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.

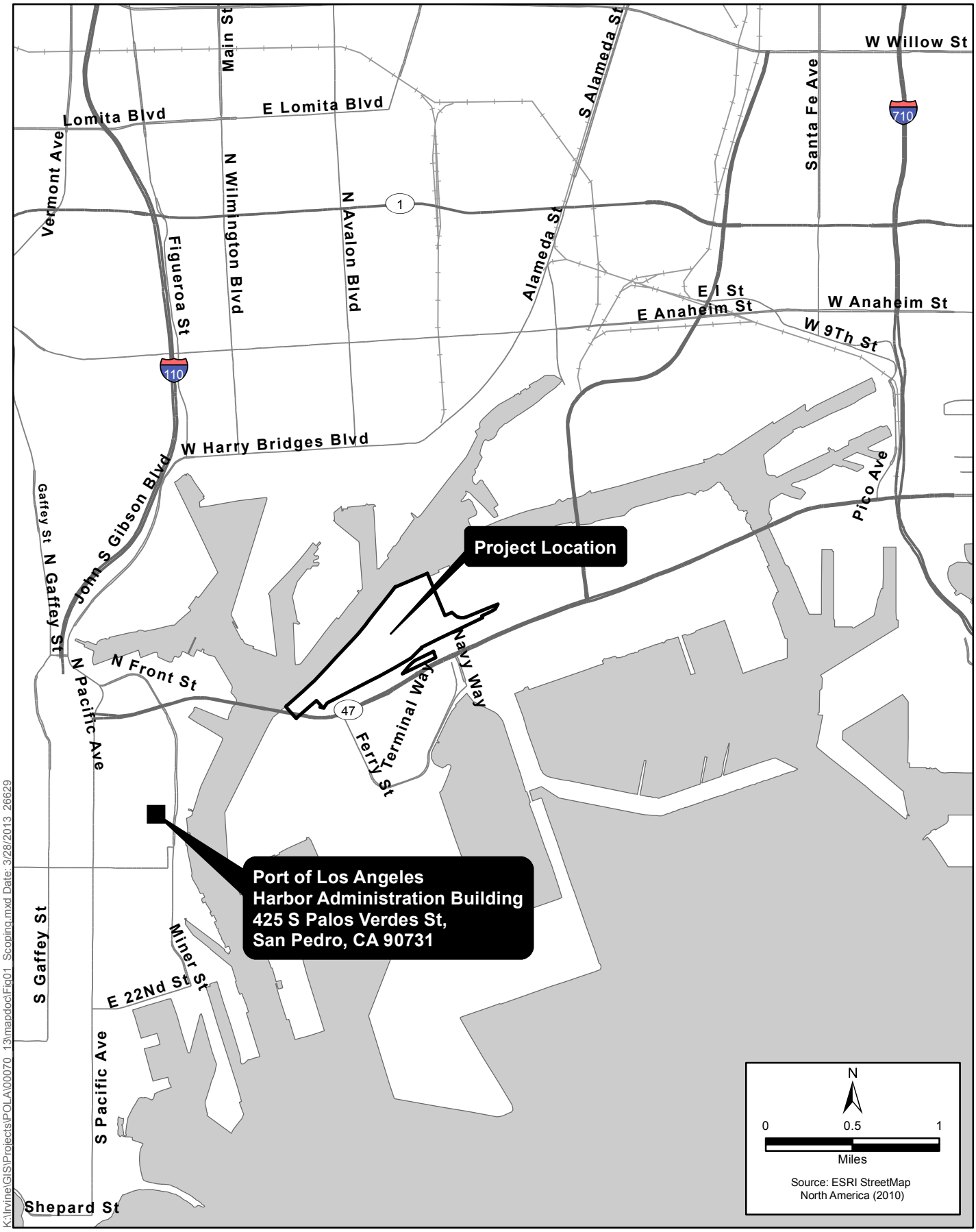

Figure 1
Scoping Meeting Location
Berths 212-224 [YTI] Container Terminal Improvements Project

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.

