

APPENDIX C

Port Community Advisory Committee Project Involvement



PORT COMMUNITY ADVISORY COMMITTEE PROJECT INVOLVEMENT

C.1 Introduction, PCAC Purpose and Goals

The Port Community Advisory Committee (PCAC) was established in 2001 as a standing committee of the Port of Los Angeles Board of Harbor Commissioners (Board). In accordance with the direction provided by Mayor Hahn, the purposes of the PCAC are to:

- Assess the impacts of Port developments on the harbor area communities and recommend suitable mitigation measures to the Board for such impacts.
- Review past, present, and future environmental documents in an open public process and make recommendations to the Board to ensure that impacts to the communities are appropriately mitigated in accordance with federal and California law.
- Provide a public forum and make recommendations to the Board to assist the Port in taking a leadership role in creating balanced communities in Wilmington, Harbor City, and San Pedro so that the quality of life is maintained and enhanced by the presence of the Port.

The PCAC provides a public forum to discuss Port-related quality of life issues through a series of subcommittees. These subcommittees provide guidance on environmental issues, review of Environmental Impact Reports (EIRs), master planning, and Port redevelopment. The specific purpose of this Appendix to the Pacific L.A. Marine Terminal Crude Oil Terminal Draft Supplemental Environmental Impact Statement/Subsequent Environmental Impact Report (SEIS/SEIR) is to document the involvement of the PCAC in the preparation and review of this Draft SEIS/SEIR.

C.2 Overview of PCAC Involvement

This Appendix documents PCAC members' involvement in the review of the Proposed Pacific Los Angeles Marine Terminal Crude Oil Marine Terminal, Tank Farm Facilities, and Pipelines Project (proposed Project). Using the Cabrillo Way

Marina Phase II EIR as a model and working with the Berth 97-109 Container Terminal (China Shipping) EIR subcommittee, a generalized approach was identified for PCAC involvement in preparation of EIRs and a template was developed to document this involvement.

Port staff met with members of PCAC prior to the release of the Notice of Intent/Preparation (NOI/NOP) and Initial Study Checklist. In these meetings, staff discussed overall project descriptions and asked for feedback regarding possible impacts or concerns due to project implementation. In light of PCAC input, staff reviewed the NOI/NOP and made appropriate modifications. The table below (TableC-1) documents PCAC’s involvement in the SEIS/SEIR process and writing this Draft SEIS/SEIR.

Table C-1: Summary of PCAC Participation in SEIS/SEIR process

<i>Event</i>	<i>Date</i>	<i>PCAC Participation</i>
PCAC Small Group Meeting	June 2004	Past EIR Subcommittee
NOI/NOP	Released June 8, 2004	Copy sent to all voting members of PCAC
Scoping Meeting	July 8, 2004	Public Meeting
DEIR/EIS presentation to PCAC Subcommittees	April 2007	Ongoing Meetings with PCAC Subcommittees
Draft SEIS/SEIR	Released May 2008	Copy sent to all voting members of PCAC
Public Meeting on the Draft SEIS/SEIR	June 2008	Public Meeting
Meeting to discuss public draft and PCAC comments	TBD	Meetings with PCAC Subcommittees

C.3 Notice of Intent/Notice of Preparation

The NOI/NOP was completed and released for public review on June 8, 2004. A public scoping meeting was held on July 8, 2004 at the Banning’s Landing Community Center in Wilmington. Fifteen people at the scoping meeting discussed issues to be addressed in the Draft SEIS/SEIR. All comments were recorded and transcribed. In addition, 14 timely comment letters were received, including one letter from PCAC. The primary issue raised during the public comment period was hazards associated with Project operations.

C.4 Draft SEIS/SEIR Preparation

Minutes from both the PCAC small group meeting and the comment letter received during the NOI/NOP public review period helped the Corps and LAHD identify potential impacts and mitigations for this project. PCAC requested the following issues be explored in the Draft SEIS/SEIR:

