



**THE PORT  
OF LOS ANGELES**  
Executive Director's  
Report to the  
Board of Harbor Commissioners

**DATE: JANUARY 28, 2014**

**FROM: ENVIRONMENTAL MANAGEMENT**

**SUBJECT: RESOLUTION NO. \_\_\_\_\_ - ADOPTION OF FINAL INITIAL STUDY/MITIGATED NEGATIVE DECLARATION FOR FISHERMAN'S PRIDE PROCESSORS INC. PROJECT (LOS ANGELES HARBOR DEPARTMENT APPLICATION FOR DISCRETIONARY PROJECT NO. 130417-062; SCH NO.2013121027)**

**SUMMARY:**

Staff recommends that the Board of Harbor Commissioners (Board) adopt the Final Initial Study/Mitigated Negative Declaration (IS/MND) for the proposed Fisherman's Pride Processors Inc. (FPP) Project (Project), along with the comments and responses to comments; approve the Project described in the Final IS/MND; make specific findings regarding the environmental impacts of the Project and mitigation measures to reduce or avoid such impacts; adopt a Mitigation Monitoring and Reporting Program; and approve the Project described in the Final IS/MND.

The Project includes improvements to three existing buildings of the former Chicken of the Sea (COS) cannery complex, construction of a structure to house mechanical equipment, repaving and landscaping of a parking area, and installation of a fish pump at Berth 265. The Project also includes an additional element – a 31,760 square foot courtyard - that has been incorporated into the proposed lease. This element has also now been added to the IS/MND analysis. The Project would increase the current FPP operation at the site and provide for a lease of up to 20 years. Approval of the lease will be brought before the Board in a separate action.

**RECOMMENDATION:**

It is recommended that the Board of Harbor Commissioners:

1. Find that, based on the information contained in this report and the Final Initial Study/Mitigated Negative Declaration for the Fisherman's Pride Processors Inc. Project, and with incorporation of mitigation measures contained in the Initial Study/Mitigated Negative Declaration, that the project would not have a significant effect on the environment pursuant to Public Resources Code § 21080 and the State California Environmental Quality Act (CEQA) Guidelines § 15070;

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2. Adopt, pursuant to State CEQA Guidelines § 15074, the Final Initial Study/Mitigated Negative Declaration for the Fisherman's Pride Processors Inc. Project which (a) has been completed in compliance with CEQA, the State CEQA Guidelines, and the Los Angeles City CEQA Guidelines; (b) was presented to the Board for review and was reviewed and considered by the Board prior to approving the Project; and (c) reflects the independent judgment and analysis of the City of Los Angeles Harbor Department as the CEQA Lead Agency;
3. Find that all information added to the Final Initial Study/Mitigated Negative Declaration after the public review period, but before adoption, merely clarifies, amplifies, or makes insignificant modifications, and that recirculation is not necessary;
4. Adopt the Mitigation Monitoring and Reporting Program contained in the Final Initial Study/Mitigated Negative Declaration as required by Public Resources Code Section 21081.6 and State CEQA Guidelines § 15074. The Mitigation Monitoring and Reporting Program is designed to ensure compliance with the mitigation measures adopted to mitigate or avoid significant effects on the environment, and identifies the responsibilities of the City of Los Angeles Harbor Department as lead agency and other applicable entities, to monitor and verify project compliance with those mitigation measures and conditions of project approval;
5. In consideration of the Final Initial Study/Mitigated Negative Declaration, together with the comment letters received and the response to comments, approve the Fisherman's Pride Processors Inc. Project;
6. Direct the Real Estate Division to incorporate by reference the Final Initial Study/Mitigated Negative Declaration, mitigation measures, lease measures, and the Mitigation Monitoring Reporting Program contained in the Final Initial Study/Mitigated Negative Declaration into any and all permits, lease agreements, or assignments encompassed in the approved Fisherman's Pride Processors Inc. Project;
7. Authorize the Environmental Management Division to file the Notice of Determination for the subject project with the Los Angeles City and County Clerks; and
8. Adopt Resolution No. \_\_\_\_\_.

