Appendix A
Notice of Intent/Notice of Preparation, Initial Study, and Scoping Comments

Appendix A1

Notice of Intent/Notice of Preparation and Initial Study

SPECIAL PUBLIC NOTICE

Notice of Intent (NOI) / Notice of Preparation (NOP) of the Draft Environmental Impact Statement/Environmental Impact Report and Public Scoping Meeting for the Berths 212–224 [YTI] Container Terminal Improvements Project

NOTICE OF INTENT/NOTICE OF PREPARATION (NOI/NOP)

This Notice of Intent/Notice of Preparation (NOI/NOP) is to inform responsible and trustee agencies, public agencies, and the public that the U.S. Army Corps of Engineers (USACE) and the City of Los Angeles Harbor Department (LAHD) will be preparing a Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the proposed Berths 212–224 YTI Container Terminal Improvements Project (proposed Project) and alternatives. The USACE and the LAHD have agreed to jointly prepare a Draft EIS/EIR in order to optimize efficiency and avoid duplication. The Draft EIS/EIR is intended to be sufficient in scope to address the federal, state, and local requirements and the environmental issues concerning the proposed activities and permit approvals.

Notice of Intent

Interested parties are hereby notified that an application has been received for a USACE permit for the jurisdictional activities described herein. The USACE is considering the LAHD's application for a permit under Section 10 of the Rivers and Harbors Act of 1899 (33 United States Code [U.S.C.] 403 et seq.) and possibly under Section 404 of the Clean Water Act of 1972 (33 U.S.C. 1344 et seq.), as amended, and Section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972 (MPRSA) (33 U.S.C. 1401 et seq.), as amended, to perform dredging and potential ocean disposal of dredged material; install, replace, and/or modify container loading apparatus (i.e., cranes); and perform other ancillary improvements within 100 feet of the waters' edge associated with improvements to an existing container terminal at two berths, Berths 214–216 and Berths 217–220, located on Terminal Island within the Port of Los Angeles (Port, POLA). Interested parties are invited to provide their views on the scope of the Draft EIS/EIR, which will become a part of the public record and will be considered in the development of the EIS/EIR. The EIS/EIR will be used as part of a USACE permit decision pursuant to the aforementioned statutes. The USACE is the federal lead agency for preparing the EIS under the National Environmental Policy Act (NEPA).

The primary federal concerns are the potentially significant project-related and cumulative impacts that may result from dredging activities, potential discharges of fill material into waters of the United States, potential transport and disposal of dredged material at an ocean disposal site, as well as installation and/or modification of over-water gantry cranes. Therefore, in accordance with NEPA, the USACE is requiring the preparation of an EIS prior to making a permit decision. The USACE may ultimately make a determination to permit or deny the proposed Project, or permit a modified version of the proposed Project or a project alternative. The USACE has prepared and published a Notice of Intent (NOI) to prepare an EIS for the proposed Project in the Federal Register dated April 5, 2013.

Notice of Preparation

Pursuant to the California Environmental Quality Act (CEQA), the LAHD will serve as the lead agency for the preparation of an EIR for its consideration of development within its jurisdiction. The LAHD has prepared, as part of this Notice of Preparation (NOP), an Environmental Checklist in support of the EIR documentation, in accordance with the current City of Los Angeles Guidelines for the Implementation of the California Environmental Quality Act of 1970, (Article I); the State CEQA Guidelines (Title 14, California Code of Regulations); and the California Public Resources Code (Section 21000, et seq.).

The CEQA Environmental Checklist is attached to this NOP for public review and comment. Public comments on the NOI/NOP should be submitted to the USACE and the LAHD by May 6, 2013.

Scoping Meeting

The USACE Los Angeles District, Regulatory Division, and the LAHD will jointly conduct a public scoping meeting for the proposed Project. The purpose of the scoping meeting is to solicit and receive public comment and assess public concerns regarding the appropriate scope and content in the preparation of the Draft EIS/EIR. Participation in the public meeting by federal, state, and local agencies and other interested organizations and persons is encouraged. This meeting will be conducted in both English and Spanish. Members of the public who wish to communicate and listen entirely in Spanish are encouraged to attend this meeting. The meeting time and location is as follows:

April 23, 2013
6:00 p.m.–8:00 p.m.
at the
Board Room
Harbor Administration Building
425 S. Palos Verdes St
San Pedro, CA 90731

See Figure 1 for a map of the meeting location. The scoping process is intended to provide the USACE and LAHD with information the public feels is necessary to establish the appropriate scope for preparing the environmental analysis in the Draft EIS/EIR. Please submit your comments, concerns, suggestions for project alternatives, and any other pertinent information that may enable us to prepare a comprehensive and meaningful EIS/EIR for the proposed Project.

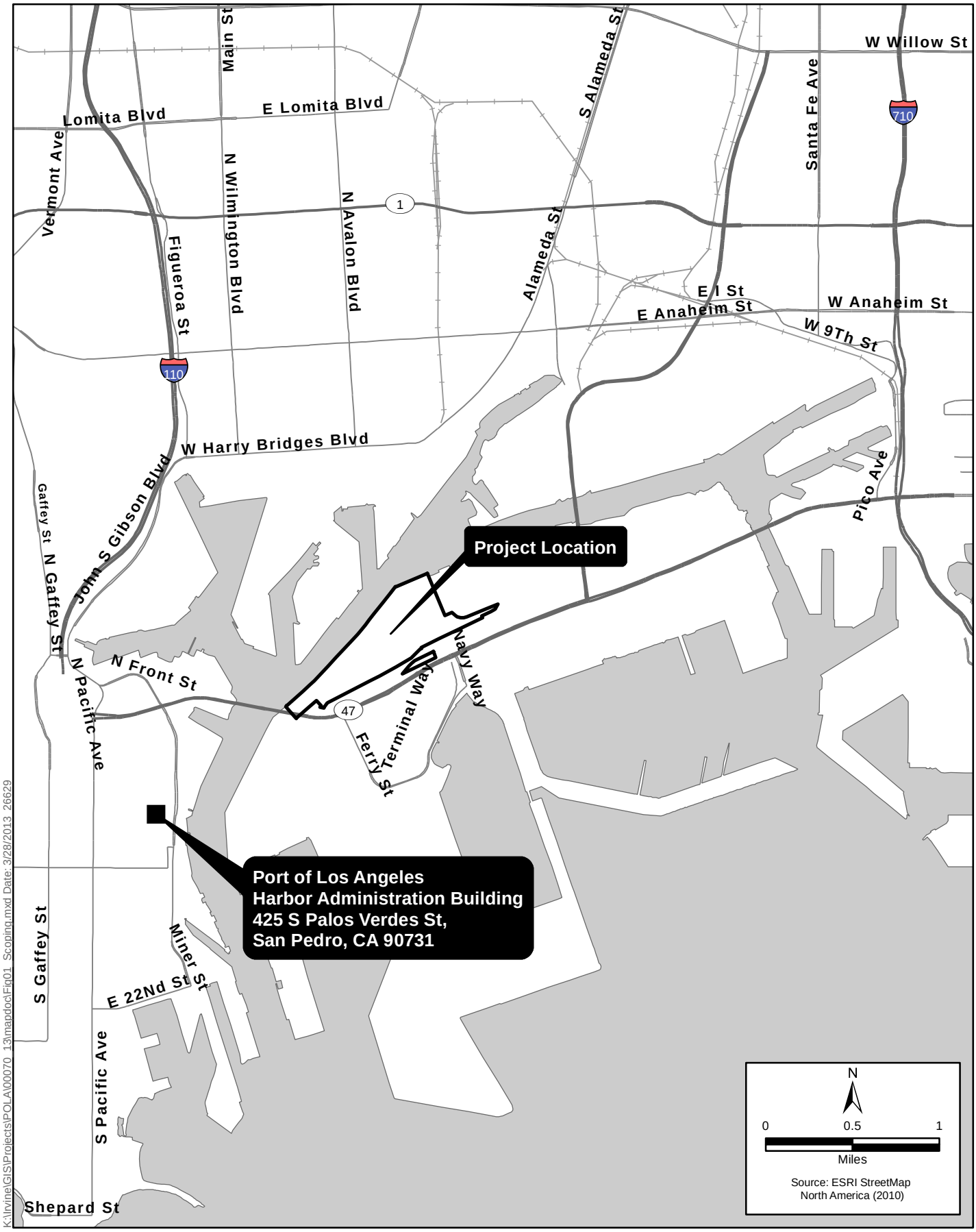

Figure 1
Scoping Meeting Location
Berths 212-224 [YTI] Container Terminal Improvements Project

Public Comment at the Scoping Meeting:

During the public scoping meeting, anyone wishing to make a statement will be allocated a certain amount of time to provide information on the proposed Project. The amount of time each person is allowed will depend on the number of people who sign up to speak at the public hearing. At this time, we estimate that individuals will be given three (3) minutes to provide their comments verbally. We would like to encourage interest groups to designate an official spokesperson to present the group's views. We will allocate a larger amount of time to official representatives of such groups upon request.

Groups wishing to designate an official representative must notify the USACE in writing prior to, but no later than, April 16, 2013. The determination of this extended speaking time will be based on the number of responses received by the USACE. This rule will be strictly enforced at the discretion of the USACE's hearing officer.

Written Comments:

Written and email comments to the USACE and LAHD will be received through **May 6, 2013.**

Written comments: Please send written comments to **both** addresses below:

U.S. Army Corps of Engineers
Los Angeles District, Regulatory Division
Ventura Field Office
c/o Theresa Stevens, Ph.D.
2151 Alessandro Drive, Suite 110
Ventura, CA 93001

Christopher Cannon, Director
Environmental Management Division
Los Angeles Harbor Department
425 S. Palos Verdes Street
San Pedro, CA 90731

Email Comments: Please send email comments to **both** email addresses below:

ceqacomments@portla.org and Theresa.Stevens@usace.army.mil

Comment letters sent via email should include the commenter's mailing address in the body of the email, and the project title "Berths 212–224 [YTI] Container Terminal Improvements Project" in the email subject line.

Parties interested in being added to USACE's electronic mail notification list for the proposed Project can register at: http://www.spl.usace.army.mil/Portals/17/docs/regulatory/mailing_registration.pdf. This list will be used in the future to notify the public about scheduled hearings and availability of future public notices for proposed Project. Project information provided by LAHD can be found at the following website: http://www.portoflosangeles.org/environment/public_notices.asp.

Contacts:

USACE Project Manager: Theresa Stevens, Ph.D. (805) 585-2146, Theresa.Stevens@usace.army.mil

LAHD Project Manager: Laura Masterson, (310) 732-3675, lmasterson@portla.org

SUPPLEMENTARY INFORMATION:

1.0 Project Overview and Background

1.1 Project Overview

The LAHD administers the Port under the California Tidelands Trust Act of 1911 and the Los Angeles City Charter. The LAHD develops and leases Port property to tenants who operate the facilities. The Port encompasses 7,500 acres and 43 miles of waterfront and provides a major gateway for international goods and services. With 23 major cargo terminals, including dry and liquid bulk, container, breakbulk, automobile, and passenger facilities, the Port handled about 158 million metric revenue tons of cargo in fiscal year 2011/2012 (July 2011–June 2012) (POLA 2012). In addition to cargo business operations, the Port is home to commercial fishing vessels, shipyards, boat repair facilities, as well as recreational, community, and educational facilities.

The EIS/EIR will evaluate the potential impact of the construction and operation of the proposed Project, as described in Section 3 below, as well as alternatives. The proposed Project would be constructed in two phases. Phase I consists of deepening Berths 217–220 and expanding the Terminal Island Container Transfer Facility (TICTF) on-dock rail by adding a single rail loading track. Phase II involves deepening Berths 214–216. No physical changes would occur at Berths 212–213 or Berths 221–224. The proposed Project includes raising up to six existing cranes and replacing up to four existing cranes, for a total of 14 operational cranes at full buildout. Backland improvements would occur during both phases. The proposed project construction would take approximately 22 months to complete, with construction expected to begin in 2015. Operations would continue until 2026, which is the duration of the current lease.

1.2 Project Background

The container terminal at the proposed project site (Berths 212–224) is operated by Yusen Terminals Inc. (YTI) (a wholly owned subsidiary of Nippon Yusen Kabushiki Kaisha [NYK Line]) under a lease agreement (Permit No. 692) between LAHD and YTI and a month-to-month space assignment lease. The lease agreement (Permit No. 692) governs approximately 181 acres of the 185-acre YTI Terminal on Terminal Island, and YTI has a lease extension option available to extend the lease through 2026. Of the approximately 181 acres subject to the lease agreement, YTI operates three berths and a container yard on approximately 157 acres and YTI's portion of the TICTF on-dock rail on approximately 24 acres. YTI leases approximately four additional acres from the LAHD on a month-to-month space assignment.

The proposed project site is located at 701 New Dock Street on Terminal Island in the Port. The site is within the Port of Los Angeles Community Plan area in the City and County of Los Angeles, California. The proposed project site is near the communities of San Pedro and Wilmington and is approximately 20 miles from downtown Los Angeles (Figure 2). The site is generally bounded on the north by confluence of the Cerritos and East Basin Channels, SA Recycling at Berths 210–211 to the east, Seaside Avenue and State Route 47

to the south, and the East Basin Channel to the west (Figure 3). Land uses in the proposed project site vicinity support a variety of cargo handling operations, including container, liquid bulk, dry bulk, commercial fishing, seafood processing, and maritime support. Berths 226–236 include the Evergreen/STS terminal to the southwest of the proposed project area; the U.S. Customs Building is located to the south of the proposed project area; the Navy Reserve Center former site is located to the southeast; the Shell Liquid Bulk Terminal at Berths 167–169 and the Pasha Breakbulk Terminal at Berths 174–181 are located across the East Basin Channel to the north; and the Vopak Liquid Bulk Terminal at Berths 187–191 is located across Cerritos Channel to the north.

2.0 Project Purpose and Need/Project Objectives

The purpose of the proposed Project is to improve marine shipping and commerce by upgrading container terminal infrastructure in, over, and under water and on terminal backlands to accommodate the projected fleet mix of larger container ships (up to 13,000 twenty-foot equivalent units [TEU[1]]) that are anticipated to call at the terminal through 2026. The proposed Project is needed because the existing berths at the terminal are not deep enough to accommodate the projected fleet mix; the crane rail at the existing Berths 217–220 is not of sufficient size or gauge to accommodate the type and size of cranes capable of efficiently loading and unloading the larger container ships expected to call at the YTI Terminal through 2026; most of the existing cranes are too small to efficiently load and unload the largest container ships; the on-dock rail yard at the terminal does not have the capacity to efficiently accommodate an increase in peak container volumes associated with larger container ships calling at the terminal; and the terminal container yard surface is in need of repair and strengthening to prevent damage to and ensure efficiency of yard equipment.

The overall project objective is to optimize the container-handling efficiency and capacity of the Port to accommodate the projected fleet mix of larger container vessels (up to 13,000 TEU) that are anticipated to call at the YTI Terminal through 2026. To meet the project objective, the following more detailed objectives need to be met:

- optimize the use of existing land at the YTI Terminal and associated waterways in a manner that is consistent with the LAHD's public trust obligations;
- provide sufficient depth to ensure the terminal's ability to accommodate the number and size of container ships anticipated to call at the terminal through 2026;
- improve the container terminal berthing facilities at the YTI Terminal to accommodate berthing and loading/unloading of the larger ships anticipated to call at the terminal through 2026;

[1] A TEU is a standard measurement used in the maritime industry for measuring containers of varying lengths. It is based on the volume of a 20-foot-long intermodal container, a standard-sized metal box that is transferred between different modes of transportation, such as ships, trains, and trucks. Because the dimensions of containers vary, TEU is used to standardize capacity and applies conversion factors to account for the varied sizes of containers being handled on vessels and at the terminals.

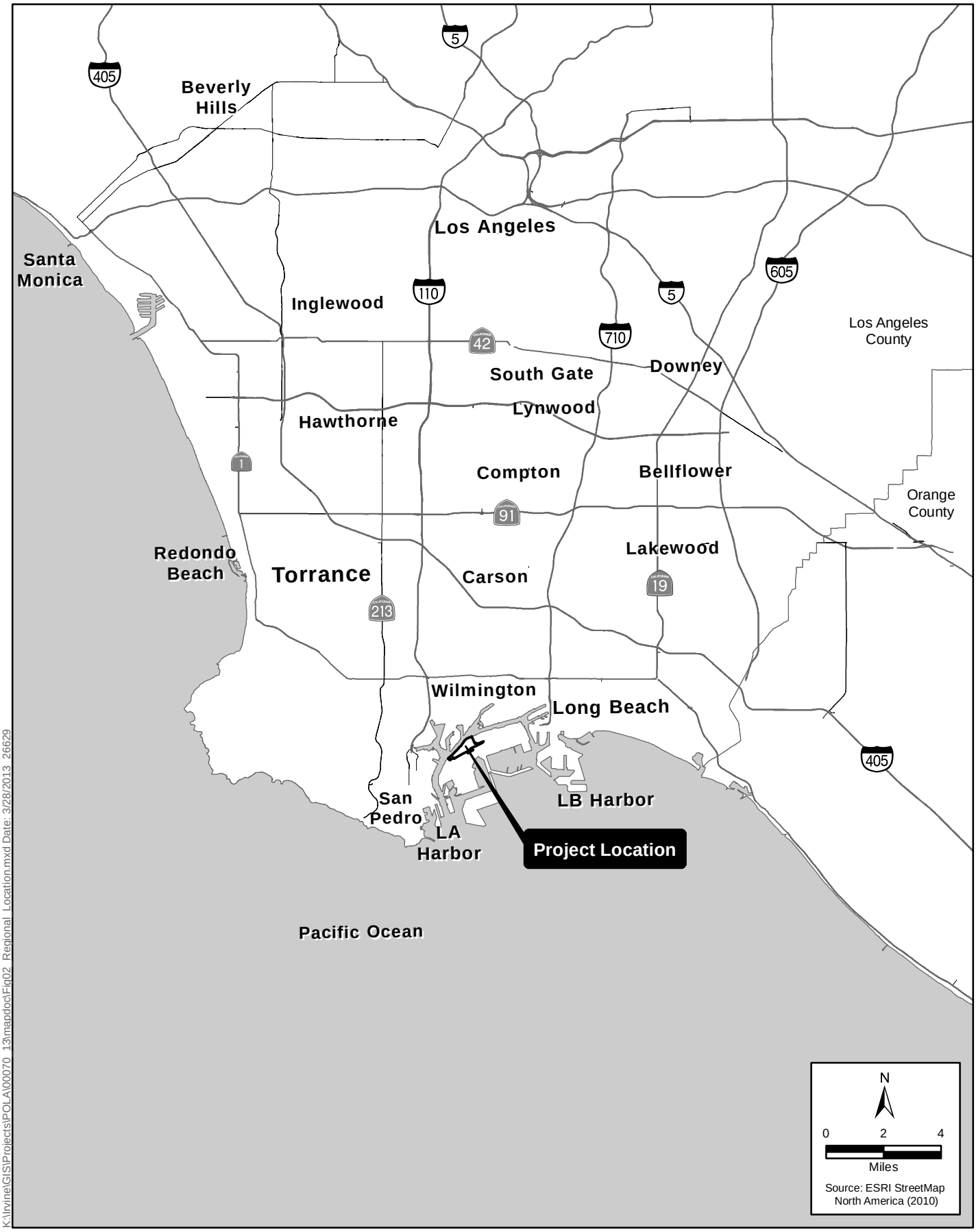

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Figure 2
Regional Location Map
Berths 212-224 [YTI] Container Terminal Improvements Project

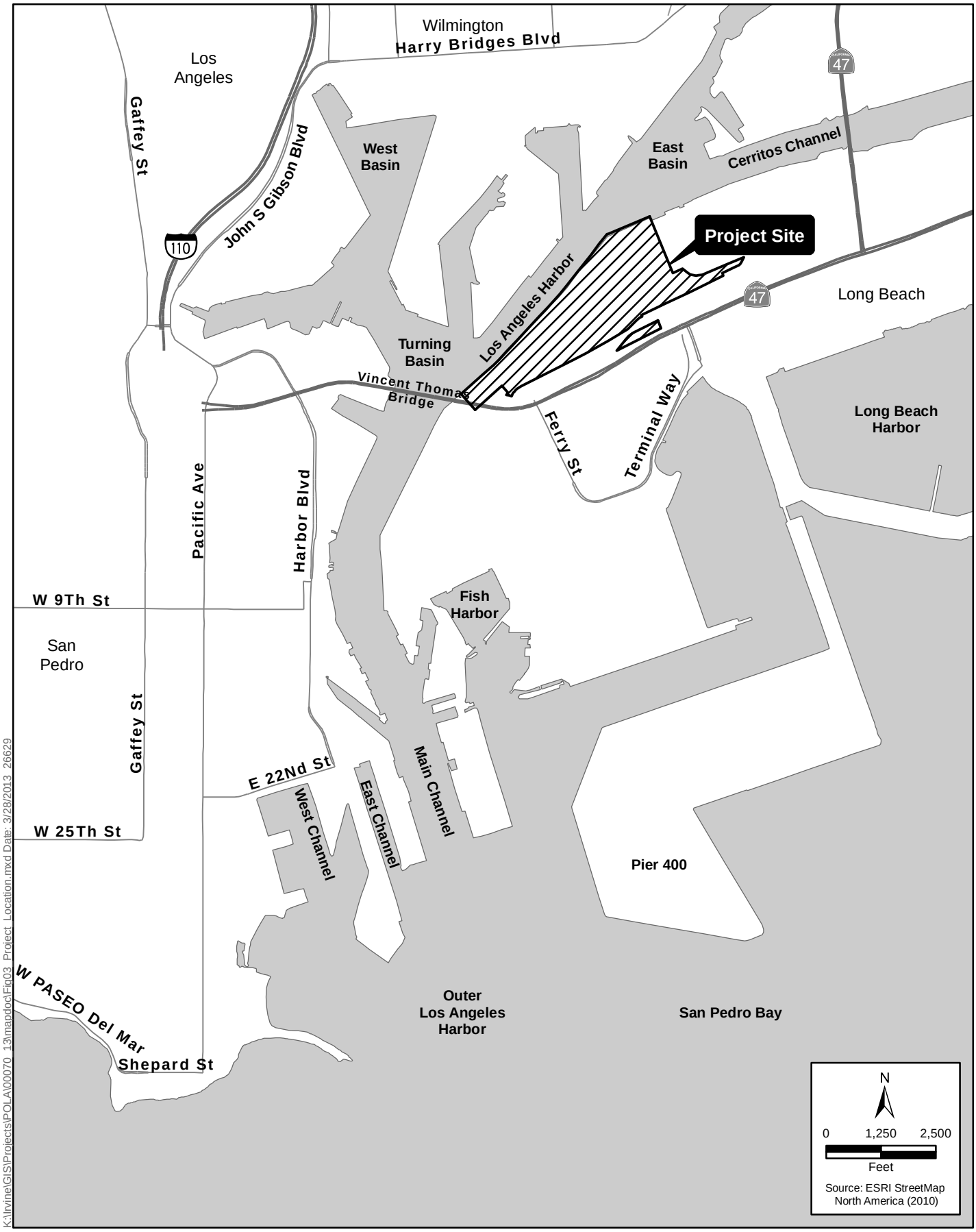

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Figure 3
Project Vicinity Map
Berths 212-224 [YTI] Container Terminal Improvements Project

- increase on-dock rail facilities to accommodate projected daily peak increases in container movement into and out of the YTI Terminal resulting from the handling of larger ships; and

- improve the container terminal backlands to minimize ongoing needs for pavement repair and maintenance.

