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SECTION SUMMARY

The land use analysis evaluates the consistency of the proposed Project with the Port of Los Angeles Master Plan (PMP), City of Los Angeles General Plan land use designations and policies (including the Port of Los Angeles Plan), Municipal Code zoning classifications, and other applicable plans or policies adopted by agencies with jurisdiction over landside and waterside areas. Inconsistencies with land use policies are only considered significant impacts if the inconsistencies result in significant adverse effects on the *physical* environmental. The analysis also addresses whether implementation of the proposed Project would divide or isolate surrounding communities. An analysis of potential impacts on land use associated with the alternatives is detailed in Chapter 6, Analysis of Alternatives.

Section 3.8, Land Use, provides the following:

- A description of existing land uses in the Port area;
- A description of existing land use regulations and policies including a description of both the San Pedro and Wilmington Plans;
- A discussion on the methodology used to determine whether the proposed Project would result in a land use impact;
- An impact analysis of the proposed Project; and
- A description of any mitigation measures proposed to reduce any potential impacts, if applicable.

Key Points of Section 3.8:

The proposed Project would be the redevelopment of an existing boat shop. In summary, the impact analysis concludes that no significant impacts to land use would result from the implementation of the proposed Project and, therefore, no mitigation measures are required. Specifically:

- The proposed Project is consistent with the adopted land use/density designation in the Community Plan, redevelopment plan, or specific plan for the site;
- The proposed Project is consistent with the General Plan or adopted environmental goals or policies contained in other applicable plans;
- The proposed Project would not cause a secondary impact to surrounding land uses; and
- The proposed Project would remain consistent with the zoning classification for the Project site, which allows industrial uses, however, an amendment to the PMP would be required to establish a zoning designation for the new land created by the CDF.

3.8.1 Introduction

This section describes existing land uses in the vicinity of the ALBS, including Terminal Island and nearby marina areas. It includes an analysis of the compatibility of the proposed Project with adjacent or surrounding land uses and assesses the proposed Project's consistency with plans and policies of jurisdictions having regulatory control of the Project. In addition, this section describes existing land uses that could be affected by the proposed Project, and the compatibility of the proposed Project with land use plans, policies, and ordinances of the City of Los Angeles, PMP, San Pedro Community Plan, California Coastal Plan, and State Lands Commission.

3.8.2 Environmental Setting

As shown in Figure 2-1, the Project site is located at 1046 Seaside Avenue, within Fish Harbor, on Terminal Island within the Port of Los Angeles. The Project site is in PMP Area 8 Fish Harbor.

Terminal Island is an area approximately ten square miles in size. The western portion of Terminal Island is located in the Port of Los Angeles, and the eastern end is within the Port of Long Beach. The proposed Project site is located on the west side of Terminal Island, north of Reservation Point. Within the Port, Terminal Island is characterized by a diversity of land uses. There are four container cargo terminals in the vicinity of the Project site, including American President Lines (APL) Evergreen Marine Terminal, and California United Terminal and APM Terminals (both located on land constructed as the southern extension of Terminal Island, called Pier 400). Other major land uses on Terminal Island include liquid bulk facilities, such as the ExxonMobil Oil Liquid Bulk Southwest Terminal One and Two (Terminal One is located to the northwest of the Project site and Terminal Two is located to the northeast), and the ExxonMobil/General Petroleum site located along the northern boundary of the Project site. Refer to Figure 3.7-1 for the location of these facilities in relation to the Project site. Just northeast of the Project site are land uses associated with fish processing and warehouse buildings leased by the Del Monte Corporation to the north, as well as various vacant lots. Terminal Island also contains institutional land uses on City (i.e., LAHD, Port Police, Bureau of Sanitation, LAFD) and Federal property (i.e., Coast Guard Station Los Angeles and Federal prison at Reservation Point).

The Port is served by road and rail access that connects it to the greater Los Angeles area and, ultimately, to other regions of the U.S. The roadway system consists of a number of Port-owned roadways that connect to local streets and highways, particularly to I-110 and I-710, which provide north-south access to the greater Los Angeles area and to other north-, south-, and east-bound highways. The Project site is located near the southwestern most end of Terminal Island and is accessed by Seaside Avenue to the west and Fish Harbor on the east.

3.8.2.1 Existing Land Uses

Port of Los Angeles

The LAHD administers the Port, which includes 28 miles of waterfront and 7,500 acres of land and water area. The LAHD administers automobile, container, omni, lumber, cruise ship, liquid and dry bulk terminals, and commercial fishing facilities. Port facilities include slips for 6,000 pleasure craft, sport fishing boats, and charter vessels, as well as community facilities, which include a waterfront youth center, Cabrillo Aquarium, and the Maritime Museum.

Major Port activities include commercial shipping and transfer of containerized cargo, liquid bulk cargo, break-bulk and dry bulk cargo, commercial fishing, recreation, and tourism.

Land Uses in the Project Area

Land uses surrounding the Project site consist of the Southwest Marine Administration Building immediately to the west (adjacent to Seaside Avenue); the ExxonMobil terminal and Southern California (SoCal) Ship Services to the northwest; the ExxonMobil/General Petroleum liquid bulk facility along the northern boundary and fisheries and canning facilities further to the north (across Fish Harbor); Fish Harbor to the east, which includes the boat marina (Al Larson's Marina with 128 slips), and to the south are the Japanese-American Fishing Village Memorial, Port Police Dive Unit, Fire Station 111 and Reservation Point/Coast Guard Station Los Angeles/Federal Prison.

Fish Harbor is a large harbor adjacent to the eastern boundary of the Project site. Current land uses within Fish Harbor include commercial fishing, which is concentrated in the inner basin of Fish Harbor, and industrial and liquid bulk uses, which are concentrated in the western portion of Fish Harbor. The Al Larson Marina is also located within Fish Harbor.

Facilities located on Federal property on Terminal Island include a Ferry Street Federal Building (U.S. Customs House), which is vacant except for a U.S. Customs laboratory. Also on federal property to the south of the Project site are the U.S Coast Guard Station Los Angeles, the Department of Justice and Naturalization, and the Department of Justice Federal Correctional Institution, which houses approximately 1,075 inmates (Federal Bureau of Prisons, 2010).

