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Bridge to Breakwater: Master Plan Development for the San Pedro Waterfront and Promenade Notice of Preparation/Notice of Intent Comments (NOP/NOI)

Dr. Burnam and Dr. Appy:

The Northwest San Pedro Neighborhood Council (NWSPNC) supports the redevelopment of San Pedro's Waterfront. We have participated in every aspect of the Bridge to Breakwater planning process available to us and have consistently commented on the scale of the plans proposed by the Harbor Department (LAHD). It is in that context that we provide the following comments.

1. The Port maximum density alternative should not be included in the EIR analysis because the project elements are not sufficiently described in the NOP/NOI.

The NOP/NOI indicates that "comments received by the public and LAHD's Engineering and Project Design Team would influence the project elements included in this alternative" [page 29]. Since those project elements are not defined in sufficient detail for the public to comment on them, this alternative should not be included in the NOP/NOI and should not be evaluated in the EIR process. It is not appropriate for the LAHD to define the project elements for a maximum build out project alternative after the comment period has closed and thereby foreclose public input.

2. **The actual City of Los Angeles project is (a) the redevelopment of San Pedro's downtown business district, (b) adding 3,000 additional housing units, and (c) the Bridge to Breakwater redevelopment. The "Project Overview" should include a review of all of the development proposed with the LAHD and Community Redevelopment Area (CRA) of San Pedro. Specifically, traffic and the impact of increased residential units adjacent to the Bridge to Breakwater project area should be evaluated within the DEIR.**

Page 33 (Evaluation of Environmental Impacts) indicates that all answers to environmental impacts must take into account the "*whole action involved*". The "whole action" in this case is greater than the proposed Bridge to Breakwater Development and is spread across several City Departments.

The Urban Land Institute (ULI) Report, a joint project of the CRA, the Port, and other City offices, and the follow on SMWM work, discussed the need for 3,000 new housing units and redevelopment of the downtown business district and waterfront. Since these reports were published, the City, through the Harbor Department, City Council District 15 Office and CRA, have worked together to facilitate that vision. This has included improving the entry into San Pedro via Gaffey to increase traffic through the Downtown Business District and to access a relocated Catalina Terminal and potentially two new cruise terminals south of 22nd Street. These actions will increase traffic on the Gaffey Street corridor.

Council District 15 and the CRA encourage downtown development by promoting the Bridge to Breakwater proposal to developers, referring developers to the LAHD for development assurances, appointing the CRA project area committee to approve development projects, and assisting in subsidizing developers with tax-increment payments. Further, the Harbor Department's draft Business Plan dated September 29, 2004, contains many references to the combined planning effort with CRA. For example, page 16, says "In order for physical and economic redevelopment of the downtown area to occur in conjunction with the waterfront improvements, the Port shall collaborate with the [CRA]. Goals ... will include creating complimentary [sic], not competitive development opportunities; consistent design themes; generate public input; and efficient traffic, transit and pedestrian access throughout the combined project areas."

Lastly, the project is spread across several City agencies and offices. The Harbor Department and CRA are not independent but part of the City of Los Angeles. The overall scale and scope of the City's project is such that thinking about the total project is the only way to adequately evaluate the real traffic impacts and the impacts on other public infrastructure such as schools. From this complete evaluation appropriate mitigation can be developed to ensure the success of each project. An evaluation of the "*whole action*" involved by the LAHD will provide the community and City leaders with a comprehensive environmental review and the opportunity to mitigate environmental impacts over the entire project.

3. All square footage in the Outer Harbor/Warehouse District should be treated as “new proposed” square footage.

Table 6 “Outer Harbor/Warehouse District - Project Description Summary” includes 872,580 square feet as “Existing” in addition to 648,400 square feet of “New Proposed” construction.

The existing buildings were constructed, beginning in 1913, for use as warehouses. Warehouse use is markedly different from the proposed adaptive reuse. The impacts of new construction, renovation, and change in the land use to visitor serving should be treated as new construction in order to evaluate the actual environmental impacts from the reuse plan. The “New Construction” total should be 1.5 million square feet.

4. The EIR should consider the environmental impacts associated with relocating present users from areas proposed for adaptive reuse or development, including the identification of the specific areas to which they will be relocated. This review should include the factors and impacts required by State and City environmental justice guidelines.

Businesses presently operating in areas scheduled for development or adaptive reuse include fruit terminals, public warehouses, and above-ground storage tank terminals such as the Westways Terminal. All of these existing businesses are served by trucks and/or rail. The DEIR should specify when, where and how these uses will be relocated and the environmental impacts, if any, of those relocations. The relocation and the project itself must consider the factors set forth in State, City, and State Lands Commission Environmental Justice Policies such as whether the project would result in significant adverse effects that disproportionately affect minority or low income populations.