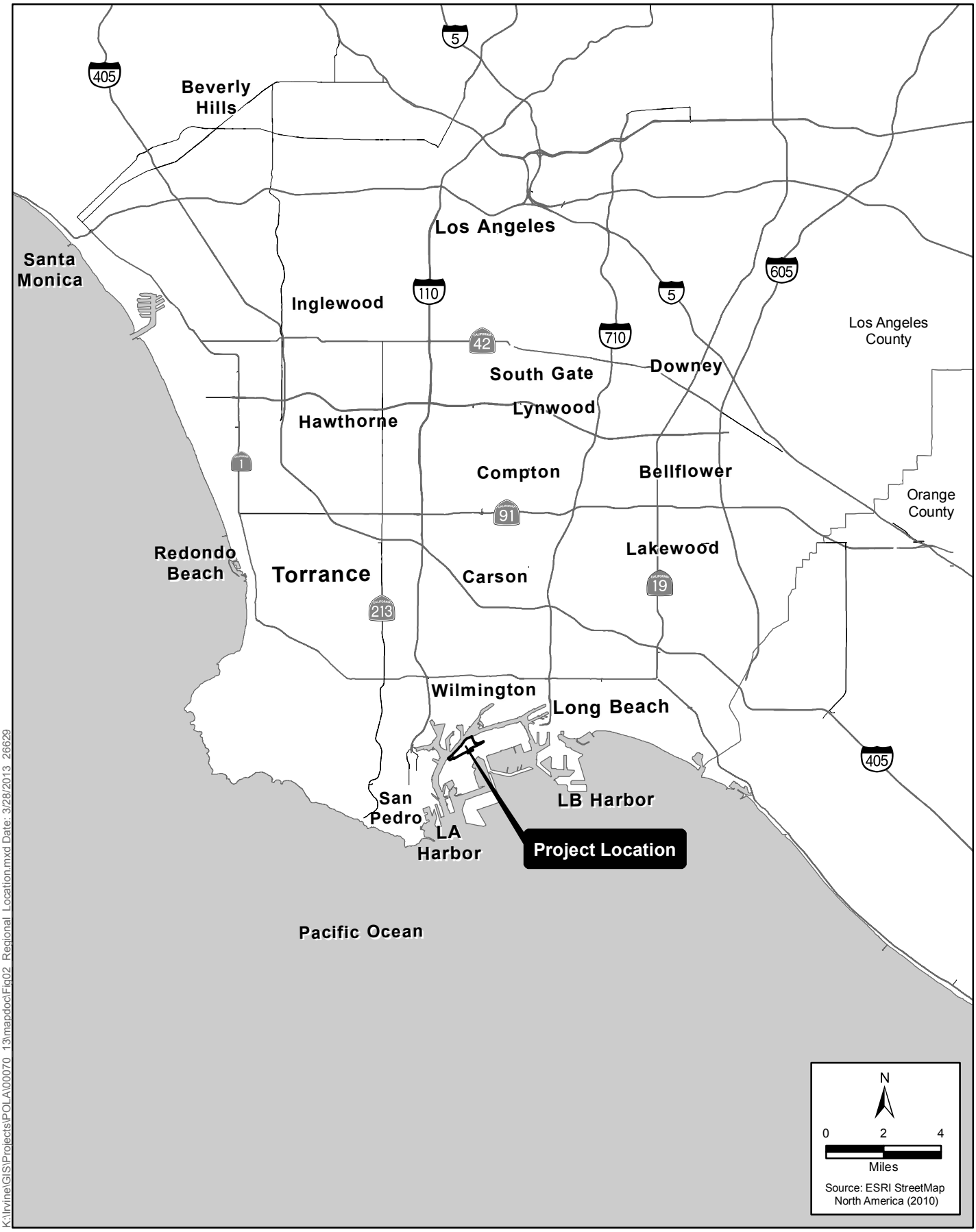

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Figure 2
Regional Location Map
Berths 212-224 [YTI] Container Terminal Improvements Project