Across the Main Channel to the west of the Project site is land that is outside of LAHD's jurisdiction but within the City of Los Angeles with land uses guided by the Community Plan of San Pedro. The San Pedro Waterfront and Promenade is a LAHD project, which is a long-term plan to develop 400 acres of LAHD property along the eight-mile stretch of waterfront from the Vincent Thomas Bridge to the Federal Breakwater in San Pedro. This project is designed to bring the community closer to the water and increase the amount of existing open space. This development will dramatically change the appearance and attractions of the Port's working waterfront.

On-site Land Uses

The ALBS facility occupies 7.7 acres (2.35 acres of land and 5.35 acres of water) at Berth 258. The ALBS moved to its current location in 1924 and the proposed Project represents the first major upgrade to the facility since that time.

The ALBS is the last remaining large-capacity dry dock boat repair facility within the Port. It is a mid-sized shipyard, with the ability to dry dock vessels up to 260 feet in length. The ALBS is a full-service shipyard that provides maintenance and repair of tugboats, government vessels, fireboats, ferries, barges, offshore oil equipment, research vessels, and yachts. The existing facility has the capacity to accommodate five vessels with four marine railways, one floating dry dock for underwater hull repairs, and dock space for dockside repairs. The existing marine railways' capacities range from 100 to 1,250 tons with the ability to haul out barges up to 60 feet wide by 250 feet long. The floating dry dock is 200 feet long by 44 feet wide, with the ability to haul out vessels up to 1,000 tons. Wood, welding, and machine shops, storage areas, and crew quarters are currently located within the shipyard. Existing equipment includes portable and fixed cranes, portable forklifts, welders, and sand blasting equipment.

The site currently services on average 120 to 130 vessels per year and has between 70 and 100 employees on site depending on workload. The hours of operation of the facility span two shifts, 7:45 a.m. to 4:15 p.m., and 3:30 p.m. to 11:00 p.m. Land access to the site is via the adjacent and recently realigned Seaside Avenue.

3.8.3 Applicable Regulations

Land use and development within the Port and its vicinity are governed by several state and local plans and policies, as described in this section.

3.8.3.1 State Lands Commission

The State Lands Commission (SLC) has oversight responsibility for tidal and submerged lands and administers the Tidelands Trust Act, the state law that governs how Port properties can be used. Legislative authority is granted in trust to local jurisdictions. In 1911, the City of Los Angeles was granted the tidal and submerged lands within its boundaries to hold them in the public trust to be used for the public benefit, including the promotion of commerce, navigation, and fisheries.

In 1970, the City of Los Angeles Tidelands Trust was amended to allow for a broader use of "commerce." These uses include commercial and industrial buildings, public buildings, public parks, convention centers, playgrounds, small harbors, restaurants, motels, hotels, and the protection of wildlife habitats and open space. However, the LAHD was exempted from this expanded definition of "commerce." On January 1, 2003, AB 2769 became effective and amended the City of Los Angeles Tidelands Trust to provide the City with greater flexibility for both development and the protection of wildlife and open space at and near the Port.

3.8.3.2 California Coastal Commission

The California Coastal Act (Coastal Act) of 1976 (California PRC Sections 30000 *et seq.*) was enacted to establish policies and guidelines that provide direction for the conservation and development of the California coastline. The Coastal Act established the California Coastal Commission (CCC or Coastal Commission) and created a state and local government partnership to ensure that public concerns regarding coastal development are addressed. The following are the policies of the Coastal Act that guide specific regulations pertaining to coastal zone conservation and development decisions:

- Provide for maximum public access to and recreational use of the coast, consistent with private rights and environmental protection
- Protect marine and land resources - including wetlands, rare and endangered habitat areas, environmentally sensitive areas, tide pools, and stream channels
- Maintain productive coastal agricultural lands
- Direct new housing and other development to urbanized areas with adequate services rather than allowing a scattered, sprawling, wasteful pattern of subdivision
- Protect the scenic beauty of the coastal landscape
- Locate any needed coastal energy and industrial facilities where such facilities will have the least adverse impact

The Coastal Act also influences Port operations. The Act established the CCC as the coastal management and regulatory agency over the Coastal Zone (California PRC Section 30103), within which the Port of Los Angeles is included. The CCC is responsible for assisting in the preparation, review, and certification of Local Coastal Programs/Local Coastal Plans (LCPs). The LCPs are developed by municipalities for that portion of their jurisdiction that falls within the coastal zone. Following certification of the LCP, regulatory responsibility is then delegated to the local jurisdiction, although the Coastal Commission retains jurisdiction over the immediate shoreline. The PMP acts as the LCP for the Port of Los Angeles, as described in Section 3.8.3.3.

Chapter 8 of the Coastal Act establishes specific planning and regulatory procedures for California “commercial ports” (defined as the ports of San Diego, Los Angeles, Long Beach, and Hueneme). The Coastal Act requires that a coastal development permit be obtained from the Coastal Commission for certain development within these ports. However, a commercial port is granted the authority to issue its own coastal development permits once it completes a master plan certified by the Coastal Commission.

The standards for master plans, contained in Chapter 8 of the Coastal Act, require environmental protection while expressing a preference for port-dependent projects. Additionally, Section 30701 establishes the number and locations of California ports. This section of the Coastal Act encourages existing ports to modernize and construct necessary facilities within their boundaries to minimize the need to build new ports in the state. It is environmentally and economically preferable to locate major shipping terminals and other existing maritime facilities in the major ports rather than creating new ports in new areas of the state. Each commercial port in California has a certified port master plan that identifies acceptable development uses. If a port desires to conduct or permit developments that are not included in the approved port master plan, the LAHD

1 must apply to the Coastal Commission for either a coastal permit or an amendment to its
2 master plan.

3 **3.8.3.3 Port Master Plan**

4 The proposed Project is located within the Coastal Zone, which was established pursuant
5 to the Federal Coastal Zone Management Act of 1972 and the Coastal Act. These acts
6 require that planning and development within the Coastal Zone be compatible with
7 coastal resources. The Coastal Act established the CCC as the coastal management and
8 regulatory agency responsible for governing coastal resources.

