nd</sup> Street. The proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact NOI-3b: Would the proposed Project cause noise from railroad operations measured at the property line of affected uses to increase by 3 dBA in CNEL, to or within the “normally unacceptable” or “clearly unacceptable” category, or any 5 dBA or greater noise increase?**

Using 3 dB and 5 dB as a noise increase threshold, the SPW FEIS/EIR found any location that is greater than 124 feet from the Red Car tracks would experience less than a 5 dB daytime increase in Leq above ambient levels due to the noise generated by the Red Car, and any location that is greater than 269 feet from the tracks would experience less than a 3 dB daytime increase in Leq during daytime operations. It further found under the worst-case scenario the increase in CNEL due to the Red Car Line operations would be under 5 dB and would be a less than significant impact.

The proposed Jankovich Relocation Project does not affect railroad operations. Further, the closest location of the proposed Project is 1,600 feet from the Red Car tracks and would not be impacted by noise from the operation of the Red Car Line. The proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact NOI-3c: Would the proposed Project cause noise from cruise ship operations measured at the property line of affected uses to increase by 3 dBA in CNEL, to or within the “normally unacceptable” or “clearly unacceptable” category, or any 5 dBA or greater noise increase?**

The SPW FEIS/EIR found the PSW Project would introduce cruise ship operations into the Outer Harbor. The closest sensitive receptors to the new cruise terminal in SPW Project were liveaboards in the Cabrillo Marina. The SPW FEIS/EIR found the increase in noise above ambient levels at this location to be 4.1 dB. The SPW FEIS/EIR found impact from cruise ship operation to the liveaboards would be less than significant.

The proposed Jankovich Relocation Project would relocate the existing Jankovich operations to 309 E. 22nd Street, Berths 51, 71 and 73A, and revise the alignment of the promenade. The proposed Project does not change cruise ship operations and would have no impact associated with cruise ship operational noise. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

***Recreation***

**Impact REC-1a: Would construction of the proposed Project result in a substantial loss or diminished quality of recreational, educational, or visitor-oriented opportunities, facilities, or resources?**

The SPW FEIS/EIR evaluated all aspects of the SPW Project for impacts to recreational, educational, and visitor-oriented opportunities, facilities, or resources. The

SPW FEIS/EIR found construction would impede parking for recreational users and patrons of harbor cruises, vessel access to launch ramps, access to bike lanes and the California Coastal Trail, access to recreational fishing and boating and access to dock space and slips as a result of the placement of construction staging areas and the movement of construction equipment around and within harbor waters. Additionally, the recreational enjoyment of recreational users of the harbor would be significantly diminished because of construction noise, particularly from construction of the promenades along the waterfront. Even with Mitigation Measures REC-1 through REC-7, impacts would be significant and unavoidable.

The proposed Jankovich Relocation Project involves construction of a gasoline tank, containment walls, installation of two floating fuel docks, a response vessel float, securing fencing, traffic bollards, replacement of wharf fender panels and elements, construction of the realigned promenade and renovation of a building. The construction would occur on wharfs and backland (Berths 51 and 73A), industrial locations (Berths 71 and 73A) or an existing building (309 E. 22<sup>nd</sup> Street). These locations are removed from the vicinity of parking for recreations users or harbor cruise patrons, access to launch ramps, bike paths and the California Coastal Trail and would have a less than significant impact. While a barge mounted pile driver would be employed at Berth 73A, temporarily removing access to dock space at SP Slip, this space is not used by recreational boaters. The majority of construction would occur on land and have no impact on recreational boater or fishers. As was determined in the SPW FEIS/EIR, noise from pile driving would diminish the recreational enjoyment of recreational users of the harbor. The noise from pile driving at Berths 73A at the nearest sensitive receptor would be less than significant, however, it may have an adverse impact on recreators close to Berth 73A similar to the finding of the SPW FEIS/EIR for the SPW Project as a whole. As such, the proposed Project would not introduce a new significant impact or substantially increase previously identified impacts.

**Impact REC-1b: Would operation of the proposed Project result in a substantial loss or diminished quality of recreational, educational, or visitor-oriented opportunities, facilities, or resources?**

The SPW FEIS/EIR found that in general the operation of the SPW Project would provide a number of beneficial recreational impacts including a multipurpose waterfront promenade, with enhancement of the California Coastal Trail.

The SPW FEIS/EIR also found the Outer Harbor cruise terminal and berths would not restrict or reduce the ability of recreational vessels to utilize the marinas, the Outer Harbor, or the ocean. The SPW Project would not result in a substantial loss or diminished quality of recreational, educational, or visitor-oriented opportunities, facilities, or resources, therefore impacts would be less than significant.

The proposed Jankovich Relocation Project would revise the alignment of the promenade at Berths 51 and 71 through 73A compared to what was assessed in the SPW FEIS/EIR. The alignment of the promenade was to turn south near and pass

directly west of the MFM. The change in the alignment in the proposed Project would have the promenade turn south further away from MFM on Sampson Way and join Signal Street at E. 22<sup>nd</sup> Street. It would continue along Signal Street past Berth 71 then would turn east and rejoin the original alignment at Berth 70. The relocation of the promenade at Berths 51 and 71 would remove approximately 750 feet (3 %) of the promenade from the water's edge out of the approximately 29,000 feet of promenade between the North Harbor and Cabrillo Beach. The remaining 28,250 feet of waterfront promenade is available for use. The Berth 71 facility is contained behind walls and is not accessible to the public. The building at 309 E. 22<sup>nd</sup> Street currently exists and its reuse would not change the opportunity or enjoyment of recreation in the area. Berth 51 is currently an industrial wharf and would remain so as the result of the proposed Project. The proposed Project's impact would be less than significant. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

### ***Transportation and Circulation (Ground)***

#### **Impact TC-1: Would construction of the proposed Project result in a short-term, temporary increase in construction-related truck and auto traffic, decreases in roadway capacity, and disruption of vehicular and non-motorized travel?**

The SPW FEIS/EIR found project construction would result in a temporary increase in traffic volumes and a decrease in roadway capacity due to temporary lane closures. The following impacts would result from the SPW Project.

- Reduced roadway capacity and an increase in construction-related congestion could result in temporary localized increases in traffic congestion that exceed applicable LOS standards,
- Construction activities could disrupt existing transit service in the SPW Project vicinity. Impacts may include temporary route detours, reduced or no service to certain destinations, or service delays.
- Construction activities would increase parking demand in the SPW Project vicinity and could result in parking demand exceeding the available supply.
- Construction activities would disrupt pedestrian and bicycle travel. Impacts include temporary sidewalk or roadway closures that would create gaps in pedestrian or bicycle routes and interfere with safe travel.
- Construction activities would increase the mix of heavy construction vehicles with general purpose traffic. Impacts include increase in safety hazards due to higher proportion of heavy trucks.