3.0 Existing Conditions

The YTI Terminal consists of a cargo ship unloading area, a large parking/storage yard, a container and equipment wash area, a maintenance and repair area, a power shop area, a fuel dispensing area, a gear room area, various supply storage areas, a warehouse and consolidation area, a crane maintenance area, and an administration building area (Figure 4). The facility is fully paved (i.e., there are no impervious areas). Most of the yard is paved with asphalt, but some areas around buildings are paved with concrete.

There are three berths at the terminal: Berths 212–213, Berths 214–216, and Berths 217–220; however, Berths 217–220 are not currently operating. There are 14 wharf cranes located at the YTI Terminal, but only 10 are currently operating. Two of the non-operating cranes are YTI-owned 100-foot gauge[2] cranes that are sitting on temporary crane rails. These two cranes cannot operate on the temporary crane rails at Berths 217–220 and must be moved to Berths 214–216 to be operated. The other two non-operating cranes are 50-foot gauge cranes owned by the LAHD and are too small to be used on current vessels that call at the YTI Terminal as they can only be used to load or offload vessels that are 13 containers wide or smaller. The existing crane specifications at the site include the following:

Crane Number	Berth	Year	Max Outreach	Containers Wide	Operating?
1	212–213	1999	153'	17	Y
2	212–213	1999	153'	17	Y
3	212–213	2002	180'	20	Y
4	212–213	2002	180'	20	Y
5	214–216	2009	197'	22	Y
6	214–216	2009	197'	22	Y
7	214–216	2009	197'	22	Y
8	214–216	2009	197'	22	Y
9	217–218	1991	145'	16	Y
10	217–218	1991	145'	16	Y
11	217–218	1991	145'	16	N
12	217–218	1991	145'	16	N
P18	219–220	1984	110' 3"	13	N
P19	219–220	1984	110' 3"	13	N

[2] The rail gauge refers to the spacing of the rails on the wharf. Twelve of the existing cranes, including all 10 of the operating cranes, use the 100-foot-gauge rails to move up and down the wharf to load and offload container vessels. The existing cranes and any new cranes have running gear that is designed to run on 100-foot-gauge rails.

The existing landside crane rail that accommodates 100-foot gauge cranes extends along the wharf from Berth 212 through Berth 216. The existing crane rail along the wharf from Berth 217 through Berth 220 only supports 50-foot gauge cranes. The depth at all three berths is approximately 45 feet below mean lower low water (MLLW).

In 2012, the YTI Terminal moved 996,109 TEUs, which was accomplished with 168 vessel calls. The majority of vessels calling at the YTI Terminal included 6,000-TEU-capacity vessels and 2,000-TEU-capacity vessels. No vessels over 8,000-TEU capacity called on the YTI Terminal in 2012. The terminal handled two vessels in a peak day and typically operated 16 hours per day, 6 to 7 days per week, and approximately 305 days per year. YTI currently operates four rail loading tracks within the TICTF on-dock rail yard that support the YTI Terminal operations as well as the Evergreen/STS Terminal to the southwest of the proposed project area.

4.0 Description of the Proposed Project

The proposed Project involves the construction and operation of terminal improvements within the YTI Terminal; these consist of dredging and installing sheet piles and king piles, adding and replacing/extending wharf cranes, extending the 100-foot gauge crane rail, improving/repairing backlands, and expanding the TICTF on-dock rail (see Figure 5). Each of these is described in additional detail below.

4.1 Dredging and Pilings

The proposed improvements to Berths 214–216 include 1) dredging to increase the depth from -45 to -53 feet MLLW (with an additional two feet of overdredge depth, for a total depth of -55 feet MLLW), and 2) the installation of sheet piles and king piles to accommodate the dredging activities. Dredging would remove approximately 21,000 cubic yards of sediment from the berth. The king piles would be installed approximately 35 feet below the mudline, and sheet and king piles would be installed over approximately 1,400 linear feet along the berth (Figure 6).

The proposed improvements at Berths 217–220 would include dredging to increase the depth from -45 to -47 feet MLLW (with an additional two feet of overdredge depth, for a total depth of -49 feet MLLW). Dredging would remove approximately 6,000 cubic yards of sediment. Sheet piles would be installed approximately 15 feet below the mudline and would be installed over approximately 1,200 linear feet along the berth (Figure 7).

All approximately 27,000 cubic yards of dredged material will be disposed of at an approved site, such as LA-2, the Berths 243–245 confined disposal facility (CDF), or another approved location. A sampling and analysis program would be implemented to determine suitability for any offshore disposal of material at LA-2.

4.2 Wharf Cranes and Crane Rail

Currently there are 10 operating cranes (14 cranes total) at the terminal; under the proposed Project there would be up to 14 operating cranes. The proposed Project includes raising and increasing the outreach of some of the existing wharf cranes and replacing some existing

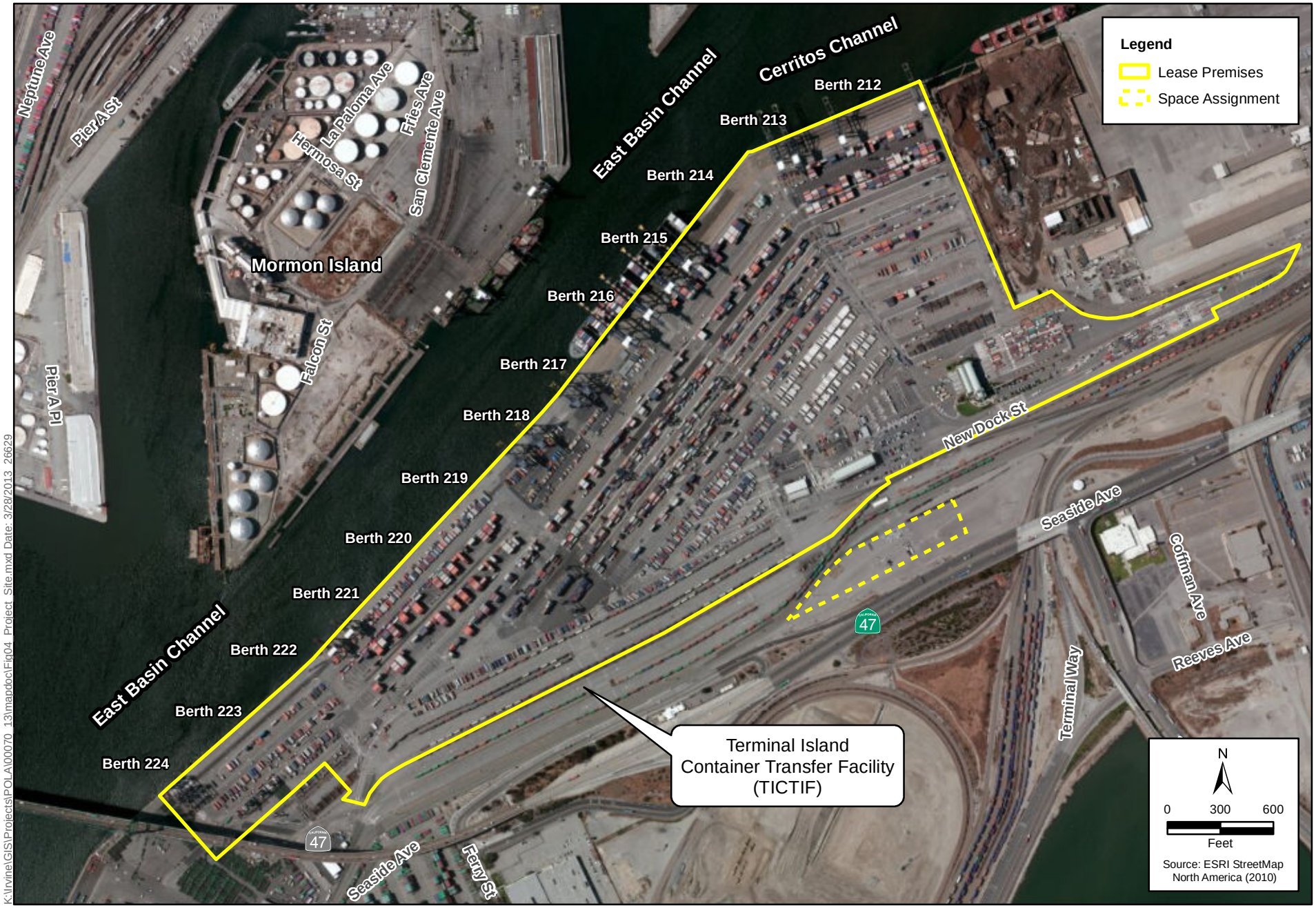

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Figure 4
Project Site Map
Berths 212-224 [YTI] Container Terminal Improvements Project

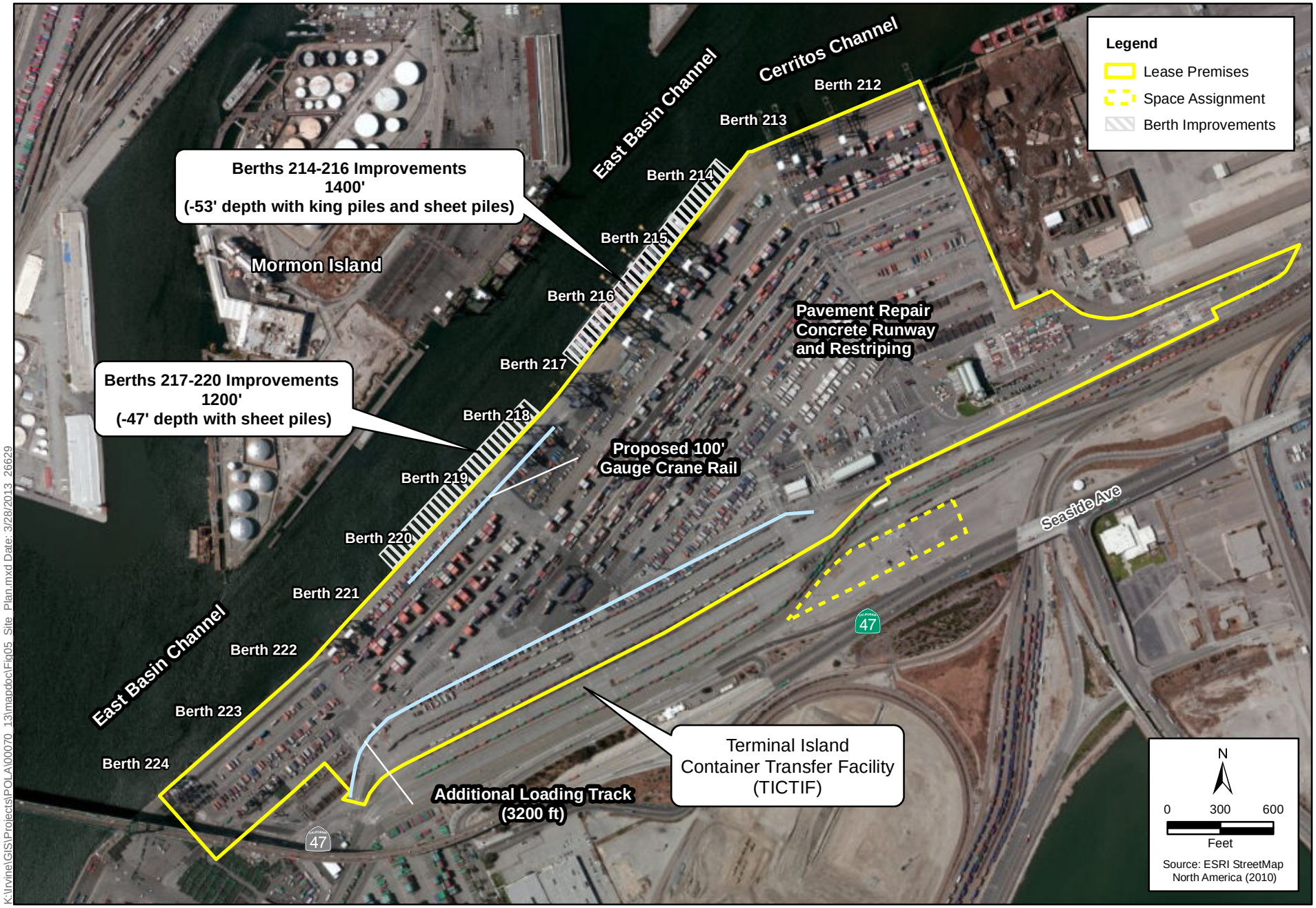

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Figure 5
Proposed Site Plan
Berths 212-224 [YTI] Container Terminal Improvements Project

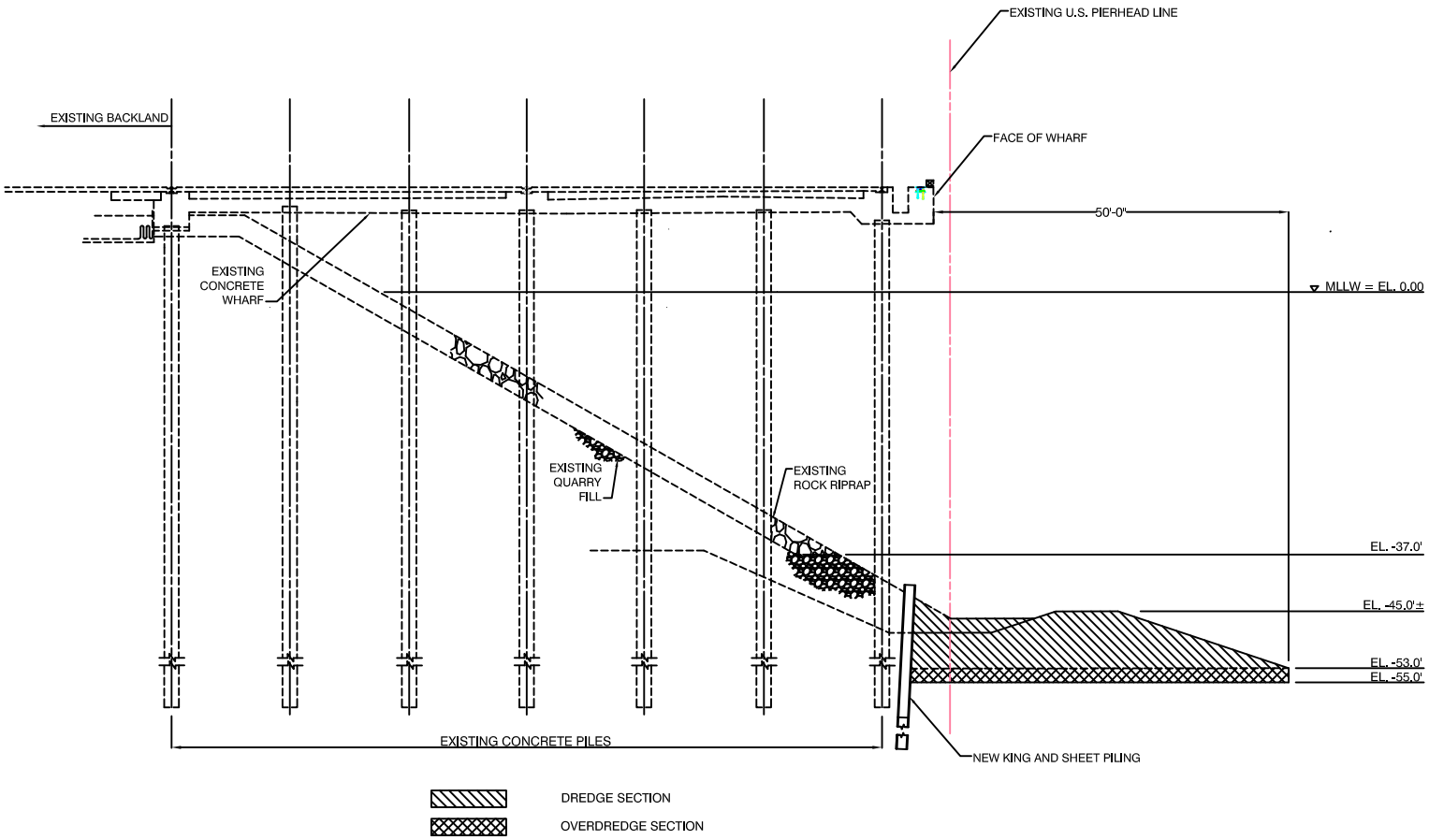

Figure 6
Berths 214-216 Dredging and King/Sheet Piling
Berths 212-224 (YTI) Container Terminal Improvements Project

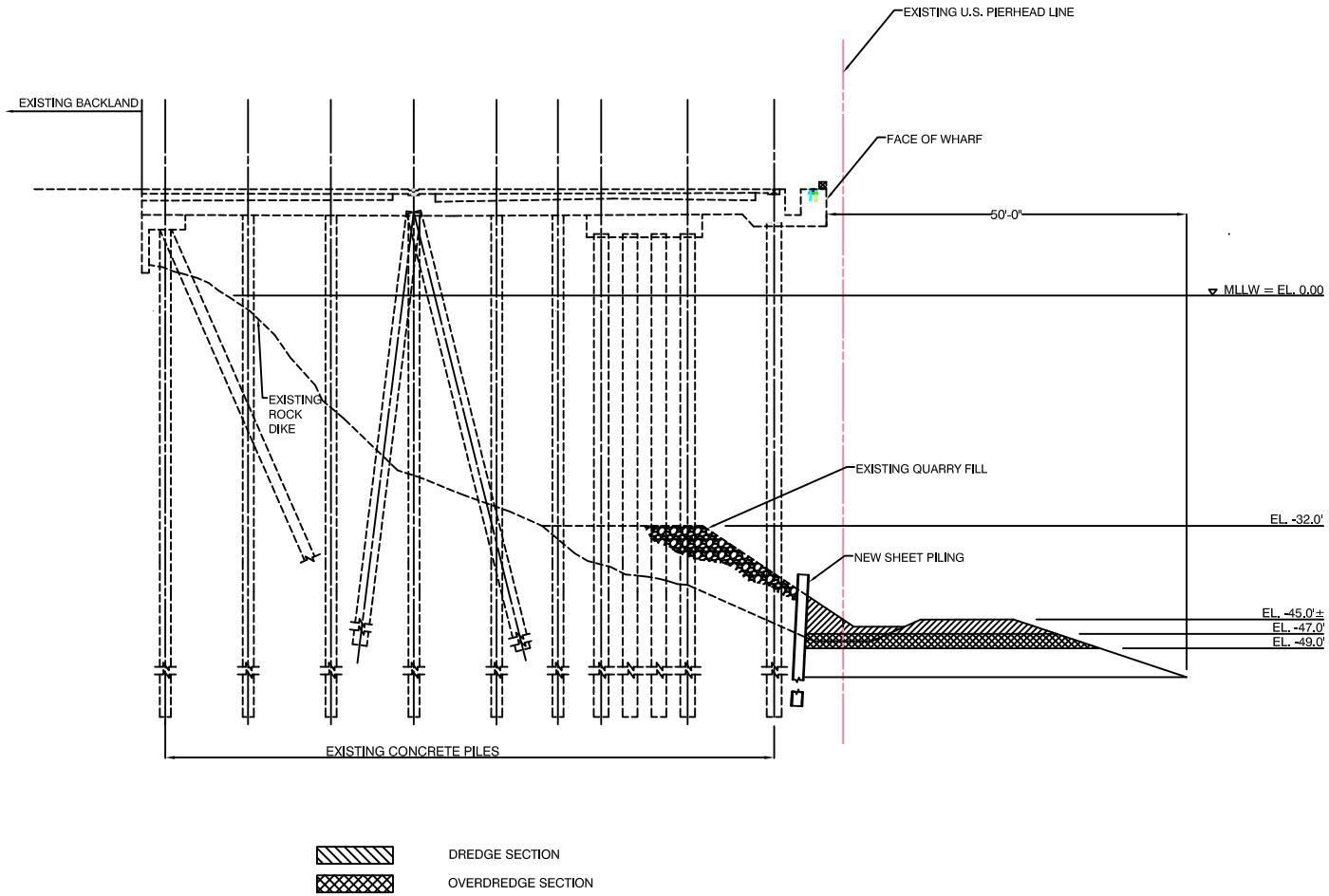

Figure 7
Berths 217-220 Dredging and Sheet Piling
Berths 212-224 (YTI) Container Terminal Improvements Project

cranes with super post Panamax cranes.[3] The four existing largest super post Panamax cranes (cranes 5–8) would remain and would not be modified. Up to six existing cranes (1–4 and 9–10) would be raised, and the booms would be extended to match the size of the four largest cranes (197 feet) to accommodate loading and unloading of 22-container-wide cargo vessels. A maximum of four existing non-operating cranes (cranes 11–12 and P18–P19) would be replaced with super post Panamax cranes that match the four existing largest cranes.

The existing 100-foot gauge landside crane rail at Berths 212–216 would be extended by approximately 1,500 feet to accommodate existing and new 100-foot gauge cranes at Berths 217–220.