9 Chapter 8 of the Coastal Act contains policies applicable to the portions of California
10 ports within the Coastal Zone. Chapter 8, Article 3, of the Coastal Act stipulates that
11 ports shall prepare and adopt master plans containing provisions within that chapter
12 (California PRC Sections 30710-30721). Port master plans are then certified by the
13 Coastal Commission, and development projects authorized or approved pursuant to an
14 adopted and certified master plan are deemed to be in conformity with the Coastal Zone
15 Management Program.

16 The PMP (POLA, 1979) provides for the short- and long-term development, expansion,
17 and alteration of the Port. The PMP has been certified by the CCC and is consistent with
18 the Port of Los Angeles Plan, a land use element of the City's General Plan. The PMP
19 divides the Port into a series of master planning areas, for which it identifies short-term
20 plans and preferred long-range uses. The Project site is located in Master Plan Area 8
21 (Fish Harbor).

22 According to the PMP, the Fish Harbor area would remain oriented to the fish-processing
23 industry. Per the PMP, preference should also be given to marina and recreational
24 boating facilities in the outer basin if this area is not required for, or does not interfere
25 with, commercial fishing activities.

26 **3.8.3.4 Port of Los Angeles Strategic Plan**

27 The Port of Los Angeles/LAHD released the initial version of its Strategic Plan in 2006
28 as a five-year rolling plan designed to guide the Port's future development, while keeping
29 in mind the needs of Port tenants, the local community members and stakeholders, and
30 the nation. The Strategic Plan is a management tool used to improve the performance of
31 Port operations, as well as outline the organization's direction and priorities. In order to
32 maintain its position among the world's premier ports, the Port is continually addressing
33 the demands for providing modern and efficient cargo handling terminals as well as
34 transportation and infrastructure projects. Protecting one of the nation's most vital
35 economic hubs is also an ongoing challenge. Finally, promoting a sustainable "grow
36 green" philosophy and ensuring that we are the leader among ports in promoting
37 environmental stewardship is a strategic objective of the Port.

38 The Plan was recently updated (in 2010) to address current Port conditions, goals, and
39 initiatives. The plan identifies the Port's twelve strategic objectives for the next five
40 years. Each of the objectives identifies a series of initiatives that the Port will undertake
41 to accomplish that objective. While these objectives are organization-focused and require
42 the coordination of resources throughout the Port, each one will be championed by a

1 bureau, and the divisions within that bureau. The twelve strategic objectives are focused
2 on the following categories:

- 3 • Land use
- 4 • Development
- 5 • Transportation and Goods Movement
- 6 • Financial
- 7 • Environmental
- 8 • Technology and Green Energy
- 9 • Safety and Security
- 10 • Operations
- 11 • External Relations
- 12 • Business Development
- 13 • Organizational Development
- 14 • Employees

15
16 As it relates to the Project area, various Strategic Plan initiatives relate to the
17 consolidation and modernization of commercial fishing facilities to meet fishing industry
18 forecasts and local fishing industry needs.

19 The following strategic objectives are applicable to the proposed Project (and
20 alternatives):

- 21 • Ensure the Port maintains and efficiently manages a diversity of cargo and land uses;
22 maximize land use compatibility and minimize land use costs.
- 23 • Maximize the efficiency and the capacity of current and future facilities.
- 24 • Define and address infrastructure requirements needed to support safe,
25 environmentally friendly, and efficient goods movement throughout the region.
- 26 • Maintain financial self-sufficiency and generate sufficient funds to implement
27 strategic and policy priorities.
- 28 • Transform the Port into the greenest port in the world by raising environmental
29 standards and enhancing public health.
- 30 • Transform the Port into a world-class model for safe and efficient operations.
- 31 • Strengthen relations with local community members through meaningful interaction
32 and community focused programs.
- 33 • Realize the potential of the diversity of Los Angeles' population by expanding
34 opportunity and inclusion.
- 35 • Develop more and higher quality jobs.
- 36 • Ensure Port leadership, staff, and facilities are in place to meet current and future
37 workforce needs.

- 1
- Make the Port a great place to work.

2 **3.8.3.5 City of Los Angeles General Plan/Port of Los Angeles Plan**

3 The City of Los Angeles General Plan is a comprehensive, long-term plan for the
4 physical development of the City. The City's General Plan includes the following
5 citywide elements: Framework, Transportation, Infrastructure Systems, Housing, Noise,
6 Air Quality, Conservation, Open Space, Historic Preservation and Cultural Resources,
7 Safety, Public Facilities and Services, and Land Use.

8 The General Plan Land Use Element includes 35 local area plans, known as Community
9 Plans, as well as plans for the Port of Los Angeles and Los Angeles International Airport.
10 The Port of Los Angeles Plan (1982 plus subsequent amendments), is the land use
11 element that for the entire Port area, including the Project site. It is intended to serve as
12 the guide to the continued development and operation of the Port, and is consistent with
13 the PMP. The primary purposes of the Port of Los Angeles Plan are:

- 14
- To promote an arrangement of land and water uses, circulation, and services that
15 contribute to the economic, social, and physical health, safety, welfare, and
16 convenience of the Port, within the larger context of the City
 - To guide development, betterment, and change within the Port to meet existing and
17 anticipated needs
 - To contribute to a safe and healthful environment
 - To balance growth and stability
 - To reflect economic potentialities or limitations, water developments, and other
18 trends
 - To protect investment to the extent reasonable and feasible

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24 The Port of Los Angeles Plan addresses the same Development Areas identified in the
25 PMP and identifies the same land use designations for these areas as the PMP. The Port
26 of Los Angeles Plan designates the northern and western portions of the Port as
27 Commercial/Industrial land uses, which are further classified as General/Bulk Cargo and
28 Commercial/Industrial Uses/Nonhazardous uses. General Cargo includes container,
29 break-bulk, neo-bulk, and passenger facilities. Commercial uses include restaurants and
30 tourist attractions, offices, retail facilities, and related uses. Industrial uses include light
31 manufacturing/maritime-related industrial activities, ocean-resource industries, and
32 related uses.

33 The remainder of the Port to the southeast, including Terminal Island and Pier 300, is
34 similarly designated and classified, differentiated only by a Hazardous Uses classification
35 (City of Los Angeles, 1982).

36 The ALBS site is currently designated Commercial Fishing. Land uses allowed within
37 this designation include commercial fishing, recreation and marine research, non-
38 hazardous cargo operations, and port-related commercial and industrial uses.