By implementing Mitigation Measure TC-1 which requires the preparation of a Traffic Control Plan, decreases in roadway capacity and disruption of vehicular and non-motorized travel would be minimized and impacts would be less than significant.

The proposed Jankovich Relocation Project construction does not affect road alignment, restriction of capacity or causing disruption of vehicular traffic or non-motorized travel. The maximum daily construction-related traffic would be 30 passenger vehicles and 10 heavy-duty on-road trucks if all proposed Project construction is undertaken simultaneously. Although construction of the Jankovich Relocation Project would coincide with the roadway improvements described in the second addendum to the SPW FEIS/EIR (Harbor Boulevard/7th Street/Sampson Way Intersection Improvements), both projects would apply Mitigation Measure TC-1. Additionally, the traffic associated with the proposed Jankovich Relocation Project is small compared with the SPW Project as a whole and construction would be less intensive that what was assumed for construction of the new fueling station at Berth 240 which will no longer be built. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact TC-2a: Would operations of the proposed Project increase traffic volumes and degrade LOS at intersections within the proposed Project vicinity?**

The SPW FEIS/EIR found increased traffic volumes and degraded LOS at intersections from SPW Project operations along neighborhood streets within the project vicinity. After applying Mitigation Measures TC-2 through TC-14, the impact would remain significant and unavoidable.

Under the proposed Jankovich Relocation Project, Jankovich would take over operation of Mike's fueling station and the new fueling facility at Berth 240 would not be built. Although traffic patterns associated with overall marine fueling operations may be slightly different from what was assessed in the Final EIR, the changes would be minor and overall traffic associated with marine fueling would likely be reduced. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact TC-2b: Would operations of the proposed Project increase traffic volumes and degrade LOS along neighborhood streets within the proposed Project vicinity.**

The SPW FEIS/EIR found with 2037 operational conditions, projected increases in traffic on neighborhood streets for the 17th Street segment between Centre and Palos Verdes would be significant and unavoidable.

Under the proposed Jankovich Relocation Project, Jankovich would take over operation of Mike's fueling station and the new fueling facility at Berth 240 would not be built. Although traffic patterns associated with overall marine fueling operations may be slightly different from what was assessed in the Final EIR, the changes would be minor

and overall traffic associated with marine fueling would likely be reduced. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact TC-2c: Would operations of the proposed Project increase traffic volumes and degrade operations on CMP facilities within the proposed Project vicinity?**

The SPW FEIS/EIR analyzed the Los Angeles County Congestion Management Plan local freeways (I-110 southern of C Street, I-110 at Manchester Boulevard, I-404 south of Route 110 at Carson Scales and I-405 north of Inglewood Boulevard) and arterial intersections (Western Avenue/9th Street, Gaffey Street/9th Street and Gaffey Street/9th Street). The SPW FEIS/EIS found the SPW Project would not increase traffic volumes and degradation operations at these freeways and arterial intersections.

Under the proposed Jankovich Relocation Project, Jankovich would take over operation of Mike's fueling station and the new fueling facility at Berth 240 would not be built. Although traffic patterns associated with overall marine fueling operations may be slightly different from what was assessed in the Final EIR, the changes would be minor and overall traffic associated with marine fueling would likely be reduced. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact TC-3: Would operations of the proposed Project cause increases in demand for transit service beyond the supply of such services?**

The SPW FEIS/EIR found the project could add, on average, approximately three person trips per bus in the AM peak hour and five person trips per bus in the PM peak hour in 2015 and 2037. Five people per bus represent the equivalent of slightly more than 12% of the capacity of a typical 40-passenger bus. At this level of activity, SPW Project-related impacts to the regional transit system would be considered less than significant.

The proposed Jankovich Relocation Project would result in a reduction of marine fueling operations compared to what was assessed in the SPW FEIS/EIR which would reduce the demand for transit service associated with such uses. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact TC-4: Would operations the proposed Project result in a violation of the City's adopted parking policies and would parking demand exceed supply?**

The SPW FEIS/EIR found the SPW Project's parking supply would exceed code requirements as well as projected parking demand through 2015 and 2037. The SPPM Addendum found that with project modification the parking supply still would exceed code requirements. The alignment of the Waterfront Red Car expansion could result in loss of available parking. The affected areas of the Cabrillo Marine Aquarium and

Cabrillo Beach parking lot would need to be reconfigured to accommodate the dynamic envelope of the streetcar, avoiding the potential for parked cars to overhang onto the rail line and to ensure that it has adequate clearance to operate safely. The existing parking lots in this area currently provide approximately 285 spaces, including approximately 110 spaces reserved for vehicles with attached boat trailers. Thus, operational impacts of the Waterfront Red Car Expansion Project on parking at the Cabrillo Marine Aquarium and Cabrillo Beach would be significant prior to mitigation. Mitigation Measures TC-15a, TC-15b, or TC-15c would reduce the impact to less than significant.

The proposed Jankovich Relocation Project would decrease the number of marine fueling facilities compared to what was assessed in the SPW FEIS/EIR with a decrease in the demand for parking associated with marine fueling operations. The proposed Project would occupy Mike's fueling station, Berth 51, the remainder of Berth 73A and 309 E. 22<sup>nd</sup> Street. The Cabrillo Marine Aquarium and Cabrillo areas are more than 0.75 miles away from the proposed Project locations and the proposed Project would not utilize their parking lots. The parking area (23 spaces) of 309 E. 22<sup>nd</sup> Street would be included in the new permit and additional parking of approximately 90 spaces is available across E. 22<sup>nd</sup> Street. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact TC-5a: Would the alignment of the Waterfront Red Car expansion for the proposed Project increase potential conflict with vehicles at cross streets?**

The SPW FEIS/EIR analyzed the realignment of portions of the existing Waterfront Red Car line and extension to the southern SPW Project area along three new branch lines to City Dock No. 1, Outer Harbor, and Cabrillo Beach which would create numerous new grade crossings. The alignment would also be crossed by both existing and proposed driveways serving adjacent uses. Vehicular and pedestrian safety hazards associated with the Waterfront Red Car expansion at cross street locations would be significant prior to mitigation. Implementation of Mitigation Measures TC-16, TC-17, TC-18, TC-19a, TC-10b, TC-20, and TC-21 would minimize or avoid potential conflicts between the Waterfront Red Car and vehicles at cross streets by providing additional traffic controls and/or operating restrictions on the Waterfront Red Car. Impacts would be less than significant.

