



United States Department of the Interior



FISH AND WILDLIFE SERVICE

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In Reply Refer To:
FWS-LA-08B0378-08FA0035

Colonel Thomas H. Magness, IV
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U. S. Army Corps of Engineers
P.O. Box 532711
Los Angeles, California 90053-2325

MAY 9 2008

Attn: Ms. Joy Jaiswal, Ecosystem Planning Section

Subj: Draft Fish and Wildlife Coordination Act Report for the Port of Los Angeles Channel Deepening Project, Los Angeles County, California

Dear Colonel Magness:

Enclosed is our Draft Fish and Wildlife Coordination Act Report (Report) for the Port of Los Angeles Channel Deepening Project in Los Angeles County, California. This Report is provided as partial fulfillment of Scope of Work Agreement Number W81EYN71994081 between our agencies, requesting us to provide a draft and final Report for this project.

This Report is presented in partial fulfillment of the Fish and Wildlife Coordination Act and does not constitute the final report of the Secretary of the Interior as required by section 2(b) of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.).

If you have any questions regarding our Report please contact Christine Medak, Project Biologist, at (760) 431-9440 x298.

Sincerely,

for Karen Goebel
Assistant Field Supervisor

Enclosure (1)

DRAFT FISH AND WILDLIFE COORDINATION ACT REPORT

for the

Port of Los Angeles
Channel Deepening Project - Additional Disposal Capacity
Los Angeles County, California

Prepared for the

U.S. Army Corps of Engineers
Los Angeles District

by the

U.S. Fish and Wildlife Service
Carlsbad Fish and Wildlife Office
Carlsbad, California

Author

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May 2008

EXECUTIVE SUMMARY

The U.S. Army Corps of Engineers and the Port of Los Angeles are considering the feasibility of modifying the approved Channel Deepening Project in the Los Angeles Harbor to provide additional disposal capacity needed to complete the project. The Channel Deepening Project was authorized for construction by the Water Resources Development Act of 2000. Several changes to the project have been required since its authorization as a result of revised bathymetric data, the occurrence of shoaling and settlement of material, design changes, the need to dispose of surcharge, the opportunity to remove and confine contaminated dredge material, and other design and construction modifications. Disposal sites identified in the authorized Channel Deepening Project are inadequate for the total volume of sediments that require removal from the Main Channel and adjacent berth areas to complete the project. Approximately 3.0 million cubic yards of additional disposal capacity is needed.

The proposed modification to the Channel Deepening Project is another increment in a series of such dredge-and-fill projects over the last 20 years that have modernized and reshaped Los Angeles Harbor. Pacific Rim trade is increasing, as is the size of the ships. A century of harbor dredging and filling has eliminated thousands of acres of the historic Wilmington Lagoon Estuary. In its place, behind manmade breakwaters, is a marine embayment of relatively high biological diversity and productivity. Construction of landfills out of the marine habitats of San Pedro Bay is permanently destructive of significant fish and wildlife habitats there. The Port and the biological resource agencies have successfully and repeatedly resolved the issues of: a) evaluation of impacts to fish and wildlife resources in the harbor and b) identification and implementation of appropriate and acceptable compensatory mitigation for those impacts. Mitigation for harbor landfill construction is executed both inside and outside of the harbor boundaries. This process of harbor impact evaluation and mitigation was employed for the Channel Deepening Project. The subject project proposal simply proposes to continue this process, to construct no new landfills until such time as appropriate and acceptable mitigation is identified and assured of implementation.

PREFACE

This document constitutes the Draft Fish and Wildlife Coordination Act Report (Report) in partial fulfillment of the Scope of Work Number W81EYN71994081 between the U.S. Fish and Wildlife Service (USFWS) and the U.S. Army Corps of Engineers (USACE), and addresses the potential effects on fish and wildlife resources of implementing the proposed modification to the Channel Deepening Project. We have prepared this Report pursuant to the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.) and in keeping with the spirit and intent of the National Environmental Policy Act (P.L. 91-190).

A Notice of Intent/Preparation to prepare a Supplemental Environmental Impact Statement/ Supplemental Environmental Impact Report (SEIS/SEIR) on the proposed project was circulated for review in November, 2004 and a supplemental Notice was circulated in October, 2005. The USFWS, National Marine Fisheries Service (NMFS) and the California Department of Fish and Game (CDFG), collectively referred to as the Resources Agencies, met with the Los Angeles Harbor Department (LAHD) and USACE staff on September 19, 2005, November 8, 2005, December 12, 2006 (USFWS and NMFS), and March 11, 2008 (USFWS and CDFG), in regards to the coordination of mitigation and endangered species requirements.