3.8.3.6 Zoning Designations

The Los Angeles General Plan has adopted generalized land use maps for each Community Plan (City of Los Angeles, 2003).¹ These land use categories are associated with a set of land use zones that could be considered in rezoning applications. The zoning designation for the Project site is zoned [Q]M3-1 (Heavy Industrial Zone, Height District 1) in the City of Los Angeles Planning and Zoning Code (City of Los Angeles, 2000a). The heavy industrial designation includes a qualified classification, as indicated by the bracketed [Q] symbol in the zoning designation. The qualified classification indicates that a property might not be available for all uses ordinarily permitted in a particular zone classification, and/or that development is required to conform to certain standards. Accordingly, the [Q] in this zone restricts uses to General Cargo, limited Port-related commercial, industrial, and support uses (Ordinance 165406, effective February 1990). The zone limits the storage of hazardous materials, liquid, or solid bulk that is flammable, explosive, or produces a flammable, toxic, or suffocating gas (City of Los Angeles, 1982). Proposed development authorized by reason of the qualified zone classification is required to demonstrate compliance with all applicable terms of the zoning ordinance otherwise implied by the zoning designation (City of Los Angeles, 2003).

The industrial zoning designation allows a building floor-area ratio (FAR) of 1.5 times the buildable area of the lot. Also, in industrial zones, building and structure heights on industrially zoned property in Height District 1 are dependent upon the zoning classification of adjacent properties, project site distance from those properties, and surrounding topography. Accordingly, building and structure FAR and height limitations vary throughout the Project area (City of Los Angeles, 2000b).

Exceptions to the height limitation are permitted for equipment necessary to operate a structure in the height zone, provided such structures are not constructed solely for the purpose of creating additional floor area (City of Los Angeles, 2000c).

3.8.3.7 San Pedro Community Plan

The Project site is entirely located within the Port of Los Angeles Plan area; however, the San Pedro Community Plan is located adjacent to the Port of Los Angeles Plan boundary. Accordingly, goals, objectives, policies, and associated implementing programs of the Community Plan addressing Port land uses and operations are considered in the Port of Los Angeles Plan.

Relevant goals in the San Pedro Community Plan are as follows:

- The development of the Port of Los Angeles should be coordinated with surrounding communities to improve the efficiency and operational capabilities of the Port to better serve the economic needs of Los Angeles and the region, while minimizing adverse environmental impacts to neighboring communities from Port-related activities.

¹The Community Plans include a map that shows generalized land use types in the Plan area. Categories include low-density residential, neighborhood commercial, heavy industrial and open space. The general land uses in the Community Plans are implemented through specific zoning designations and serve as a guide for rezoning purposes.

- Future development of the Port should be coordinated with the San Pedro Community Plan, the Beacon Street Redevelopment Project, and development of the Central Business District of San Pedro.
- Planning the remaining commercial and industrial development opportunity sites for needed job-producing uses that improve the economic and physical condition of the San Pedro Community Plan (City of Los Angeles, 1999b).

3.8.3.8 Wilmington-Harbor City Community Plan

As with the San Pedro Community discussed above, the Wilmington-Harbor City Community Plan area is located adjacent to the Port of Los Angeles Plan boundary and thus, the goals, objectives, policies, and associated implementing programs of the Community Plan addressing Port land uses and operations are considered in the Port of Los Angeles Plan. The Wilmington-Harbor City Community Plan area is generally bounded by Sepulveda Boulevard, Normandie Avenue, Lomita Boulevard, the Los Angeles City boundary, Los Angeles Harbor, Harry Bridges Boulevard, John Gibson Boulevard, Taper Avenue, and Western Avenue. The Wilmington-Harbor City Community Plan, adopted in 1999 (City of Los Angeles, 1999a), sets forth goals to maintain the individuality of the community.

Relevant goals in the Wilmington-Harbor City Community Plan are as follows:

- To coordinate the development of the Port of Los Angeles with surrounding communities to improve the efficiency and operational capabilities of the Port to better serve the economic needs of Los Angeles and the region, while minimizing adverse environmental impacts to neighboring communities from Port-related activities.
- To coordinate the future development of the Port with all adopted City Plans, the Wilmington Industrial Park Redevelopment Project and the Enterprise Zone.
- To continue to develop and operate the Port of Los Angeles to provide economic, employment, and recreational benefits to neighboring communities.
- To assure that Port programs for land acquisition and circulation improvements will be compatible with and beneficial in reducing environmental impacts to surrounding communities caused by Port-related activities, as well as beneficial to the Port.

3.8.3.9 Southern California Association of Governments Regional Comprehensive Plan

The SCAG Regional Comprehensive Plan (RCP) integrates the SCAG planning policy for Land Use and Housing, Solid Waste, Energy, Air Quality, Open Space and Habitat, Economy and Education, Water, Transportation, Security and Emergency Preparedness, and Finance. The RCP is built around the “Compass Growth Vision and 2% Strategy” adopted by the Regional Council in April 2004, which is based on four key principles. These principles include mobility, getting where we want to go; livability, creating positive communities; prosperity, long-term health for the region; and sustainability, preserving natural surroundings.

1 The RCP transportation policies are based on the adopted 2004 Regional Transportation
2 Plan (RTP). The RTP includes an action plan for implementation of strategies in support
3 of the policies adopted by the SCAG Regional Council. The 2004 RTP establishes a
4 transportation vision for an area that includes Los Angeles, Orange, San Bernardino,
5 Riverside, Ventura, and Imperial counties. The RTP is a multimodal plan representing a
6 vision for a better transportation system, integrated with the best possible growth pattern
7 for the region over the plan horizon of 2030. The 2004 RTP goals and policies include
8 the following:

- 9 • Maximize mobility and accessibility for all people and goods in the region
- 10 • Ensure travel safety and reliability for all people and goods in the region
- 11 • Preserve and ensure a sustainable regional transportation system
- 12 • Maximize the productivity of our transportation system
- 13 • Protect the environment, improve air quality, and promote energy efficiency
- 14 • Encourage land use and growth patterns that complement our transportation
15 investments

16 **3.8.3.10 San Pedro Bay Ports Clean Air Action Plan**

17 The Port, in conjunction with the Port of Long Beach and with guidance from SCAQMD,
18 CARB, and USEPA, has developed the San Pedro Bay Ports CAAP, which was approved
19 by the Los Angeles and Long Beach Boards of Harbor Commissioners on November 26,
20 2006. Although the CAAP addresses air quality issues and is addressed in detail in
21 Section 3.2, Air Quality, Meteorology and Greenhouse Gas, it is summarized here
22 because it relates to goals for the Port, as discussed in the San Pedro and Wilmington-
23 Harbor City community plans. The CAAP focuses on reducing DPM, NO_x, and SO_x,
24 with two main goals: (1) to reduce Port-related air emissions in the interest of public
25 health, and (2) to disconnect cargo growth from emissions increases. The CAAP
26 includes near-term measures for Project-specific impacts implemented largely through
27 the CEQA process and new leases at both ports and Port-wide measures implemented by
28 Port-supported programs, lease requirements, tariffs, and MOUs.