The proposed Jankovich Relocation Project would decrease the number of marine fueling facilities compared to what was assessed in the SPW FEIS/EIR and Jankovich would occupy Mike's fueling station, the remainder of Berth 73a, Berth 51 and 309 E. 22<sup>nd</sup> Street. The proposed Project does not involve any changes to the Waterfront Red Car component of the SPW Project. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact TC-5b: Would the alignment of the Waterfront Red Car expansion for the proposed Project increase potential conflict at track crossovers where the rail would transition between center-running and side-running?**

The SPW FEIS/EIR found the Waterfront Red Car alignment includes several locations where the tracks would cross over the adjoining streets. The potential conflict of the Waterfront Red Car expansion with vehicles at track crossovers would potentially increase collisions with vehicular traffic or indirectly cause vehicular accidents. Impacts are significant. Implementation of Mitigations Measures (TC-22 and TC23) would minimize or avoid potential conflicts between the Waterfront Red Car and vehicles at crossovers by providing additional traffic controls. Impacts would be less than significant.

The proposed Jankovich Relocation Project would decrease the number of marine fueling facilities compared to what was assessed in the SPW FEIS/EIR and Jankovich would occupy Mike's fueling station, the remainder of Berth 73a, Berth 51 and 309 E. 22<sup>nd</sup> Street. The proposed Project does not involve any changes to the Waterfront Red Car component of the SPW Project. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact TC-5c: Would the Waterfront Red Car expansion for the proposed Project result in increased pedestrian conflicts at stations?**

The SPW FEIS/EIR found an increased number of stations and level of pedestrian activity associated with the stations and the new pedestrian bridge increase the number of places where pedestrians and vehicles may mix, and thus increase potential safety conflict points for pedestrians. Additionally, increased pedestrian activity throughout the SPW Project area could potentially conflict with the Waterfront Red Car at other locations throughout the route where there are no planned designated crossings. Increased pedestrian conflict points resulting from the Waterfront Red Car expansion would be significant prior to mitigation. With implementation of Mitigation Measures TC-24, TC-25, and TC-26, impacts would be less than significant.

The proposed Jankovich Relocation Project does not involve any changes to the Waterfront Red Car component of the SPW Project. The 30 employees would arrive by vehicle and would not increase pedestrian traffic around the Red Car Stations. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

***Transportation and Navigation (Marine)***

**Impact VT-1a: Would construction of the proposed Project interfere with operation of designated vessel traffic lanes and/or impair the level of safety for vessels navigating the Main Channel, West Basin area, or precautionary areas?**

The SPW FEIS/EIR found dredging and in-water construction activities could create in-water hazards and increase the potential for accidents for vessel traffic within the harbor, Main Channel, and precautionary areas. However, these activities are routinely conducted in the harbor, and contractors performing in-water construction activities are subject to all applicable rules and regulations stipulated in all LAHD contracts. Because

standard safety precautions would be utilized in piloting the vessels, the short-term presence of barges or boats would not reduce the existing level of safety for vessel navigation in the harbor. Therefore, construction impacts on vessel traffic would be less than significant.

The construction phase of the proposed Jankovich Relocation Project would involve a barge-mounted pile driver at Berths 73A. With adherence to standard safety precautions utilized in piloting the vessels, the short-term presence of the barge-mounted pile driver would not reduce the existing level of safety for vessel navigation in the harbor. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact VT-1b: Would operation of the proposed Project interfere with the operation of designated vessel traffic lanes and/or impair the level of safety for vessels navigating the Main Channel, West Basin area, or precautionary areas?**

The SPW FEIS/EIR found project operations would result in an increase of vessel calls. HSP speed-limit regulations, traffic separation schemes, limited visibility guidelines, Vessel Tracking System monitoring requirements, and Port tariffs requiring vessels of foreign registry and U.S. vessels that do not have a federally licensed pilot on board to use a Port pilot for transit in and out of the harbor and adjacent waterways would continue to be used as standard practice. Operational impacts would be less than significant

Operation of fuel barges under the proposed Jankovich Relocation Project would occur in compliance with all regulations and requirements listed above and would not add to vessel traffic above what was assumed in the SPW FEIS/EIR. The proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**3.13 Utilities and Public Services**

**Impact PS-1: Would the proposed Project burden existing USCG, LAPD, or Port Police staff levels and facilities such that USCG, LAPD, or Port Police would not be able to maintain an adequate level of service without requiring construction of additional facilities that could cause significant environmental impacts?**

The SPW FEIS/EIR found the emergency response time for each public service provider in the SPW Project area were adequate. The SPW Project would not increase the demand for additional law enforcement officers and/or facilities such that the USCG, LAPD, or Port Police would be unable to maintain an adequate level of service without additional facilities. However, SPW Project construction could have temporary impacts on emergency access to portions of the SPW Project area and these impacts would be significant prior to mitigation. With Mitigation Measure PS-1, the impacts would be less than significant.

The proposed Jankovich Relocation Project would reduce the number of marine fuel facility by one. With only minor construction and one fewer marine fueling facilities, the need for public services would not change. As such, the proposed Project does not introduce a new significant impact or substantially increase a previously identified impact.

**Impact PS-2: Would the proposed Project require the addition of a new fire station or the expansion, consolidation, or relocation of an existing facility to maintain service?**

The SPW FEIS/EIR found that construction impact would not impact response times to the area. The SPW Project would not increase the demand for fire services to a degree that would require the addition of a new fire station or the expansion, consolidation, or relocation of an existing facility to maintain service. However, project construction might temporarily impact LAFD emergency access to portions of the SPW Project area. With Mitigation Measure PS-1, these impacts would be less than significant.

The proposed Jankovich Relocation Project would reduce the number marine fueling facilities compared to what was assessed in the SPW FEIS/EIR which would lessen the demand for fire services. The proposed Project would not represent a radical change from the current deployment of Fire Department resources. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact PS-3: Would the proposed Project require or result in the construction or expansion of utility lines that would cause significant environmental effects?**

The SPW FEIS/EIR found project construction and development may require upgrades and relocations of utility lines to provide for and adjust to the development of additional cruise berths in the Inner and Outer Harbors. However, these possible upgrades or relocations would not cause significant environmental effects. During construction Mitigation Measure PS-2 would limit the amount of waste created. Impacts would be less than significant.

Construction in the proposed Jankovich Relocation Project would occur at Berths 51, 71, 73A, and 309 E 22nd Street. The 309 22<sup>nd</sup> Street location involves the renovation of an existing building currently connected to utility services (i.e. water, power, and sewer). New utilities would be installed at Berth 73A and possibly Berth 71 and 51. These locations are near existing utility lines that can be extended with little impact. Construction of the fueling facility at Berth 240 and associated utility connections would not occur. The SPW FEIS/EIR Mitigation Measure PS-2 would apply to the proposed Project. As such, the proposed Project does not introduce a new significant impact or substantially increase a previously identified impact.