4.3 Backland Improvements

Backland improvements would occur on approximately 160 acres of the 185-acre terminal and would consist of ground repairs and maintenance activities involving slurry sealing, deep cold planning,[4] asphalt concrete overlay, construction of approximately 5,600 linear feet of concrete runways, restriping, and possible removal/relocation/modification of underground conduits and pipes, as needed.

4.4 TICTF Improvements

Expansion of the TICTF on-dock rail would include the addition of a single 3,200-linear-foot rail loading track, including two turnouts, and reconstruction of a portion of the backlands to accommodate the rail expansion. These improvements would involve grading, paving, lighting, drainage, utility relocation/modifications, striping, relocation of an existing fence, and third party utility modifications, relocations, or removals, as needed.

4.5 Phasing and Construction Schedule

The proposed Project would be constructed in two phases. Phase I consists of dredging of Berths 217–220, installation of sheet piles to accommodate the dredging, construction of the 100-foot gauge crane rail, and expansion of the TICTF on-dock rail. Phase II involves dredging of Berths 214–216 and the installation of sheet piles and king piles to accommodate the dredging. Backlands improvements would occur during both phases.

Construction of the proposed Project is anticipated to begin in early 2015 and last for approximately 22 months. Operation of the proposed Project would correspond to the current permit, which would be extended to 2026 if the lease extension option is exercised.

4.6 Proposed Operations

Implementation of the proposed Project would result in a maximum terminal capacity of approximately 1,913,000 TEU in the horizon year (2026) that would be backland-

[3] Super post Panamax refers to the largest modern container cranes that are used for vessels of about 22 or more containers wide (too large/wide to pass through the Panama Canal), and can weigh 1600–2000 metric tons.
[4] Cold planning refers to the removal of the surface of the existing pavement to the desired depth, with specially designed equipment to restore the pavement surface to a specified grade.

constrained.[5] Without the proposed Project, the terminal capacity in 2026 would reach its current maximum physical capacity of approximately 1,692,000 TEU and would be berth-constrained.[6] Therefore, the proposed Project would increase the capacity of the terminal in the horizon year by approximately 221,000 TEU.

4.7 Regulatory Permit Requirements

The dredging, installation of sheet and king piles, and addition of new cranes/alteration of existing cranes would require approval under Section 10 of the Rivers and Harbors Act. There is the potential for disposal of dredge material at an established ocean disposal site, which would require USACE authorization under Section 103 of the MPRSA. A sampling and analysis program would be implemented to approve any offshore disposal of material. The proposed Project may also require a Section 404 permit under the Clean Water Act for dredge and fill activities.

5.0 Project Baselines

To determine whether the proposed action would have significant and unavoidable impacts on the environment, impacts resulting from implementation of the proposed Project and project alternatives are compared to a baseline condition. The difference between the proposed Project or project alternative and the baseline is then compared to a threshold to determine if the difference between the two is significant. For the purposes of this EIS/EIR, the City of Los Angeles CEQA Thresholds will be used for determining significance under both NEPA and CEQA. NEPA and CEQA use different baseline conditions from which significance is determined. Because the baselines are different, review under NEPA and CEQA could reach different conclusions concerning the significance of project impacts.

5.1 NEPA Baseline

The evaluation of significance under NEPA (in an EIS) is defined by comparing the proposed Project or project alternative to the NEPA baseline scenario in future years under the proposed Project or project alternative. The NEPA baseline is the set of actions that would and could occur in the absence of federal action, such as a USACE permit. The NEPA baseline, or No Federal Action Alternative, would not include any dredging, wharf construction, crane modification, or new cranes in, over, or under navigable waters of the United States. However, under the NEPA baseline scenario, the backlands improvements would occur in the absence of the USACE permit, the existing lease would remain in place, and existing operations—including projected growth in goods movement using existing and improved backland infrastructure—would continue up to its current maximum physical capacity.

5.2 CEQA Baseline

The CEQA baseline is the set of conditions that exist at the time this NOP is circulated. The CEQA baseline normally represents conditions existing prior to the start of environmental

[5] Capacity is limited by the backland area to store and move containers on and off the terminal.
[6] Capacity is limited by the number of berths and number of vessels that could call upon the terminal to move containers.

review for approval of the proposed Project. For purposes of the EIS/EIR, the CEQA baseline will include the container throughput for the calendar year preceding the NOP date (i.e., calendar year 2012). For the 12-month period between January 1 and December 31, 2012, the YTI Terminal encompassed approximately 181 acres under its long-term lease plus an additional four acres on month-to-month space assignment, supported 14 cranes (10 operating), and handled approximately 996,109 TEUs.

6.0 Project Alternatives

The Draft EIS/EIR will include analysis of alternatives to the proposed Project. Alternatives being considered include the following:

1. Reduced Project Alternatives:

    a. Reduced Wharf Improvements and Deepening: Under this alternative, dredging would occur at only one of the two berths proposed for deepening under the proposed Project. Depending on which berth is dredged, the 100-foot gauge crane rail extension may be included. Backlands improvements and TICTF expansion would occur similar to the proposed Project.

    b. Reduced Cranes: Under this alternative, two existing non-operating cranes would be removed and would not be replaced, resulting in a total of 12 operating cranes as opposed to the proposed Project's 14. The raising and extending of the reach of the other cranes on the YTI Terminal, the wharf improvements and dredging, the backlands improvements, extension of 100-foot gauge crane rail, and TICTF expansion would occur similar to the proposed Project.

2. No Project Alternative: The No Project Alternative required by CEQA represents what would reasonably be expected to occur in the foreseeable future if the proposed Project were not approved. Under the No Project Alternative, there would be no construction or upgrades at the terminal. However, the existing lease would remain in place and existing operations would continue at the YTI Terminal.

3. No Federal Action Alternative: The No Federal Action Alternative required by NEPA includes all of the construction and operational activities which would and could occur without a USACE permit, including current and projected increases in goods movement. Without berth deepening, there would be no need for the proposed TICTF expansion or the crane rail extension. Only backlands improvements related to ground repairs and maintenance activities, slurry sealing, deep cold planing, asphalt concrete overlay, construction, restriping, and removal, relocation, or modification of underground conduits and pipes would occur in the absence of a USACE permit. Furthermore, the existing lease would remain in place and current operations would continue at the terminal up to its current maximum physical capacity. This alternative would have limited construction impacts and would be the same as the NEPA baseline.

Additional alternatives may be added in the Draft EIS/EIR based on public comment and additional environmental analysis.

7.0 Environmental Issues

Issues identified as potentially significant or requiring further analysis under CEQA are described in the attached CEQA Environmental Checklist Form. Additional issues may be identified during the scoping process.

Environmental Checklist Form

1. Project Title:	Berths 212–224 [YTI] Container Terminal Improvements Project	
2. Lead Agency Name and Address:	**NEPA Lead Agency:** U.S. Army Corps of Engineers Los Angeles District, Regulatory Division Ventura Field Office 2151 Alessandro Drive, Suite 110 Ventura, CA 93001	**CEQA Lead Agency:** Los Angeles Harbor Department Environmental Management Division 425 S. Palos Verdes Street San Pedro, CA 90731
3. Contact Person and Phone Number:	**NEPA Lead Agency:** Theresa Stevens, Ph.D. (805) 585-2146	**CEQA Lead Agency:** Laura Masterson (310) 732-3675
4. Project Location:	Yusen Terminals Incorporated Terminal Island Berths 212–224 701 New Dock Street Terminal Island, CA 90731	
5. Project Sponsor's Name and Address:	Los Angeles Harbor Department Engineering Division 425 S. Palos Verdes Street San Pedro, CA 90731	
6. Port Master Plan Designation:	General/Bulk Cargo (Non Hazardous Industrial and Commercial)	
7. Zoning:	[Q]M3-1	
8. Description of Project:	The proposed Project includes performing deepening and improvements at Berths 214–216 and Berths 217–220, extending a 100-gauge crane rail to Berths 217–220, expanding the Terminal Island Container Transfer Facility (TICTF) by adding a single track, raising up to six existing cranes and replacing up to four existing cranes, and improving backlands, which involves replacing and reconstructing asphalt and concrete. Additional details are included in Section 3.0.	

Environmental Factors Potentially Affected:

The environmental factors checked below would potentially be affected by this proposed Project (i.e., the proposed Project would involve at least one impact that is a "potentially significant impact"), as indicated by the checklist on the following pages.

X	Aesthetics		Agriculture and Forest Resources	X	Air Quality
X	Biological Resources	X	Cultural Resources	X	Geology/Soils
X	Greenhouse Gas Emissions	X	Hazards and Hazardous Materials	X	Hydrology/Water Quality
	Land Use/Planning		Mineral Resources	X	Noise
	Population/Housing		Public Services		Recreation
X	Transportation/Traffic		Utilities/Service Systems	X	Mandatory Findings of Significance

Determination:

On the basis of this initial evaluation:

	I find that the proposed Project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
	I find that although the proposed Project could have a significant effect on the environment, there will not be a significant effect in this case because revisions to the proposed Project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
X	I find that the proposed Project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
	I find that the proposed Project MAY have an impact on the environment that is "potentially significant" or "potentially significant unless mitigated" but at least one effect (1) has been adequately analyzed in an earlier document pursuant to applicable legal standards and (2) has been addressed by mitigation measures based on the earlier analysis, as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
	I find that although the proposed Project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier ENVIRONMENTAL IMPACT REPORT or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed Project, nothing further is required.
Christopher Cannon, Director of Environmental Management Division	Date 04-03-13

Evaluation of Environmental Impacts:

1. A brief explanation is required for all answers except “no impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “no impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “no impact” answer should be explained if it is based on project-specific factors as well as general standards (e.g., the project would not expose sensitive receptors to pollutants, based on a project-specific screening analysis).

2. All answers must take account of the whole action involved, including off site as well as on site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.

3. Once the lead agency has determined that a particular physical impact may occur, the checklist answers must indicate whether the impact is potentially significant, less than significant with mitigation, or less than significant. “Potentially significant impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “potentially significant impact” entries when the determination is made, an EIR is required.

4. “Negative declaration: less than significant with mitigation incorporated” applies when the incorporation of mitigation measures has reduced an effect from a “potentially significant impact” to a “less than significant impact.” The lead agency must describe the mitigation measures and briefly explain how they reduce the effect to a less than significant level.

5. Earlier analyses may be used if, pursuant to tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration (Section 15063[c][3][D]). In this case, a brief discussion should identify the following:

   (a) Earlier analysis used. Identify and state where earlier analyses are available for review.

   (b) Impacts adequately addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards and state whether such effects were addressed by mitigation measures based on the earlier analysis.

   (c) Mitigation measures. For effects that are “less than significant with mitigation incorporated,” describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.

6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, when appropriate, include a reference to the page or pages where the statement is substantiated.

7. Supporting information sources. A source list should be attached and other sources used or individuals contacted should be cited in the discussion.

8. This is only a suggested form, and lead agencies are free to use different formats; however, lead agencies should normally address the questions from this checklist that are relevant to a project's environmental effects in whatever format is selected.

9. The explanation of each issue should identify:

   (a) the significance criteria or threshold, if any, used to evaluate each question, and

   (b) the mitigation measure identified, if any, to reduce the impact to a less than significant level.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
I.	**AESTHETICS.** Would the project:				
a.	Have a substantial adverse effect on a scenic vista?	X			
b.	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings along a scenic highway?			X	
c.	Substantially degrade the existing visual character or quality of the site and its surroundings?	X			
d.	Create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	X			

Discussion:

a. Would the project have a substantial adverse effect on a scenic vista?

Potentially Significant Impact. Installation and operation of additional or larger cranes may result in adverse impacts on scenic vistas from public and private vantage points. Therefore, potentially significant impacts may occur and this issue will be discussed further in the EIS/EIR.

b. Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Less Than Significant Impact. The nearest officially designated state scenic highway is approximately 33 miles north of the proposed Project (State Highway 2, from approximately three miles north of Interstate 210 in La Cañada to the San Bernardino County Line). The nearest eligible state scenic highway is approximately nine miles northeast of the proposed Project (State Highway 1, from State Highway 19 near Long Beach to Interstate 5 south of San Juan Capistrano) (California Department of Transportation 2013). The proposed project site is not visible from either of these locations. In addition to the California Department of Transportation's officially designated and eligible state scenic highways, the City of Los Angeles has city-designated scenic highways that are considered for local planning and development decisions. These include several streets in San Pedro that are in the vicinity of the proposed Project. John S. Gibson Boulevard, Pacific Avenue, Front Street, and Harbor Boulevard are city-designated scenic highways because they afford views of the Port and the Vincent Thomas Bridge. Significant impacts to a scenic highway are not anticipated due to a lack of proximity of the proposed project site to the local scenic

highways. Although a less than significant impact is anticipated, this issue will be discussed further in the EIS/EIR.

c. Would the project substantially degrade the existing visual character or quality of the site and its surroundings?

Potentially Significant Impact. There are 14 cranes at the YTI Terminal, four of which are super post Panamax cranes. Project implementation would replace four existing cranes (two YTI and two POLA cranes), and would raise and extend the boom on six existing cranes along the terminal's wharves, resulting in a total of 14 super post Panamax cranes at full buildout. While Terminal Island is composed largely of industrial uses consistent with the proposed project improvements, impacts to the visual character or quality may be considered significant by certain viewers. This issue will be discussed further in the EIS/EIR.

d. Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Potentially Significant Impact. The amount of onsite lighting would be increased above existing levels as a result of the lighting required for the additional operating cranes. This issue will be discussed further in the EIS/EIR.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
II.	**AGRICULTURE AND FOREST RESOURCES.** In determining whether impacts on agricultural resources are significant environmental effects, lead agencies may refer to the California Agricultural Land Evaluation and Site Assessment Model (1997) prepared by the California Department of Conservation. In determining whether impacts to forest resources, including timberland, are significant environmental effects, lead agencies may refer to information compiled by the California Department of Forestry and Fire Protection regarding the state's inventory of forest land, including the Forest Range Assessment Project and the Forest Legacy Assessment Project; and the forest carbon measurement methodology provided in the Forest Protocols adopted by the California Air Resources Board. Would the project:				
a.	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?				X
b.	Conflict with existing zoning for agricultural use or conflict with a Williamson Act contract?				X
c.	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in PRC Section 12220(g)) or timberland (as defined in PRC Section 4526)?				X
d.	Result in the loss of forest land or conversion of forest land to non-forest use?				X

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
e.	Involve other changes in the existing environment that, due to their location or nature, could result in conversion of Farmland to non-agricultural use or conversion of forest land to non-forest use?				X

Discussion:

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

No Impact. The California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP) develops maps and statistical data to be used for analyzing impacts on California's agricultural resources. The FMMP categorizes agricultural land according to soil quality and irrigation status; the best quality land is identified as Prime Farmland. According to the FMMP, the proposed project site is an area designated as Urban and Built-Up Land, which is described as land occupied by structures that has a variety of uses, including industrial, commercial, or railroad or other transportation yards. There is no Prime or Unique Farmland, or Farmland of Statewide or Local Importance in the proposed project vicinity. (California Department of Conservation 2010.) No Farmland currently exists on the proposed project site; therefore, none would be converted to accommodate the proposed Project. Therefore, this issue will not be discussed in the EIS/EIR.

b. Would the project conflict with existing zoning for agricultural use or a Williamson Act contract?

No Impact. The proposed project site is zoned for heavy industrial use, and there are no agricultural zoning designations or agricultural uses within the proposed project limits or adjacent areas. The Williamson Act applies to parcels consisting of at least 20 acres of Prime Farmland or at least 40 acres of land not designated as Prime Farmland. The proposed project site is not located within a Prime Farmland designation, nor does it consist of more than 40 acres of farmland. No Williamson Act contracts apply to the proposed project site. Therefore, this issue will not be discussed in the EIS/EIR.

c. Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in PRC Section 12220(g)) or timberland (as defined in PRC Section 4526)?

No Impact. The proposed project site is zoned for industrial uses ([Q]M3-1). As such, the proposed Project would not conflict with existing zoning for, or cause rezoning of, forest land or timberland. Therefore, this issue will not be discussed in the EIS/EIR.

d. Would the project result in the loss of forest land or conversion of forest land to non-forest use?

No Impact. The proposed improvements would occur on the existing container terminal or over navigable waters and would not result in the loss of forest land or conversion of forest land to non-forest use. Therefore, this issue will not be discussed in the EIS/EIR.

e. Would the project involve other changes in the existing environment that, due to their location or nature, could individually or cumulatively result in loss of Farmland to non-agricultural use or conversion of forest land to non-forest use?

No Impact. As discussed above, no farmland or forest land is located within the surrounding area or at the proposed project site. The proposed Project would not involve the disruption or damage of the existing environment that would result in the loss of Farmland to non-agricultural use or conversion of forest land to non-forest use. Therefore, this issue will not be discussed in the EIS/EIR.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
III.	**AIR QUALITY.** When available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:				
a.	Conflict with or obstruct implementation of the applicable air quality plan?			X	
b.	Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	X			
c.	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is a non-attainment area for an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	X			
d.	Expose sensitive receptors to substantial pollutant concentrations?	X			
e.	Create objectionable odors affecting a substantial number of people?	X			

Discussion:

a. Would the project conflict with or obstruct implementation of the applicable air quality plans?

Less Than Significant Impact. The Port is located within the South Coast Air Basin (SCAB), which consists of the urbanized areas of Los Angeles, Riverside, San Bernardino, and Orange Counties. Due to the combined air pollution sources from over 15 million people and meteorological and geographical effects that limit the dispersion of these pollutants, the SCAB can experience high air pollutant concentrations. As a result, the region currently does not attain the national and California ambient air quality standards for ozone (O3), particulate matter less than 10 microns in diameter (PM10), particulate matter less than 2.5 microns in diameter (PM2.5), and lead (national standard only).

The South Coast Air Quality Management District (SCAQMD) and Southern California Association of Governments (SCAG), in cooperation with the California Air Resource Board (CARB) and U.S. Environmental Protection Agency (EPA), have developed air quality plans that are designed to bring the SCAB into attainment of the national and

state ambient air quality standards. Periodically, the SCAQMD prepares an overall air quality management plan (AQMP) update to meet the federal requirements and/or to incorporate the latest technical planning information. Each iteration of the plan is an update of the previous plan. The Final 2012 AQMP was adopted by the AQMD Governing Board on December 7, 2012 (SCAQMD 2012).

Through this attainment planning process, the SCAQMD develops the SCAQMD Rules and Regulations to regulate stationary sources of air pollution in the SCAB. The National Ambient Air Quality Standards as defined in the Clean Air Act of 1970 identify six common air pollutants and set standards for their maximum allowable concentration in the atmosphere. If the standards are exceeded in any given area, then the pollutants are in “nonattainment” and the area in which the standards are exceeded is called a “nonattainment” area.

Construction and operational activities associated with the proposed Project would produce emissions of nonattainment pollutants in the form of (1) combustive emissions due to the use of fossil fuels in vessels and land-based vehicles and (2) fugitive dust emissions (PM10 and PM2.5) due to the operation of vehicles on roads and exposed soils. The 2012 AQMP proposes emission reduction measures that are designed to bring the SCAB into attainment of the national and state ambient air quality standards. These attainment strategies include emission control measures and clean fuel programs that are enforced at the federal and state level on engine manufacturers and petroleum refiners and retailers. The SCAQMD also adopts control measures proposed by the 2012 AQMP into the SCAQMD rules and regulations, which are then used to regulate sources of air pollution in the SCAB. Activities associated with the proposed Project would comply with these regulatory requirements, such as SCAQMD Rule 403 (Fugitive Dust).

The LAHD, in conjunction with the Port of Long Beach (POLB), implements the 2010 Update – San Pedro Bay Ports Clean Air Action Plan (CAAP). This planning policy sets goals and implementation strategies that reduce air emissions and health risks from Port operations. The CAAP implements emission control measures for ocean-going vessels (OGVs), harbor craft, trains, trucks, and terminal equipment. In some cases, these measures have produced emission reductions from these sources that are greater than those forecasted in the 2012 AQMP. Operational activities associated with the proposed Project would comply with the source-specific performance standards found in the CAAP and therefore would be consistent with emission reduction goals in the 2012 AQMP.

In addition, the AQMD Government Board adopted a Clean Air Plan Amendment to include control measure IND-01 in the Final 2012 AQMP at the February 1, 2013 Governing Board meeting. Control Measure IND-01 would ensure that the Ports of Los Angeles and Long Beach meet their voluntary commitments to reducing air pollution from ships, trucks, trains, and other equipment. This represents a backstop measure for indirect sources of emissions from ports and port-related facilities, and would take effect only if the Ports of Los Angeles and Long Beach fail to meet emission reduction targets needed to achieve federal health standards for fine particulates (PM2.5) by 2015. Under control measure IND-01, any additional port emission reductions must be technically feasible, cost-effective, and within the legal authority of the ports. Such measures potentially could include clean technology funding programs and lease agreements designed by the ports.

The LAHD provided cargo forecasts that were used by SCAG to simulate future growth and emission scenarios in the 2012 AQMP. These cargo forecasts encompass the operational activities associated with the YTI Terminal. As a result, activities associated with the proposed Project would not exceed the future emission growth projections in the 2012 AQMP.

The SCAQMD staff is initiating an early development process for the 2015 AQMP, which will be a comprehensive and integrated Plan primarily focused on addressing the ozone standards. The 2015 AQMP will incorporate the latest scientific and technical information and planning assumptions, including the latest applicable growth assumptions, Regional Transportation Plan/Sustainable Communities Strategy, and updated emission inventory methodologies for various source categories.

In conclusion, construction and operational activities associated with the proposed Project would not conflict with or obstruct implementation of the applicable air quality plan. This impact is considered less than significant but will nevertheless be addressed in the EIS/EIR.

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

Potentially Significant Impact. Proposed project construction, including dredging, backland, wharf, and infrastructure improvements, would likely result in fugitive dust and equipment emissions. Proposed project operations may result in increased emissions of air pollutants from terminal operations (compared to existing conditions), including emissions from terminal equipment, truck and train trips, and vessels. These issues will be further evaluated in the EIS/EIR.