5. The impacts associated with the Westrec marina development should be included in the NOP/NOI.

The Westrec marina development EIR was completed several years before the NOP/NOI for the Bridge to Breakwater plan was issued. The permit to Westrec has never been approved. The Westrec development should be included in the scope of the present project to examine whether the traffic circulation and parking impacts are affected by the proposed street and rail realignments and reuse for the surrounding area.

6. The use of the word “occasional” to describe cruise ship berthing of up to 120 days a year is misleading and should be deleted.

The Project Description says a third cruise ship berth will be constructed at the Outer Harbor Location and that a fourth berth may be constructed in the future in the Outer Harbor/Warehouse area. The plan calls for occasional cruise ship calls (120 days per year) at the third and fourth cruise ship location. Since most cruise ship calls are over a weekend this occasional use would be every weekend. In fact, by this standard, the existing cruise ships

are occasional users of the Berth 93 area. A study as to the traffic and air quality impacts from all the cruise ships at berth every weekend of the year (120 days) should be performed to assess the worst case cumulative traffic and air quality impacts. The phrase occasional should be deleted from the description as it relates to both Berths 45-47 and Berths 61-72 (p. 24).

7. It appears that all Red Car construction is planned for Phase I. Also, the Port is reserving the right to change the timing of development in its maximum development alternative. Either one will predetermine future development.

Once the Red Car track and infrastructure is in place, future land use will be limited by it. For the DEIR/DEIS, a study as to a sequential phasing of Red Car construction should be performed. Specifically the extension of the Red Car to location DE2a should be evaluated as part of Phase III construction.

Further, if the amount and timing of development is changed from the phasing as presented in the NOP/NOI, future development choices will be impacted, as will the likelihood for promised further environmental analyses. For example, the Port could decide to sell or lease hotel development parcels as soon as possible in order to pay for non-revenue-producing infrastructure such as the relocation of Harbor Boulevard. This decision would preclude several other choices that the public has been told will be made in future phases. The DEIR/DEIS should address the impacts on sequential phasing if such changes are made.

In addition to these comments, more specific comments on the described Port project and some possible mitigation measures are attached. Please do not hesitate to contact me should you require more information about any of these items.

Sincerely,

Diana Nave, President
Northwest San Pedro Neighborhood Council

ATTACHMENT I

SPECIFIC COMMENTS ON THE SCOPE AND IMPACTS OF THE BRIDGE TO BREAKWATER MASTER DEVELOPMENT PLAN

- 1) Page 4 – last paragraph states: The proposed project will be studied in detail for the first 10 years, the project elements proposed for years 11 -30 will be studied at a programmatic level. Additional CEQA and NEPA evaluations will be required, “**where appropriate.**”

Insufficient data exists to forecast environmental impacts past year eleven. Therefore **all** construction projects in Phase III should be subject to a new, independent CEQA review.

- 2) *On page 5, a project objective is listed as upgrading the two existing cruise ship berths and adding up to two new cruise ship berths.*

We would like the following environmental mitigation elements to be evaluated as part of the cruise ship berthing:

- a. Use of low sulfur diesel fuel for all cruise ship vessels
- b. Use of shore power for berthing electricity
- c. Use of mass transit to move passengers from the Berth 93 area to the new cruise ship berths.

- 3) *The proposed project plan does not include the construction of San Pedro Park until years 6 through 10 (Phase II).*

Consistent with the Reduced Development Alternative, the environmental impacts from including the San Pedro Park in the phase I construction should be evaluated.

- 4) *The improvements within the Ports O’Call area are not proposed until years 6-10 (Phase II) with further development in Phase III (greater than 11 years) which will require a new CEQA review.*

We would like to keep open the option of Ports O’Call project elements (CD16, CD17, CD19, CD21) being developed as a part of Phase I and request that you include them in your Phase I evaluation.

- 5) *Page 10 – Water Plan - The last sentence discusses the possible displacement of marina slips by the project.*

A relocation site needs to be defined and the environmental impacts related to the displacement and relocation of the marina slips evaluated.

- 6) *Page 11 – Within the first paragraph, the proposed project “could” include up to 102 acres of parks and...*

The DEIR/DEIS needs to evaluate the construction of the maximum acreage of parks and promenades. In addition, the coequal analysis should include a discussion of the impacts from greater or lesser park acreage.

