

Errata: Berth 136-147 [TraPac] Container Terminal Project Final EIR, Draft Findings of Fact and Statement of Overriding Considerations, and Mitigation Monitoring Report (MMRP)

On November 14, 2007, the U.S. Army Corps of Engineers, Los Angeles District (Corps) and the Los Angeles Harbor Department (Port) released a joint Final Environmental Impact Statement/Environmental Impact Report (Final EIS/EIR) for the Berth 136-147 [TraPac] Container Terminal Project. On December 3, 2007, the Port posted the Findings of Fact and Statement of Overriding Considerations and the Mitigation Monitoring Report (MMRP) for the Final EIR

This document lists errors in Sections Chapter 2 and 3 of the Final EIS/EIR, the Findings of Fact and Statement of Overriding Considerations and the MMRP. Changes are identified as ~~strikeouts~~ for text removed and underline for additions. Changes were largely editorial in nature. In addition, a list of all mitigation measures is attached with the final wording consistent with the Mitigation Monitoring Report and Findings of Fact prepared for this EIR. For the Findings of Fact and Statement of Overriding Considerations and the MMRP, MMAQ-11 and MMAQ-12 incorrectly defined frequent ship calls as three or more calls per month. Frequent ship calls is defined as three or more calls per year.

Final EIR, Chapter 2: Response to Comments

USEPA Letter

Pages 2-12 to 13

USEPA-7. Cargo projections from Port activities have been included in the Regional Transportation Plan (RTP) of the Municipal Planning Organization (MPO) and thus were included in the most recently USEPA-approved 1997/1999 SIP, and in the 2003 SIP, should USEPA approve this. These same projections have also been included in the more recent 2007 RTP and SIP, which will also be submitted for USEPA approval. This has been acknowledged by the Southern California Association of Governments (SCAG), which is the region's MPO. Additionally an analysis has been done pursuant to 40 CFR 93 S153 which determined that the proposed Project criteria emissions are de minimis, which are less than 10 percent of both the 1997 and 2007 RTP ~~2006 TRP~~. As such, a General Conformity Determination is not required for the Project.

SCAQMD Letter

Pages 2-68 to 69

SCAQMD-9. Thank you for your comment. Mitigation Measure AQ-1 has been amended as follows:

MMAQ-1: Harbor Craft for Crane and Sheet-pile Deliveries and Construction. All cargo ships used for terminal crane and sheet pile deliveries shall comply with the expanded VSRP of 12 knots from 40 nm from Point Fermin to the Precautionary Area. Ships used for sheet pile deliveries in Phase II construction (post 2015) shall use low-sulfur fuel (maximum sulfur content of 0.2 percent) in auxiliary engines, main engines, and boilers within 40 nm of Point Fermin This measure shall also require all harbor craft used during the construction phase of the project to, at a minimum, be repowered to meet the cleanest existing marine engine emission standards or U.S. EPA Tier 2. Additionally, where available, harbor craft shall meet the proposed U.S. EPA Tier 3 (which are proposed to be phased-in beginning 2009) or cleaner marine engine emission standards. In addition, all dredging equipment shall be electric.

Page 2-74

SCAQMD-19

MM AQ-11: Low Sulfur Fuel. Ships calling at Berth 136-147 shall use low-sulfur fuel (maximum sulfur content of 0.2 percent) in auxiliary engines, main engines, and boilers within 40 nm of Point Fermin (including hoteling for non-AMP ships) at the following annual participation rates:

- 2009: 20 percent of auxiliary engines, main engines, and boilers;
- 2010: 30 percent of auxiliary engines, main engines, and boilers;
- 2012: 50 percent of auxiliary engines, main engines, and boilers; and
- 2015: 100 percent of auxiliary engines, main engines, and boilers.

Additionally, by 2012, all frequent caller ships (three or more calls ~~a month~~ per year) shall use 0.2% in main and auxiliary engines and boilers within 40nm of the Port.

NRDC Letter

Page 2-155 and 2-157

Mitigation Measure AQ-1: Harbor Craft for Crane and Sheet-pile Deliveries and Construction. All cargo ships used for terminal crane and sheet pile deliveries shall comply with the expanded VSRP of 12 knots from 40 nm from Point Fermin to the Precautionary Area. Ships used for sheet pile deliveries in Phase II construction (post 2015) shall use low-sulfur fuel (maximum sulfur content of 0.2 percent) in auxiliary engines, main engines, and boilers within 40 nm of Point Fermin This measure shall also require all harbor craft used during the construction phase of the project to, at a minimum, be repowered to meet the cleanest existing marine engine emission standards or U.S. EPA Tier 2. Additionally, where available, harbor craft shall meet the proposed U.S. EPA Tier 3 (which are proposed to be phased-in beginning 2009) or cleaner marine engine emission standards. In addition, all dredging equipment shall be electric.