**Impact PS-4: Would the proposed Project have sufficient water supplies available to serve the project from existing entitlements and resources or would it exceed**

**wastewater requirements, require new wastewater treatment facilities, require new landfills, or exceed existing landfill capacities?**

The SPW FEIS/EIR found the SPW Project would result in an increased water demand of approximately 165 acre-feet per year over the baseline of 377 acre-feet per year. However, a Water Supply Assessment confirmed that adequate supplies exist to serve the SPW Project. In addition, coordination with Los Angeles Department of Water and Power (LADWP) would ensure that the increased demands would be accommodated by existing infrastructure. The impact on water supply is less than significant. The SPW FEIS/EIR found project-generated wastewater would constitute 1.1% of the Terminal Island Treatment Plan (TITP) daily capacity, which exceeds the baseline levels of 0.9%. However, because the TITP is currently operating at 55% capacity, these increases would be considered negligible. The SPW Project would not exceed the capacity of the TITP or conveyance system to accommodate anticipated increases. The minimal amount of increased wastewater generated by SPW Project construction and operations would not exceed the 30-mgd capacity of the TITP or sewer trunk lines in the proposed Project area. The impact on wastewater capacity and infrastructure is less than significant. The SPW FEIS/EIR found the amount of solid waste generated by the demolition of the existing 150,000 square foot Ports O' Call Village and construction of 250,000 square feet of development would result in a substantial contribution to the solid waste stream, possibly contributing to the exceedance of solid waste facility capacities. Implementation of Mitigation Measures PS-2 through PS-5 would reduce this impact to less than significant.

The proposed Jankovich Relocation Project would reduce the number of marine fueling facilities compared to what was assessed in the SPW FEIS/EIR, and in turn would reduce water use, generation of wastewater and solid waste. The SPW FEIS/EIR Mitigation Measures PS-2 and PS-3 PS-5 would apply to the proposed Project. The proposed Project does not introduce a new significant impact or substantially increase a previously identified impact.

**Impact PS-5: Would the proposed Project require new, offsite energy supply and distribution infrastructure, or capacity-enhancing alterations to existing facilities that are not anticipated by adopted plans or programs?**

The SPW FEIS/EIR concluded energy (diesel fuel and electricity) would be required to support proposed construction activities. Energy demands during construction would be short-term and temporary and are not anticipated to result in substantial waste or inefficient use of energy, because energy-efficiency and conservation strategies as discussed in the SPW FEIS/EIR would be employed. SPW Project operations would generate demands for electricity of between 72.96 and 73.09 million kWh per year in 2037, 12.89 to 13.02 million kWh per year more than the 2006 baseline demand. The increased natural gas demand of 0.01% from baseline demand would not exceed natural gas supply. Additionally, LAHD has committed to design of new buildings over 7,500 square feet to be built with minimum LEED Silver certification. As such, energy efficiency standards would be incorporated on various buildings to decrease energy

demands. While incorporation of these energy design measures would reduce impacts related to reducing energy consumption, impacts would be significant prior to mitigation. The SPW FEIS/EIR found LADWP's anticipates load growth and plans new generating capacity or demand side management programs to meet load requirements for future customers. Additionally, the SPW Project would incorporate energy conservation measures in compliance with California's Building Code CCR Title 24 that requires energy efficiency standards for new construction, including requirements for new buildings, additions, alterations, and repairs to nonresidential buildings. Incorporation of these design standards, as required by state law, would reduce wasteful energy consumption. While incorporation of these design measures would reduce impacts related to reducing energy consumption, impacts would remain significant prior to mitigation. Implementation of Mitigation Measure PS-6 would reduce impacts to less than significant.

In the proposed Jankovich Relocation Project Jankovich would occupy Mike's fueling station at Berth 71, Berths 51 and 73A and 309 E. 22<sup>nd</sup> Street. The facility at Berth 240 facility would not be built. The SPW FEIS/EIR analyzed the decommissioning of Jankovich at Berth 74, construction of a marine fuel facility at Berth 240 and the continued operation of Mike's fueling station. The proposed Project involves less construction, and operational activity with a lesser need for energy that can be readily met by existing energy sources and infrastructure. SPW FEIS/EIR Mitigation Measure PS-6 would apply to the proposed Project. The proposed Project does not introduce a new significant impact or substantially increase a previously identified impact.

### ***3.14 Water Quality, Sediments and Oceanography***

#### **Impact WQ-1: Would the proposed Project cause flooding during the projected 50-year developed storm event, which would have the potential to harm people or damage property or sensitive biological resources?**

The SPW FEIS/EIR found that due to existing storm drains systems and flat terrain the SPW Project would not increase potential for flooding or increase risks to humans, property, or sensitive biological resource over that of the baseline. Therefore, impacts from flooding would be less than significant.

The proposed Jankovich Relocation Project would be located within the boundaries of the SPW project at Berths 51, 71, 73A and 309 E. 22<sup>nd</sup> Street. As such, the storm drain systems and flat terrain described in the SPW FEIS/EIR apply to the proposed Project sites. The proposed Project does not introduce a new significant impact or substantially increase a previously identified impact.

#### **Impact WQ-2: Would the proposed Project substantially reduce or increase the amount of surface water in a water body?**

The SPW FEIS/EIR found the SPW Project would increase the surface water area of the Main Channel by 6.82 acres or 2%. This change would have a beneficial impact on



the utilization of the surface water resource in the SPW Project area because current utilization of this resource is non-consumptive and oriented to shipping and vessel traffic. These uses would benefit from availability of the new harbor waters proposed under the SPW Project. Impacts would be less than significant.

Under the Jankovich Relocation Project, foregoing construction of the facility at Berth 240 precludes installation of 46 pilings. The rerouting of the promenade at Berth 71 would eliminate construction of a wharf and associated pilings. The only in-water structures for the proposed Project are the twelve pilings supporting the two floating fuel docks and response vessel float, and the replacement fender panels and elements at Berth 51. The new fender panels would extend into harbor waters at high tides, but the area affected would be small as would the area affected by the floating fuel docks and pilings. The proposed Project would not substantially change the amount of surface water of the harbor. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact WQ-3: Would the proposed Project result in a permanent, adverse change to the movement of surface water sufficient to produce a substantial change in the velocity or direction of water flow?**

The SPW FEIS/EIR found the dredging and filling activities for the SPW Project would alter the existing bathymetry and slightly increase the volume of the Los Angeles Harbor in the SPW Project area. Excavation within three new harbors—the North Harbor (5.0 acres), Downtown Harbor (1.5 acres), and the 7th Street Harbor (0.32 acres)—would result in a net increase of 6.82 acres in the water surface area of the Los Angeles Harbor. Blind slip areas, such as these harbors, tend to be areas of lower circulation due to their morphology. Thus water flow velocities would be lower than in the Main Channel. However, because these harbors are all directly adjacent to the Main Channel, the principal tidal channel for the Inner Harbor, tidal current velocities and tidal range in the Main Channel would be adequate to ensure that circulation through the proposed harbors would not result in stagnation or adversely affected water quality. The principal fill activity proposed would be placement of pilings for new dock and wharf facilities. This would reduce water movement beneath the wharfs, but due to the distance between pilings and the continual tidal action in the Main Channel, this would not result in stagnation or cause adverse impacts to marine water quality. Once construction of facilities for the SPW Project is completed, operations within the in-water portions of the site would not have the potential to materially affect water circulation within the Main Channel or the Outer Harbor. Construction of the SPW Project would not result in a permanent adverse change in surface water movement because it would not create any barriers to water movement through the Main Channel and the constructed harbors would have adequate tidal circulation to prevent stagnation or other flow modifications that could result in adverse impacts to marine water quality. Impacts would be less than significant.