- 7) An evaluation of the impacts of integrating the Red Car into the regional mass transit system should be considered.
- 8) An evaluation of a spur of the Red Car to Westmont Drive using the existing rail right of way and track should be included.
- 9) The realignment of Harbor Boulevard and the placement of the Red Car easement through the former 22nd Street Tank Farm should be evaluated as part of Phase III since the proposed construction of ED1 and ED4 is not until Phase III.
- 10) *The water plan indicates potential stops in Wilmington and Long Beach for the water taxi.*

For study purposes, specific locations in Wilmington and Long Beach should be selected to evaluate the environmental impact from Water Taxi operation.

- 11) To reduce traffic impacts from cruise ship and truck traffic in the area of Berth 93, a dedicated on and off ramp directly from the freeway to the cruise ship facility and the China Shipping Terminal should be evaluated.
- 12) *Page 14 - North Harbor – The relocation of the Pasha operations should be evaluated as part of this DEIR/DEIS.*
- 13) *Page 16 – 7th Street Pier – proposes partial demolition of the existing Acapulco Restaurant.*

Partial demolition of Acapulco Restaurant may not be practical. The environmental impact of the complete demolition and reconstruction of the Acapulco Restaurant and the relocation of the 12 marina slips should be evaluated.

- 14) *Page 17 – Transportation – Harbor Boulevard Modifications – The proposed Harbor Boulevard is six lanes exclusive of the Red Car easement at this location.*

To facilitate pedestrian access to the waterfront, the project team may want to evaluate the environmental impacts of constructing a pedestrian bridge at this location.

15) *Page 17 – Transportation – Harbor Boulevard Modifications.*

The removal of subsurface pipelines and any petroleum impacted soil should be included as part of the environmental review.

16) *Page 22 – Outer Harbor/Warehouse District.*

It is unclear if the following existing site uses – Supertanker berths, Breakbulk terminal, fresh fruit terminal – will remain. If these industrial uses are proposed to be relocated, then the environmental impact from the demolition and relocation of these industrial facilities needs to be evaluated.

17) An evaluation of the environmental impacts from the remediation of the Westways Terminal and supporting infrastructure should be included.

18) *Page 24- Outer Harbor Pier, Marina, and Cruise Ship Berthing, Berths 61-67 – A floating pier is proposed for construction and use by a high speed ferry service. Additionally, the paragraph describes “other larger visiting vessels”.*

The destination of the high speed ferry is not provided. The environmental impact of the existing ferry service to Catalina, along with the high speed and large visiting vessels with specifics regarding frequency and destinations, needs to be evaluated.

19) *Page 26- San Pedro Park*

As part of the construction of San Pedro Park, there needs to be an evaluation of the environmental impact from importing soil to create the park. The evaluation should include additional construction impacts to create topographic relief within the park verses graded open fields.

20) *Page 26- San Pedro Park – Removal of the existing 0.08 acre freshwater riparian area is included as part of the Harbor Boulevard construction.*

As mitigation for the loss of this wetland, an environmental improvement within San Pedro (possibly at Peck Park, Averill Park, Angels Gate, Whites Point ,etc) to replace the lost wetlands needs to be included.

21) *Page 26- San Pedro Park - The environmental impact of not realigning 22nd Street at this location and preserving the existing wetlands area should be evaluated.*

22) *Page 31 - Other Public Agencies Whose Approval is Required*

The Port should include the County of Los Angeles since any enabling legislation to create a redevelopment zone will require the County’s approval.

- 23) *Page 61 – g states, “The proposed project does include the construction of housing along the base of the bluffs adjacent to Harbor Boulevard”.*

This sentence contradicts the project description provided on page 20 – Bluff Development Parcels which states that “the residential component has been eliminated from the plan...” and page 70 iii) Schools which states “The proposed project...would not include residential uses that could increase school age population.” Please be consistent regarding the inclusion (or exclusion) of housing from the plan. If there is to be any housing at all, then the impact on schools must also be evaluated.

- 24) An evaluation as to locations for employee parking and the associated environmental impacts from shuttle buses should be evaluated.

ATTACHMENT II

POSSIBLE ENVIRONMENTAL MITIGATION MEASURES

- 1) For the surface parking lots, wet and dry weather stormwater runoff could be mitigated through the use of green space within the parking lot area.
- 2) Stormwater impacts (wet and dry) can be reduced by requiring the latest technology to catch solid debris at storm drain catchment basins.
- 3) Emissions impacts from construction equipment can be mitigated through the use of particulate filters and low sulfur diesel fuel.
- 4) During construction, the use of silt fences and other mitigation technologies will reduce the amount of sediment potentially impacting the storm drain system and harbor waters.
- 5) A possible mitigation for the construction of the Bridge to Breakwater project is to improve the stormwater quality flowing from Peck Canyon the Harbor.
- 6) Another possible mitigation is to green and improve the water quality of the storm drain along N. Gaffey adjacent to the Port's Railroad Right of Way