29 On November 22, 2010, the Ports approved the 2010 CAAP Update, which includes new,
30 far-reaching goals for reducing Port-related air pollution over the next ten years. The focus of
31 the CAAP Update is the same as the original CAAP. The CAAP Update includes updates
32 based on changes in federal and state regulations. The most significant addition in the CAAP
33 Update is the San Pedro Bay Standards, which establish long-term goals for emissions and
34 health-risk reductions.

35

1 The CAAP consists of the following standards:

2 **1. San Pedro Bay Standards**

- 3 • Reduce public health risk from toxic air contaminants associated with Port-
4 related mobile sources to acceptable levels.
- 5 • Prevent Port-related violations of the state and federal ambient air quality
6 standards at air quality monitoring stations at both ports.
- 7 • Reduce criteria pollutant emissions to the levels that will assure that Port-
8 related sources contribute their “fair share” to enable the South Coast Air
9 Basin to attain state and federal ambient air quality standards.

10 **2. Project-Specific Standards**

- 11 • Projects must achieve the excess residential cancer risk threshold of ten in
12 one million, as determined by health risk assessments conducted during
13 CEQA review and implemented through required CEQA mitigations
14 associated with lease negotiations. Projects that exceed the SCAQMD
15 CEQA significance thresholds for criteria pollutants must implement the
16 maximum available controls and feasible mitigations for any emissions
17 increases.

18 **3. Source-Specific Performance Standards**

- 19 • These standards include a series of measures that will be implemented
20 through Port lease requirements, tariffs, incentives, and the CEQA
21 environmental review process.
- 22 • Compliance with the Project-Specific Standards might require that an
23 individual tenant go beyond the Source-Specific Performance Standards or
24 advance the date of compliance with those performance standards.
- 25 • The Source-Specific Performance Standards are targeted at the following five
26 source categories of mobile equipment and vessels that are part of Port-
27 related goods movement: (1) heavy-duty vehicles/trucks; (2) oceangoing
28 vessels; (3) cargo-handling equipment; (4) Harbor craft; and (5) railroad
29 locomotives.

30 The proposed Project includes mitigation measures applied to reduce air emissions and
31 public health impacts that are largely consistent with the emission-reduction strategies of
32 the CAAP Update. Project mitigations also would extend beyond the 5-year CAAP time-
33 frame to the end of the lease period in 2041. Air quality control measures outlined in the
34 CAAP Update would also be imposed via permits and lease provisions and as standard
35 measures that would be implemented through lease agreements with other agencies and
36 business entities and with Port contracting policies.

37

3.8.3.11 Port of Los Angeles Sustainable Construction Guidelines

The Port adopted the Port of Los Angeles Sustainable Construction Guidelines in February 2008. The Guidelines were updated in November 2009. The guidelines will be used to establish air emission criteria for inclusion in construction bid specifications. The guidelines will reinforce and require sustainability measures during performance of the contracts, balancing the need to protect the environment, be socially responsible, and provide for the economic development of the Port. Future resolutions are anticipated to expand the guidelines to cover other aspects of construction, as well as planning and design. These guidelines will be made a part of all construction specifications advertised for bids.

Significant features of these Guidelines include, but are not limited to:

- All ships and barges used primarily to deliver construction related materials for LAHD construction contracts shall comply with the Vessel Speed Reduction Program and use low-sulfur fuel within 40 nautical miles of Point Fermin.
- Harbor craft shall meet USEPA Tier 2 engine emission standards, and the requirement will be raised to USEPA Tier 3 engine emission standards by January 1, 2011.
- All dredging equipment shall be electric.
- On-road heavy-duty trucks shall comply with USEPA 2004 on-road emission standards for PM₁₀ and NO_x and shall be equipped with a CARB-verified Level 3 device. Emission standards will be raised to USEPA 2007 on-road emission standards for PM₁₀ and NO_x by January 1, 2012.
- Construction equipment (excluding on-road trucks, derrick barges, and harbor craft) shall meet Tier 2 emission off-road standards. The requirement will be raised to Tier 3 by January 1, 2012, and to Tier 4 by January 1, 2015. In addition, construction equipment shall be retrofitted with a CARB-certified Level 3 diesel emissions control device.
- Comply with SCAQMD Rule 403 regarding Fugitive Dust in addition to other fugitive dust control measures.
- Additional BMPs, based largely on Best Available Control Technology (BACT), will be required on construction equipment (including on-road trucks) to further reduce air emissions.

3.8.3.12 Water Resources Action Plan

The WRAP was prepared by the Ports of Los Angeles and Long Beach, in coordination with their cities, the USEPA, and the Los Angeles RWQCB (POLA and Port of Long Beach, 2009). The WRAP was adopted by the Boards of both the LAHD and Port of Long Beach on August 8, 2009. The WRAP's purpose is to provide the framework and mechanisms for the Ports to achieve the goals and targets that will be established in the relevant TMDLs and to comply with the Industrial Activities, Construction Activities, and Municipal permits issued to the Ports and their respective Cities and tenants through the NPDES program. The WRAP identifies multiple current and potential control measures to minimize effects to water and sediment quality. These include Land Use

1 Control Measures, On-Water Source Control Measures, Sediment Control Measures, and
2 Watershed Control Measures.

3 **3.8.3.13 National Environmental Policy Act**

4 As the USACE has jurisdictional authority over the in water and over water portions of
5 the proposed Project pursuant to Section 10 of the RHA and Section 404 of the CWA, the
6 Project is subject to NEPA. A Public Notice was circulated from October 9, 2009
7 through November 9, 2009 in regards to an application for an USACE permit for the
8 proposed Project. The Permit will be issued or denied under Section 404 of the Clean
9 Water Act of 1972, as amended (33 U.S.C. 1344) and Section 10 of the Rivers and
10 Harbors Act of March 3, 1899 (33 U.S.C. 403).