**DISCUSSION:**

Project Background/Context – FPP operates as a food service company that processes and produces seafood items. FPP currently occupies 8,400 square feet of warehouse space within an existing building of the former COS cannery complex at 338 Cannery Street and also occupies space on the wharf at Berth 265 in Fish Harbor. The operation

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consists of unloading seafood from fishing vessels and transporting the seafood via trucks to FPP's existing processing facility located in the City of Vernon. After processing, 90% of the frozen seafood is returned to the San Pedro Bay Port complex for export.

Project Objectives – The primary objectives of the Project are to construct and operate seafood processing and freezing facilities within three existing buildings of the COS cannery complex and enter into a ten-year lease with two five-year options for a potential 20-year lease term.

Project Description – The proposed Project would convert approximately 91,500 square feet of vacant and under-utilized industrial space in three existing buildings at the COS cannery complex into a commercial seafood processing and freezing facility. Existing interior improvements would be demolished and new offices, restrooms and other amenities constructed. The electrical, plumbing and fire protection systems would be upgraded and a refrigeration system would be installed. A fish pump would be installed at Berth 265 and connected to the processing area within the buildings. Additionally, a 5,760 square-foot building would be constructed on an adjacent vacant lot with the remainder of the lot repaved and landscaped to provide for employee parking. The proposed permit is for the three buildings, a 57,600 square-foot parking lot south of the buildings, and a recently added element a 31,760 square-foot courtyard north of the facility. This courtyard was added to the proposed permit as it is currently used by FPP for storage of equipment, such as empty fish bins.

Portions of the COS cannery complex have been found to be eligible for listing on the National Register of Historic Places. The three buildings to be occupied by FPP are not considered a historic portion of the COS cannery complex, but an adjoining wall enclosing the western boundary of the complex is considered a part of the historic fabric of COS. Any modification of the wall would comply with the Secretary of the Interior's Standards for Interior's Standards for Treatment of Historic Properties and would not represent a significant adverse impact.

The proposed Project would double the number of fishing vessels (from two to four) calling at the facility, and increase the number of daily truck trips from 13 to 20. However, because of the transfer of processing operations from the Vernon location to Fish Harbor, the number of truck vehicle miles traveled will decrease. With the proposed operation, 90% of the frozen product will continue to be exported throughout the San Pedro Bay Ports.

**ENVIRONMENTAL ASSESSMENT:**

CEQA Documentation and Public Involvement – The City of Los Angeles Harbor Department (Harbor Department) as the CEQA Lead Agency has prepared an IS/MND for the Project which contains the following: a description of the Project and location, a proposed finding that the Project (with mitigation) will not have a significant effect on the

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environment, the environmental analysis to support the finding, and a Mitigation Monitoring and Reporting Program to avoid potentially significant effects (Transmittal 1).

The Draft IS/MND, dated December 3, 2013, was circulated for public review and comment for a period of 30 days beginning on December 10, 2013 and ending on January 8, 2014. In accordance with State CEQA Guidelines § 15072, a Notice of Intent (NOI) to adopt the MND was released on December 9, 2013. Approximately 100 notices were mailed to agencies, stakeholders, and other interested parties. The notice and accompanying Draft IS/MND was made available for public review on the Port of Los Angeles website at: <http://www.portoflosangeles.org>; at the City of Los Angeles Harbor Department Environmental Management Division at 222 West 6<sup>th</sup> Street, San Pedro, CA 90731; at the Los Angeles City Library, San Pedro Branch at 931 S. Gaffey Street, San Pedro, CA 90731; and at the Los Angeles City Library, Wilmington Branch at 1300 North Avalon, Wilmington, CA 90744. Notice of the comment period was also advertised in six newspapers: Los Angeles Times, Long Beach Press Telegram, Torrance Daily Breeze, Metropolitan News Enterprise, Hoy, and Random Lengths.

Pursuant to State CEQA Guidelines § 15073, the Draft IS/MND was submitted to the State Clearinghouse for review by state agencies. A public hearing was not conducted during the public review period for the Draft IS/MND and is not required pursuant to State CEQA Guidelines § 15202.

Public Comments Received and Response to Comments - A total of three comment letters were received during the public review period of the Draft IS/MND. Comments were received from the Los Angeles Conservancy, the State of California Native American Heritage Commission and State Lands Commission.