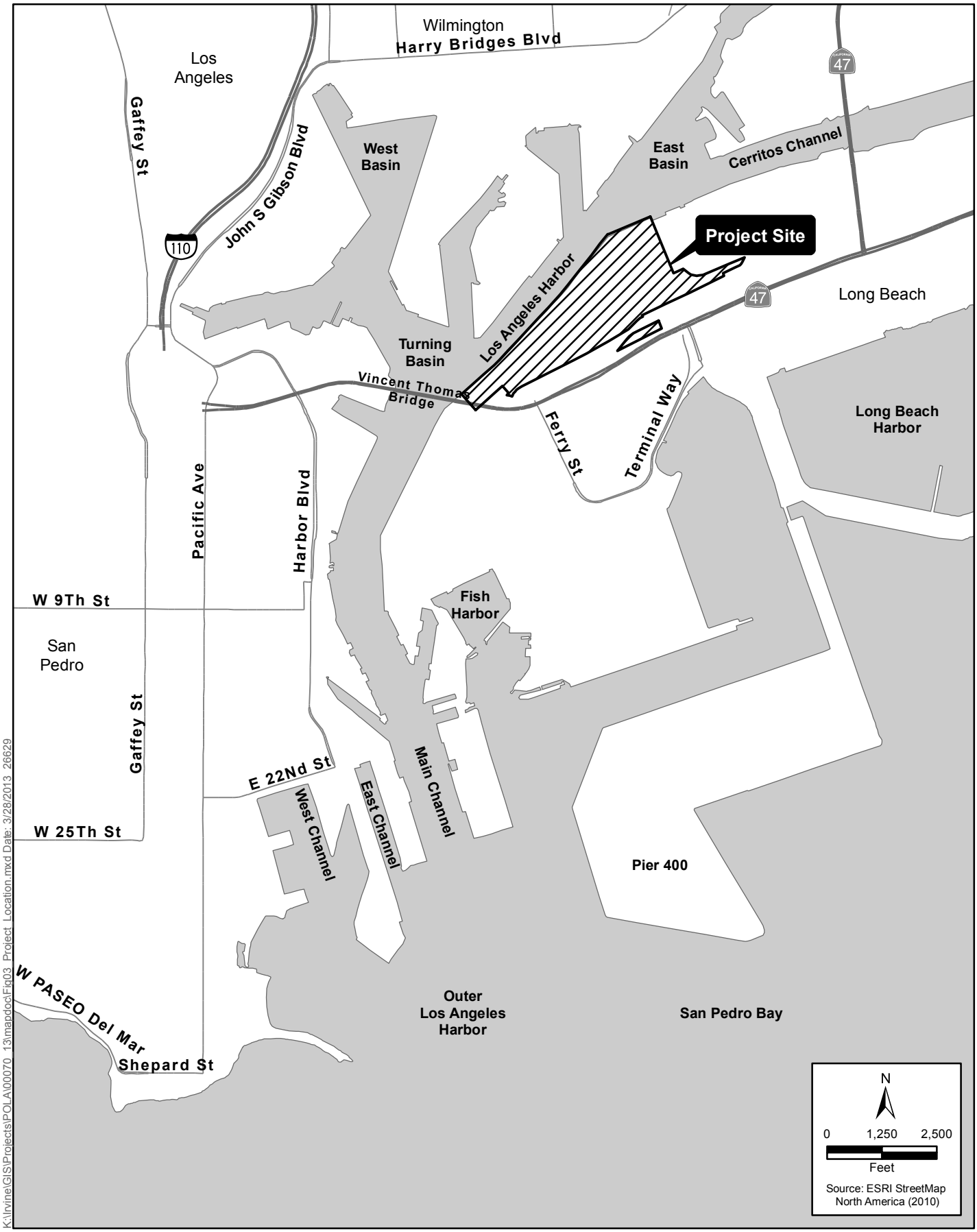

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Figure 3
Project Vicinity Map
Berths 212-224 [YTI] Container Terminal Improvements Project