Chapter 3: Modifications to the Draft EIR

Section 3.2

Pages 3.2-21 to 3.2-22 and 3.2-144:

MMAQ-1: Harbor Craft for Crane and Sheet-pile Deliveries and Construction. All cargo ships used for terminal crane and sheet pile deliveries shall comply with the expanded VSRP of 12 knots from 40 nm from Point Fermin to the Precautionary Area. Ships used for sheet pile deliveries in Phase II construction (post 2015) shall use low-sulfur fuel (maximum sulfur content of 0.2 percent) in auxiliary engines, main engines, and boilers within 40 nm of Point Fermin This measure shall also require all harbor craft used during the construction phase of the project to, at a minimum, be repowered to meet the cleanest existing marine engine emission standards or U.S. EPA Tier 2. Additionally, where available, harbor craft shall meet the proposed U.S. EPA Tier 3 (which are proposed to be phased-in beginning 2009) or cleaner marine engine emission standards. In addition, all dredging equipment shall be electric.

Pages 3.2-35 and 3.2-146:

MM AQ-7: Yard Tractors. All yard tractors operated at the Berths 136-147 Terminal, including the on-dock rail facility, shall implement the following measures.

- Beginning in 2008 ~~2007~~, all new yard tractors shall be either (1) the cleanest available NOx alternative-fueled engine meeting 0.015 Gm/Hp-Hr for PM or (2) the cleanest available NOx diesel-fueled engine meeting 0.015 Gm/Hp-Hr for PM. If there are no engines available that meet 0.015 Gm/Hp-Hr for PM, the new engines shall be the cleanest available (either fuel type) and will have the cleanest Verified Diesel Emissions Controls (VDEC).
- By the end of 2010, all yard tractors would meet at a minimum the USEPA Tier 4 non-road emission standards.

Section 3.9

Page 3.9-11 and Page 3.9-14

MM NOI-2: A landscape buffer along the northwest side of the proposed Pier A Yard between the yard and Alameda Street and on the southeast side of the yard between the facility and the marina area, will be incorporated into the project scope. The buffer will include mature trees and shrubs and shall be maintained for the life of the Project. ~~In addition,~~ If noise monitoring indicates that there will be exceedence of the City noise ordinance at the marinas in consolidated slip from operation of the relocated Pier A yard, a 6'-8' wall along the southeast side of the yard between the yard and the marinas will be constructed.

Draft* Findings of Fact and Statement of Overriding Considerations

Draft Findings of Fact

Pages 30, 49 and 60

MM AQ-11: Low Sulfur Fuel Ships calling at Berth 136-147 shall use low-sulfur fuel (maximum sulfur content of 0.2 percent) in auxiliary engines, main engines, and boilers within 40 nm of Point Fermin (including hotelling for non-AMP ships) at the following annual participation rates: (a) 2009: 20 percent of auxiliary engines, main engines, and boilers; (b) 2010: 30 percent of auxiliary engines, main engines, and boilers; (c) 2012: 50 percent of auxiliary engines, main engines, and boilers; and (d) 2015: 100 percent of auxiliary engines, main engines, and boilers. Additionally, by 2012, all frequent caller ships (three or more calls a ~~month~~ year) shall use 0.2% in main engines, auxiliary engines and boilers within 40nm of the Port

MM AQ-12: Slide Valves Ships calling at Berth 136-147 shall be equipped with slide valves or equivalent on main engines in the following percentages: (a) 15 percent in 2008; (b) 50 percent in 2010; and (c) 95 percent in 2015. By 2012, all frequent caller ships (three or more calls a ~~month~~ year) shall comply with this requirement.

***Please note, the Findings of Fact and Statement of Overriding Considerations are not considered Final if and until the Board approves the Final EIR. This change will be part of the Final Findings of Fact and Statement of Overriding Considerations**

Mitigation Monitoring Reporting Program (MMRP)

Section 2

Pages 2-11

MM AQ-11: Low Sulfur Fuel Ships calling at Berth 136-147 shall use low-sulfur fuel (maximum sulfur content of 0.2 percent) in auxiliary engines, main engines, and boilers within 40 nm of Point Fermin (including hotelling for non-AMP ships) at the following annual participation rates: (a) 2009: 20 percent of auxiliary engines, main engines, and boilers; (b) 2010: 30 percent of auxiliary engines, main engines, and boilers; (c) 2012: 50 percent of auxiliary engines, main engines, and boilers; and (d) 2015: 100 percent of auxiliary engines, main engines, and boilers. Additionally, by 2012, all frequent caller ships (three or more calls a ~~month~~-year) shall use 0.2% in main engines, auxiliary engines and boilers within 40nm of the Port

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