The proposed project and environmental documentation supplements a previous Federal Project at the Port of Los Angeles, the Channel Deepening Project, which was authorized by the Water Resources Development Act of 2000. Construction of navigational improvements and in-bay disposal of dredge material was initiated in September 2002. To date the project has resulted in the disposal of 13.691 million cubic yards (mcy) of material and creation of approximately 137 acres of fill in Los Angeles Harbor. During the environmental and approval process, our agency provided significant written and verbal input on the Channel Deepening Project in a planning aid letter (USFWS 1999), Coordination Act Report (USFWS 2000), and during meetings attended by the USACE, the LAHD and the Resource Agencies on and between December 13, 2001, and May 11, 2004. Environmental commitments associated with this project were implemented in accordance with measures worked out with the LAHD and USACE.

In the proposed SEIS/SEIR, the LAHD and the USACE will evaluate the environmental effects of providing additional disposal capacity needed to complete the authorized Channel Deepening Project at the Port of Los Angeles. This Coordination Act Report reviews this project in light of the environmental considerations established during the Channel Deepening Project and ongoing coordination between USFWS, NMFS, CDFG, LAHD and the USACE.

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INTRODUCTION

The Port of Los Angeles (Port) is a major center of international commerce on the west coast of the United States. Development of a permanent industrial base within the Port was gradual and began with increased harbor improvements and transportation in the early 1900's. The main channel was deepened by 10 feet to a depth of -45 feet mean lower low water (MLLW) in 1982 and dredged material was used to create Pier 300 (USACE and LAHD 2000). The authority to construct Channel Deepening Improvements at the Port was originally provided under the Water Resources Development Act (WRDA) of 1986. The authorization was modified by language in subsequent WRDAs, including WRDA 1988, and 1996, which provided additional detail of the features to be analyzed, focusing on deep draft navigation channels and landfill needed in the outer harbor area to accommodate the anticipated increase in cargo shipments and handling requirements on the west coast (VZM 1988). Construction of the Deep Draft Navigation Project in the outer harbor was completed in 2000.

The Water Resources Development Act of 2000 further authorized dredging of the Main Channel of the Port and associated berths to allow the new generation of deeper draft container vessels that require a depth of -53 feet Mean Lower Low Water (MLLW) to navigate and access the container terminals along the Main Channel of the Port. Construction of this project was initiated in September 2002; however, the project cannot be completed until additional sites are identified to dispose of approximately 3.0 million cubic yards (mcy) of remaining dredge material and surcharge. The U.S. Army Corps of Engineers in conjunction with the Los Angeles Harbor Department are now examining options to provide additional disposal capacity necessary to complete the project.

DESCRIPTION OF THE PROJECT AREA

The project site (Port of Los Angeles) is located in San Pedro Bay, at the southern end of the City of Los Angeles, Los Angeles County. The two competing and independent commercial ports, the Port of Los Angeles and the Port of Long Beach, share the San Pedro Bay marine ecosystem. These man-made harbors have been created through a century of dredging and filling of the former 3,450-acre Wilmington Lagoon. The Port of Los Angeles encompasses 7,500 acres of land and water including 43 miles of waterfront and 26 cargo terminals. Land uses within the Port of Los Angeles are largely industrial although a variety of other uses (*e.g.*, recreation, commercial fishing) are also supported.

The outer limit of the Port of Los Angeles is defined by breakwaters that were constructed during the early to mid 1900's (MEC 2002). The majority of the harbor waters within the Port of Los Angeles range in depth from 30 to 60 feet (MEC 2002) with navigation channels dredged to depths of 45 feet and greater (USFWS 2000). The Port of Los Angeles also contains several hundred acres of waters shallower than 20 feet, primarily constructed by sub-aquatic fill of deeper areas to increase biological values.

PROJECT DESCRIPTION

The U.S. Army Corps of Engineers (USACE), with the Los Angeles Harbor Department (LAHD) as the local sponsor, is considering the feasibility of modifying the approved Channel

Deepening Project to provide additional capacity for disposal of dredged material associated with completing the Channel Deepening Project. This description is being evaluated in a Supplemental Environmental Impact Statement/ Supplemental Environmental Impact Report (SEIS/SEIR), which is the fifth supplement to the Deep Draft Navigation Project Environmental Impact Statement/ Environmental Impact Report (USACE and LAHD 1992a).

Project History

Federal Authorization and involvement in providing navigation features and improvement for Los Angeles harbor dates from 1856 (USFWS 2000). Since that time congress has authorized Federal participation in the study of a number of improvements in response to requests from local sponsors.

