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Eric Garcetti Mayor, City of Los Angeles  
Board of Harbor Commissioners  
Eugene D. Seroka Executive Director  
Ambassador Vilma S. Martinez President  
David Arian Vice President  
Patricia Castellanos  
Anthony Pirozzi, Jr.  
Edward R. Renwick

March 21, 2016

### COASTAL DEVELOPMENT PERMIT

1. Coastal Development Permit Number: **16-08**
2. Name/Address of Permittee: **Rio Tinto Minerals  
d.b.a. U.S. Borax  
300 Falcon St.  
Wilmington, CA 90744**
3. Permit Type: **Level I**  
Non-appealable   x   Appealable        Emergency
4. Development Location: **300 Falcon St.  
Wilmington, CA 90744**

5. Development Description:

**CDP No. 16-08 allows Rio Tinto Minerals (US Borax) for the installation of air compressor, two dense phase conveyors, two dust collectors, truck scale, and a loading platform for expansion of dry bulk operation at Berth 165 as outlined in Application for Port Permit (APP) No. 160128-017.**

6. The Executive Director has found that:

The proposed development conforms to the certified Port of Los Angeles Master Plan, as amended, and the California Coastal Act of 1976, as amended.

The proposed development is consistent with the project description listed on the amended Application for Port Permits No. 160128-017.

The proposed development complies with the requirements of the California Environmental Quality Act.

Transmittal 3

7. This permit is issued subject to the following standard conditions imposed pursuant to the certified Port of Los Angeles Master Plan, as amended, and the California Coastal Act of 1976, as amended:
- a) No property rights, either in real estate or material, or any exclusive privileges are granted, and the permit does not authorize any injury to private property or invasion of private rights, or any infringement of federal, state or local laws or regulations.
  - b) Final working drawings shall have been submitted to the Chief Harbor Engineer for review and approval, and a Harbor Engineering Permit issued prior to commencement of any portion of the development.
  - c) All construction and operations shall occur in accordance with the approved plans.
  - d) This permit is issued subject to the applicant obtaining all other approvals and/or permits required by applicable law from agencies having jurisdiction over any aspect of the development. Construction shall not commence until such approvals and permits have been obtained.
  - e) Any person who has obtained a permit for development may assign such permit to another person subject to the following conditions outlined in Section 6.8.6 of the Port of Los Angeles Master Plan.
  - f) The permit shall not become effective until: three (3) signed copies have been returned by all permittee(s) or their authorized agents acknowledging that they have received a copy of the permit, have accepted its contents; and the Board of Harbor Commissioner meeting at which the CDP is reported concludes without two Board members requesting it be formally agendized at the subsequent Board meeting. If any two Board members so request, the CDP would be agendized for the next regular Board meeting and would require Board action to be approved or denied.
  - g) Work must commence within two (2) years from the date of the executed coastal development permit, unless otherwise specified. If construction has not commenced, this permit will expire two (2) years from the date of the executed permit. Any extension of time of said commencement date must be applied for prior to expiration of the permit.
  - h) Issuance of this coastal development permit does not change the obligation of the applicant to meet all other time requirements in any other permits or agreements granted by the City of Los Angeles.

Issued on behalf of the Executive Director by:

By: \_\_\_\_\_  
MICHAEL KEENAN  
Director of Planning and Strategy

\_\_\_\_\_  
DATE

**ACKNOWLEDGMENTS**

I, Terrence Rath, permittee/agent, hereby acknowledge receipt  
(please print)  
of Coastal Development Permit No. 16-08, and that I understand and have  
accepted its contents and conditions.

  
\_\_\_\_\_  
SIGNATURE

3-22-16  
\_\_\_\_\_  
DATE

MK:ml

APP No. 160128-017