- 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

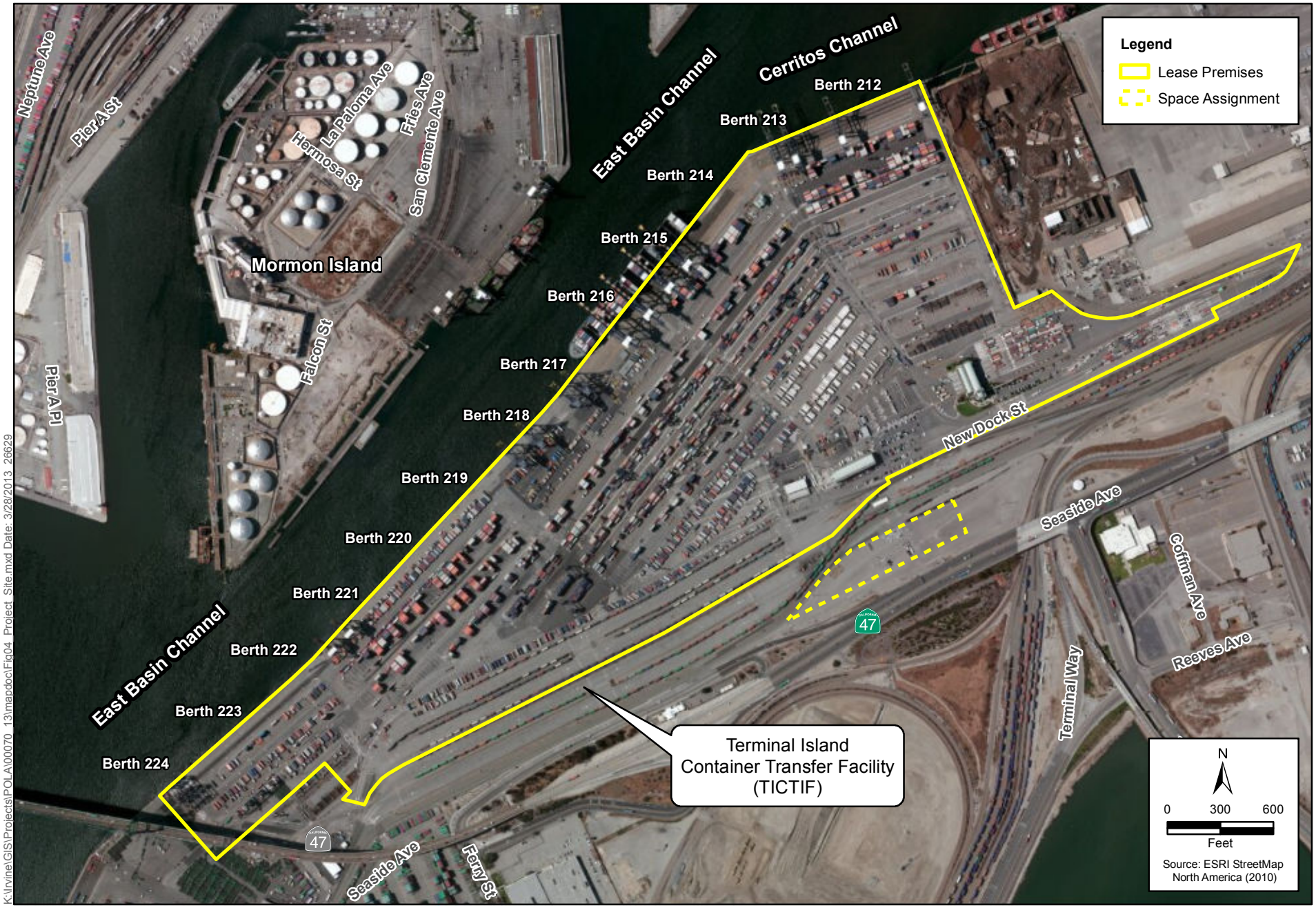

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Figure 4
Project Site Map
Berths 212-224 [YTI] Container Terminal Improvements Project