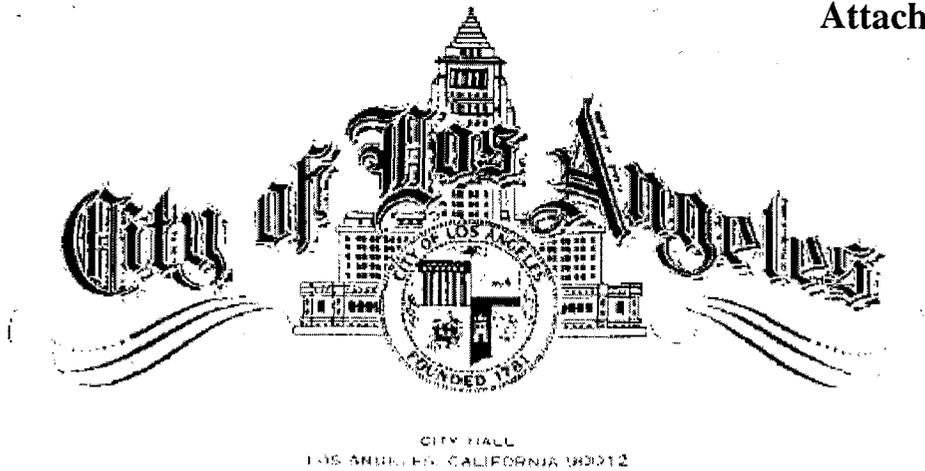
- 1 • **Project Description:** The Draft SEIS/SEIR must contain detailed plans of
2 the proposed facility and infrastructure improvements, including construction
3 staging areas. Site operations must be described in full detail to facilitate
4 review of project impacts.
- 5 • **Aesthetics:** Analysis should include light and glare in regards to no Port/no
6 night lighting, and cumulative effects of Port activities over time including
7 visual access to the water.
- 8 • **Air Quality:** The Draft SEIS/SEIR must include a discussion of the
9 following issues:
 - 10 ○ Mayor Hahn’s “No-Net Increase” Policy (this discussion has been
11 superseded by the Port’s Clean Air Action Plan, however an analysis of
12 NNI measures can be found in Appendix B along with a discussion of
13 the Port’s Clean Air Policy in Chapter 1) ;
 - 14 ○ Potential impacts due to venting of inert gases;
 - 15 ○ Cumulative impacts from other sources of pollution in the surrounding
16 area, including the Port of Long Beach and local oil refineries;
 - 17 ○ Public health effects;
 - 18 ○ Emission rates due to vessel emissions during transport into the harbor
19 and while offloading at berth; and
 - 20 ○ Existing air quality standards and proposed standards currently being
21 adopted, including specifically for PM_{2.5}.
- 22 • **Hazards:** The Draft SEIS/SEIR must examine effect on evacuation routes
23 and emergency responses, hazards associated with operation of petroleum
24 pipelines adjacent to rail lines, and hazards due to tsunamis.
- 25 • **Energy:** The Draft SEIS/SEIR should include discussion of energy
26 conservation including reduced lighting and use of energy efficient
27 equipment.
- 28 • **Land Use:** The Draft SEIS/SEIR must examine the proposed project in light
29 of City and Local Land Use Plans and include any growth projections.
- 30 • **Cumulative Impacts:** All impacts must be examined in light of other
31 planned and reasonably foreseeable growth both on and off Port property.

32 Along with the above issues, PCAC also developed a number of project mitigation
33 measures. These measures are presented in Appendix B. In addition, a list of
34 aesthetic mitigation measures were submitted by PCAC and an analysis of these
35 measures can also be found in Appendix B.

36 C.5 Draft SEIS/SEIR Preparation

37 Once the Draft SEIS/SEIR is released, Port staff will meet with PCAC groups,
38 including the Past EIR Subcommittee, to review the contents of the document in
39 accordance with the process.

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August 9, 2001

Board of Harbor Commissioners
Port of Los Angeles
425 South Palos Verdes Street
San Pedro, CA 90731

Dear Commissioners-Designee:

As a resident of San Pedro, I have long been aware of the impacts that the Port of Los Angeles has on the harbor area communities.

While the Port is a significant economic engine for the City of Los Angeles and the entire Southern California region, the residents who are its immediate neighbors must not suffer the negative environmental effects that can result from the activities at the Port.