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

Potentially Significant Impact. Due to the elevated concentrations of air pollutants that currently occur in the SCAB and Port region, the proposed Project, in conjunction with other related projects, has the potential to make a substantial contribution to significant cumulative air quality impacts. This issue will be further evaluated in the EIS/EIR.

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

Potentially Significant Impact. Sensitive receptors represent members of the population that are more susceptible to health impacts from air emissions. Sensitive receptor groups include children, the elderly, and the acutely and chronically ill. The locations of these groups include residences, schools, daycare centers, convalescent homes, hospitals, and residences. Within the project area, sensitive receptors are represented by liveaboard tenants that reside on their boats in nearby marinas. The nearest liveaboards to the proposed Project are located in the East Basin Marinas approximately 0.25 mile from the proposed project site, including Cerritos Yacht Anchorage (Berth 205), Lighthouse Yacht Landing (Berth 205), Yacht Centre-Newmarks (Berth 204), Yacht Haven Marina (Berth 202), Island Yacht Anchorage #1 (Berth 205), Island Yacht Anchorage #2 (Berth 200X), Leeward Bay Marina (Berth 201), Holiday

Harbor-Wilmington (Berth 201), Pacific Yacht Landing (Berth 203), and California Yacht Marina (Berth 202). Construction activities may expose nearby sensitive receptors to air pollution in the form of dust and equipment emissions. Compliance with SCAQMD rules and regulations would be required during these construction phases. Operational activities may expose nearby sensitive receptors to increased levels of air pollution. In addition, there is the potential for the proposed Project to result in increased toxic air pollutants associated with diesel emissions. These issues will be further evaluated in the EIS/EIR.

e. Would the project create objectionable odors affecting a substantial number of people?

Potentially Significant Impact. Short-term odors from the use of diesel powered heavy equipment, paving and use of asphalt, and temporary storage/stockpiling of dredged sediments for berth deepening may occur during construction. Odors from operation of the proposed Project would be similar to the odors produced from existing terminal operations and related activity. Impacts are potentially significant, and this issue will be further evaluated in the EIS/EIR.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IV.	**BIOLOGICAL RESOURCES.** Would the project:				
a.	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	X			
b.	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	X			
c.	Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marshes, vernal pools, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means?				X
d.	Interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	X			
e.	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				X
f.	Conflict with the provisions of an adopted habitat conservation plan, natural community conservation plan, or other approved local, regional, or state habitat conservation plan?				X

Discussion:

a. Would the project have a substantial adverse impact, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?

Potentially Significant Impact. Federal and state endangered species are found in the harbor area. The California least tern (*Sterna antillarum browni*), which is on the federal and state endangered species list, nests and forages within the Port. A 15-acre California least tern nesting area is located on Pier 400, about 1.5 miles south of the proposed project site. In addition, Belding's savannah sparrows (*Passerculus rostratus/sandwichensis beldingi*) are found in the Port area and are on the state endangered species list. The delisted California brown pelican (*Pelecanus occidentalis californicus*) uses the outer breakwaters as resting habitat, and the delisted peregrine falcon (*Falco peregrinus*) nests on certain bridges within the harbor complex. Other non-listed special-status species with the potential to occur include black-crowned night heron (*Nycticorax Nycticorax)*, great blue heron (*Ardea herodias)*, black oystercatcher (*Haematopus bachmani)*, black skimmer (*Rynchops niger)*, Caspian tern (*Hydroprogne caspia)*, elegant tern (*Thalasseus elegans)*, double-crested cormorant (*Phalacrocorax auritus)*, and burrowing owl (*Athene cunicularia)* (POLA 2012). Several of these species are known to nest within the harbor complex. Impacts are potentially significant, and this issue will be further evaluated in the EIS/EIR.

b. Would the project have a substantial adverse impact on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or the U.S. Fish and Wildlife Service?

Potentially Significant Impact. Dredging activities would impact marine biota through resuspension of dredged materials and removal of benthic communities. Installation of new king piles and sheet pile walls would create underwater noise and may result in injury or mortality of fish. The king piles and sheet pile walls would add hard substrate in the water column and provide new attachment surfaces for benthic invertebrates. In addition, the proposed Project could introduce invasive species or affect local biological communities through ballast water discharges, which may be potentially significant. Additionally, impacts to Essential Fish Habitat (EFH) as defined by the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson Act) could occur. The proposed Project is located in an area (Los Angeles Harbor) designated as EFH and which supports species managed under the National Marine Fisheries Service Coastal Pelagic Species and Pacific Groundfish Management Plans. Of the 95 species managed under these plans, 24 are known to occur in the Port of Los Angeles/Port of Long Beach complex and could potentially be affected by the proposed dredging activities associated with the proposed Project. However, most of these 24 species have been collected only sporadically and in very low numbers. These issues will be further evaluated in the EIS/EIR.

c. Would the project have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marshes, vernal pools, coastal wetlands, etc.) through direct removal, filling, hydrological interruption, or other means?

No Impact. The proposed Project would not affect federally protected wetlands (as defined by Section 404 of the Clean Water Act [CWA]) during in-water construction activities (i.e., dredging and installation of pilings) because the only federally protected wetlands in the Port of Los Angeles area, the Cabrillo Salt Marsh and the Anchorage Road Salt Marsh, would not be affected or otherwise disturbed by the proposed Project. Therefore, there would be no impact, and this issue will not be addressed in the EIS/EIR.

d. Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of wildlife nursery sites?

Potentially Significant Impact. The harbor area includes known terrestrial wildlife migration corridors. The proposed Project could potentially block or interfere with migration or movement of species covered under the Migratory Bird Treaty Act during construction activities at the proposed project site. Operations associated with the proposed Project could result in a barrier to wildlife passage and potentially affect wildlife movement or migration in the harbor. Common fish habitat could be affected by dredging and/or installation of king and sheet piles. Therefore, this impact is considered potentially significant and will be addressed in the EIS/EIR.

e. Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

No Impact. The proposed project area is a highly urbanized and industrial site that contains no undeveloped habitat. Although the proposed project site has a small amount of landscaped trees and shrubs around the main administration building and parking lot, the trees would not be removed as a result of the proposed Project and are not considered protected trees in accordance with the City of Los Angeles Tree Preservation Policy (Ordinance No. 177404; City of Los Angeles 2006). This issue will not be discussed further in the EIS/EIR.

f. Would the project conflict with the provisions of an adopted habitat conservation plan, natural communities conservation plan, or any other approved local, regional, or state habitat conservation plan?

No Impact. The proposed Project would not be located within an adopted Natural Communities Conservation Plan (NCCP) or Habitat Conservation Plan (HCP). The NCCP program, which began in 1991 under California's Natural Community Conservation Planning Act, is administered by the CDFW and is a cooperative effort between resource agencies and developers that takes a broad-based ecosystem approach to planning for the protection and perpetuation of biological diversity. There is only one NCCP approved near the Port, and it was designed to protect coastal scrub (Palos Verdes Peninsula Sub-Regional Plan).

HCPs are administered by the USFWS and are designed to identify how impacts would be mitigated when a project would impact endangered species. There are no HCPs in place for the Port. A Memorandum of Understanding is in place for the LAHD, CDFW, USFWS, and USACE to protect the California least tern, and requires a 15-acre nesting

site to be protected during the annual nesting season (May to October). The site is on Pier 400 and is being considered for designation as a Significant Ecological Area by the County of Los Angeles (POLA 2012).

The proposed Project would have no impact on HCPs, NCCPs, the Memorandum of Understanding regarding California least tern, or the Significant Ecological Area for least tern. The project site is located over 2.5 miles from the California least tern nesting site and does not contain nesting habitat or foraging habitat. Therefore, this issue will not be discussed further in the EIS/EIR.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
V.	**CULTURAL RESOURCES.** Would the project:				
a.	Cause a substantial adverse change in the significance of a historical resource as defined in Section 15064.5?	X			
b.	Cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	X			
c.	Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	X			
d.	Disturb any human remains, including those interred outside of formal cemeteries?				X

Discussion:

a. Would the project cause a substantial adverse change in the significance of a historical resource as defined in State CEQA Guidelines §15064.5?

Potentially Significant Impact. The proposed Project includes disturbance to existing structures within the Port at Berths 214–216 and Berths 217–220. The potential historic significance is currently unknown but will be evaluated and discussed further in the EIS/EIR.

b. Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to State CEQA Guidelines §15064.5?

Potentially Significant Impact. Terminal Island is composed of both natural land mass and dredged material (fill), and the proposed Project would result in ground-disturbing activities that could potentially uncover historical archaeological resources. Impacts are potentially significant, and this issue will be discussed in the EIS/EIR.

c. Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Potentially Significant Impact. Terminal Island is composed of both natural land mass and dredged material (fill), and the proposed Project would result in ground-disturbing activities that could potentially uncover unique paleontological resources. Impacts are potentially significant, and this issue will be discussed in the EIS/EIR.

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

No Impact. The proposed project area is composed of both natural areas and man-made fill material constructed in the early 20th century. The proposed Project includes

up to 10 feet of dredging at -45 MLLW within harbor waters that have been previously disturbed. Additionally, the proposed Project includes scraping the surface of existing paved areas in the backlands area of the terminal and possible minor ground disturbance associated with any required utility relocations. Should any unanticipated human remains be discovered, California Health and Safety Code Section 7050.5 declares that in the event of the discovery of human remains outside of a dedicated cemetery, all ground disturbances must cease and the county coroner must be notified. Section 7052 establishes a felony penalty for mutilating, disinterring, or otherwise disturbing human remains, except by relatives. Sections 5097.94 and 5907.98 of the Public Resources Code specify a protocol to be followed when the Native American Heritage Commission receives notification of a discovery of Native American human remains from a county coroner. No impact would occur, and this issue will not be addressed in the EIS/EIR.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VI.	**GEOLOGY AND SOILS.** Would the project:				
a.	Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:				
	i.) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the state geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	X			
	ii.) Strong seismic ground shaking?	X			
	iii.) Seismic-related ground failure, including liquefaction?	X			
	iv.) Landslides?				X
b.	Result in substantial soil erosion or the loss of topsoil?	X			
c.	Be located on a geologic unit or soil that is unstable or that would become unstable as a result of the project and potentially result in an onsite or offsite landslide, lateral spreading, subsidence, liquefaction, or collapse?	X			
d.	Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	X			
e.	Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems in areas where sewers are not available for the disposal of wastewater?				X

Discussion:

a. Would the project expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:

(i.) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the state geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

Potentially Significant Impact. The Los Angeles Basin, including the harbor, is an area of known seismic activity. The risk of fault rupture cannot be avoided. Building and construction design codes are meant to minimize structural damage resulting from a seismic event but cannot guarantee that adverse effects would not occur. The exposure of people to seismic ground shaking is a potential risk with or without any project undertaken in the harbor. This issue will be further evaluated in the EIS/EIR.

(ii.) Strong seismic ground shaking?

Potentially Significant Impact. The Los Angeles Basin, including the harbor, is an area of known seismic activity. The risk of seismic hazards such as ground shaking cannot be avoided. Building and construction design codes are meant to minimize structural damage resulting from a seismic event but cannot guarantee that adverse effects would not occur. The exposure of people to seismic ground shaking is a potential risk with or without any project undertaken in the harbor. This issue will be evaluated further in the EIS/EIR.

(iii.) Seismic-related ground failure, including liquefaction?

Potentially Significant Impact. The proposed project area may be impacted by seismic-related ground failure, including liquefaction, since it is partly constructed on landfill areas. This issue will be further evaluated in the EIS/EIR.

(iv.) Landslides?

No Impact. The proposed Project would be constructed and operated on Terminal Island, which is relatively flat with no significant natural or graded slopes. According to the California Department of Conservation Seismic Hazard Maps (1999), the proposed project area is not located near any landslide hazard areas. No impacts would occur, and this issue will not be evaluated in the EIS/EIR.

b. Would the project result in substantial soil erosion or the loss of topsoil?

Potentially Significant Impact. The proposed improvements would require backlands repairs that involve pavement removal and re-paving. These actions could result in the temporary exposure of soils or the loss of topsoil, and this issue will be evaluated in the EIS/EIR.

c. Is the project located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in onsite or offsite landslides, lateral spreading, subsidence, liquefaction, or collapse?

Potentially Significant Impact. The proposed project site is constructed partially on man-made landfill areas, which could be subject to lateral spreading, subsidence,

liquefaction, or collapse and could potentially become unstable. This issue will be further evaluated in the EIS/EIR.

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

Potentially Significant Impact. Expansive soils exist in the proposed project area and could affect proposed project improvements such as the on-dock rail track and crane rail extension. This issue will be discussed further in the EIS/EIR.

e. Would the project have soils that are incapable of supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

No Impact. The proposed Project does not involve the use of septic tanks or alternative waste water disposal systems. This issue will not be evaluated in the EIS/EIR.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VII.	**GREENHOUSE GAS EMISSIONS.** Would the project:				
a.	Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	X			
b.	Conflict with any applicable plan, policy, or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?			X	

Discussion;

a. Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Potentially Significant Impact. Greenhouse gas emissions would be released as a result of the proposed Project during both construction and operation. This issue will be discussed further in the EIS/EIR.

b. Would the project conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases?

Less Than Significant Impact. The proposed Project is not expected to conflict with any applicable plan, policy, or regulation of an agency. However, this issue will be discussed further in the EIS/EIR.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
VIII.	**HAZARDS AND HAZARDOUS MATERIALS.** Would the project:				
a.	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			X	
b.	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	X			
c.	Emit hazardous emissions or involve handling hazardous or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?			X	
d.	Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	X			
e.	Be located within an airport land use plan area or, where such a plan has not been adopted, be within 2 miles of a public airport or public use airport, and result in a safety hazard for people residing or working in the project area?				X
f.	Be located within the vicinity of a private airstrip and result in a safety hazard for people residing or working in the project area?				X
g.	Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?			X	
h.	Expose people or structures to a significant risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?				X

Discussion:

a. Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Less Than Significant Impact. Hazardous materials could be encountered during ground-disturbing construction activities. Any hazardous material discovered during construction of the proposed Project would be handled in accordance with existing regulations. Cargo movement may include the transport of material considered to be hazardous. The transport, use, and disposal of hazardous materials will be handled in accordance with existing regulations. Although a less-than-significant impact is anticipated, this issue will be discussed further in the EIS/EIR.

b. Would the project create a significant hazard to the public or the environment through the reasonably foreseeable upset and accident conditions involving the likely release of hazardous materials into the environment?

Potentially Significant Impact. Hazardous materials may be accidentally released while excavating soil contaminated by past uses and activities at the site. This issue will be evaluated in the EIS/EIR.

c. Would the project emit hazardous emissions or handle hazardous materials or acutely hazardous materials, substances, or waste within 0.25 mile of an existing or proposed school?

Less Than Significant Impact. The nearest schools to the site include World Tots Los Angeles Preschool (about one mile southwest of the proposed project site) and Port of Los Angeles High School (over one mile southwest of the proposed project site). Both are located to the west across the Main Channel in the community of San Pedro. Therefore, the proposed project site is not within 0.25 mile of an existing or proposed school. Impacts would be less than significant. However, these issues will be evaluated in the air quality section of the EIS/EIR.

d. Is the project located on a site that is included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Potentially Significant Impact. The proposed project site may have documented or undocumented releases of hazardous materials that could be encountered during construction. This issue will be discussed in the EIS/EIR.

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?

No Impact. The proposed Project is not located within an airport land use plan or within two miles of a public airport or a public use airport. The closest airport is Torrance Municipal Airport, which is approximately five miles from the proposed project site. This issue will not be evaluated in the EIS/EIR.

f. For a project located within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?

No Impact. Helicopter-landing pads are currently located at Berth 95 (Island Express), about 0.5 mile west of the site, and at 1175 Queens Highway, in Long Beach (Island Express), about 3.5 miles southeast of the proposed project site. Therefore, the proposed Project is not located within the vicinity of a private airstrip and will not result in a safety hazard for people residing or working in the proposed project area. This issue will not be evaluated in the EIS/EIR.

g. Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Less Than Significant Impact. The proposed project area is currently used for the handling and transport of cargo. Project construction would occur primarily on site and is not expected to affect emergency response or evacuations. As is standard procedure for activities occurring on Port property, as well as within the Port area, the contractor will coordinate with the Port and fire protection/service providers, as appropriate, on traffic management issues and any Port improvement plans occurring in the vicinity. Traffic control equipment will be in place to direct local traffic around the work area. During proposed project operation, YTI, U.S. Coast Guard, Port Police and Fire emergency response plans are employed as necessary in accordance with the Port's Risk Management Plan. Impacts are likely to be less than significant but will be further analyzed in the EIS/EIR.

h. Would the project expose people or structures to the risk of loss, injury, or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?

No Impact. There are no wildlands at or near the proposed project site. The majority of the site is industrial in nature and paved, and no increased wildland fire hazard is expected as a result of the proposed Project. Therefore, this impact will not be discussed in the EIS/EIR.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
IX.	**HYDROLOGY AND WATER QUALITY.** Would the project:				
a.	Violate any water quality standards or waste discharge requirements?	X			
b.	Substantially deplete groundwater supplies or interfere substantially with groundwater recharge, resulting in a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level that would not support existing land uses or planned uses for which permits have been granted)?				X
c.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on site or off site?			X	
d.	Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on site or off site?	X			
e.	Create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?			X	
f.	Otherwise substantially degrade water quality?	X			
g.	Place housing within a 100-year flood hazard area, as mapped on a federal Flood Hazard Boundary, Flood Insurance Rate Map or other flood hazard delineation map?				X
h.	Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	X			

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
i.	Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	X			
j.	Contribute to inundation by seiche, tsunami, or mudflow?	X			

Discussion:

a. Would the project violate any water quality standards or waste discharge requirements?

Potentially Significant Impact. The proposed Project would not include modifications to the existing storm drainage system. However, construction of waterside improvements may result in discharges to harbor waters. Best management practices (BMPs) would be implemented during construction in accordance with the USACE and the Los Angeles Regional Water Quality Control Board (RWQCB) related to dredge, disposal, and construction requirements. The proposed Project would result in dredging in the East Basin Channel, which would entail temporary water quality impacts such as turbidity and resuspension of sediments.

Ocean-going vessels utilize hull coatings to prevent algal growth, which can result in leaching of contaminants to harbor waters. Proposed project operations also have the potential to result in accidental discharges to harbor waters, which could be significant. However, the proposed project operations will adhere to the NPDES-General Industrial Activities Stormwater Permit (GIASP) to reduce the potential of accidental or incidental discharges to the storm drain and harbor waters. Although the proposed Project would implement BMPs during construction and operation, there is a potential to affect water quality standards or waste discharge requirements. These issues will be further evaluated in the EIS/EIR.

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

No Impact. The proposed Project would not affect drinking water supplies, groundwater supplies, or groundwater recharge facilities because none of these resources are located in the proposed project area, nor would the proposed Project have an impact upon aquifers. This will not be discussed further in the EIS/EIR.

c. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on site or off site?

Less Than Significant Impact. The proposed Project would not increase impervious surface area and associated increased surface runoff, and the current site runoff would continue to be captured and conveyed via a stormwater control system into the harbor. Construction and operations at the proposed project site would need to comply with the SUSMP requirements in the NPDES-MS4 Permit, which will minimize the amount of runoff from the site. Although a less-than-significant impact is anticipated, this issue will be discussed further in the EIS/EIR.

d. Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on site or off site?

Potentially Significant Impact. The majority of the proposed project area is currently paved and impervious. The proposed Project would not increase impervious surfaces but would rather resurface existing paved areas. The construction activities could potentially result in temporary alterations of existing drainage patterns that could increase surface runoff that could result in flooding. Post-construction operations are expected to result in similar drainage patterns as currently exist. Impacts are potentially significant and will be discussed further in the EIS/EIR.

e. Would the project create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Less Than Significant Impact. The proposed Project would not increase paved areas on the proposed project site. The proposed Project site is currently served by existing storm drainage systems on Terminal Island. The proposed Project would not exceed the capacity of existing or planned storm water drainage systems, and the storm drain system would comply with the NPDES requirements regarding discharges, including complying with City SUSMP requirements. Therefore, impacts would be less than significant, and this issue will not be discussed further in the EIS/EIR.

f. Would the project otherwise substantially degrade water quality?

Potentially Significant Impact. In-water pile driving and dredging, and disposal of dredged material in waters of the U.S. could potentially affect harbor waters. Construction permits would be required from the RWQCB and the USACE to perform these activities. Terminal operations are not expected to affect or otherwise degrade the water quality beyond the issues discussed in Checklist Item IX (a) above. This issue will be discussed further in the EIS/EIR.

g. Would the project place housing within a 100-year floodplain, as mapped on a federal Flood Hazard Boundary, Flood Insurance Rate Map or other flood hazard delineation map?

No Impact. No housing is proposed within the proposed project area. Therefore, this impact will not be evaluated in the EIS/EIR.

h. Would the project place within a 100-year floodplain structures that would impede or redirect flood flows?

Potentially Significant Impact. The proposed project site is located primarily in Zone X, which consists of areas of 0.2% annual chance of flood; areas of 1% annual chance flood (100-year flood) with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood. A portion of the site along the wharf and in the northwest portion of the site is within Zone AE (Base Flood Elevation determined EL 9), which is identified as Special Flood Hazard Area (SFHA) subject to inundation by the 1% annual chance flood, also known as the base flood, that has a 1% chance of being equaled or exceeded in any given year (Federal Emergency Management Agency [FEMA] 2008). The proposed structures included in the proposed project area would be constructed so as not to impede or redirect flood flows. However, this impact will be evaluated in the EIS/EIR.

i. Would the project expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?

Potentially Significant Impact. The proposed project site is not within a potential dam or levee inundation area as identified in the Los Angeles General Plan Safety Element (City of Los Angeles 1996). However, as discussed above, the project is subject to flooding hazards from a 100-year flood (FEMA 2008). The proposed Project could potentially expose people or structures to flooding hazards, and this impact will be evaluated in the EIS/EIR.

j. Would the project contribute to inundation by seiche, tsunami, or mudflow?