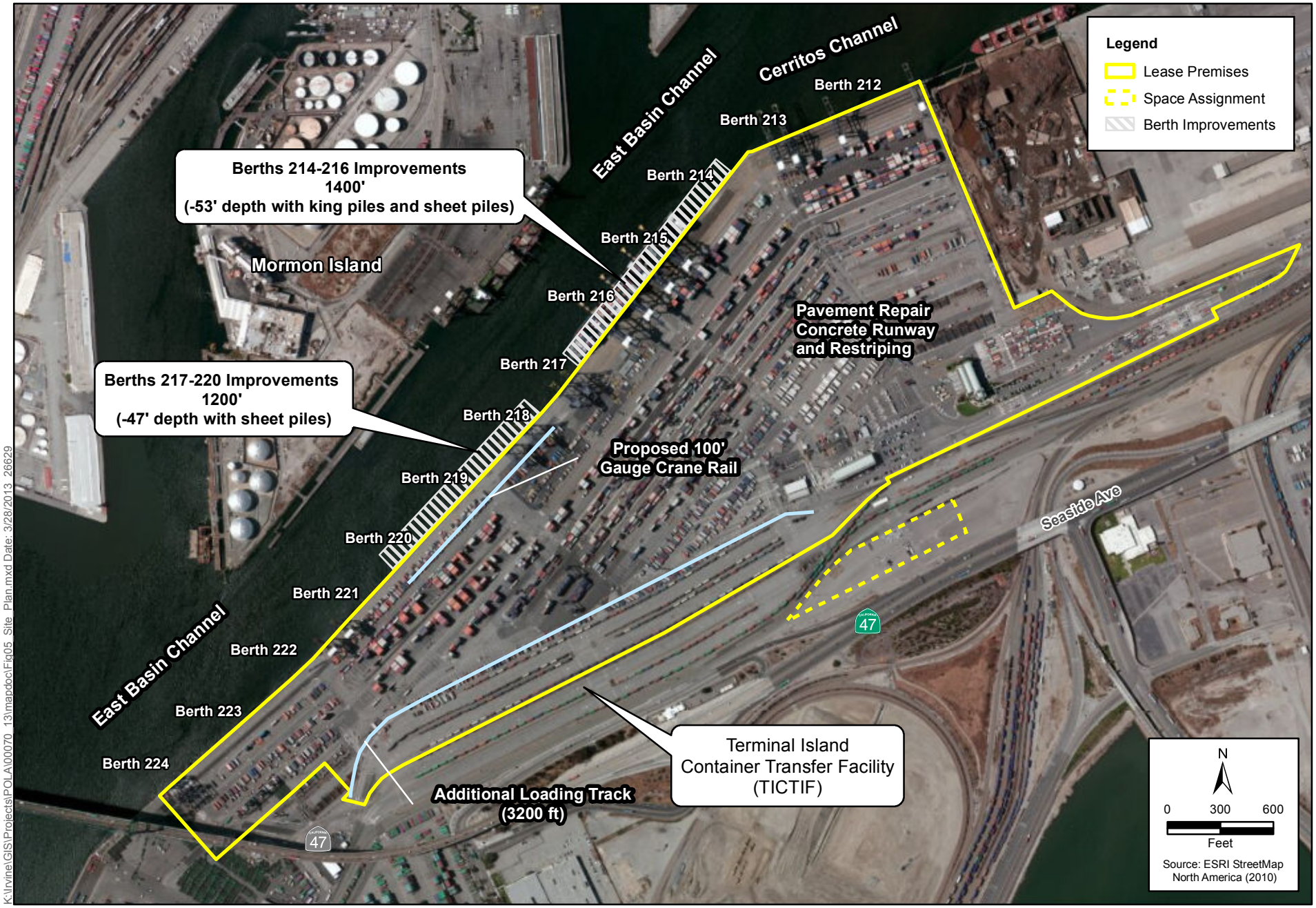

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Figure 5
Proposed Site Plan
Berths 212-224 [YTI] Container Terminal Improvements Project