The proposed Jankovich Relocation Project would not construct the Berth 240 facility with its wharf and 46 pilings or the wharf and pilings at Berth 71. The proposed Project

calls for installation of two floating fuel docks, a response vessel float and 12 pilings at Berth 73A which is far less than what was assessed in the SPW FEIS/EIR. The proposed Project would replace the existing fender panels and elements at Berth 51. These replacement fender panels would be a vertical dimension five feet greater than the current panels but would be submerged only during high tide. Water movement through the Main Channel would be adequate to prevent stagnation or other flow modifications.

As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact WQ-4a: Would in-water construction for the proposed Project result in discharges that create pollution, contamination, or nuisance as defined in Section 13050 of the CWC or that cause regulatory standards to be violated, as defined in the applicable NPDES stormwater permit or water quality control plan for the receiving water body?**

The SPW FEIS/EIR found dredging, new wharf construction, and wharf reconstruction and upgrades during the construction phases of the SPW Project would not entail any direct or intentional discharges of wastes to waters of the harbor. In-water dredged material disposal at the LA-2 and/or LA-3 sites would result in minor, transitory changes in turbidity that have previously been determined to be less than significant (EPA and USACE 2004). However, activities related to the SPW Project would disturb and resuspend bottom sediments, which would result in temporary and localized changes to some water quality indicators within the mixing zone defined by the water quality certification. Sediment testing results indicate that such disturbance of sediments in the SPW Project area would not cause significant toxicity, contaminant bioaccumulation, or releases of contaminants to surface waters. Thus, changes related to the SPW Project are not expected to create pollution, contamination, or a nuisance or cause exceedances of any water quality standards, and impacts to water quality from in-water construction activities would be less than significant.

The proposed Jankovich Relocation Project would not include construction of the Berth 240 marine fueling station which would have included a wharf or the promenade over the water at Berth 71. This would reduce the square footage of overwater structures and the number of support piles required compared to what was assumed in the SPW FEIS/EIR. In addition, there is no dredging in the proposed Project and driving only 12 piles would reduce the disturbance and resuspension of bottom sediments compared to what was analyzed in the SPW FEIS/EIR. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact WQ-4b: Would stormwater discharged during upland construction of the proposed Project result in discharges that create pollution, contamination, or nuisance as defined in Section 13050 of the CWC or that cause regulatory standards to be violated, as defined in the applicable NPDES stormwater permit or water quality control?**

The SPW FEIS/EIR found that potentially adverse impacts to the quality of stormwater runoff from construction activities associated with upland and road improvements could occur. However, implementation of a Storm Water Pollution Prevention Plans (SWPPP) and BMPs would control runoff of eroded soils and pollutants. Therefore, runoff from upland construction activities would not create pollution, contamination, a nuisance, or violate any water quality standards, and impacts to water quality would be less than significant.

Construction in the proposed Jankovich Relocation Project is less than what was assumed in the SPW FEIS/EIR because construction of the Berth 240 marine fueling facility would not occur. Additionally, the proposed Project would be subject to the same SWPPP and BMP requirements as described in the SPW FEIS/EIR. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

**Impact WQ-4c: Would the proposed Project result in accidental discharges that create pollution, contamination, or nuisance as defined in Section 13050 of the CWC or that cause regulatory standards to be violated, as defined in the applicable NPDES stormwater permit or water quality control plan for the receiving water body?**

The SPW FEIS/EIR found construction-related spills or leaks that occur on land are expected to be contained and cleaned up before any impacts to surface water quality can occur. Spills from dredges or barges could directly affect water quality within the harbor, resulting in a visible film on the surface of the water; however, the probability of an accidental spill from a vessel to the harbor that would cause a nuisance or adversely affect beneficial uses is low. Nevertheless, spill prevention and cleanup procedures for SPW Project would be addressed in a SWPPP that would be implemented by the construction contractor. The plan would define actions to minimize the potential for spills and provide efficient responses to spill events to minimize the magnitude of the spill and extent of impacts. Therefore, accidental spills of pollutants would cause less than significant impacts.

The construction phase of the proposed Jankovich Relocation Project would involve construction of a gasoline tank, containment walls and security fencing at Berth 73A, installation of security fencing and traffic bollards at Berth 51 and 71, replacement of fender panels and elements at Berth 51, renovation of the building at 309 E. 22nd Street and construction of a realigned promenade. Construction of the Berth 240 facility as assessed in the SPW EIS/EIR would not occur. The proposed Project would be subject to the same regulatory requirements as identified in the SPW FEIS/EIR and there would be less overall construction than what was assessed in the SPW FEIS/EIR. The proposed Project does not introduce a new significant impact or substantially increase a previously identified impact.

**Impact WQ-4d: Would operation of the proposed Project result in discharges that create pollution, contamination, or nuisance as defined in Section 13050 of the CWC or that cause regulatory standards to be violated, as defined in the applicable NPDES stormwater permit or water quality control plan for the receiving water body?**

The SPW FEIS/EIR found upland operations associated with the SPW Project would not result in direct discharges of wastes. Stormwater runoff from the project site might reasonably be expected to contain suspended and dissolved pollutants originating within the SPW Project area, but discharges of stormwater would comply with the NPDES discharge permit limits. There is potential for an increase in accidental spills and illegal discharges due to increased vessel calls associated with the SPW Project, but recent history seems to show improvements in water quality in spite of increased use of the harbor, due to improved regulation and enforcement. Leaching of contaminants such as copper from anti-fouling paint could also cause increased pollutant loading in the harbor, which is listed as impaired with respect to copper. Therefore, the impact to water quality from leaching is significant and unavoidable.

The proposed Jankovich Relocation Project operation would reduce the number of marine fuel facilities compared to what was analyzed in the SPW EIS/EIR. The proposed Project is subject to all of the regulatory requirements described in the SPW FEIS/EIR. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

***Environmental Justice***

**Summary of San Pedro Waterfront EIS/EIR Findings**

The SPW FEIS/EIR determined the SPW Project would result in disproportionately high and adverse effects on minority and low-income populations from:

- exceedance of significance thresholds of air pollutant emissions during construction and operation of the SPW Project;
- exposure to toxic air contaminants (TACs);
- exceedance of noise standards during construction;
- a permanent increase in ambient noise levels due to vehicular traffic;
- the temporary diminished quality of recreational resources; and
- increased traffic volumes that would degrade levels of service along roadway segments and at intersections within the project vicinity.