I have met with many residents from Wilmington, Harbor City and San Pedro over the recent months. They have many concerns and lots of good ideas. We need to listen to them. I am urging the new Harbor Commission and the Port staff to implement the following recommendations immediately so that we can begin to improve communications between the Port and the community and improve the quality of life for harbor area residents:

- Establish a Community Advisory Committee to assess the impacts of Port developments on the harbor area communities. This committee will work closely with the soon-to-be-formed local neighborhood councils and existing community groups to enhance communication and improve our neighborhoods.
- In conjunction with the Community Advisory Committee, review all past, present, and future environmental documents in an open public process to ensure that all laws - particularly those related to environmental protection -

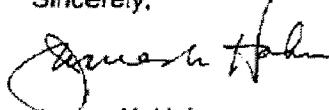
Board of Harbor Commissioners
August 9, 2001
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have been obeyed, all City procedures followed, and all adverse impacts upon the communities mitigated.

- In conjunction with the Community Advisory Committee, take a leadership role in creating balanced communities in Wilmington, Harbor City and San Pedro so that the quality of life is maintained and enhanced by the presence of the Port. For example, immediately evaluate how the Port can develop the proposed Promenade project and how it can participate in the proposed international business charter high school.

Enhancing the quality of life for all residents of the City of Los Angeles is a priority for me, and I look forward to working with the Commission and the Port staff to make sure that the Port of Los Angeles is not only successful, but is a good neighbor as well.

Sincerely,



James K. Hahn
Mayor

JKH:tf

cc: Councilwoman Janice Hahn
Larry Keller



CITY HALL
LOS ANGELES, CALIFORNIA 90012

October 17, 2003

The Honorable Camilla Townsend-Kocol
Los Angeles Board of Harbor Commissioners
425 South Palos Verdes Street
San Pedro, CA 90731

Dear Commissioner Townsend-Kocol:

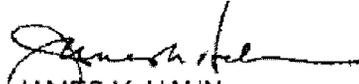
I have received your letter requesting clarification regarding the role of the Port Community Advisory Committee. First, I want to thank you for your unwavering leadership as Co-Chair of the PCAC. Your commitment to improving the relationship between the Port and the Harbor communities is admirable.

I agree that a meeting with the Commission President, PCAC representatives, City Attorney's Office, and my staff to further delineate the structures and procedures of this advisory committee would be valuable. I remain determined to improve the Port's working relationship with the Harbor communities.

When directing the Board of Harbor Commission to establish PCAC in August of 2001, I envisioned an advisory body that could give voice to the concerns of the Harbor community stakeholders. While the public process can be time consuming, PCAC's role in assessing the developmental and environmental impacts of Port structures is significant, necessary and beneficial. My intent for PCAC to review past environmental impact reports is to learn valuable lessons from past projects and assessments as we progress together into a new era of cooperation. As part of the public, PCAC's comments about current and future environmental impact reports must continue to adhere to state and federal guidelines under CEQA. PCAC should continue to work in good faith with diligent Port staff in this process.

As you well know, the Port of Los Angeles is the third largest port complex in the world. Our presence on the international and domestic market is unparalleled. As Port development projects continue to move forward, let us not forget the benefits derived from this economic engine. I want to thank you, your fellow harbor commissioners, and Port staff for their tireless efforts at incorporating public input into development projects.

Very truly yours,



JAMES K. HAHN
Mayor

JKH:ww

Attachment B
Review of Past, Present, and Future EIRs

425 S. Palms Verdes Street

Post Office Box 151

San Pedro, CA 90733-0151

Tel/TDD 310 SEA-PORT

www.portoflosangeles.org

DATE: September 24, 2003

TO: Nicolas G. Tonsich, President
Board of Harbor Commissioners

FROM: Ralph G. Appy, Ph.D. *RGA*
Director of Environmental Management

SUBJECT: REVIEW OF PAST, PRESENT AND FUTURE EIRs



James K. Hahn, Mayor
City of Los Angeles

Board of Harbor
Commissioners

Nicholas G. Tonsich, President

Elwood Lui, Vice President

James E. Acevedo

Camilla T. Kocot

Thomas H. Warren

Larry A. Keller
Executive Director

Introduction / Background

Harbor Department staff presently has a large number of EIRs scheduled for preparation. These EIRs are generated both from applications filed by current and potential port tenants and by public improvement projects such as the waterfront promenade.

At the same time, PCAC is trying to determine a way to follow the Mayor's directive to review past, present and future EIRs.