On January 24, 1994, the USACE approved the Deep Draft Navigation Project in the Outer Los Angeles Harbor (USACE and LAHD 1992b). The Federal authorization for the feasibility study and environmental documentation were derived from a series of Congressional resolutions dating from 1945 to 1968. As a result of the authorization, the LAHD began construction of the first phase of the project (Pier 400 Stage 1) in September of 1994 to create approximately 274 acres of fill (USFWS 2000). In July of 1997, construction of Stage 2 of the project was initiated which would complete the navigation improvements and in-bay disposal of dredge material to create an additional 305 acres of fill (Pier 400 Stage 2). Construction of the Deep Draft Navigation Project was completed in 2000.

A component of the justification for the Deep Draft Navigation Project was the assumption that existing facilities at the Port of Los Angeles (Port) would be optimized in concert with the dredging of new channels and creation of new land for cargo terminals (USACE and LAHD 1992b, Appendix A). In fact, many landside terminals/facilities at the Port were upgraded to improve the efficiency of these terminals (*e.g.*, West Basin Redevelopment Project, Evergreen Backlands Improvement Project, Terminal Island Container Terminal Facility Project, Badger Avenue Bridge Replacement Project, Alameda Corridor Project, *et al.*) (USACE and LAHD 2000). One such project, the Channel Deepening Project (LAHD 1997), was approved by the LAHD in 1998 (USACE and LAHD 2000). This project would improve efficiency of shipping and port operations by deepening the Main Channel and associated channels and turning basins from -45 feet MLLW to -50 feet MLLW to accommodate new container vessels with a -46 foot draft (LAHD 1997).

Following approval of the original Channel Deepening Project by the LAHD, it was determined that new ships in the world container fleet were planned with a draft of -52 feet and would require a navigational channel as deep as -55 feet with a two-foot overdraft. The Channel Deepening Project, subsequently authorized by WRDA 2000, would allow container vessels that require a depth of -53 feet MLLW to navigate and access the container terminals along the Main Channel of the Port (USACE and LAHD 2000). Construction of the Channel Deepening Project was initiated in September 2002.

Several changes to the Channel Deepening Project have been required since its authorization as a result of revised bathymetric data, the occurrence of shoaling and settlement of material, design

changes, the need to dispose of surcharge, the opportunity to remove and confine contaminated dredge material, and other design and construction modifications. These changes resulted in an increase in the total volume of dredge material requiring disposal from 6.6 mcy to 12.7 mcy. The project changes were analyzed and documented in three separate Supplemental Environmental Assessments (USACE 2002, 2003, 2004).

The present study, which is being carried out by the USACE and the LAHD under the authority provided by WRDA 2000, examines the environmental effects of providing additional disposal capacity necessary to complete the authorized Channel Deepening Project.

Purpose and Need

The Channel Deepening Project was approved to allow a new generation of deeper draft container ships access to terminals along the Main Channel of the Port. The purpose of the proposed project is to complete the Channel Deepening Project and optimize the beneficial use of the dredged material within the Port. Additional disposal sites are needed because disposal sites developed for the approved Channel Deepening Project are inadequate for the total volume of sediments that require removal from the Main Channel and adjacent berth areas to complete the project. An estimated 3.0 mcy of material require removal based on a project depth of -53 feet MLLW, plus two feet of over-depth allowance. The areas requiring material removal are identified in Figure 1 and include 1.025 mcy from East Basin Channel (Dredge Footprint), and 0.675 mcy from berth deepening (Dredged Berth Areas). In addition, 0.815 mcy of surcharge temporarily placed on the Southwest Slip Disposal Area would be removed and 0.412 mcy of material would be dredged to prepare foundations for the rock dikes that would be constructed around new disposal sites.

Description of Disposal Sites

The proposed project includes six optional disposal sites, five within the harbor area and one ocean disposal alternative.

Berths 243-245

Berths 243-245 disposal site consists of two open water slips covering approximately 8 acres that were formerly was part of the Southwest Marine Shipyard (Figure 1, Proposed Fill). The slips at Berths 243-245 contain contaminated sediments from past shipyard operations (Weston Solutions 2006). The site would be used to create a Confined Disposal Facility (CDF) for existing harbor bottom contaminated sediments, as well as for contaminated dredge material associated with completing the Channel Deepening Project (approximately 0.080 mcy) which is unsuitable for open water disposal. The site would dispose of 0.368 mcy of material and create 8 acres of land. A rock dike would be constructed across the opening of the berths to a final elevation of +11 feet MLLW to contain the dredge material. Use of the site as a CDF would be in accordance with discharge requirements to preclude release of contaminated sediments into surrounding waters.