11 The decision whether to issue a permit will be based on an evaluation of the probable
12 impacts, including cumulative impacts, of the proposed activity on the public interest.
13 That decision will reflect the national concern for both protection and utilization of
14 important resources. The benefit that reasonably may be expected to accrue from the
15 proposal must be balanced against its reasonably foreseeable detriments. All factors that
16 may be relevant to the proposal will be considered, including the cumulative effects
17 thereof. Factors that will be considered include conservation, economics, aesthetics,
18 general environmental concerns, wetlands, cultural values, fish and wildlife values, flood
19 hazards, flood plain values, land use, navigation, shoreline erosion and accretion,
20 recreation, water supply and conservation, water quality, energy needs, safety, food
21 production and, in general, the needs and welfare of the people. In addition, because the
22 Project would discharge dredged or fill material, the evaluation of the activity would
23 include application of the USEPA's Guidelines (40 Code of Federal Regulations [C.F.R.]
24 Part 230) as required by Section 404(b)(1) of the Clean Water Act.

25 The basic Project purpose comprises the fundamental, essential, or irreducible purpose of
26 the proposed Project, and is used by the USACE to determine whether the applicant's
27 project is water dependent. The basic purpose for the proposed Project is to renovate and
28 upgrade a boat repair facility. Therefore, this is a water-dependent activity.

29 The overall Project purpose serves as the basis for the USACE's Section 404(b)(1)
30 alternatives analysis and is determined by further defining the basic Project purpose in a
31 manner that more specifically describes the applicant's goals for the Project, and which
32 allows a reasonable range of alternatives to be analyzed. The overall Project purpose for
33 the proposed Project is to renovate the ALBS, including in-water and water-adjacent
34 improvements, so it can continue to meet a local and regional need for marine vessel
35 repair.

36 The NEPA analysis is being completed separately from the CEQA analysis; a preliminary
37 determination has been made by the USACE that an EIS is not required for the proposed
38 Project and an EA is being prepared separately.

39

3.8.4 Impacts and Mitigation Measures

This section presents a discussion of the potential land use impacts associated with the proposed Project. Mitigation measures are provided where feasible for impacts found to be significant.

3.8.4.1 Methodology

This analysis evaluates consistency or compliance of the proposed ALBS improvements, with adopted plans and policies governing land use and development. Land use plans with policies applicable to development under the Project were evaluated, including the City of Los Angeles General Plan and its Elements, the City of Los Angeles Planning and Zoning Code, PMP, and plans prepared by other agencies with jurisdiction over areas in which the Project might create a land use impact.

Inconsistency with a land use policy or objective is only considered a significant impact if the inconsistency would result in a significant adverse effect on the physical environment. Further, physical impacts on the environment that might result from an inconsistency with land use policies or objectives are addressed in the appropriate resource section, not in an analysis of land use.

The land use analysis also addresses the potential for the proposed Project or an alternative to create physical incompatibilities between adjacent land uses or activities that would result in a significant adverse effect on the physical environment. This is accomplished through the evaluation of the extent to which off-site land uses could be affected by physical division, isolation, or other disruptions caused by the proposed Project or an alternative.

3.8.4.2 Thresholds of Significance

The following criteria are based on the *L.A. CEQA Thresholds Guide* (City of Los Angeles, 2006) and are the basis for determining the significance of impacts associated with land use consistency and compatibility resulting from proposed Project. The proposed Project would have a significant land use impact if the Project is inconsistent with one of the standards listed and the inconsistency results in a significant adverse environmental effect:

- LU-1** The proposed Project would be inconsistent with the adopted land use/density designation in the Community Plan, redevelopment plan, or specific plan for the site, in a manner that results in a significant impact to the physical environment.
- LU-2** The proposed Project would be inconsistent with the General Plan or adopted environmental goals or policies contained in other applicable plans adopted for the purpose of avoiding or mitigating an environmental impact.
- LU-3** The proposed Project would substantially affect the types and/or extent of existing land uses in the Project area.
- LU-4** The proposed Project would cause a secondary impact to the surrounding land uses.

1 Based on the analysis provided in the NOP/IS dated September 19, 2010, no impacts
2 would occur with regard to the division of an established community or the plan
3 conflicting with an applicable habitat conservation plan or natural community
4 conservation plan; therefore, they are not discussed further in this Draft EIR.

5 **3.8.4.3 Impact Determination**

6 **Impact LU-1: The proposed Project would be consistent with the** 7 **adopted land use/density designation in the Community Plan,** 8 **redevelopment plan, or specific plan for the site.**

9 The proposed Project would include improvements to the ALBS site. The Project site
10 would remain in use as a boat shop and all existing uses and activities occurring on the
11 site would continue. No new uses would be established that could conflict with the
12 zoning designation. No changes to the existing zoning at the site would occur. However,
13 a new zoning designation would be established for the land created by the CDFs. The
14 zoning designation would be established for the land created by the CDF units through an
15 amendment to the PMP. The new zoning would be the same as the existing zoning
16 designation of [Q]M3-1 (Heavy Industrial Zone, Height District 1). As with the existing
17 zoning designation, all uses that would occur on the new land would be consistent with
18 the M3 zoning designation. The proposed Project would be consistent with the adopted
19 zoning for the site.

20 *Mitigation Measures*

21 No mitigation is required.

22 *Residual Impacts*

23 Impacts would be less than significant.

24 **Impact LU-2: The proposed Project would be consistent with the** 25 **General Plan or adopted environmental goals or policies contained** 26 **in other applicable plans.**

27 The applicable objectives, policies, and programs of the PMP, Port of Los Angeles Plan,
28 and San Pedro Community Plan, and determinations regarding the Project's consistency
29 with applicable plans are described in Table 3.8-1, Applicable Plans, Objectives, and
30 Policies.