It is apparent that the level of PCAC involvement on all future EIRs, such as is occurring on the China Shipping EIS/EIR will be difficult and that comprehensive review of all past EIRs is equally daunting. Staff has reviewed the interim report of the PCAC Working Group and is aware of the review the working group has conducted on the Pier 400 environmental documents. The following are staff recommendations regarding procedures for review of Harbor Department EIRs.

Review of Past EIRs

Staff will provide CEQA consultant services to assist PCAC in their review of past EIRs. This review will be based on a defined scope of work related to the obligations of CEQA. Port staff will review all directions given to consultant by the Working Group to ensure that tasks are within the scope specified in the contract between the consultant and the Port and that invoices conform to audit requirements established by the City.

As discussed at the September 3, 2003 meeting, we believe time would be better spent improving future EIRs, by identifying potential mitigation measures for example, than by extensive review of past EIRs which were prepared in a different era under a different administration.

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Equal Opportunity Employer

Recycled and Recyclable The recycling symbol, consisting of three chasing arrows forming a triangle.

Staff believes that a further review of a representative sample of past EIRs does have value, as focused analysis may suggest additional improvements that could be made in future EIRs.

Staff recommends that the appropriate PCAC subcommittees responsible for the environmental studies set forth by the Board and the Mayor (air, water, traffic and lighting/aesthetics/noise) work with staff and assigned consultants to develop feasible mitigation measures for consideration by the Board.

As the subcommittees have developed a base of knowledge and experience with their respective issues, they are the appropriate venue for identifying specific mitigation measures. As stated above, staff believes our focus should be on implementing feasible, effective mitigation measures that will providing lasting, measurable benefit to the community.

Review of Present and Future EIRs

The PCAC plays an important role in advising the Board and staff fully supports this advisory role for PCAC with respect to future EIRs.

For legal reasons, as described below, staff cannot share intermediate (draft) work product associated with preparation of EIRs. Staff understands, however, the interest among PCAC representatives to participate and assist in the environmental analysis of proposed projects. Fortunately, staff believes effective means exist to satisfy both the clear statutory requirements of CEQA and the important advisory role of PCAC as established by the Harbor Commission.

The Department is obligated to prepare an environmental document that can be certified by the Board as having been prepared in accordance with CEQA and that allows the Board to make an informed decision on a proposed project.

Further, in preparing environmental documents, staff must protect the Department and the City by remaining cognizant of potential legal challenges whether from environmental advocacy and community groups or from customers, trade associations, unions or other parties.

At the same time, staff recognizes that PCAC's founding charter includes a role for analysis of environmental impacts in furtherance of its advisory role to the Board of Harbor Commissioners.

Staff therefore recommends an approach that provides a standardized "template" applicable to all EIRs, combined with a clearly defined role for active, meaningful and documented participation by PCAC in individual EIRs. This approach should effectively balance the potentially competing objectives of the inclusion sought by PCAC and the independence required by CEQA.

The approach staff recommends addresses issues raised by the Working Group in its analysis of past EIRs. It includes a clear data baseline to evaluate projects and, most importantly, provides for implementation of meaningful mitigation for the communities affected by Port operations.

Staff recommends the following specific steps for forthcoming EIRs:

1. Each EIR will contain a "standard" list of projects that would be included in cumulative impact analysis. This list can be established for the China Shipping EIR, although the projects will change as time progresses.
2. Harbor Department staff will formalize its current outreach procedures, as provided in the attached Table, to insure the widest possible participation in the environmental review process.
3. Through the various PCAC subcommittees, PCAC and staff will jointly develop a menu of mitigation measures. As they become available, these measures will be listed in each EIR with a discussion of the applicability/feasibility of each measure. Applicable/feasible measures will be recommended to the Board in the Final EIR. Agencies and non-PCAC stakeholders will be requested to provide potential mitigation measures as appropriate. Staff will maintain a list of mitigation measures as they are implemented and also develop a comprehensive set of "model terminal" operations procedures. A narrative discussion and budget analysis of these mitigation measures will be detailed as part of an annual report.
4. Staff will apply the City's standard thresholds of significance in preparing all EIRs.
5. In addition to a narrative discussion in the EIR text, each EIR Project Description will contain a Data Table that contains the existing condition and the project parameters being assessed. This Table will be modified depending on the type of terminal or other project under consideration. The Data Table will include the following items:
 - a. Terminal acreage
 - b. TEUs per acre or other appropriate measure of throughput
 - c. Number of projected ship calls
 - d. Number of truck movements
 - e. Number of rail movements
 - f. Number of container cranes (or other major equipment)
 - g. Employee estimate and employee vehicles
6. For container terminals, the throughput calculation and associated truck calls and train movements will be in accordance with the methodology utilized for the China Shipping EIS/EIR and approved during development of the port-wide inventories.