Potentially Significant Impact. The proposed Project would not contribute to inundation by seiche, tsunami, or mudflow. Seiches are waves formed in response to seismic activity in an enclosed body of water. However, the Port is open to the ocean and not entirely enclosed, allowing entry of seismically induced waves. According to the City of Los Angeles Safety Element of the General Plan (City of Los Angeles 1996), the proposed project site is within an area susceptible to impacts from a tsunami and subject to possible inundation. Topography at the proposed project site has relatively no grade elevation differences. A lack of a slope on the proposed project site would prevent the occurrence of mudflows. Since the Port has historically been subject to seiches and tsunamis, this will be discussed in the EIS/EIR.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
X.	**LAND USE AND PLANNING.** Would the project:				
a.	Physically divide an established community?				X
b.	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, a general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?			X	
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?			X	

Discussion:

a. Would the project physically divide an established community?

No Impact. The proposed Project is located in a heavy industrial area on Terminal Island that does not contain any established communities. Proposed project improvements would be confined to the terminal and would not physically divide an existing community. In addition, the transportation of containers would occur along established roads and rail lines, and no new transportation right-of-way would be required. This issue will not be discussed in the EIS/EIR.

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

Less Than Significant Impact. The proposed Project site is currently operating as a container terminal. The proposed project area is located within the Port Master Plan and is located within Planning Area 7 (Terminal Island/Main Channel), which contains container cargo, liquid bulk, dry bulk, institutional, and vacant land uses. The proposed project site is zoned for heavy industrial uses. In addition, the 160-acre backland area is designated in the Port Master Plan as General/Bulk Cargo, and terminal operations would be consistent with this designation (LAHD 2002). The Port is currently preparing a 2012 Port Master Plan Update, which is under draft environmental review at this time and anticipated to be adopted by the LAHD Board of Harbor Commissioners in June 2013. The YTI Terminal would be located in Proposed Planning Area 3 (Terminal Island), which would continue to allow container, liquid bulk, and dry bulk uses, and would include maritime support and open space uses. The YTI Terminal site maintains a proposed land use designation of “container” use. Although a less than significant impact is anticipated, the consistency of the proposed Project with existing and proposed

applicable plan policies, including environmental justice policies, will be discussed further in the EIS/EIR.

c. Would the project conflict with any applicable habitat conservation plan or natural communities conservation plan?

Less Than Significant Impact. The proposed Project would improve operations at the existing container terminal. The proposed project site does not fall within an area covered by a habitat conservation plan or natural communities conservation plan. This issue will not be discussed further in the EIS/EIR.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XI.	**MINERAL RESOURCES.** Would the project:				
a.	Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?				X
b.	Result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?				X

Discussion:

a. Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

No Impact. The proposed Project is located on Terminal Island, which was constructed mostly of man-made fill material. No known mineral resources would be impacted by the proposed Project. According to the California Department of Conservation Division of Mines and Geology, the nearest mineral resource area is located in the San Gabriel Valley (POLA 2009). According to the City of Los Angeles General Plan Safety Element and the California Department of Conservation, Division of Oil, Gas, and Geothermic Resources, the proposed project site is located south of the Wilmington Oil Field (City of Los Angeles 1996; California Department of Conservation 2001). Because the proposed project would not be located within the oil field and because construction would be at the surface or shallow depths relative to the oil field, no impacts are anticipated. Therefore, this issue will not be discussed further in the EIS/EIR.

b. Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?

No Impact. No known locally-important mineral resources would be impacted by the proposed Project. Therefore, this issue will not be discussed further in the EIS/EIR.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XII.	**NOISE.** Would the project:				
a.	Expose persons to or generate noise levels in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?	X			
b.	Expose persons to or generate excessive groundborne vibration or groundborne noise levels?	X			
c.	Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	X			
d.	Result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	X			
e.	Be located within an airport land use plan area, or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport and expose people residing or working in the project area to excessive noise levels?				X
f.	Be located in the vicinity of a private airstrip and expose people residing or working in the project area to excessive noise levels?				X

Discussion:

a. Would the project result in exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance or applicable standards of other agencies?

Potentially Significant Impact. The proposed project site is located in an area zoned for heavy industrial uses that is characterized by periodic increases in noise levels associated with container terminal operations and associated industrial uses. The nearest sensitive receptor (marina liveaboard) is located approximately 0.25 mile to the northeast, in the Newmarks Marina off of Anchorage Road. Construction activities could generate substantial noise levels, which people would be exposed to on a periodic basis. Expanded operational activities could also result in increased noise levels above existing conditions. This issue will be further evaluated in the EIS/EIR.

b. Expose persons to or generate excessive groundborne vibration or groundborne noise?

Potentially Significant Impact. Implementation of the proposed Project may result in a temporary generation of groundborne vibration or noise levels. The proposed project site is in an area that is zoned for heavy industrial uses, which is characterized by periodic groundborne vibration and noise associated with adjacent container terminal operations and industrial uses. Construction activities, including dredging, dredged material disposal, and sheet pile and king pile driving, could generate excessive vibration and underwater noise levels on a periodic basis. This issue will be further evaluated in the EIS/EIR.

c. Result in a substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?

Potentially Significant Impact. Expanded terminal operations could result in increased noise above ambient conditions. This issue will be further evaluated in the EIS/EIR.

d. Would the project result in a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?

Potentially Significant Impact. Construction activities may generate temporary or periodic increases in ambient noise levels. This issue will be further evaluated in the EIS/EIR.

e. For a project located within an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

No Impact. The proposed Project is not located within two miles of a public airport. The closest airport, Torrance Municipal Airport, is located approximately five miles to the northwest of the proposed project site. The proposed Project is not located within an airport land use plan, or where such a plan has not been adopted, within two miles of a public airport or public use airport. Therefore, this issue will not be discussed in the EIS/EIR.

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

No Impact. The proposed Project is not located within the vicinity of a private airstrip. The closest private facilities to the proposed Project are helicopter-landing pads located at Berth 95 (Island Express), over 0.5 mile northwest of the site, and at 1175 Queens Highway, in Long Beach (Island Express), located over 3.5 miles southeast of the site. Only small helicopters operate from these locations and transit primarily via the Main Channel of the Port. Given the distance of the heliport, persons at the proposed project site will not be exposed to excessive noise levels associated with a private airstrip. Therefore, this impact will not be discussed in the EIS/EIR.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIII.	**POPULATION AND HOUSING.** Would the project:				
a.	Induce substantial population growth in an area, either directly (e.g., by proposing new homes and businesses) or indirectly (e.g., through extension of roads or other infrastructure)?			X	
b.	Displace a substantial number of existing housing units, necessitating the construction of replacement housing elsewhere?				X
c.	Displace a substantial number of people, necessitating the construction of replacement housing elsewhere?				X

Discussion:

a. Would the project induce substantial population growth in an area, either directly (e.g., by proposing new homes and business) or indirectly (e.g., through extension of roads or other infrastructure)?

Less Than Significant Impact. The proposed Project involves marine terminal improvements that would accommodate larger container vessels and expansion of on-dock rail at the TICTF. The proposed Project does not include the extension of roadways or other rail infrastructure and would not generate a significant number of new jobs or induce population growth. Impacts would be less than significant, and this issue will not be discussed further in the EIS/EIR.

b. Would the project displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?

No Impact. There is no housing within the proposed project boundaries that would be displaced as a result of the proposed Project. Therefore, this issue will not be discussed in the EIS/EIR.

c. Would the project displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?

No Impact. There is no housing within the proposed project boundaries that would be displaced as a result of the proposed Project. Therefore, this issue will not be discussed in the EIS/EIR.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XIV.	**PUBLIC SERVICES.** Would the project:				
a.	Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the following public services:				
	i.) Fire protection?			X	
	ii.) Police protection?			X	
	iii.) Schools?				X
	iv.) Parks?				X
	v.) Other public facilities?			X	

Discussion:

a. Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

i.) Fire Protection

Less Than Significant Impact. The Los Angeles Fire Department (LAFD) currently provides fire protection and emergency services within the proposed project area. The proposed terminal improvements may increase demand for LAFD personnel, equipment, facilities, or firefighting capabilities. However, the nature, timing, and magnitude are unknown at this time. The proposed project improvements would, as a standard practice, be reviewed by the LAFD, and any recommendations would be incorporated into proposed project designs. Impacts are considered less than significant but will be discussed further in the EIS/EIR.

ii.) Police Protection

Less Than Significant Impact. The Los Angeles Harbor Department Port Police (Port Police) and the Los Angeles Police Department (LAPD) both provide police services to the Port. The Port Police is the primary responding agency in the Port and is responsible for operations within the Port's property boundaries. Port Police headquarters is located

at 330 Centre Street in San Pedro. The proposed terminal improvements may potentially increase demand for Port Police services or officers, or LAPD officers. However, the nature, timing, and magnitude are unknown at this time. Impacts are considered less than significant but will be discussed further in the EIS/EIR.

iii) Schools

No Impact. The demand for new schools is generally associated with increases in the school-aged population or decreases in the accessibility and availability of existing schools. The proposed Project consists of industrial Port-related uses and would not include residential uses that could increase school age population in the area. Therefore, the proposed Project would not result in a demand on schools. This issue will not be discussed in the EIS/EIR.

iv) Parks

No Impact. The proposed Project does not include the creation of additional recreational facilities or parks. In addition, proposed project improvements would be confined to the proposed project site on Terminal Island. The proposed Project is not expected to induce population growth nor result in increased demand for parks beyond those which currently exist. This issue will not be discussed in the EIS/EIR.

v) Other Public Facilities

Less Than Significant Impact. The proposed Project would not result in an increased demand for other public facilities. Therefore, impacts would be less than significant, and this issue will not be discussed further in the EIS/EIR.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XV.	**RECREATION.** Would the project:				
a.	Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				X
b.	Include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?				X

Discussion:

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

No Impact. The proposed Project is not expected to result in an increase in the number of terminal employees and is not expected to increase demand for parks or recreational facilities beyond those which currently exist. This issue will not be discussed further in the EIS/EIR.

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

No Impact. The proposed Project does not include recreational facilities or require the expansion of recreational facilities. Therefore, no impacts would occur, and this issue will not be discussed further in the EIS/EIR.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVI.	**TRANSPORTATION/TRAFFIC.** Would the project:				
a.	Exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?	X			
b.	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?	X			
c.	Result in a change in marine vessel traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?			X	
d.	Substantially increase hazards because of a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?			X	
e.	Result in inadequate emergency access?			X	
f.	Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?				X

Discussion:

a. Would the project exceed the capacity of the existing circulation system, based on an applicable measure of effectiveness (as designated in a general plan policy, ordinance, etc.), taking into account all relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit?

Potentially Significant Impact. The proposed Project would result in an increase in vehicle trips during construction and operations. During construction these would primarily be construction worker private vehicles and heavy trucks used during the construction process. Operation of the improved container terminal could increase the number of cargo truck trips. These impacts will be evaluated in the EIS/EIR.

b. Would the project conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?

Potentially Significant Impact. Operation of the proposed Project would result in increased cargo throughput and associated truck trips. Given that roads and highways in the proposed project vicinity currently experience various levels of congestion, the proposed Project could have the potential to, individually or cumulatively, affect a Congestion Management Plan roadway or highway. This issue will be further evaluated in the EIS/EIR.

c. Would the project result in a change in marine vessel traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?

Less Than Significant Impact. Marine vessel movements would not significantly change, but the proposed Project would result in larger vessels berthing at the site. Although a less than significant impact is anticipated, this issue will be discussed further in the EIS/EIR.

d. Would the project substantially increase hazards because of a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Less Than Significant Impact. The proposed Project would not include modification of any roadways or access roads to or within the terminal. Furthermore, the proposed Project does not include any design features that would be incompatible with the current zoning or land use designation. As such, this issue will not be discussed further in the EIS/EIR.

e. Would the project result in inadequate emergency access?

Less Than Significant Impact. Project construction and operation could potentially affect emergency access to and from the site. The LAFD, Port Police, and LAPD provide emergency response to the proposed project site and would review and approve the plans to ensure that they comply with applicable access requirements. Compliance would ensure that emergency access to, from, and within the site is adequate. Construction activities could result in temporary traffic impacts, requiring traffic control measures to ensure adequate emergency access. However, the nature, timing, and

magnitude are unknown at this time. The proposed Project would likely not result in inadequate emergency access, but this issue will be discussed further in the EIS/EIR.

f. Would the project conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?

No Impact. The proposed project site is located on Terminal Island within the Port, an area which supports industrial uses related to the transfer of containers from ocean-going vessels to land-based modes of transportation (e.g., trucks, rail). The proposed Project does not include any modifications to existing roadways on Terminal Island that support current or future bike lanes or bus stops. The proposed Project itself would not include visitor-serving uses that would benefit from alternative modes of transportation. The proposed Project is therefore expected to have no impact on alternative transportation policies or facilities. Therefore, this issue will not be discussed in the EIS/EIR.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVII.	**UTILITIES AND SERVICE SYSTEMS.** Would the project:				
a.	Exceed wastewater treatment requirements of the applicable regional water quality control board?			X	
b.	Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
c.	Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?			X	
d.	Have sufficient water supplies available to serve the project from existing entitlements and resources, or would new or expanded entitlements be needed?			X	
e.	Result in a determination by the wastewater treatment provider that serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?			X	
f.	Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?			X	
g.	Comply with federal, state, and local statutes and regulations related to solid waste?				X

Discussion:

a. Would the project exceed wastewater treatment requirements of the applicable regional water quality control board?

Less Than Significant Impact. The proposed Project is not expected to result in a change in wastewater generation or wastewater treatment requirements. Existing sewer and wastewater infrastructure exists within the proposed project area, and wastewater would flow to the Terminal Island Treatment Plant, which is operated by the City's Department of Public Works Bureau of Sanitation. Because of present uncertainties in

capacity, the existing conditions and proposed project–related impacts to wastewater treatment will be further analyzed in the EIS/EIR.

b. Would the project require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Less Than Significant Impact. The proposed Project is not expected to generate significant increases in water demands or wastewater generation and is not expected to require construction of new water or wastewater treatment facilities, or the expansion of existing facilities. Existing water supply and wastewater infrastructure exists within the proposed project area. Because of present uncertainties in capacity, the existing conditions and proposed project–related impacts to water and wastewater treatment will be further analyzed in the EIS/EIR.

c. Would the project require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?

Less Than Significant Impact. The proposed Project would not increase paved areas on the proposed project site. The proposed Project site is currently served by existing storm drainage systems on Terminal Island. The proposed Project would not exceed the capacity of existing or planned stormwater drainage systems, and the storm drain system would comply with the NPDES requirements regarding discharges, including complying with City SUSMP requirements. Therefore, impacts would be less than significant, and this issue will not be discussed further in the EIS/EIR.

d. Would the project have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?

Less Than Significant Impact. The proposed Project is not expected to require additional water supply to serve the proposed facilities. The YTI Terminal uses water for domestic purposes and for washing containers. Existing water supply and infrastructure exists within the proposed project area. Because of present uncertainties in capacity, the existing conditions and proposed project–related impacts to water supply will be further analyzed in the EIS/EIR.

e. Has the wastewater treatment provider that serves or may serve the project determined that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Less Than Significant Impact. The proposed Project is not expected to require additional wastewater treatment services. Existing sewer and wastewater infrastructure exists within the proposed project area, and wastewater would flow to the Terminal Island Treatment Plant, which is operated by the City's Department of Public Works Bureau of Sanitation. Because of present uncertainties in capacity, the existing conditions and proposed project–related impacts to wastewater treatment will be further analyzed in the EIS/EIR.

f. Is the project served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?

Less Than Significant Impact. Solid waste generated by existing terminal operations consists primarily of nonhazardous materials, such as food and beverage containers, paper products, and other miscellaneous personal trash disposed of by onsite staff. Solid waste generated by terminal operations complies with federal, state, and local regulations and codes pertaining to solid waste disposal, including Chapter VI Article 6 Garbage, Refuse Collection of the City of Los Angeles Municipal Code, Part 13, Title 42-Public Health and Welfare of the California Health and Safety Code, and Chapter 39 U.S. Solid Waste Disposal Code. Construction of the proposed Project would generate construction debris that would require disposal, including dredged material from the harbor. LAHD maintains an asphalt/concrete recycling facility at the intersection of E. Grant Street and Foote Avenue in east Wilmington. Asphalt/concrete debris from demolition activities is crushed at the facility for reuse construction purposes within the Port. The City has initiated the Recovering Energy, Natural Resources, and Economic Benefit from Waste for Los Angeles Plan (RENEW LA) as a guide for solid waste and resource management in the future, which is a comprehensive plan for the recovery and beneficial use of materials currently being disposed of in landfills. The City is developing a Solid Waste Integrated Resources Plan (SWIRP), which will serve as the 20-year master plan for City solid waste and recycling programs. The Port also requires standard conditions of approval to require recycling of construction materials and use of materials with recycled content to minimize impacts to solid waste. This impact is expected to be less than significant but will be further analyzed in the EIS/EIR

g. Would the project comply with federal, state, and local statutes and regulations related to solid waste?

No Impact. The proposed Project would comply with federal, state, and local statutes and regulations related to solid waste. Therefore, this issue will not be discussed in the EIS/EIR.

		Potentially Significant Impact	Less Than Significant with Mitigation Incorporated	Less Than Significant Impact	No Impact
XVIII.	**MANDATORY FINDINGS OF SIGNIFICANCE**				
a.	Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?	X			
b.	Does the project have impacts that are individually limited but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)	X			
c.	Does the project have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?	X			

Discussion:

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

Potentially Significant Impact. As set forth, the proposed Project has the potential to degrade the quality of the environment with regard to several resource areas. These potential impacts will be evaluated in the EIS/EIR.

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

Potentially Significant Impact. The proposed Project, in conjunction with other related projects, has the potential to result in significant cumulative impacts. The potential for cumulative impacts will be evaluated in the EIS/EIR.

c. Does the project have environmental effects that would cause substantial adverse effects on human beings, either directly or indirectly?

Potentially Significant Impact. The proposed Project could result in adverse impacts on human beings, either directly or indirectly. This issue will be further evaluated in the EIS/EIR.

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Laws and Regulations

California Code of Regulations, Title 14. State CEQA Guidelines

California Health and Safety Code, Section 7050.5

California Health and Safety Code, Section 7052

California Public Resources Code, Section 21000, et seq.

Public Resources Code, Sections 5097.94 and 5907.98.

U.S. Government Code, Title 33, Sections 1344 et seq. (Section 404 of the Clean Water Act of 1972, as amended.)

U.S. Government Code, Title 33, Sections 1401 et seq. (Section 103 of the Marine Protection, Research, and Sanctuaries Act of 1972.)

U.S. Government Code, Title 33, Sections 403 et seq. (Section 10 of the Rivers and Harbors Act of 1899)

Appendix A2

Notice of Intent/Notice of Preparation Public Review Period Extension

THE PORT OF LOS ANGELES
425 S. Palos Verdes Street Post Office Box 151 San Pedro, CA 90733-0151 TEL/TDD 310 SEA-PORT www.portoflosangeles.org

Antonio R. Villaraigosa | Mayor, City of Los Angeles
Board of Harbor Commissioners | Cindy Miscikowski, President | David Arian, Vice President | Robin M. Kramer | Douglas P. Krause | Sung Won Sohn, Ph.D.
Geraldine Knatz, Ph.D. | Executive Director

April 24, 2013

SUBJECT: PUBLIC REVIEW PERIOD EXTENSION – NOTICE OF INTENT (NOI)/NOTICE OF PREPARATION (NOP) FOR THE BERTHS 212-224 [YTI] CONTAINER TERMINAL IMPROVEMENTS PROJECT

The U.S. Army Corps of Engineers (USACE) and the City of Los Angeles Harbor Department (LAHD) released a Notice of Intent (NOI)/Notice of Preparation (NOP) for the Berths 212-224 [YTI] Container Terminal Improvements Project with an original public review period closing May 6, 2013. The USACE and LAHD have extended the public review period to now close May 20, 2013.

Availability: The NOI/NOP is available for review at:

- Å Port of Los Angeles Environmental Management Division, 222 W. 6th Street, 10th Floor, San Pedro, CA 90731
- Å Los Angeles City Library, San Pedro Branch, 931 S. Gaffey Street, San Pedro, CA 90731
- Å Los Angeles City Library, Wilmington Branch, 1300 N. Avalon, Wilmington, CA 90744

The entire document is available at the Port web site: http://www.portoflosangeles.org under the Environmental tab.

Comments: Written comments on the NOI/NOP will be received until May 20, 2013 and should be sent to U.S. Army Corps of Engineers, Los Angeles District, Regulatory Division, Ventura Field Office, c/o Theresa Stevens, Ph.D., 2151 Alessandro Drive, Suite 110, Ventura, CA 93001 **and** Christopher Cannon, Director Environmental Management Division, 425 S. Palos Verdes Street, San Pedro, CA 90731 **or** via e-mail to Theresa.Stevens@usace.army.mil **and** ceqacomments@portla.org. Comments sent via email should include the project title in the e-mail's subject line and a valid mailing address within the email.

For additional information, please contact Laura Masterson at (310) 732-3675.

Sincerely,

CHRISTOPHER CANNON
Director of Environmental Management

CC:LO:yo
ADP No.: 130204-020

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Appendix A3
Scoping Comments

CITY OF LOS ANGELES
LM
APR 12 2013
ENV MGMT DIV
HARBOR DEPARTMENT

U.S. Department of Homeland Security
FEMA Region IX
1111 Broadway, Suite 1200
Oakland, CA. 94607-4052

FEMA

April 9, 2013

Christopher Cannon, Director
Environmental Management Division
Los Angeles Harbor Department
425 South Palos Verdes Street
San Pedro, California 90731

Dear Mr. Cannon:

This is in response to your request for comments on Special Public Notice, Notice of Intent (NOI), Notice of Preparation (NOP) of Draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) and Public Scoping Meeting for Berths 212-224 project.

Please review the current effective countywide Flood Insurance Rate Maps (FIRMs) for the City (Community Number 060137) and County (Community Number 065043) of Los Angeles, Maps revised September 26, 2008. Please note that the City and County of Los Angeles, California are participants in the National Flood Insurance Program (NFIP). The minimum, basic NFIP floodplain management building requirements are described in Vol. 44 Code of Federal Regulations (44 CFR), Sections 59 through 65.

A summary of these NFIP floodplain management building requirements are as follows:

- All buildings constructed within a riverine floodplain, (i.e., Flood Zones A, AO, AH, AE, and A1 through A30 as delineated on the FIRM), must be elevated so that the lowest floor is at or above the Base Flood Elevation level in accordance with the effective Flood Insurance Rate Map.