31 The proposed Project would be consistent with the identified uses in the PMP on a long-
32 term basis. An amendment to the PMP would be required to incorporate the land created
33 by the CDF units. The addition of this new land to facilitate the expansion of the existing
34 boat repair operations would be consistent with the goals and policies of the PMP.
35 Because the PMP serves as the LCP for the Coastal Commission, the proposal would be
36 consistent with the California Coastal Act of 1976. The proposed Project would be
37 consistent with the City of Los Angeles General Plan through the Port of Los Angeles
38 Plan and the San Pedro Community Plan.

39 As discussed further in Section 3.10, Population and Housing, the proposed Project
40 would generate between 20 to 30 jobs. Given highly integrated nature of the southern
41 California economy and the prevalence of cross-county and inter-community commuting,

1 it is unlikely that many of the new workers would change their place of residence and
 2 thus the proposed Project would not generate population migration into the area or create
 3 a demand for new housing units. As a result, it is consistent with the Regional
 4 Comprehensive Plan and Guide developed by SCAG and with the Regional Housing
 5 Needs Assessment. The proposed Project would be consistent with all applicable SCAG
 6 policies.

7 The SLC maintains jurisdiction over all ungranted tidelands, submerged lands, and the
 8 beds of navigable rivers, sloughs, and lakes, and the SLC has certain residual and review
 9 authority for these types of land. The proposed Project would not conflict with the State
 10 Tidelands Trust. The proposed Project does not involve the sale of any tidelands to any
 11 private entity and the site would remain under the control of the LAHD. The proposed
 12 Project would consist of uses consistent with the State Tidelands Trust. Uses that are
 13 allowed include harbor commerce, navigation, fisheries, and maritime activities.
 14 Therefore, the proposed Project would be consistent with the State Tidelands Trust and
 15 no impacts would occur.

16 The Project is consistent with applicable objectives, policies, and programs contained in
 17 the Port of Los Angeles Plan of the City’s General Plan. The Project would also remain
 18 consistent with the San Pedro Community Plan.

19 The proposed Project would also be consistent with the industrial short- and long-range
 20 preferred uses identified in the PMP for Area 8, Fish Harbor, which encompasses the
 21 Project site. Therefore, no impacts would occur.

Table 3.8-1: Applicable Plans, Objectives, and Policies

Plan	Application to the ALBS Improvement Project
PMP with Amendments (1979, last revised 2006)	<p>Objective 1: To consistently develop, expand, and alter the Port in both the short-term period and long-range period for purposes of commerce, navigation, fisheries, Port-dependent activities, and general public recreation consistent with the provisions of the California Coastal Act of 1976; the Charter of the City of Los Angeles; and all other applicable federal, state, county, and municipal laws and regulations. Determination of Consistency: Consistent. The proposed Project would demolish buildings that hinder efficient use of the site and construct a new building and install infrastructure (i.e. new boat hoists) to maximize site operations. The proposed Project would improve drainage to comply with NPDES requirements. The proposed Project would allow for the expansion and improved efficiency of the existing site operation to provide for the long-term viability of the only boat repair facility within the Port.</p> <p>Objective 2: To integrate into the Port development process all of the economic, environmental, safety, and engineering skill required to evaluate and quantify the long-term effect, on both the natural and economic environment of the Port and its surrounding areas, of alternate decisions and trade-offs to arrive at the proper decisions in response to development demands. Determination of Consistency: Consistent. Short-term impacts associated with demolition and reconstruction of existing buildings would not have long-term impacts on natural and economic environment of the Port and surrounding areas. The proposed Project would allow for the expansion of the existing site operation, compliance with the NPDES permit and clean-up of legacy contaminants to provide for the long-term viability of the only boat repair facility within the Port.</p> <p>Objective 3: To establish standards and criteria for the long-range orderly expansion and development of the Port by the eventual aggregation of major</p>

Table 3.8-1: Applicable Plans, Objectives, and Policies

Plan	Application to the ALBS Improvement Project
	<p>functional and compatible land and water uses under a system of preferences that will result in the segregation of related Port facilities and operations into functional areas. Determination of Consistency: Consistent. The proposed Project would remove existing buildings that hinder efficient use of the site, wharves, piers, and equipment and provide for construction of a new building, high strength pavement, an improved drainage system, and new 600- and 100-ton boat hoists that provide for more efficient and environmentally compliant operation of the site.</p> <p>Objective 4: To permit the Port to have the necessary flexibility to adequately respond in its development process to the pressures and demands placed upon it by:</p> <ul style="list-style-type: none"> • Changing technologies in the ocean and land movement of waterborne commerce; • Changing patterns in the commodity mix and form of waterborne commerce; • Changing developments in the Port of Long Beach and the surrounding residential and industrial areas adjacent to and affected by the Port; • Changing laws and regulations affecting the environmental and economic uses of the Port. <p>Determination of Consistency: Consistent. The proposed Project would remove obsolete buildings, wharves, piers, and equipment and replace them with a new building and infrastructure, high strength pavement, an improved drainage system, and new boat hoists. The proposed Project would allow for increased efficiency and environmental compliance to provide for the long-term viability of the only boat repair facility within the Port.</p>
<p>Port of Los Angeles Plan (1982 and subsequent amendments)</p>	<p>Objective 1: To maintain the Port of Los Angeles as an important local, regional, and national resource and to promote and accommodate the orderly and continued development of the Port so as to meet the needs of foreign and domestic waterborne commerce, navigation, the commercial fishing industry, and public recreational needs. Determination of Consistency: Consistent. The proposed Project would not change the value of the Port in terms of its importance as a local, regional, or national resource and would contribute to the economic diversity of the Port by improving the long-term viability of the only boat repair facility within the Port.</p> <p>Objective 2: To establish criteria and standards for the long-range orderly expansion and development of the Port by the eventual aggregation of major functional and compatible land and water uses under a system of preferences that will result in the segregation of related Port facilities and operations into functional areas. Determination of Consistency: Consistent. for the long-term viability of the only boat repair facility within the Port. Project would redevelop the site to modernize the facility, comply with regulatory requirements, and improve its ability to build and repair ships and vessels.</p> <p>Objective 5: To permit the Port to have the flexibility to adequately respond in its development process to the pressures and demands placed upon it by:</p> <ul style="list-style-type: none"> • Changing technologies in the ocean and land movement of waterborne commerce; • Changing developments in the Port of Long Beach and surrounding residential and industrial areas adjacent to and affected by the Port;