7. Out-year calculations of cargo throughput and associated activities (ship/truck/rail) will be done for the build-out year, 2010, and 2025 (or the appropriate forecast year for the Regional Transportation Plan [RTP] or commodity).
8. The Port will utilize project assumptions for air and traffic issues that are consistent with the environmental studies directed by the Mayor and the Board.
9. To provide for specific PCAC participation in preparation of EIRs, each EIR will contain an appendix documenting PCAC input including their comments on the NOP, Draft and Final EIRs, minutes of meetings with Port staff and any other relevant communications.
10. Each EIR will contain a discussion of the Mayor's goal of "no net increase" indicating how this will be achieved.
11. Staff will include in all Final EIRs a section that identifies any unresolved issues on the EIR between staff and PCAC. PCAC may elect to submit comments through motion to the Board at the time of EIR certification (see item 8 below). These documents will further the ability of the public to fully comprehend the issues associated with each project and give the Board as much information as practicable as the Board considers whether to approve, modify or disapprove a project.

Staff believes the foregoing approach creates both an objective data baseline and a standardized process that addresses concerns raised by the Past EIR Working Group Interim Report.

In addition to the measures listed above, staff recommends that the Board establish provisions for PCAC engagement at the detail level for individual EIRs. Within the statutory requirement of CEQA, these steps should provide for meaningful PCAC input as environmental documents are prepared.

While the opportunity for PCAC input is most crucial at NOP and Draft EIR stage (as this is the stage at which all interested regulatory agencies find sufficient to provide comment on proposed projects) staff recommends the following process specifically for PCAC input:

1. Before publication of an NOP, staff will meet with the appropriate PCAC subcommittee at a single meeting to describe the project and invite input into the NOP. Staff will fully consider PCAC comments, but with the understanding that complete concurrence may not be possible on all NOP checklist items.
2. The appropriate PCAC subcommittee will document outstanding issues not included in the NOP and provide this documentation to staff.

3. In preparing the Draft EIR, staff will meet with PCAC, if requested by PCAC, to review the project parameters identified in #1 (Past, Present and Future Project List) and #5 above (Project Data Table), obtain input and consider mitigation measures and alternatives for consideration in the EIR.
4. Staff will prepare the EIR, including the components as described here-in. Once the EIR is released, staff and their technical consultants will meet with PCAC, at PCAC request, to review the Draft EIR and obtain PCAC input on the document. Staff and PCAC will use their best efforts to resolve all issues but may elect to disagree on some issues. Based on this review, staff will prepare a summary table identifying PCAC issues and whether they were resolved.
5. PCAC will document any outstanding issues during the public review period for the Draft EIR.
6. Staff will prepare the Final EIR, including the elements described herein and including documentation of PCAC involvement. The Final EIR and staff report accompanying the Final EIR will document unresolved issues.
7. During the certification/hearing process, PCAC may advise the Board as to the comprehensive inclusion of issues addressed by PCAC, the accuracy of the EIR and Staff Report and make recommendations to the Board as provided for in #8 below.
8. Staff will schedule release of the final EIR so that the PCAC Board will have time for its regularly scheduled meeting to consider the final EIR and make any recommendations to the Board. Should PCAC not consider the Final EIR at its first regularly scheduled meeting after the EIR is released, the EIR may be brought to the Board without PCAC consideration.

Staff notes that some EIRs may not be of significant interest to the PCAC. The approach detailed above provides PCAC the discretion of whether it wishes to spend significant effort on EIRs on a case-by-case basis.

Staff believes the foregoing provides for extensive, meaningful participation by PCAC in preparation of EIRs. The intent of these recommendations is to insure that EIRs are useful information documents for PCAC, the public, government agencies and the Board of Commissioners.

In accordance with the Board's and the Mayor's directives and the requirements of CEQA, the procedures recommended above are designed to provide mitigation measures of lasting benefit to the environment and to the communities affected by port operations.

RGa:yo

Attachment

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