- If the area of construction is located within a Regulatory Floodway as delineated on the FIRM, any ***development*** must not increase base flood elevation levels. **The term *development* means any man-made change to improved or unimproved real estate, including but not limited to buildings, other structures, mining, dredging, filling, grading, paving, excavation or drilling operations, and storage of equipment or materials.** A hydrologic and hydraulic analysis must be performed *prior* to the start of development, and must demonstrate that the development would not cause any rise in base flood levels. No rise is permitted within regulatory floodways.

- All buildings constructed within a coastal high hazard area, (any of the "V" Flood Zones as delineated on the FIRM), must be elevated on pilings and columns, so that the lowest horizontal structural member, (excluding the pilings and columns), is elevated to or above the base flood elevation level. In addition, the posts and pilings foundation and the structure attached thereto, is anchored to resist flotation, collapse and lateral movement due to the effects of wind and water loads acting simultaneously on all building components.

- Upon completion of any development that changes existing Special Flood Hazard Areas, the NFIP directs all participating communities to submit the appropriate hydrologic and hydraulic data to FEMA for a FIRM revision. In accordance with 44 CFR, Section 65.3, as soon as practicable, but not later than six months after such data becomes available, a community shall notify FEMA of the changes by submitting technical data for a flood map revision. To obtain copies of FEMA's Flood Map Revision Application Packages, please refer to the FEMA website at http://www.fema.gov/business/nfip/forms.shtm.

Please Note:

Many NFIP participating communities have adopted floodplain management building requirements which are more restrictive than the minimum federal standards described in 44 CFR. Please contact the local community's floodplain manager for more information on local floodplain management building requirements. The City of Los Angeles floodplain manager can be reached by calling Gary Moore, City Engineer, at (213) 485-4935. The Los Angeles County floodplain manager can be reached by calling George De La O, Senior Civil Engineer, Department of Public Works, at (626) 458-7155.

If you have any questions or concerns, please do not hesitate to call Michael Hornick of the Mitigation staff at (510) 627-7260.

Sincerely,

Gregor Blackburn, CFM, Branch Chief
Floodplain Management and Insurance Branch

cc:
Gary Moore, City Engineer, City of Los Angeles
George De La O, Senior Civil Engineer, Department of Public Works, Los Angeles County
Garret Tam Sing/Salomon Miranda, State of California, Department of Water Resources, Southern Region Office
Michael Hornick, NFIP Planner, DHS/FEMA Region IX
Alessandro Amaglio, Environmental Officer, DHS/FEMA Region IX

South Coast
Air Quality Management District
21865 Copley Drive, Diamond Bar, CA 91765-4178
(909) 396-2000 • www.aqmd.gov

May 3, 2013

Christopher Cannon
Director of Environmental Management
425 S. Palos Verdes Street
San Pedro, CA 90731

U.S. Army Corps of Engineers
Los Angles District, Regulatory Division
Ventura Field Office
C/o Theresa Stevens, Ph. D
2151 Alessandro Drive, Suite 110
Ventura, CA 93001

CITY OF LOS ANGELES
MAY 6 2013
ENV MGMT DIV
HARBOR DEPARTMENT

Notice of Preparation of a CEQA Document for the
Berths 212-224 [YTI] Container Terminal Improvements Project

The South Coast Air Quality Management District (SCAQMD) appreciates the opportunity to comment on the above-mentioned document. The SCAQMD's comments are recommendations regarding the analysis of potential air quality impacts from the proposed project that should be included in the draft CEQA document. Please send the SCAQMD a copy of the Draft EIR upon its completion. Note that copies of the Draft EIR that are submitted to the State Clearinghouse are not forwarded to the SCAQMD. Please forward a copy of the Draft EIR directly to SCAQMD at the address in our letterhead. **In addition, please send with the draft EIR all appendices or technical documents related to the air quality and greenhouse gas analyses and electronic versions of all air quality modeling and health risk assessment files. These include original emission calculation spreadsheets and modeling files (not Adobe PDF files). Without all files and supporting air quality documentation, the SCAQMD will be unable to complete its review of the air quality analysis in a timely manner. Any delays in providing all supporting air quality documentation will require additional time for review beyond the end of the comment period.**

Air Quality Analysis

The SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. The SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from the SCAQMD's Subscription Services Department by calling (909) 396-3720. The lead agency may wish to consider using land use emissions estimating software such as the recently released CalEEMod. This model is available on the SCAQMD Website at: http://www.aqmd.gov/ceqa/models.html.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips should be included in the analysis.

The SCAQMD has developed a methodology for calculating PM2.5 emissions from construction and operational activities and processes. In connection with developing PM2.5 calculation methodologies, the SCAQMD has also developed both regional and localized significance thresholds. The SCAQMD requests that the lead agency quantify PM2.5 emissions and compare the results to the recommended PM2.5 significance thresholds. Guidance for

calculating PM2.5 emissions and PM2.5 significance thresholds can be found at the following internet address: http://www.aqmd.gov/ceqa/handbook/PM2_5/PM2_5.html.

In addition to analyzing regional air quality impacts the SCAQMD recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LST's can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality analysis for the proposed project, it is recommended that the lead agency perform a localized significance analysis by either using the LSTs developed by the SCAQMD or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at http://www.aqmd.gov/ceqa/handbook/LST/LST.html.

In the event that the proposed project generates or attracts vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the lead agency perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment ("Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis") can be found on the SCAQMD's CEQA web pages at the following internet address: http://www.aqmd.gov/ceqa/handbook/mobile_toxic/mobile_toxic.html. An analysis of all toxic air contaminant impacts due to the decommissioning or use of equipment potentially generating such air pollutants should also be included.

Mitigation Measures

In the event that the project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize or eliminate significant adverse air quality impacts. To assist the Lead Agency with identifying possible mitigation measures for the project, please refer to Chapter 11 of the SCAQMD CEQA Air Quality Handbook for sample air quality mitigation measures. Additional mitigation measures can be found on the SCAQMD's CEQA web pages at the following internet address: www.aqmd.gov/ceqa/handbook/mitigation/MM_intro.html Additionally, SCAQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook contain numerous measures for controlling construction-related emissions that should be considered for use as CEQA mitigation if not otherwise required. Other measures to reduce air quality impacts from land use projects can be found in the SCAQMD's Guidance Document for Addressing Air Quality Issues in General Plans and Local Planning. This document can be found at the following internet address: http://www.aqmd.gov/prdas/aqguide/aqguide.html. In addition, guidance on siting incompatible land uses can be found in the California Air Resources Board's Air Quality and Land Use Handbook: A Community Perspective, which can be found at the following internet address: http://www.arb.ca.gov/ch/handbook.pdf. CARB's Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process. Pursuant to state CEQA Guidelines §15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed.

Data Sources

SCAQMD rules and relevant air quality reports and data are available by calling the SCAQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available via the SCAQMD's World Wide Web Homepage (http://www.aqmd.gov).

Project Specific Comments

It is not clear from data presented in the NOP how much additional container traffic could be transported with the proposed improvements to the Terminal Island Container Transfer Facility (TICTF). According to the NOP, the proposed project would accommodate an additional 221,000 TEUs at the YTI berths beyond its current maximum capacity and approximately 917,000 TEUs beyond what has been achieved in 2012. SCAQMD staff therefore recommends that the Draft EIR analyze an alternative that moves this entire increased throughput via on-dock rail yards, such as TICTF. This on-dock transport should be in addition to the amount sent from YTI via on-dock yards already.

The SCAQMD staff is available to work with the Lead Agency to ensure that project-related emissions are accurately identified, categorized, and evaluated. If you have any questions regarding this letter, please call Ian MacMillan, Program Supervisor, CEQA Section, at (909) 396-3244.

Sincerely,

Ian MacMillan
Program Supervisor, CEQA Inter-Governmental Review
Planning, Rule Development & Area Sources

IM
LAC130409-04
Control Number

SOUTHERN CALIFORNIA

ASSOCIATION of GOVERNMENTS

Main Office

818 West Seventh Street

12th Floor

Los Angeles, California

90017-3435

t (213) 236-1800

f (213) 236-1825

www.scag.ca.gov

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Energy & Environment
James Johnson, Long Beach

Transportation
Keith Millhouse, Ventura County Transportation Commission

May 16, 2013

Ms. Theresa Stevens, Ph.D.
U.S. Army Corp of Engineers
Los Angeles District, Regulatory Division
2151 Alessandro Drive, Suite 110
Ventura, CA 93001
Theresa.stevens@usace.army.mil

Mr. Christopher Cannon
Director, Environmental Management Division
425 S. Palos Verdes Street
San Pedro, CA 90731
Ceqacomments@portla.org

RE: SCAG Comments on the Notice of Preparation of a Draft Environmental Impact Report for the Berths 212-224 [YTI] Container Terminal Improvements Project [I20130095]

Dear Ms. Stevens and Mr. Cannon:

Thank you for submitting the Notice of Preparation of a Draft Environmental Impact Report for the Berths 212-224 [YTI] Container Terminal Improvements Project to the Southern California Association of Governments (SCAG) for review and comment. SCAG is the authorized regional agency for Inter-Governmental Review (IGR) of programs proposed for federal financial assistance and direct development activities, pursuant to Presidential Executive Order 12372. Additionally, SCAG reviews the Environmental Impact Reports of projects of regional significance for consistency with regional plans pursuant to the California Environmental Quality Act (CEQA) and CEQA Guidelines.

SCAG is also the designated Regional Transportation Planning Agency under state law, and is responsible for preparation of the Regional Transportation Plan (RTP) including its Sustainable Communities Strategy (SCS) component pursuant to SB 375. As the clearinghouse for regionally significant projects per Executive Order 12372, SCAG reviews the consistency of local plans, projects, and programs with regional plans.[1] Guidance provided by these reviews is intended to assist local agencies and project sponsors to take actions that contribute to the attainment of the regional goals and policies in the RTP/SCS.

SCAG staff has reviewed the Notice of Preparation of a Draft Environmental Impact Report for the Berths 212-224 [YTI] Container Terminal Improvements Project. The proposed project includes improvements and upgrades to the container terminal infrastructure to accommodate the fleet mix of larger container ships anticipated to call at the Port of Los Angeles through 2026. As set forth in the attached, SCAG recommends that the draft EIR include a review and consideration of the adopted RTP/SCS goals and that the analyses reflect the most recently adopted growth forecasts.

When available, please send environmental documentation to SCAG's *office in Los Angeles or by email to leep@scag.ca.gov* providing, at a minimum, the full comment period for review. If you have any questions regarding the attached comments, please contact Pamela Lee at (213) 236-1895 or leep@scag.ca.gov. Thank you.

Sincerely,

Jonathan Nadler
Manager, Compliance and Performance Assessment

[1] SB 375 amends CEQA to add Chapter 4.2 Implementation of the Sustainable Communities Strategy, which allows for certain CEQA streamlining for projects consistent with the RTP/SCS. Lead agencies (including local jurisdictions) maintain the discretion and will be solely responsible for determining "consistency" of any future project with the SCS. Any "consistency" finding by SCAG pursuant to the IGR process should not be construed as a finding of consistency under SB 375 for purposes of CEQA streamlining.

The Regional Council consists of 84 elected officials representing 191 cities, six counties, six County Transportation Commissions, one representative from the Transportation Corridor Agencies, one Tribal Government representative and one representative for the Air Districts within Southern California.

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COMMENTS ON THE NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT STATEMENT/ENVIRONMENTAL IMPACT REPORT FOR THE BERTHS 212-224 [YTI] CONTAINER TERMINAL IMPROVEMENTS PROJECT [SCAG NO. I20130095]

CONSISTENCY WITH RTP/SCS

SCAG reviews environmental documents for regionally significant projects for their consistency with the adopted RTP/SCS.

RTP/SCS Goals

The 2012-20135 RTP/SCS links the goal of sustaining mobility with the goals of fostering economic development, enhancing the environment, reducing energy consumption, promoting transportation-friendly development patterns, and encouraging fair and equitable access to residents affected by socio-economic, geographic and commercial limitations (see http://rtpscs.scag.ca.gov). The goals included in the 2012 RTP/SCS may be pertinent to the proposed project. These goals are meant to provide guidance for considering the proposed project within the context of regional goals and policies. Among the relevant goals of the 2012-2035 RTP/SCS are the following:

SCAG 2012-2035 RTP/SCS GOALS	
RTP/SCS G1:	*Align the plan investments and policies with improving regional economic development and competitiveness*
RTP/SCS G2:	*Maximize mobility and accessibility for all people and goods in the region*
RTP/SCS G3:	*Ensure travel safety and reliability for all people and goods in the region*
RTP/SCS G4:	*Preserve and ensure a sustainable regional transportation system*
RTP/SCS G5:	*Maximize the productivity of our transportation system*
RTP/SCS G6:	*Protect the environment and health for our residents by improving air quality and encouraging active transportation (non-motorized transportation, such as bicycling and walking)*
RTP/SCS G7:	*Actively encourage and create incentives for energy efficiency, where possible*
RTP/SCS G8:	*Encourage land use and growth patterns that facilitate transit and non-motorized transportation*
RTP/SCS G9:	*Maximize the security of the regional transportation system through improved system monitoring, rapid recovery planning, and coordination with other security agencies*

For ease of review, we encourage the use of a side-by-side comparison of SCAG goals with discussions of the consistency, non-consistency or non-applicability of the policy and supportive analysis in a table format. Suggested format is as follows:

SCAG 2012-2035 RTP/SCS Goals		
Goal		**Analysis**
RTP/SCS G1:	*Align the plan investments and policies with improving regional economic development and competitiveness.*	*Consistent: Statement as to why* *Not-Consistent: Statement as to why* *or* *Not Applicable: Statement as to why* *DEIR page number reference*
RTP/SCS G2:	*Maximize mobility and accessibility for all people and goods in the region.*	*Consistent: Statement as to why* *Not-Consistent: Statement as to why* *or* *Not Applicable: Statement as to why* *DEIR page number reference*
RTP/SCS G3:	*Ensure travel safety and reliability for all people and goods in the region.*	*Consistent: Statement as to why* *Not-Consistent: Statement as to why* *or* *Not Applicable: Statement as to why* *DEIR page number reference*
etc.	etc.	etc.

Regional Growth Forecasts

The Notice of Preparation of an Environmental Impact Report for the Berths 212-224 [YTI] Container Terminal Improvements Project should reflect the most recently adopted SCAG forecasts (see http://scag.ca.gov/forecast/index.htm), which are the 2012-2035 RTP/SCS population, household and employment forecasts. The forecasts for the region and applicable jurisdictions are below.

	Adopted SCAG Region Wide Forecasts		Adopted County of Los Angeles Forecasts		Adopted City of Los Angeles Forecasts	
Forecast	**Year 2020**	**Year 2035**	**Year 2020**	**Year 2035**	**Year 2020**	**Year 2035**
Population	19,663,000	22,091,000	10,404,000	11,353,000	3,991,700	4,320,600
Households	6,458,000	7,325,000	3,513,000	3,852,000	1,455,700	1,626,600
Employment	8,414,000	9,441,000	4,558,000	4,827,000	1,817,700	1,906,800

MITIGATION

SCAG staff recommends that you review the SCAG 2012-2035 RTP/SCS Final Program EIR List of Mitigation Measures Appendix for additional guidance, as appropriate. The SCAG List of Mitigation Measures may be found here: http://scag.ca.gov/igr/pdf/SCAG_IGRMMRP_2012.pdf

CALIFORNIA STATE LANDS COMMISSION
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825-8202

JENNIFER LUCCHESI, *Executive Officer*
(916) 574-1800 FAX (916) 574-1810
California Relay Service From TDD Phone **1-800-735-2929**
from Voice Phone **1-800-735-2922**

Contact Phone: **(916) 574-1900**
Contact FAX: **(916) 574-1885**

CITY OF LOS ANGELES
MAY 13 2013
ENV MGMT DIV
HARBOR DEPARTMENT

May 8, 2013

File Ref: SCH # 2013041017

Christopher Cannon
Port of Los Angeles
Department of Environmental Management Division
425 South Palos Verdes Street
San Pedro, CA 90731

Subject: Notice of Intent/Notice of Preparation (NOI/NOP) for an Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Berths 212-224 Yusen Terminals Inc. [YTI] Container Terminal Improvements Project, Los Angeles County

Dear Mr. Cannon:

The California State Lands Commission (CSLC) staff has reviewed the subject NOI/NOP for an EIS/EIR for the Berths 212-224 [YTI] Container Terminal Improvements Project (Project), which is being prepared by the U.S. Army Corps of Engineers (USACE) and the City of Los Angeles Harbor Department (LAHD). USACE, as a federal agency with permitting authority over this Project, is the lead agency under the National Environmental Policy Act (NEPA) (42 U.S.C. § 4321 et seq.). LAHD, as a public agency proposing to carry out a project, is the lead agency under the California Environmental Quality Act (CEQA) (Pub. Resources Code, § 21000 et seq.). The CSLC is a trustee agency with responsibility of natural resources held in trust for the people of the State of California which may be affected by a project, as provided in CEQA and the State CEQA Guidelines.

CSLC Jurisdiction and Public Trust Lands

The CSLC has jurisdiction and management authority over all ungranted tidelands, submerged lands, and the beds of navigable lakes and waterways. The CSLC also has certain residual and review authority for tidelands and submerged lands legislatively granted in trust to local jurisdictions (Pub. Resources Code, §§ 6301, 6306). All tidelands and submerged lands, granted or ungranted, as well as navigable lakes and waterways, are subject to the protections of the Common Law Public Trust.

As general background, the State of California acquired sovereign ownership of all tidelands and submerged lands and beds of navigable lakes and waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of

all people of the State for statewide Public Trust purposes, which include but are not limited to waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. On tidal waterways, the State's sovereign fee ownership extends landward to the mean high tide line, except for areas of fill or artificial accretion or where the boundary has been fixed by agreement or a court. Such boundaries may not be readily apparent from present day site inspections.

The proposed Project will be located on sovereign submerged lands that have been transferred, in trust, to the City of Los Angeles (Statue of 1911, Chapter 656); therefore no CSLC authorization will be required. No minerals have been reserved to the State on these granted lands.

Project Description

USACE and LAHD propose to deepen berths 214-220 and expand the Terminal Island Container Transfer Facility to meet the agency's objectives and needs as follows:

- Optimize the container-handling efficiency and capacity of the Port to accommodate the projected fleet mix of larger container vessels that are expected to call at YTI Terminal through 2026;
- Optimize the use of existing land at the YTI Terminal and associated waterways in a manner that is consistent with the LAHD's public trust obligations;
- Increase on-dock rail facilities to accommodate projected daily peak increases in container movement into and out of the YTI Terminal resulting from the handling of larger ships;
- Improve the container terminal backlands to minimize ongoing needs for pavement repair and maintenance.

From the Project Description, CSLC staff understands that the Project would include the following components:

- Dredging and Pilings. Berths 214-216 would be dredged to a depth of -55 feet mean lower low water (MLLW). King piles and sheet piles, which would be installed to accommodate the dredging activities, would cover 1,400 feet along the berths. Berths 217-220 would be dredged to a depth of -49 feet MLLW. Sheet piles would cover 1,200 feet along the berths. In total, 27,000 cubic yards of dredged material would be removed and disposed at an approved site;

- Wharf Cranes and Crane Rail. The Project would add additional cranes into operation at the Project site by raising and increasing the outreach of some existing wharf cranes. Up to six existing cranes would be raised and the booms would be extended to 197 feet. The existing 100-foot gauge landside crane rail would be extended by 1,500 feet to accommodate new cranes at berths 217-220;

- Backland Improvements. Approximately 160 acres of the 185-acre terminal would be improved. Improvements would consist of ground repairs and maintenance activities involving slurry sealing and deep cold planning, asphalt concrete overlay, concrete runways, restriping and possible upgrades to underground conduits and pipes as needed;

- Terminal Island Container Transfer Facility Improvements. Construction of a single 3,200-foot railroad track, including two turnouts, and reconstruction of a portion of the backlands would accommodate the rail expansion. This would involve grading, paving, lighting, drainage, utility relocation/modification, striping, relocation of an existing fence and third party utility modifications, as needed.

Environmental Review

As noted above, the Project is located on lands granted to the city of Los Angeles and will not require a lease with the CSLC; however, because the CSLC retains residual and review authority over granted lands, which are still subject to the protections of the Public Trust Doctrine, CSLC staff offers the following comments as a trustee agency and requests that the USACE and LAHD consider the below comments and suggestions when preparing the Draft EIS/EIR.

Biological Resources

1. Sensitive Species: The USACE and LAHD should conduct queries of the California Department of Fish and Wildlife's (CDFW) California Natural Diversity Database and U.S. Fish and Wildlife Service's (USFWS) Special Status Species Database to identify any special-status plant or wildlife species that may occur in the Project area. However, these queries alone should not be used as a substitute for coordination with the CDFW and USFWS, as well as direct surveys or data collection. Although the USACE and LAHD prepared a list of special-status birds in the Project area, the USACE and LAHD should also consult directly with CDFW, USFWS, and the National Oceanic and Atmospheric Administration's Fisheries Service (NMFS or NOAA Fisheries) for information on other species that may be present, their life histories, and possible mitigation for any significant impacts. The EIS/EIR should analyze the potential for such species to occur in the Project area and, if impacts to special-status species are found to be significant, identify adequate mitigation measures.

2. Invasive Species: One of the major stressors in California waterways is introduced species. Therefore, the EIS/EIR should consider the Project's potential to encourage the establishment or proliferation of marine invasive species including nonnative algae. As the NOI/NOP states, the Project could introduce invasive species into Essential Fish Habitat as defined by the Magnuson-Stevens Fisheries Management Act. USACE and LAHD should also consider the impacts of introduced species on the Project. A number of introduced species are known for their ability to bore into pilings and other infrastructure. If the analysis in the EIS/EIR finds potentially significant marine invasive species impacts, possible mitigation could include contracting vessels and barges from nearby, or requiring a certain degree of hull-cleaning from contractors. The CDFW's Invasive Species Program could assist with this analysis as well as with the development of appropriate mitigation (information at http://www.dfg.ca.gov/invasives/).