## **Impact from Proposed Jankovich Relocation Project**

The proposed Jankovich Relocation Project would result in one less operational marine fueling facility than was assessed in the SPW FEIS/EIR. This would reduce emission compared to the analysis in the SPW FEIS/EIR. The proposed Project would not result in new significant impacts, substantially increase the severity of a previously analyzed impact, or require new mitigation measures that have not already been evaluated in the SPW FEIS/EIR. Therefore, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

## ***Socioeconomics***

### **Would the Proposed Project displace people or existing housing or construction of new housing due to project acquisitions and displacements?**

The SPW FEIS/EIR found no population growth, acquisitions, or displacements anticipated because of the SPW Project. The impacts would be less than significant.

The proposed Jankovich Relocation Project sites would primarily use existing structures in an industrial/commercial area. The sites are not zoned for residences and there are no existing or planned homes at the sites. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

### **Would the Proposed Project adversely impact local business and tax revenue?**

The SPW FEIS/EIR found the SPW Project would lead to increased tax revenues by expanding the tax base of the area with introduction of new marine commercial developments and new restaurants, and expanding the cruise ship industry. The planned conference center was removed in the third addendum (SPPM) to the SPW FEIS/EIR. The SPW FEIS/EIR also found that some, but not all, of the businesses displaced in the Ports O' Call redevelopment would return. The business and tax revenue increase from the increased ship call by cruise lines is expected to generate \$137 million to local revenue and \$6.8 million in tax revenue. However, the beneficial economic effects of the SPW Project would not result in physical changes to the area. The SPW Project would have a less than significant impact.

The proposed Jankovich Relocation Project would relocate an existing business operation to new locations. The proposed Project would have Jankovich occupying Mike's fueling station, which was to continue operation under the SPW FEIS/EIR and the facility at Berth 240 would not be built. The marine fueling activity represents a small portion of the overall revenue for the SPW Project. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

### **Would the Proposed Project substantially change local employment and labor force?**

The SPW FEIS/EIR found that construction of the SPW Project would generate 7,363 direct and 17,671 indirect jobs. The operation of the SPW Project would generate 3,801 jobs. Given the labor pool in the southern California area, the SPW Project would not result in a substantial change in local labor force and employment. As a result, the SPW Project is not anticipated to result in indirect physical changes like construction of new housing to accommodate a new labor force. The impact would be less than significant.

The proposed Jankovich Relocation Project would have Jankovich occupying Mike's fueling station and the marine fueling facility at Berth 240 would not be built. The reduction in marine fueling operations from two to one compared to what was assessed in the SPW FEIS/EIR would likely result in slightly lower employment associated with marine fueling operations on the SPW. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

### **Would the proposed Project substantially contribute to effects on property value trends?**

The SPW FEIS/EIR found the SPW Project would not likely contribute substantially to effects on property values due to its direct or indirect economic impacts. The impact is less than significant.

The Jankovich Relocation Project would decrease marine fueling operations in the SPW footprint compared to what was assessed in the SPW FEIS/EIR. The uses at the four locations are consistent with surrounding land uses and would not substantially affect property values. As such, the proposed Project would not introduce a new significant impact or substantially increase a previously identified impact.

### ***Growth-Inducing Impacts***

#### **Summary of San Pedro Waterfront FEIS/EIR Findings**

The SPW FEIS/EIR determined while the SPW Project would not introduce new housing, it could have direct and indirect growth-inducing effects through transportation system improvements and new investment in surrounding communities based on the new amenities the SPW Project would bring to the area. In addition, while the SPW Project would introduce new employment opportunities, it was determined that the majority of new employees would come from the diverse worker population already residing within Southern California and would not require a substantial influx of new residents into the area to fill new jobs. As such, the SPW Project would not adversely affect the existing housing stock in the surrounding area. The other impacts of growth,

such as those related to air quality, traffic congestion, increases in noise, and increased public services and utility consumption, were addressed throughout the SPW FEIS/EIR.

### **Impact from Jankovich Relocation Project**

The proposed Jankovich Relocation Project would not contribute to the direct or indirect population growth that would occur under the overall SPW Project because it would not involve the development of transportation system improvements or amenities that would draw new visitors. The proposed Jankovich Relocation Project would decrease marine fueling operations in the SPW footprint compared to what was assessed in the SPW FEIS/EIR and Mike's fueling station would not result in new jobs that would require a large influx of new employees moving into the region.

## ***Cumulative Analysis***

### **Introduction**

This section presents information and analysis of the potential cumulative environmental impacts, if any, of the proposed Jankovich Relocation Project Mike's fueling station which would relocate Jankovich's marine fueling operation to Berths 51, 71, 73A and 309 E. 22<sup>nd</sup> Street, forego construction of a new marine fueling facility at Berth 240, revise the promenade alignment at three locations and amend the PMP.

### **Summary of San Pedro Waterfront FEIS/EIR Findings**

The SPW FEIS/EIR includes a comprehensive list of related and cumulative projects (Table 4-1 and Figure 4-1 of the SPW EIS/EIR), in which the cumulative contribution of the SPW Project was considered. Resource areas where the SPW was determined to contribute to a cumulatively considerable adverse effect included:

- aesthetics (nighttime lighting),
- air quality (construction emissions),
- biological resources (pile driving and mudflat habitat),
- cultural resources (archaeological resources),
- geology (fault rupture, ground-shaking, liquefaction, or other seismically induced ground failure, and tsunami risks),
- noise (construction noise),
- recreation (construction),
- transportation and circulation (ground), and
- water quality, sediments, and oceanography (stormwater runoff).

### **Impacts of the Proposed Jankovich Relocation Project**

As concluded throughout this document, the proposed Jankovich Relocation Project would not result in new significant impacts, substantially increase the severity of a

previously analyzed impact, or require new mitigation measures that have not already been evaluated in the SPW FEIS/EIR. Mitigation measures relating to development of the project site for air quality, biological resources, cultural resources, geology, groundwater and soils, noise, recreation, ground transportation, utilities and public services, and environmental justice would be adhered to during construction and operation of the Jankovich Relocation Project. The analysis shows that the modifications would not affect any of the Project-specific impact determinations made in the SPW Project EIS/EIR. As such, the Jankovich Relocation Project would also not affect the cumulative impact determinations made in the SPW FEIS/EIR.



## ***Summary of Final EIR Mitigation Measures Applicable to the Jankovich Relocation Project***

### **AQ - 1 Harbor Craft Engine Standards.**

All harbor craft used during the construction phase of the proposed Project shall, at a minimum, be repowered to meet the cleanest existing marine engine emission standards or EPA Tier 2. Additionally, where available, harbor craft shall meet the proposed EPA Tier 3 (which are proposed to be phased-in beginning 2009) or cleaner marine engine emission standards.