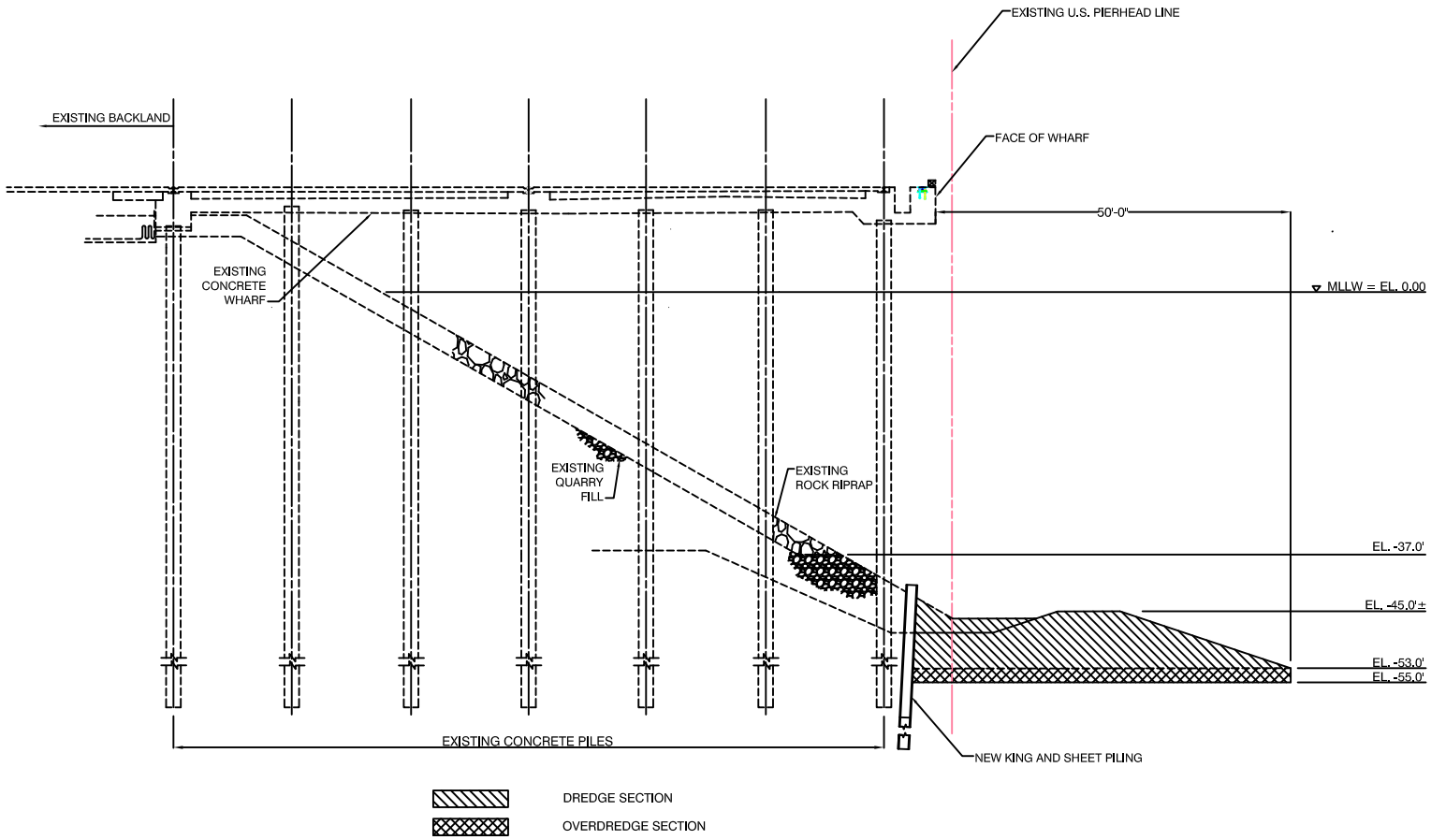

Figure 6
Berths 214-216 Dredging and King/Sheet Piling
Berths 212-224 (YTI) Container Terminal Improvements Project