Table 3.8-1: Applicable Plans, Objectives, and Policies

Plan	Application to the ALBS Improvement Project
	<ul style="list-style-type: none"> • Changing laws and regulations affecting the environmental and economic uses of the Port; and changes in other U.S. ports affecting the Port’s competitive position. <p>Determination of Consistency: Consistent. The proposed Project would provide for efficient operations of an existing facility and improve water quality. It would not affect the Port’s ability to respond to changing technology or the Ports’ competitive position with regard to the Port of Long Beach or other U.S. ports. In addition, the Project would result in technological improvements to the ALBS that would increase the long-term viability of the only boat repair facility located within the Port, thereby improving the Port’s diversity in operations and overall ability to conduct waterborne commerce.</p> <p>Objective 6: To relocate hazardous and/or incompatible land uses away from adjacent residential, public recreational, and tourist areas when appropriate land areas for relocation become available. Determination of Consistency: Consistent. The proposed Project would comply with all hazardous materials and wastes regulations and would be conducted in an area zoned for industrial activities. It would also improve water quality and provide clean-up of legacy contaminants on the land and in sediments within Fish Harbor.</p> <p>Objective 7: To promote efficient transportation routes within the Port consistent with external systems, to connect employment, waterborne commerce, commercial and recreational areas. Determination of Consistency: Consistent. The proposed Project would generate only a small number of new vehicle trips and as such the existing transportation systems would not be adversely affected.</p> <p>Objective 11: To insure that the development and operation of the Port is consistent with all applicable laws and regulations. Determination of Consistency: Consistent. The proposed Project would be consistent due to mandates for OSHA protection for on-site workers, hazardous materials assessment, clean up, etc. In addition, implementation of the proposed Project would ensure compliance with NPDES requirements of the Los Angeles RWQCB</p> <p>Policy 12: To stimulate employment opportunities for workers residing in adjacent communities, such as San Pedro and Wilmington-Harbor City. Determination of Consistency: Consistent. The proposed Project would stimulate short-term employment for local construction workers. The proposed Project would also stimulate a small amount of long-term employment (approximately 20 to 30 jobs) due to Project improvements, as well as improve the economic viability of the operation.</p> <p>Policy 14: Programs designated to improve or modify roadway circulation in the Port shall be developed, in part, to eliminate: hazardous situations caused by inadequately protected rail/highway crossings, dual use of streets (by rails in the pavement), service and other roads crisscrossing the tracks, and random use of land areas by both highway and rail movement. Determination of Consistency: Consistent. The proposed Project would generate only a small number of new vehicle trips and it would not modify roadway circulation, nor would it create new or exacerbate existing roadway hazards.</p> <p>Policy 18: Port development projects shall be consistent with the specific provisions of this Plan; the certified PMP; the California Coastal Act of 1976; and other applicable federal, state, county, and municipal laws and regulatory requirements. Determination of Consistency: Consistent. The proposed Project would comply with all Plans and Policies, including all hazardous materials</p>

Table 3.8-1: Applicable Plans, Objectives, and Policies

Plan	Application to the ALBS Improvement Project
	and wastes regulations, and would not expose people to health hazards as a result of implementation. In addition, implementation of the Project would ensure compliance with NPDES requirements of the Los Angeles RWQCB.
San Pedro Community Plan (adopted April 29, 1999)	Goal: Coordinate the development of the Port of Los Angeles with surrounding communities to improve the efficiency and operational capabilities of the Port to better serve the economic needs of Los Angeles and the region, while minimizing adverse environmental impacts to neighboring communities from Port-related activities. Determination of Consistency: Consistent. The proposed Project would stimulate short-term employment for local construction workers, and potentially a small amount of long-term employment due to proposed Project improvements.

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Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact LU-3: The proposed Project would not substantially affect the types and/or extent of existing land uses in the Project area.

Short-term construction-related Project impacts would not affect the future use of the Project site or its current land use or zoning designations. Project construction would be temporary and would not permanently impact any of the existing or proposed uses on the site. The proposed Project would be consistent with the identified uses in the PMP on a long-term basis. An amendment to the PMP would be required to incorporate the land created by the CDF units. The addition of this new land to facilitate the expansion of the existing boat repair operations would be consistent with existing uses and would not substantially affect the types and/or extent of existing land uses in the Project area.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact LU-4: The proposed Project would not cause secondary impacts to surrounding land uses.

The Project would not introduce new land uses and is consistent with existing, surrounding land uses. Therefore, no secondary impacts to surrounding land uses would occur.

1 *Mitigation Measures*

2 No mitigation is required.

3 *Residual Impacts*

4 Impacts would be less than significant.

5 **3.8.4.4 Summary of Impact Determinations**

6 The following Table 3.8-2 summarizes the impact determinations of the proposed Project
 7 related to land use, as described in the detailed discussion above. Identified potential
 8 impacts are based on federal, state, or City of Los Angeles significance criteria, Port
 9 criteria, and the scientific judgment of the report preparers, as applicable.

Table 3.8-2: Summary Matrix of Potential Impacts and Mitigation Measures for Land Use Associated with the Proposed Project

Environmental Impacts	Impact Determination	Mitigation Measures	Impacts after Mitigation
LU-1: The proposed Project would be consistent with the adopted land use/density designation in the Community Plan, redevelopment plan, or specific plan for the site.	Less than significant	No mitigation is required	Less than significant
LU-2: The proposed Project would be consistent with the General Plan or adopted environmental goals or policies contained in other applicable plans.	Less than significant	No mitigation is required	Less than significant
LU-3: The proposed Project would not substantially affect the types and/or extent of existing land uses in the Project area.	Less than significant	No mitigation is required	Less than significant
LU-4: The proposed Project would not cause secondary impacts to surrounding land uses.	Less than significant	No mitigation is required	Less than significant

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1 **3.8.4.5 Mitigation Monitoring**

2 In the absence of significant impacts, mitigation measures are not required.

3 **3.8.5 Significant Unavoidable Impacts**

4 No significant unavoidable impacts to Land Use would occur as a result of construction
5 or operation of the proposed Project.