### **AQ – 3 Fleet Modernization for On-road Trucks.**

1. Trucks hauling materials such as debris or fill shall be fully covered while operating off Port property.
2. Idling shall be restricted to a maximum of 5 minutes when not in use.
3. Tier Specifications:
  - a) January 1, 2009 to December 31, 2011: All on-road heavy-duty diesel trucks with a gross vehicle weight rating (GVWR) of 19,500 pounds or greater used on site or to transport materials to and from the site must contain an EPA 2004 engine model year or newer in order to comply with EPA 2004 on-road emission standards.
  - b) Post-January 2011: All on-road heavy-duty diesel trucks with a GVWR of 19,500 pounds or greater used on site or to transport materials to and from the site shall comply with 2010 emission standards, where available.

A copy of each unit's certified EPA rating, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

### **AQ – 4 Fleet Modernization for Construction Equipment.**

1. Construction equipment shall incorporate, where feasible, emissions savings technology such as hybrid drives and specific fuel economy standards.
2. Idling shall be restricted to a maximum of 5 minutes when not in use.
3. Tier Specifications:
  - a) January 1, 2009, to December 31, 2011: All off-road diesel-powered construction equipment greater than 50 hp, except derrick barges and marine vessels, shall meet Tier 2 off-road emissions standards. In addition, all construction equipment shall be outfitted with the BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 2 or Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

- b) January 1, 2012, to December 31, 2014: All off-road diesel-powered construction equipment greater than 50 hp, except derrick barges and marine vessels, shall meet Tier 3 off-road emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
- c) Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.

A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

#### **AQ – 5 Additional Fugitive Dust Controls.**

The calculation of fugitive dust (PM10) from unmitigated proposed project earth-moving activities assumes a 75% reduction from uncontrolled levels to simulate rigorous watering of the site and use of other measures (listed below) to ensure proposed project compliance with SCAQMD Rule 403.

The construction contractor shall apply for a SCAQMD Rule 403 Dust Control Permit. The construction contractor shall further reduce fugitive dust emissions to 90% from uncontrolled levels. The construction contractor shall designate personnel to monitor the dust control program and to order increased watering or other dust control measures, as necessary, to ensure a 90% control level. Their duties shall include holiday and weekend periods when work may not be in progress.

The following measures, at minimum, must be part of the contractor Rule 403 dust control plan:

- a) Active grading sites shall be watered one additional time per day beyond that required by Rule 403;
- b) Contractors shall apply approved nontoxic chemical soil stabilizers to all inactive construction areas or replace groundcover in disturbed areas;
- c) Construction contractors shall provide temporary wind fencing around sites being graded or cleared;
- d) 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;

- e) 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;
- f) 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;
- g) Trucks hauling materials such as debris or fill shall be fully covered while operating off LAHD property;
- h) A construction relations officer shall be appointed to act as a community liaison concerning onsite construction activity including resolution of issues related to PM10 generation;

All streets shall be swept at least once a day using South Coast Air Quality Management District (SCAQMD) Rule 1186, 1186.1 certified street sweepers or roadway washing trucks if visible soil materials are carried to adjacent streets;

#### **AQ– 6 Best Management Practices.**

The following types of measures are required on construction equipment (including on-road trucks):

- a) Use diesel oxidation catalysts and catalyzed diesel particulate traps.
- b) Maintain equipment according to manufacturers' specifications
- c) Restrict idling of construction equipment to a maximum of 5 minutes when not in use
- d) Install high-pressure fuel injectors on construction equipment vehicles

#### **AQ – 7 General Mitigation Measure.**

For any of the above mitigation measures (MM AQ-1 through AQ-6), 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 could replace the existing measure pending approval by the LAHD.

#### **BIO-3 Avoid marine mammals.**

The contractor will be required to use sound abatement techniques to reduce both noise and vibrations from pile driving activities. Sound abatement techniques will include, but are not limited to, vibration or hydraulic insertion techniques, drilled or augured holes for cast-in-place piles, bubble curtain technology, and sound aprons where feasible. At the initiation of each pile driving event, and after breaks of more than 15 minutes, the pile driving will also employ a “soft-start” in which the hammer is operated at less than full capacity (i.e., approximately 40–60% energy levels) with no less than a 1-minute interval between each strike for a 5-minute period.

Although it is expected that marine mammals will voluntarily move away from the area at the commencement of the vibratory or “soft start” of pile driving activities, as a precautionary measure, pile driving activities occurring within the Outer Harbor will include establishment of a safety zone, and the area surrounding the operations will be monitored by a qualified marine biologist for pinnipeds. As the disturbance threshold level sound is expected to extend at least 1,000 feet from the steel pile driving operations, a safety zone will be established around the steel pile driving site and monitored for pinnipeds within a 1,200-foot-radius safety zone around the pile. As the steel pile driving site will move with each new pile, the 1,200 foot safety zone will move accordingly. Observers on shore or by boat will survey the safety zone to ensure that no marine mammals are seen within the zone before pile driving of a steel pile segment begins. If marine mammals are found within the safety zone, pile driving of the segment will be delayed until they move out of the area. If a marine mammal is seen above water and then dives below, the biologist will instruct the contractor to wait at least 15 minutes, and if no marine mammals are seen by the biologist in that time, it may be assumed that the animal has moved beyond the safety zone. This 15-minute criterion is based on a study indicating that pinnipeds dive for a mean time of 0.50 minutes to 3.33 minutes; the 15- minute delay will allow a more than sufficient period of observation to be reasonably sure the animal has left the project vicinity.

If pinnipeds enter the safety zone after pile driving of a segment has begun, pile driving will continue. The biologist will monitor and record the species and number of individuals observed, and make note of their behavior patterns. If the animal appears distressed and, if it is operationally safe to do so, pile driving will cease until the animal leaves the area. Pile driving cannot be terminated safely and without severe operational difficulties until reaching a designated depth. Therefore, if it is deemed operationally unsafe by the project engineer to discontinue pile driving activities, and a pinniped is observed in the safety zone, pile driving activities will continue until the critical depth is reached (at which time pile driving will cease) or until the pinniped leaves the safety zone. Prior to the initiation of each new pile driving episode, the area will again be thoroughly surveyed by the biologist

### **CR- 3 Stop Work If Unanticipated Cultural Resources Are Identified During Ground Disturbing Activities.**

In the event that any artifact or an unusual amount of bone, shell, or non-native stone is encountered during construction, work will be immediately stopped and relocated from that area. The contractor will stop construction within 100 feet of the exposure of these finds until a qualified archaeologist, retained by LAHD in advance of construction, can be contacted to evaluate the find (see 36 CFR 800.11.1 and pertinent CEQA regulations). Examples of such cultural materials might include concentrations of ground stone tools such as mortars, bowls, pestles, and manos; chipped stone, tools such as projection points or choppers; flakes of stone not consistent with the immediate geology such as obsidian or fused shale; trash pit containing bottles and/or ceramics; or structural remains. If the resources are found to be significant, they will be avoided or will be mitigated consistent with SHPO guidelines as appropriate. All construction

equipment operators will attend a pre-construction meeting presented by a professional archaeologist retained by LAHD to review types of cultural resources and artifacts that would be considered potentially significant to ensure operator recognition of these materials during construction.