Issues raised by commenters were related to historic resources, impacts from lead contaminated soil on harbor waters and archaeological resources. The Response to Comments in the Final IS/MND details changes made to the Project and contains copies of the comment letters and staff responses.

In addition, a comment letter was received from the Bureau of Sanitation (Bureau) after the close of the public review period. The Bureau requested information on the breakdown of the facility's proposed land use along with proposed square footage in order to calculate the amount of wastewater to be generated by the Project. The Bureau was contacted to confirm their methodology for calculation of the wastewater amounts produced by a facility. Using this methodology, the anticipated wastewater generation from the proposed Project was calculated by the Harbor Department. With this information, and given that the sewer system at the site and surrounding area were sized for three canneries, now closed (Chicken of the Sea, Pan-Pacific and Star-Kist), the Harbor Department has determined that the modest flow calculated for the proposed Project would not exceed the capacity of the existing sewer system for the site or the area. As a result, no significant impacts would be expected. The Bureau's comment letter and the information provided has been incorporated into the revised Final IS/MND.

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Based on the comments provided, staff has identified no new environmental effects that are not assessed and mitigated to a level of less than significant. Changes added to the Final IS/MND after the public review period, merely clarify, amplify, or make insignificant modifications. None of the issues raised during the comment period trigger the need to re-circulate the IS/MND pursuant to the requirements of State CEQA Guidelines § 15073.5.

Finding and Conclusions - The Final IS/MND includes a discussion of the Project's effects on the existing environment, including the identification of mitigation measures to reduce potential impacts. No significant effects that could not be mitigated to a less than significant level were identified. Potential significant environmental effects prior to mitigation include temporary construction impacts related to cultural resources. With incorporation of mitigation measure CUL-1 as described in the Final IS/MND, impacts would be reduced to a less than significant level. The Project was not found to have significant cumulative impacts or unavoidable adverse impacts.

Further the addition of the 31,760 square-foot courtyard area does not alter the conclusions or significance determinations of the Final IS/MND. It will not result in the generation of new significant environmental effects from the proposed Project, as it will continue to be used for storage in accordance with its current usage. Analysis of this additional element of the proposed Project has been incorporated into the Final IS/MND.

Record of Proceedings - When adopting an MND as required by State CEQA Guidelines § 15074, the public agency shall specify the location and custodian of the documents or other material, which constitute the record of proceedings upon which its decision is based. These records are in the care of the Director of Environmental Management, City of Los Angeles Harbor Department, 222 West 6th Street, San Pedro, California 90731.

Notice of Determination - In accordance with Los Angeles City CEQA Guidelines, Article I, and the State CEQA Guidelines § 15075, a Notice of Determination will be filed with the Los Angeles City and County Clerks after the Project is approved. The filing of the Notice of Determination starts a 30-day statute of limitations on court challenges to the approval under CEQA.

**ECONOMIC BENEFITS:**

The Project is anticipated to support numerous jobs related to construction in the five-county region. Staff will be able to evaluate the economic benefit when the Project is brought before the Board with the cost associated with the construction. According to FPP, the Project is anticipated to support a total of 100 long-term jobs related to operations.

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**FINANCIAL IMPACT:**

Costs associated with the preparation of the IS/MND amounted to approximately \$91,000 and were borne by the Harbor Department. The costs of all construction associated with the proposed Project will be borne by FPP. Approval of the lease will be brought before the Board in a separate future action.

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**CITY ATTORNEY:**

The City Attorney's Office has reviewed this Board report and the Final IS/MND for the proposed Fisherman's Pride Processors, Inc. Project and has determined that they raise no legal issues at this time.

**TRANSMITTAL:**

1. Final Initial Study/Mitigated Negative Declaration



CHRISTOPHER CANNON  
Director of Environmental Management

FIS Approval:  (initials)  
CA Approval:  (initials)



MICHAEL R. CHRISTENSEN  
Deputy Executive Director

APPROVED:



GARY LEE MOORE, P.E.  
Interim Executive Director

AUTHOR: DENNIS HAGNER  
BOARD MEETING: 2/6/2014

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