3. Construction Noise: The EIS/EIR should also evaluate noise and vibration impacts on fish and birds from construction in the water and pile driving. Mitigation measures could include species-specific work windows as defined by CDFW, USFWS, and NOAA Fisheries. Again, staff recommends early consultation with these agencies to minimize the impacts of the Project on sensitive species.

Climate Change

4. Greenhouse Gases: A greenhouse gas (GHG) emissions analysis consistent with the California Global Warming Solutions Act (AB 32) and required by the State CEQA Guidelines should be included in the EIS/EIR. This analysis should identify a threshold for significance for GHG emissions, calculate the level of GHGs that will be emitted as a result of construction and ultimate build-out of the Project, determine the significance of the impacts of those emissions, and, if impacts are significant, identify mitigation measures that would reduce them to the extent feasible.

5. Sea Level Rise: The EIS/EIR should also consider the effects of sea level rise on all resource categories potentially affected by the proposed Project. At its meeting on December 17, 2009, the CSLC approved the recommendations made in a previously requested staff report, "A Report on Sea Level Rise Preparedness" (Report), which assessed the degree to which the CSLC's grantees and lessees have considered the eventual effects of sea level rise on facilities located within the CSLC's jurisdiction. (The Report can be found on the CSLC's website, www.slc.ca.gov.) One of the Report's recommendations directs CSLC staff to consider the effects of sea level rise on hydrology, soils, geology, transportation, recreation, and other resource categories in all environmental determinations associated with CSLC leases. While a lease will not be required for the proposed Project, as noted above, CSLC staff recommends the USACE and LAHD provide information related to sea level rise effects and adaptation strategies due to the nature and cost of the infrastructure that is proposed for the Project.

Cultural Resources

6. Submerged Resources: The EIS/EIR should evaluate potential impacts to submerged cultural resources in the Project area. The CSLC maintains a shipwrecks database that can assist with this analysis. CSLC staff requests that the USACE and LAHD contact Senior Staff Counsel Pam Griggs (see contact information below) to obtain shipwrecks data from the database and CSLC records for the Project site. The database includes known and potential vessels located on the State's tide and submerged lands; however, the locations of many shipwrecks remain unknown. Please note that any submerged archaeological site or submerged historic resource that has remained in State waters for more than 50 years is presumed to be significant.

7. Title to Resources: The EIS/EIR should also mention that the title to all abandoned shipwrecks, archaeological sites, and historic or cultural resources on or in the tide and submerged lands of California is vested in the State and under the jurisdiction of the CSLC. CSLC staff requests that the USACE/LAHD consult with Senior Staff Counsel Pam Griggs (see contact information below), should any cultural resources on state lands be discovered during construction of the proposed Project.

Thank you for the opportunity to comment on the NOI/NOP for the Project. As a trustee agency, we request that you consider our comments prior to certification of the EIS/EIR. Please send additional information on the Project to the CSLC as plans become finalized.

Please send copies of future Project-related documents, including electronic copies of the Final EIS/EIR, Mitigation Monitoring and Reporting Program (MMRP), Notice of Determination (NOD), CEQA Findings and, if applicable, Statement of Overriding Considerations when they become available, and refer questions concerning environmental review to Holly Wyer, Environmental Scientist, at (916) 574-2399 or via e-mail at Holly.Wyer@slc.ca.gov. For questions concerning archaeological or historic resources under CSLC jurisdiction, please contact Senior Staff Counsel Pam Griggs at (916) 574-1854 or via email at Pamela.Griggs@slc.ca.gov. For questions concerning CSLC leasing jurisdiction, please contact Sharron Guerrieri, Granted Lands Representative, at (916) 574-1868, or via email at Sharon.Guerrieri@slc.ca.gov.

Sincerely,

Cy R. Oggins, Chief
Division of Environmental Planning
and Management

cc: Office of Planning and Research
Sharron Guerrieri, EAD, CSLC
Holly Wyer, DEPM, CSLC
Kathryn Colson, Legal, CSLC

Department of Toxic Substances Control

Matthew Rodriquez
Secretary for
Environmental Protection

Deborah O. Raphael, Director
5796 Corporate Avenue
Cypress, California 90630

Edmund G. Brown Jr.
Governor

RECEIVED
MAY - 4 2013
Regulatory Branch

May 2, 2013

U.S. Army Corps of Engineers
Los Angeles District, Regulatory Division
Ventura Field Office
Atten: Ms. Theresa Stevens, Ph. D.
2151 Alessandro Drive, Suite 110
Ventura, California 93001

NOTICE OF INTENT/NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL STATEMENT/ENVIRONMENTAL IMPACT REPORT FOR THE BERTHS 212-224 [YTI] CONTAINER TERMINAL IMPROVEMENTS PROJECT (SCH#), SAN DIEGO LOS ANGELES COUNTY, CALIFORNIA

Dear Ms. Stevens:

The Department of Toxic Substances Control (DTSC) has received your submitted Notice of Intent /Notice of Preparation (NOI/NOP) for a Draft Environmental Impact Statement / Environmental Impact Report (EIS/EIR) for the above-mentioned project. The following project description is stated in your document:

"The proposed Project involves the construction and operation of terminal improvements within the YTI Terminal. The proposed Project includes raising up to six existing cranes and replacing up to four existing cranes, for a total of 14 operational cranes at full build-out. The proposed Project would be constructed in two phases. The proposed Project site is located at 701 New Dock Street on Terminal Island in the Port. The site is within the Port of Los Angeles Community Plan area in the City and County of Los Angeles, California. The proposed project site is near the communities of San Pedro and Wilmington. The site is generally bounded on the north by confluence of the Cerritos and East Basin Channels, SA Recycling at Berths 210-211 to the east, Seaside Avenue and State Route 47to the south, and the East Basin Channel to the west. Land uses in the proposed project site vicinity support a variety of cargo handling operations, including container, liquid bulk, dry bulk, commercial fishing, seafood processing, and maritime support. The YTI Terminal site maintains a proposed land use designation of "container" use. The proposed project site is zoned for heavy industrial uses."

Based on the review of the submitted document DTSC has the following comments:

1) The EIS/EIR should evaluate whether conditions within the Project area may pose a threat to human health or the environment. Following are the databases of some of the regulatory agencies:

- National Priorities List (NPL): A list maintained by the United States Environmental Protection Agency (U.S.EPA).
- EnviroStor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
- EnviroStor (formerly CalSites): A Database primarily used by the California Department of Toxic Substances Control, accessible through DTSC's website (see below).
- Resource Conservation and Recovery Information System (RCRIS): A database of RCRA facilities that is maintained by U.S. EPA.
- Comprehensive Environmental Response Compensation and Liability Information System (CERCLIS): A database of CERCLA sites that is maintained by U.S.EPA.
- Solid Waste Information System (SWIS): A database provided by the California Integrated Waste Management Board which consists of both open as well as closed and inactive solid waste disposal facilities and transfer stations.
- GeoTracker: A List that is maintained by Regional Water Quality Control Boards.
- Local Counties and Cities maintain lists for hazardous substances cleanup sites and leaking underground storage tanks.
- The United States Army Corps of Engineers, 911 Wilshire Boulevard, Los Angeles, California, 90017, (213) 452-3908, maintains a list of Formerly Used Defense Sites (FUDS).

2) The EIS/EIR should identify the mechanism to initiate any required investigation and/or remediation for any site within the proposed Project area that may be contaminated, and the government agency to provide appropriate regulatory oversight. If necessary, DTSC would require an oversight agreement in order to review such documents.

3) Any environmental investigations, sampling and/or remediation for a site should be conducted under a Workplan approved and overseen by a regulatory agency that has jurisdiction to oversee hazardous substance cleanup. The findings of any investigations, including any Phase I or II Environmental Site Assessment Investigations should be summarized in the document. All sampling results in which hazardous substances were found above regulatory standards should be clearly summarized in a table. All closure, certification or remediation approval reports by regulatory agencies should be included in the EIS/EIR.

4) If buildings, other structures, asphalt or concrete-paved surface areas are being planned to be demolished, an investigation should also be conducted for the presence of other hazardous chemicals, mercury, and asbestos containing materials (ACMs). If other hazardous chemicals, lead-based paints (LPB) or products, mercury or ACMs are identified, proper precautions should be taken during demolition activities. Additionally, the contaminants should be remediated in compliance with California environmental regulations and policies.

5) Future project construction may require soil excavation or filling in certain areas. Sampling may be required. If soil is contaminated, it must be properly disposed and not simply placed in another location onsite. Land Disposal Restrictions (LDRs) may be applicable to such soils. Also, if the project proposes to import soil to backfill the areas excavated, sampling should be conducted to ensure that the imported soil is free of contamination.

6) Human health and the environment of sensitive receptors should be protected during any construction or demolition activities. If necessary, a health risk assessment overseen and approved by the appropriate government agency should be conducted by a qualified health risk assessor to determine if there are, have been, or will be, any releases of hazardous materials that may pose a risk to human health or the environment.

7) If it is determined that hazardous wastes are, or will be, generated by the proposed operations, the wastes must be managed in accordance with the California Hazardous Waste Control Law (California Health and Safety Code, Division 20, Chapter 6.5) and the Hazardous Waste Control Regulations (California Code of Regulations, Title 22, Division 4.5). If it is determined that hazardous wastes will be generated, the facility should also obtain a United States Environmental Protection Agency Identification Number by contacting (800) 618-6942. Certain hazardous waste treatment processes or hazardous materials, handling, storage or uses may require authorization from the local Certified Unified Program Agency (CUPA). Information about the requirement for authorization can be obtained by contacting your local CUPA.

8) DTSC can provide cleanup oversight through an Environmental Oversight Agreement (EOA) for government agencies that are not responsible parties, or a Voluntary Cleanup Agreement (VCA) for private parties. For additional information on the EOA or VCA, please see www.dtsc.ca.gov/SiteCleanup/Brownfields, or contact Ms. Maryam Tasnif-Abbasi, DTSC's Voluntary Cleanup Coordinator, at (714) 484-5489.

If you have any questions regarding this letter, please contact Rafiq Ahmed, Project Manager, by e-mail at Rafiq.Ahmed@dtsc.ca.gov , or by phone at (714) 484-5491.

Sincerely,

Rafiq Ahmed
Project Manager
Brownfields and Environmental Restoration Program

cc: Governor's Office of Planning and Research
State Clearinghouse
P.O. Box 3044
Sacramento, California 95812-3044
state.clearinghouse@opr.ca.gov.

CEQA Tracking Center
Department of Toxic Substances Control
Office of Environmental Planning and Analysis
P.O. Box 806
Sacramento, California 95812
Attn: Nancy Ritter
nritter@dtsc.ca.gov

CEQA # 3741

STATE OF CALIFORNIA Edmund G. Brown, Jr., *Governor*

NATIVE AMERICAN HERITAGE COMMISSION
915 CAPITOL MALL, ROOM 364
SACRAMENTO, CA 95814
(916) 653-6251
(916) 657-5390 - FAX

CITY OF LOS ANGELES
APR 11 2013
ENV MGMT DIV
HARBOR DEPARTMENT

April 9, 2013

Mr. Christopher Cannon, Director of Environmental Management

Los Angeles Harbor Department

Environmental Management Division

425 South Palos Verdes Street
San Pedro, CA 90731

RE: SCH# 2013041017 Joint NEPA/CEQA Notice of Preparation (NOP); draft Environmental Impact Report (DEIR) and NEPA Notice of Intent (NOI) for the **Berths 212-224 [YTI] Container Terminal Improvements Project.;** located in the City of Los Angeles Harbor area;; Los Angeles County, California.

Dear Mr. Cannon:

The Native American Heritage Commission (NAHC) has reviewed the CEQA Notice regarding the above referenced project. In the 1985 Appellate Court decision (170 Cal App 3rd 604), the court held that the NAHC has jurisdiction and special expertise, as a state agency, over affected Native American resources impacted by proposed projects, including archaeological places of religious significance to Native Americans, and to Native American burial sites.

The California Environmental Quality Act (CEQA) states that any project that causes a substantial adverse change in the significance of an historical resources, which includes archeological resources, is a significant effect requiring the preparation of an EIR (CEQA guidelines 15064(b)). To adequately comply with this provision and mitigate project-related impacts on archaeological resources, the Commission recommends the following actions be required:

Contact the appropriate Information Center for a record search to determine :If a part or all of the area of project effect (APE) has been previously surveyed for cultural places(s), The NAHC recommends that known traditional cultural resources recorded on or adjacent to the APE be listed in the draft Environmental Impact Report.

If an additional archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey. We suggest that this be coordinated with the NAHC, if possible. The final report containing site forms, site significance, and mitigation measurers should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum, and not be made available for pubic disclosure pursuant to California Government Code Section 6254.10.
Contact has been made to the Native American Heritage Commission for :a Sacred Lands File Check. A list of appropriate Native American Contacts for consultation

concerning the project site has been provided and is attached to this letter to determine if the proposed active might impinge on any cultural resources. Lack of surface evidence of archeological resources does not preclude their subsurface existence.

Lead agencies should include in their mitigation plan provisions for the identification and evaluation of accidentally discovered archeological resources, per California Environmental Quality Act (CEQA) §15064.5(f). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American, with knowledge in cultural resources, should monitor all ground-disturbing activities.
Lead agencies should include in their mitigation plan provisions for the disposition of recovered artifacts, in consultation with culturally affiliated Native Americans.
Lead agencies should include provisions for discovery of Native American human remains in their mitigation plan. Health and Safety Code §7050.5, CEQA §15064.5(e), and Public Resources Code §5097.98 mandates the process to be followed in the event of an accidental discovery of any human remains in a location other than a dedicated cemetery.

Sincerely,

Dave Singleton
Program Analyst
(916) 653-6251

CC: State Clearinghouse

Attachment: Native American Contacts list

Native American Contacts
Los Angeles County
April 9, 2013

LA City/County Native American Indian Comm
Ron Andrade, Director
3175 West 6th St, Rm. 403
Los Angeles , CA 90020
randrade@css.lacounty.gov
(213) 351-5324
(213) 386-3995 FAX

Gabrielino Tongva Nation
Sam Dunlap, Cultural Resources Director
P.O. Box 86908 Gabrielino Tongva
Los Angeles , CA 90086
samdunlap@earthlink.net

(909) 262-9351 - cell

Ti'At Society/Inter-Tribal Council of Pimu
Cindi M. Alvitre, Chairwoman-Manisar
3094 Mace Avenue, Apt. B Gabrielino
Costa Mesa, , CA 92626
calvitre@yahoo.com
(714) 504-2468 Cell

Gabrielino Tongva Indians of California Tribal Council
Robert F. Dorame, Tribal Chair/Cultural Resources
P.O. Box 490 Gabrielino Tongva
Bellflower , CA 90707
gtongva@verizon.net
562-761-6417 - voice
562-761-6417- fax

Tongva Ancestral Territorial Tribal Nation
John Tommy Rosas, Tribal Admin.
Private Address Gabrielino Tongva
,
tattnlaw@gmail.com
310-570-6567

Gabrielino-Tongva Tribe
Bernie Acuna, Co-Chairperson
P.O. Box 180 Gabrielino
Bonsall , CA 92003
(619) 294-6660-work
(310) 428-5690 - cell
(760) 636-0854- FAX
bacuna1@gabrieinotribe.org

Gabrieleno/Tongva San Gabriel Band of Mission
Anthony Morales, Chairperson
PO Box 693 Gabrielino Tongva
San Gabriel , CA 91778
GTTribalcouncil@aol.com
(626) 286-1632
(626) 286-1758 - Home
(626) 286-1262 -FAX

Gabrielino-Tongva Tribe
Linda Candelaria, Co-Chairperson
P.O. Box 180 Gabrielino
Bonsall , CA 92003
palmsprings9@yahoo.com
626-676-1184- cell
(760) 636-0854 - FAX

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2013041012; CEQA Notice of Preparation (NOP) for the Berths 212-224 [YTI] Container Improvements Project; located in the Port of Los Angeles; San Pedro Area; Los Angeles County, California.

Native American Contacts
Los Angeles County
April 9, 2013

Gabrieleno Band of Mission Indians
Andrew Salas, Chairperson
P.O. Box 393 Gabrielino
Covina , CA 91723
(626) 926-4131
gabrielenoindians@yahoo.com

Gabrielino-Tongva Tribe
Conrad Acuna,
P.O. Box 180 Gabrielino
Bonsall , CA 92003

760-636-0854 - FAX

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.98 of the Public Resources Code.

This list is only applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2013041012; CEQA Notice of Preparation (NOP) for the Berths 212-224 [YTI] Container Improvements Project; located in the Port of Los Angeles; San Pedro Area; Los Angeles County, California.

STATE OF CALIFORNIA EDMUND G. BROWN JR., *Governor*

PUBLIC UTILITIES COMMISSION
320 WEST 4TH STREET, SUITE 500
LOS ANGELES, CA 90013
(213) 576-7083

April 15, 2013

Christopher Cannon
City of Los Angeles Harbor Department
425 South Palos Verdes Street
San Pedro, California 90731

Dear Mr. Cannon:

Re: SCH# 2013041017; Berths 212-224 Container Terminal Improvements Project NOP

The California Public Utilities Commission (Commission) has jurisdiction over the safety of highway-rail crossings (crossings) in California. The California Public Utilities Code requires the Commission approval for construction or alteration of crossings and grants the Commission exclusive power on design, alteration, and/or closure of crossings in California. The Commissionôs Rail Crossings Engineering Section (RCES) has received a copy of the *Notice of Preparation (NOP)* from the State Clearinghouse for the proposed Berths 212-224 Container Terminal Improvements project. The City of Los Angeles (City) is the lead agency.

According to the NOP, the project would include expansion of the Terminal Island Container Transfer (TICT) Facility and others. The project would expand the TICT facility by adding a single loading track and others.

The project may increase truck traffic volumes not only on streets and intersections, but also on at-grade highway-rail crossings. The potential project impacts on the existing at-grade crossings along the Port of Los Angeles Red Car Line tracks which serve or are near the TICT facility should be identified, discussed and evaluated for necessary safety improvements and mitigations. This includes considering traffic queuing, weaving, emergency service response, pedestrian circulation patterns or destinations with respect to railroad right-of-way, and compliance with the Americans with Disabilities Act. Mitigation measures to consider include, but are not limited to, the planning for grade separations for major thoroughfares, improvements to existing at-grade highway-rail crossings due to increase in traffic volumes and continuous vandal resistant fencing or other appropriate barriers to limit the access of trespassers onto the railroad right-of-way. All identified crossings shall also comply with the requirements of California Manual on Uniform Traffic Control Devices. Furthermore, the Emergency Notification Sign (ENS) I-13 shall be installed with contact information and DOT Number visible in plain sight.

The additional track shall be constructed in accordance with the Commission General Order (GO) Nos. 26-D (Clearance on railroads and street railroads as to side and overhead structures, parallel tracks and crossings), 72-B (Construction and maintenance ï standard types of pavement construction at railroad grade crossings) and 75-D (Warning devices for at-grade railroad crossings).

Construction of a new public crossing or modification of an existing public crossing requires authorization from the Commission, through the formal application or the General Order (GO) 88-B request processes, respectively. Prior to submission of a formal application or GO 88-B request, the City should arrange a diagnostic meeting with RCES to discuss relevant safety issues and requirements for the Commissionôs authorization. While construction of private crossings may not need the Commissionôs authorization, compliance with the Commissionôs GO 26-D (Clearances on Railroads and Street Railroads as to Side and Overhead Structures, Parallel Tracks and Crossings) and GO 75-B (Regulations Governing Standards for Warning Devices for At-Grade Highway-Rail Crossing) standards are still required. RCES representatives are available for consultation on crossing safety matters. See the link for more information: http://www.cpuc.ca.gov/PUC/safety/Rail/Crossings/formalapps.htm.

If you have any questions in this matter, please contact me at (213) 576-7076, yen.chiang@cpuc.ca.gov, or Jose Pereyra at (213) 576-7083, jfp@cpuc.ca.gov.

Sincerely,

Ken Chiang, P.E.
Utilities Engineer
Rail Crossings Engineering Section
Safety and Enforcement Division

C: State Clearinghouse
Jose Pereyra

Metropolitan Transportation Authority
One Gateway Plaza
Los Angeles, CA 90012-2952
213.922.2000 Tel
metro.net

Metro

CITY OF LOS ANGELES
APR 24 2013
ENV MGMT DIV
HARBOR DEPARTMENT

April 22, 2013

Mr. Christopher Cannon
Director of Environmental Management
425 S. Palos Verdes Street
San Pedro, CA 90731

Dear Mr. Cannon:

Thank you for the opportunity to comment on the Notice of Preparation (NOP) for the proposed Berths 212-224 [YTI] Container Terminal Improvements Project. This letter conveys recommendations from the Los Angeles County Metropolitan Transportation Authority (LACMTA) concerning issues that are germane to our agency's statutory responsibilities in relation to the proposed project.

A Traffic Impact Analysis (TIA), with roadway and transit components, is required under the State of California Congestion Management Program (CMP) statute. The CMP TIA Guidelines are published in the "2010 Congestion Management Program for Los Angeles County", Appendix D (attached). The geographic area examined in the TIA must include the following, at a minimum:

1. All CMP arterial monitoring intersections, including monitored freeway on/off-ramp intersections, where the proposed project will add 50 or more trips during either the a.m. or p.m. weekday peak hour (of adjacent street traffic);
2. If CMP arterial segments are being analyzed rather than intersections, the study area must include all segments where the proposed project will add 50 or more peak hour trips (total of both directions). Within the study area, the TIA must analyze at least one segment between monitored CMP intersections;
3. Mainline freeway-monitoring locations where the project will add 150 or more trips, in either direction, during either the a.m. or p.m. weekday peak hour; and
4. Caltrans must also be consulted through the NOP process to identify other specific locations to be analyzed on the state highway system.

The CMP TIA requirement also contains two separate impact studies covering roadways and transit, as outlined in Sections D.8.1 – D.9.4. If the TIA identifies no facilities for study based on the criteria above, no further traffic analysis is required. However, projects must still consider transit impacts. For all CMP TIA requirements please see the attached guidelines.