If human remains are encountered, there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains. The Los Angeles County Coroner will be contacted to determine the age and cause of death. If the remains are not of Native American heritage, construction in the area may recommence. If the remains are of Native American origin, the most likely descendants of the deceased will be identified by the NAHC. LAHD and the USACE will consult with the Native American most likely descendant(s) to identify a mutually acceptable strategy for treating and disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98. If the NAHC is unable to identify a most likely descendant; if the descendant fails to make a recommendation within 24 hours of being notified by the NAHC, LAHD, or the USACE; and if the descendant is not capable of reaching a mutually acceptable strategy through mediation by the NAHC, the Native American human remains and associated grave goods will be reburied with appropriate dignity on the proposed project site in a location not subject to further subsurface disturbance.

#### **GEO- 1 Emergency response planning.**

The tenants within the proposed project area will work with Port engineers and LAHD police to develop tsunami response training and procedures to assure that construction and operations personnel will be prepared to act in the event of a large seismic event. Such procedures will include immediate evacuation requirements in the event that a large seismic event is felt at the proposed project site, as part of overall emergency response planning for this proposed Project.

Such procedures will be included in any bid specifications for construction or operations personnel, with a copy of such bid specifications to be provided to LAHD, including a completed copy of its operations emergency response plan prior to commencement of construction activities and/or operations.

#### **GW-2. Tenant will adhere to the contamination contingency plan for non-specific facilities.**

The project site has a long history of industrial activity, so it is possible that future construction activity could encounter historical soil or groundwater contamination that had not been previously reported to regulatory agencies. The following contingency plan will be implemented to address previously unknown contamination during demolition, grading, and construction:

- a) All trench excavation and fill operations will be observed for the presence of chemicals of potential concern and petroleum products. Soils that are suspected to be impacted with chemicals of potential concern and/or petroleum products will be segregated from clean soil. Indications of

contaminated/impacted soil may include but are not limited to: discolored soil, petroleum or organic odors, and/or visible sheen. In the event unexpected suspected chemically impacted material (soil or water) is encountered during construction, the contractor will notify LAHD's Chief Harbor Engineer, Director of Environmental Management, and Risk Management's Industrial Hygienist. LAHD will confirm the presence of the suspect material; direct suspect material; direct the contractor to remove, stockpile, or contain the material; and characterize the suspect material identified within the boundaries of the construction area. Continued work at a contaminated site will require the approval of the Chief Harbor Engineer.

- b) As Warranted, appropriate air monitoring equipment (e.g. photoionization detector, combustible gas indicator, organic vapor analyzer, etc.) will be present during grading and/or excavation activities in soil that are suspected to be impacted with chemicals of concern and/or petroleum products.
- c) Excavation of VOC-impacted soil will require obtaining and complying with a South Coast Air Quality Management District Rule 1166 permit.
- d) The remedial option(s) selected will be dependent upon a number of criteria (including but not limited to types of chemical constituents, concentration of the chemicals, health and safety issues, time constraints, cost, etc.) and will be determined on a site-specific basis. Both off-site and on-site remedial options will be evaluated.
- e) The extent of removal actions will be determined on a site-specific basis. At a minimum, the chemically impacted area(s) within the boundaries of the construction area will be remediated to the satisfaction of the lead regulatory agency for the site. The LAHD Project Manager overseeing removal actions will inform the contractor when the removal action is complete.
- f) Copies of hazardous waste manifests or other documents indicating the amount, nature, and disposition of such materials will be submitted to the Chief Harbor Engineer within 30 days of project completion.
- g) In the event that suspected contaminated soil is encountered, all onsite personnel handling the suspected contaminated material must be trained in accordance with the federal Hazardous Waste Operations and Emergency Response (HAZWOPER) standard. This training provides precautions and protective measures for workers remediating contaminated sites. Workers not certified with HAZWOPER training will not be allowed to resume work in suspected contaminated areas until appropriate site characterization confirms that contaminated soil, groundwater, or soil vapor are not present.
- h) As warranted, real-time perimeter and ambient air monitoring stations will be established during all grading, excavation, trenching, and/or soil handling activities associated with contaminated soil.
- i) All excavations will be filled with structurally suitable fill material that is free from contamination.

**RISK-1. Removal of all hazardous materials with flashpoints below 140 degrees from the former Mike's fueling station.**

Jankovich will not handle hazardous material with flashpoints below 140 degrees in areas where such materials would bring visitors and the public utilizing the waterfront promenade in close proximity to the hazard footprint of such materials.

**NOI- 1 Construct temporary noise barriers, muffle and maintain construction equipment, prohibit idling, locate equipment, use quiet construction equipment, and notify residents.**

The following will reduce the impact of noise from construction activities:

- a) Temporary Noise Barriers. When construction is occurring within 500 feet of a residence or park, temporary noise barriers (solid fences or curtains) will be located between noise-generating construction activities and sensitive receivers.
- b) Construction Equipment. All construction equipment powered by internal combustion engines will be properly muffled and maintained.
- c) Idling Prohibitions. Unnecessary idling of internal combustion engines near noise sensitive areas will be prohibited.
- d) 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.
- e) Quiet Equipment Selection. Select quiet construction equipment whenever possible. Comply where feasible with noise limits established in the City of Los Angeles Noise Ordinance.
- f) Notification. Notify residents within 500 feet to the proposed project site of the construction schedule in writing.

**NOI- 2 Construction Hours.**

Construction activities for the proposed Project would not exceed the ambient noise level by 5 dBA at a noise sensitive use between the hours of 6:00 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. If extended construction hours are needed during weekdays under special circumstances, the tenant will provide at least 72 hours' notice to sensitive receptors within 0.5 miles of the construction area. Under no circumstances will construction hours exceed the range prescribed by the City of Los Angeles Municipal Code.

**PS-2: Recycle construction materials.**

Demolition and/or excess construction materials will be separated on site for reuse/recycling or proper disposal. During grading and construction, separate bins for recycling of construction materials will be provided on site.

**PS-3: Use materials with recycled content.**

Materials with recycled content, such as recycled steel from framing and recycled concrete and asphalt from roadway construction, will be used in project construction. Wood chippers registered through the California Air Resources Board's Portable Equipment Registration Program will be operated on site during construction. Wood from tree removal, not from demolished structures, will be reused as landscape cover, further reducing the quantity of wood that would otherwise be disposed of at solid waste facilities.



## **References**

Moffatt and Nichol, 2007. *Tsunami Hazard Assessment for the Ports of Long Beach 27 and Los Angeles*.

Los Angeles Harbor Department, 2014. *Port Master Plan*.

SWCA, 2015. Summary of Character-Defining Features and Preliminary Design Review of the Immigration Station Building, Port of Los Angeles, California.