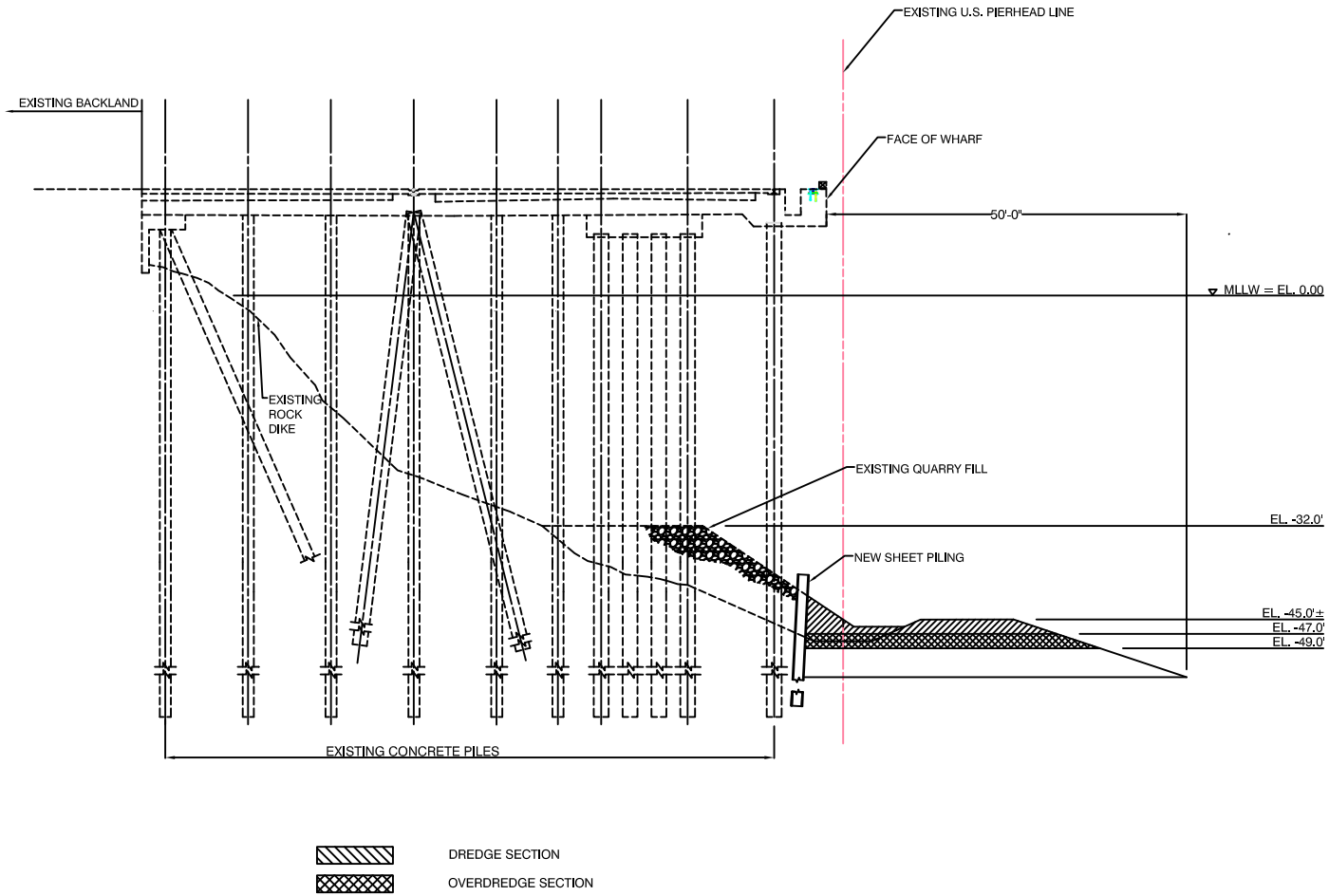

Figure 7
Berths 217-220 Dredging and Sheet Piling
Berths 212-224 (YTI) Container Terminal Improvements Project

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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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)