MTA looks forward to reviewing the Draft EIR. If you have any questions regarding this response, please call me at 213-922-2836 or by email at hartwells@metro.net. Please send the Draft EIR to the following address:

MTA CEQA Review Coordination
One Gateway Plaza MS 99-23-2
Los Angeles, CA 90012-2952
Attn: Scott Hartwell

Sincerely,

Scott Hartwell
CEQA Review Coordinator, Long Range Planning

Attachment

cc: Theresa Stevens, Ph.D.

APPENDIX

D

GUIDELINES FOR CMP TRANSPORTATION IMPACT ANALYSIS

Important Notice to User: This section provides detailed travel statistics for the Los Angeles area which will be updated on an ongoing basis. Updates will be distributed to all local jurisdictions when available. In order to ensure that impact analyses reflect the best available information, lead agencies may also contact MTA at the time of study initiation. Please contact MTA staff to request the most recent release of "Baseline Travel Data for CMP TIAs."

D.1 OBJECTIVE OF GUIDELINES

The following guidelines are intended to assist local agencies in evaluating impacts of land use decisions on the Congestion Management Program (CMP) system, through preparation of a regional transportation impact analysis (TIA). The following are the basic objectives of these guidelines:

- Promote consistency in the studies conducted by different jurisdictions, while maintaining flexibility for the variety of project types which could be affected by these guidelines.
- Establish procedures which can be implemented within existing project review processes and without ongoing review by MTA.
- Provide guidelines which can be implemented immediately, with the full intention of subsequent review and possible revision.

These guidelines are based on specific requirements of the Congestion Management Program, and travel data sources available specifically for Los Angeles County. References are listed in Section D.10 which provide additional information on possible methodologies and available resources for conducting TIAs.

D.2 GENERAL PROVISIONS

Exhibit D-7 provides the model resolution that local jurisdictions adopted containing CMP TIA procedures in 1993. TIA requirements should be fulfilled within the existing environmental review process, extending local traffic impact studies to include impacts to the regional system. In order to monitor activities affected by these requirements, Notices of Preparation (NOPs) must be submitted to MTA as a responsible agency. Formal MTA approval of individual TIAs is not required.

The following sections describe CMP TIA requirements in detail. In general, the competing objectives of consistency & flexibility have been addressed by specifying standard, or minimum, requirements and requiring documentation when a TIA varies from these standards.

D.3 PROJECTS SUBJECT TO ANALYSIS

In general a CMP TIA is required for all projects required to prepare an Environmental Impact Report (EIR) based on local determination. A TIA is not required if the lead agency for the EIR finds that traffic is not a significant issue, and does not require local or regional traffic impact analysis in the EIR. Please refer to Chapter 5 for more detailed information.

CMP TIA guidelines, particularly intersection analyses, are largely geared toward analysis of projects where land use types and design details are known. Where likely land uses are not defined (such as where project descriptions are limited to zoning designation and parcel size with no information on access location), the level of detail in the TIA may be adjusted accordingly. This may apply, for example, to some redevelopment areas and citywide general plans, or community level specific plans. In such cases, where project definition is insufficient for meaningful intersection level of service analysis, CMP arterial segment analysis may substitute for intersection analysis.

D.4 STUDY AREA

The geographic area examined in the TIA must include the following, at a minimum:

- ❑ All CMP arterial monitoring intersections, including monitored freeway on- or off-ramp intersections, where the proposed project will add 50 or more trips during either the AM or PM weekday peak hours (of adjacent street traffic).
- ❑ If CMP arterial segments are being analyzed rather than intersections (see Section D.3), the study area must include all segments where the proposed project will add 50 or more peak hour trips (total of both directions). Within the study area, the TIA must analyze at least one segment between monitored CMP intersections.
- ❑ Mainline freeway monitoring locations where the project will add 150 or more trips, in either direction, during either the AM or PM weekday peak hours.
- ❑ Caltrans must also be consulted through the Notice of Preparation (NOP) process to identify other specific locations to be analyzed on the state highway system.

If the TIA identifies no facilities for study based on these criteria, no further traffic analysis is required. However, projects must still consider transit impacts (Section D.8.4).

D.5 BACKGROUND TRAFFIC CONDITIONS

The following sections describe the procedures for documenting and estimating background, or non-project related traffic conditions. Note that for the purpose of a TIA, these background estimates must include traffic from all sources without regard to the exemptions specified in CMP statute (e.g., traffic generated by the provision of low and very low income housing, or trips originating outside Los Angeles County. Refer to Chapter 5, Section 5.2.3 for a complete list of exempted projects).

D.5.1 Existing Traffic Conditions. Existing traffic volumes and levels of service (LOS) on the CMP highway system within the study area must be documented. Traffic counts must

be less than one year old at the time the study is initiated, and collected in accordance with CMP highway monitoring requirements (see Appendix A). Section D.8.1 describes TIA LOS calculation requirements in greater detail. Freeway traffic volume and LOS data provided by Caltrans is also provided in Appendix A.

D.5.2 Selection of Horizon Year and Background Traffic Growth. Horizon year(s) selection is left to the lead agency, based on individual characteristics of the project being analyzed. In general, the horizon year should reflect a realistic estimate of the project completion date. For large developments phased over several years, review of intermediate milestones prior to buildout should also be considered.

At a minimum, horizon year background traffic growth estimates must use the generalized growth factors shown in Exhibit D-1. These growth factors are based on regional modeling efforts, and estimate the general effect of cumulative development and other socioeconomic changes on traffic throughout the region. Beyond this minimum, selection among the various methodologies available to estimate horizon year background traffic in greater detail is left to the lead agency. Suggested approaches include consultation with the jurisdiction in which the intersection under study is located, in order to obtain more detailed traffic estimates based on ongoing development in the vicinity.

D.6 PROPOSED PROJECT TRAFFIC GENERATION

Traffic generation estimates must conform to the procedures of the current edition of Trip Generation, by the Institute of Transportation Engineers (ITE). If an alternative methodology is used, the basis for this methodology must be fully documented.

Increases in site traffic generation may be reduced for existing land uses to be removed, if the existing use was operating during the year the traffic counts were collected. Current traffic generation should be substantiated by actual driveway counts; however, if infeasible, traffic may be estimated based on a methodology consistent with that used for the proposed use.

Regional transportation impact analysis also requires consideration of trip lengths. Total site traffic generation must therefore be divided into work and non-work-related trip purposes in order to reflect observed trip length differences. Exhibit D-2 provides factors which indicate trip purpose breakdowns for various land use types.

For lead agencies who also participate in CMP highway monitoring, it is recommended that any traffic counts on CMP facilities needed to prepare the TIA should be done in the manner outlined in Chapter 2 and Appendix A. If the TIA traffic counts are taken within one year of the deadline for submittal of CMP highway monitoring data, the local jurisdiction would save the cost of having to conduct the traffic counts twice.

D.7 TRIP DISTRIBUTION

For trip distribution by direct/manual assignment, generalized trip distribution factors are provided in Exhibit D-3, based on regional modeling efforts. These factors indicate Regional Statistical Area (RSA)-level tripmaking for work and non-work trip purposes.

(These RSAs are illustrated in Exhibit D-4.) For locations where it is difficult to determine the project site RSA, census tract/RSA correspondence tables are available from MTA.

Exhibit D-5 describes a general approach to applying the preceding factors. Project trip distribution must be consistent with these trip distribution and purpose factors; the basis for variation must be documented.

Local agency travel demand models disaggregated from the SCAG regional model are presumed to conform to this requirement, as long as the trip distribution functions are consistent with the regional distribution patterns. For retail commercial developments, alternative trip distribution factors may be appropriate based on the market area for the specific planned use. Such market area analysis must clearly identify the basis for the trip distribution pattern expected.

D.8 IMPACT ANALYSIS

CMP Transportation Impact Analyses contain two separate impact studies covering roadways and transit. Section Nos. D.8.1-D.8.3 cover required roadway analysis while Section No. D.8.4 covers the required transit impact analysis. Section Nos. D.9.1-D.9.4 define the requirement for discussion and evaluation of alternative mitigation measures.

D.8.1 Intersection Level of Service Analysis. The LA County CMP recognizes that individual jurisdictions have wide ranging experience with LOS analysis, reflecting the variety of community characteristics, traffic controls and street standards throughout the county. As a result, the CMP acknowledges the possibility that no single set of assumptions should be mandated for all TIAs within the county.

However, in order to promote consistency in the TIAs prepared by different jurisdictions, CMP TIAs must conduct intersection LOS calculations using either of the following methods:

- The Intersection Capacity Utilization (ICU) method as specified for CMP highway monitoring (see Appendix A); or
- The Critical Movement Analysis (CMA) / Circular 212 method.

Variation from the standard assumptions under either of these methods for circumstances at particular intersections must be fully documented.

TIAs using the 1985 or 1994 Highway Capacity Manual (HCM) operational analysis must provide converted volume-to-capacity based LOS values, as specified for CMP highway monitoring in Appendix A.

D.8.2 Arterial Segment Analysis. For TIAs involving arterial segment analysis, volume-to-capacity ratios must be calculated for each segment and LOS values assigned using the V/C-LOS equivalency specified for arterial intersections. A capacity of 800 vehicles per hour per through traffic lane must be used, unless localized conditions necessitate alternative values to approximate current intersection congestion levels.

D.8.3 Freeway Segment (Mainline) Analysis. For the purpose of CMP TIAs, a simplified analysis of freeway impacts is required. This analysis consists of a demand-to-capacity calculation for the affected segments, and is indicated in Exhibit D-6.

D.8.4 Transit Impact Review. CMP transit analysis requirements are met by completing and incorporating into an EIR the following transit impact analysis:

- ❑ Evidence that affected transit operators received the Notice of Preparation.
- ❑ A summary of existing transit services in the project area. Include local fixed-route services within a ¼ mile radius of the project; express bus routes within a 2 mile radius of the project, and; rail service within a 2 mile radius of the project.
- ❑ Information on trip generation and mode assignment for both AM and PM peak hour periods as well as for daily periods. Trips assigned to transit will also need to be calculated for the same peak hour and daily periods. Peak hours are defined as 7:30-8:30 AM and 4:30-5:30 PM. Both "peak hour" and "daily" refer to average weekdays, unless special seasonal variations are expected. If expected, seasonal variations should be described.
- ❑ Documentation of the assumption and analyses that were used to determine the number and percent of trips assigned to transit. Trips assigned to transit may be calculated along the following guidelines:
  - ➢ Multiply the total trips generated by 1.4 to convert vehicle trips to person trips;
  - ➢ For each time period, multiply the result by one of the following factors:

    3.5% of Total Person Trips Generated for most cases, except:

    10% primarily Residential within 1/4 mile of a CMP transit center
    15% primarily Commercial within 1/4 mile of a CMP transit center
    7% primarily Residential within 1/4 mile of a CMP multi-modal transportation center
    9% primarily Commercial within 1/4 mile of a CMP multi-modal transportation center
    5% primarily Residential within 1/4 mile of a CMP transit corridor
    7% primarily Commercial within 1/4 mile of a CMP transit corridor
    0% if no fixed route transit services operate within one mile of the project

  To determine whether a project is primarily residential or commercial in nature, please refer to the CMP land use categories listed and defined in Appendix E, *Guidelines for New Development Activity Tracking and Self Certification.* For projects that are only partially within the above one-quarter mile radius, the base rate (3.5% of total trips generated) should be applied to all of the project buildings that touch the radius perimeter.

- ❑ Information on facilities and/or programs that will be incorporated in the development plan that will encourage public transit use. Include not only the jurisdiction's TDM Ordinance measures, but other project specific measures.

- Analysis of expected project impacts on current and future transit services and proposed project mitigation measures, and;
- Selection of final mitigation measures remains at the discretion of the local jurisdiction/lead agency. Once a mitigation program is selected, the jurisdiction self-monitors implementation through the existing mitigation monitoring requirements of CEQA.

D.9 IDENTIFICATION AND EVALUATION OF MITIGATION

D.9.1 Criteria for Determining a Significant Impact. For purposes of the CMP, a significant impact occurs when the proposed project increases traffic demand on a CMP facility by 2% of capacity ($V/C \geq 0.02$), causing LOS F ($V/C > 1.00$); if the facility is already at LOS F, a significant impact occurs when the proposed project increases traffic demand on a CMP facility by 2% of capacity ($V/C \geq 0.02$). The lead agency may apply a more stringent criteria if desired.

D.9.2 Identification of Mitigation. Once the project has been determined to cause a significant impact, the lead agency must investigate measures which will mitigate the impact of the project. Mitigation measures proposed must clearly indicate the following:

- Cost estimates, indicating the fair share costs to mitigate the impact of the proposed project. If the improvement from a proposed mitigation measure will exceed the impact of the project, the TIA must indicate the proportion of total mitigation costs which is attributable to the project. This fulfills the statutory requirement to exclude the costs of mitigating inter-regional trips.
- Implementation responsibilities. Where the agency responsible for implementing mitigation is not the lead agency, the TIA must document consultation with the implementing agency regarding project impacts, mitigation feasibility and responsibility.

Final selection of mitigation measures remains at the discretion of the lead agency. The TIA must, however, provide a summary of impacts and mitigation measures. Once a mitigation program is selected, the jurisdiction self-monitors implementation through the mitigation monitoring requirements contained in CEQA.

D.9.3 Project Contribution to Planned Regional Improvements. If the TIA concludes that project impacts will be mitigated by anticipated regional transportation improvements, such as rail transit or high occupancy vehicle facilities, the TIA must document:

- Any project contribution to the improvement, and
- The means by which trips generated at the site will access the regional facility.

D.9.4 Transportation Demand Management (TDM). If the TIA concludes or assumes that project impacts will be reduced through the implementation of TDM measures, the TIA must document specific actions to be implemented by the project which substantiate these conclusions.

D.10 REFERENCES

1. *Traffic Access and Impact Studies for Site Development: A Recommended Practice*, Institute of Transportation Engineers, 1991.
2. *Trip Generation*, 5th Edition, Institute of Transportation Engineers, 1991.
3. *Travel Forecast Summary: 1987 Base Model - Los Angeles Regional Transportation Study (LARTS)*, California State Department of Transportation (Caltrans), February 1990.
4. *Traffic Study Guidelines*, City of Los Angeles Department of Transportation (LADOT), July 1991.
5. *Traffic/Access Guidelines*, County of Los Angeles Department of Public Works.
6. *Building Better Communities*, Sourcebook, Coordinating Land Use and Transit Planning, American Public Transit Association.
7. *Design Guidelines for Bus Facilities*, Orange County Transit District, 2nd Edition, November 1987.
8. *Coordination of Transit and Project Development*, Orange County Transit District, 1988.
9. *Encouraging Public Transportation Through Effective Land Use Actions*, Municipality of Metropolitan Seattle, May 1987.

CITY OF RANCHO PALOS VERDES
CITY MANAGER'S OFFICE
ADMINISTRATION

17 April 2013

VIA E-MAIL & U.S. MAIL

Theresa Stevens, Ph.D.
U.S. Army Corps of Engineers
Los Angeles District, Regulatory Division
Ventura Field Office
2151 Alessandro Dr., Ste. 110
Ventura, CA 93001

Christopher Cannon
Director of Environmental Management
Los Angeles Harbor Department
425 S. Palos Verdes St.
San Pedro, CA 90731

SUBJECT: City of Rancho Palos Verdes' Comments on the Notice of Intent/Notice of Preparation (NOI/NOP) for the Berths 212-224 (YTI) Container Terminal Improvements Project

Dear Dr. Stevens and Mr. Cannon:

The City of Rancho Palos Verdes appreciates the opportunity to comment upon the scope of the draft Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Berths 212-224 (YTI) Container Terminal Improvements Project. We have reviewed the Notice of Intent/Notice of Preparation (NOI/NOP) and offer the following comments:

1. The discussion of Hazards and Hazardous Materials in the Environmental Checklist (Section VIII.a, p. 37) notes that there is the potential for "[cargo] movement [to] include the transport of material considered to be hazardous." The City of Rancho Palos Verdes suggests that the discussion in Section VIII.b regarding "reasonable foreseeable upset and accident conditions involving the likely release of hazardous material into the environment" should also include assessment of the movement of cargo at the YTI facility, not just the risk of unearthing contaminated soil during site excavation.

2. The discussion of Land Use and Planning in the Environmental Checklist (Section X.b, pp. 43-44) acknowledges the on-going Port Master Plan Update (PMPU) as it relates to the project site. However, we note that the neither the PMPU nor the associated Program Environmental Impact Report (PEIR) identifies the Berths 212-224 (YTI) Container Terminal Improvements Project as a "Proposed" or "Other" project. The City of Rancho Palos Verdes suggests that inconsistencies (if any) of the proposed project with the proposed PMPU should be fully analyzed in the EIS/EIR.

Again, thank you very much for the opportunity to review and comment upon this important project. If you have any questions or need additional information, please feel free to contact me at (310) 544-5226 or via e-mail at *kitf@rpv.com*

Sincerely,

Kit Fox, AICP
Senior Administrative Analyst

cc: Mayor Susan Brooks and City Council
Carolyn Lehr, City Manager
Carolynn Petru, Deputy City Manager
Border Issues file

DEPARTMENT OF TRANSPORTATION
DISTRICT 7, REGIONAL PLANNING
IGR/CEQA BRANCH
100 MAIN STREET, MS # 16
LOS ANGELES, CA 90012-3606
PHONE: (213) 897-9140
FAX: (213) 897-1337

Flex your power!
Be energy efficient!

April 25, 2013

Mr. Christopher Cannon
Director of Environmental Management
425 S. Palos Verdes Street
San Pedro, CA 90731

U.S. Army Corps of Engineers
Los Angeles District, Regulatory Division
Venture Field Office
c/o Theresa Stevens, Ph.D.
2151 Alessandro Drive, Suite 110
Ventura, CA 93001

IGR/CEQA No. 130415AL-NOP
Berths 212-224 [YTI] Container Terminal Improvements Project
Vic. LA-710 / PM 4.96, LA-47 / PM 3.5, LA-110/ R0.93
SCH # 2013041017

Dear Mr. Cannon and Ms. Stevens:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The proposed project involves the construction and operation of terminal improvements within the YTI Terminal; these consist of dredging and installing sheet piles and king piles, adding and replacing/extending wharf cranes, extending the 100-foot gage crane rail, improving/repairing backlands, and expanding the TICTF on-dock rail.

On page 53 of the NOP, the project would result in an increase in vehicle trips during construction and operations. During construction these would primarily be construction worker private vehicles and heavy trucks used during the construction process. Operation of the improved container terminal could increase the number of cargo truck trips.

To assist in evaluating the impacts of this project on State transportation facilities, a traffic study should be prepared prior to preparing the Draft Environmental Impact Report (DEIR). Please refer the project's traffic consultant to Caltrans' traffic study guide Website below:

http://www.dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa_files/tisguide.pdf

Below is a list of general elements that are expected in the traffic study:

1. Presentations of assumptions and methods used to develop trip generation, trip distribution, choice of travel mode, and assignments of trips to SR-47, SR-110, and SR-710, and all on/off ramps within 2 mile radius of the project. Caltrans has concerns about queuing of vehicles using off-ramps that will back into the mainline through lanes. It is recommended that the Lead Agency determine whether project-related plus cumulative traffic is expected to cause long queues on the on and off-ramps. We would like to meet with the traffic consultant to identify study locations on the State facilities before preparing the Environmental Impact Report (EIR).

2. All freeway segments and interchanges within 5 miles of the project should be analyzed.

3. Consistency of project travel modeling with other regional and local modeling forecasts and with travel data. The Department may use indices to verify the results and any differences or inconsistencies must be thoroughly explained.

4. Analysis of ADT, AM and PM peak-hour volumes for both the existing and future conditions in the affected area. Utilization of transit lines and vehicles, and of all facilities, should be realistically estimated. Future conditions would include build-out of all projects and any plan-horizon years. (see next item)

5. Inclusion of all appropriate traffic volumes. Analysis should include existing traffic, traffic generated from the project, cumulative traffic generated from all specific approved developments in the area, and traffic growth other than from the project and developments.

6. Discussion of mitigation measures appropriate to alleviate anticipated traffic impacts. These mitigation discussions should include, but not be limited to, the following:

    - Description of Transportation Infrastructure Improvements
    - Financial Costs, Funding Sources and Financing
    - Sequence and Scheduling Considerations
    - Implementation Responsibilities, Controls, and Monitoring

    Any mitigation involving transit or Transportation Demand Management (TDM) should be justified and the results conservatively estimated. Improvements involving dedication of land or physical construction may be favorably considered.

7. Caltrans may accept fair share contributions toward pre-established or future improvements on the State Highway System. Please use the following ratio when estimating project equitable share responsibility: additional traffic volume due to project implementation is divided by the total increase in the traffic volume (see Appendix "B" of the Guide).

    Please note that for purposes of determining project share of costs, that the number of trips from the project on each traveling segment or element is estimated in the context of forecasted traffic volumes which include build-out of all approved and not yet approved projects, and other sources of growth. Analytical methods such as select-zone travel forecast modeling should be used.

Please be reminded that as the responsible agency under CEQA, the Department has authority to determine the required freeway analysis for this project and is responsible for obtaining measures that will off-set project vehicle trip generation that worsens State Highway facilities. CEQA allows the Department to develop criteria for evaluating impacts on the facilities that it manages. In addition, the County CMP standards states that the Department should be consulted for the analysis of State facilities. The State Route mentioned in item #1 should be analyzed, preferably using methods suggested in the Department's Traffic Impact Study Guide. To help determine the appropriate scope, we request that a select zone model run is performed. We welcome the opportunity to provide consultation regarding the Department's preferred scope and methods of analysis.

Per our phone conversation with Ms. Laura Masterson on April 24, 2013, Caltrans is requesting a **Scoping Meeting** prior to the preparation of the traffic study, to determine the study area, methodology to be used for the analysis. Please contact Alan Lin, the project coordinator, to schedule a time and date to meet.

If you have any questions about preparing a traffic study on the State Highway and study locations, please feel free to contact Alan Lin at (213) 897-8391 and refer to IGR/CEQA No. 130415AL.

Sincerely,

DIANNA WATSON
IGR/CEQA Branch Chief

cc: Scott Morgan, State Clearinghouse
Laura Masterson (310) 732-3675,
lmasterson@portla.org
ceqacomments@portla.org
Teresa.stevens@usace.army.mil