

PORT OF LOS ANGELES COMMUNITY ADVISORY COMMITTEE
EIR/AESTHETIC MITIGATION SUBCOMMITTEE

Port of Los Angeles
425 S. Palos Verdes Street
San Pedro, California

Minutes
September 8, 2011

ATTENDEES:

COMMITTEE MEMBERS/PCAC: Richard Havenick, Acting Chair, Frank Anderson, Voting Member, Chuck Hart, Voting Member, Jody James, Alternate Member, Pat Nave, Voting Member and Kathleen Woodfield, Voting Member

PORT STAFF: Chris Cannon, Director Environmental Management, and Kevin Grant, Environmental Management

PUBLIC PARTICIPANTS: Niccole Ihlenfeld, Consultant, Irene Mendoza, Svorinich & Associates on behalf of Rancho LPG, and Chuck Taylor, Butterfield Communications

MEETING LOCATION: Wilmington Senior Center, 1371 Eubank, Wilmington, CA 90744

- A. Call to Order: Richard Havenick, Acting Chair, 4:35 p.m.
- B. Sign In / Introductions
- C. Agenda was Approved
- D. The Minutes of the August 10, 2011 EIR/Aesthetic Mitigation Subcommittee meeting were approved.
- E. Public Comment: None
- F. POLA Staff Updates:
 - I. China Shipping Amended Stipulated Judgment (ASJ) Aesthetic Mitigation Fund:
 - a. Monitoring Document for ASJ Projects:
On behalf of Teresa Pisano, Kevin Grant, from Environmental Management, provided an update on the status of the Aesthetic Mitigation projects. The project monitoring document is attached.

The Committee raised the following concerns/questions:

- The Plaza Park Project is an interagency transfer, where the funds are going to Recreation and Parks. It appears as though Rec. and Parks is presently waiting for approval from the Coastal

Commission on a project that is on Port property. Why is the Coastal Commission getting involved when the Port has the ability to issue its own Coastal Permits? Can we just move forward on the project without unnecessary delays?

- The Wilmington YMCA requested an additional \$500,000 for cost overruns on the swimming pool project. The overrun came from increased construction costs and the unanticipated remediation costs for methane gas.
- Regarding the Hey Rookie Pool, the monitoring report states that the contract will be considered by the Board in the fall. Why has it taken two years to finalize a contract?
- Has funding been released for the Robert F. Kennedy Banning's Landing Educational Program? If so, how much?
- Did the August kickoff event take place for the Wilmington Alameda and Harry Bridges Landscape project?

The Subcommittee feels that the Project Monitoring Report as originally formatted does not provide enough detailed information. They requested that specific information for each project be added to the report:

1. Dollar amount and dates of when funds are or were released
2. Project elements covered by the funds
3. Projected date of release for funds not yet released
4. Issues preventing projects from moving ahead

In that it seems to take a period of years to complete these projects, mitigation funds should be held in an interest bearing account to help compensate for the increase in cost as time passes. Kathleen Woodfield will draft a motion for the next EIR Subcommittee meeting. In the meantime, are there any failed projects? If so, which ones? How much funding does that entail?

The Subcommittee agreed that they would work together to provide a list of specific questions regarding the mitigation projects. Committee members should forward all questions to Deb (within a couple of weeks) so that she can format the list and submit it to Chris Cannon, the Director of Environmental Management and to Teresa Pisano, the Environmental Mitigation Coordinator (EMC). The Committee requested a detailed discussion of these questions and issues for their October Subcommittee meeting.

2. Environmental Impact Report (EIR) Schedule of California Environmental Quality Act (CEQA) Projects:

Mr. Grant provided the following update:

- a. Southern California International Gateway (SCIG) Draft EIR (DEIR), expected to be released in September.
- b. Intermodal Container Transfer Facility (ICTF) DEIR, October/November.
- c. American Presidents Line (APL) EIR, November/December release.
- d. The City Dock One DEIR, expected to be released end of December.
- e. The USS Iowa Notice of Preparation/Initial Study (NOP/IS) was released on August 29, 2011. Public comments are due by September 29, 2011. The scoping meeting is scheduled for Tuesday, September 13, 2011, from 6:00 to 8:00 PM, in the POLA Administration Building/Board Room.

The Navy awarded the USS Iowa Battleship to the Pacific Battleship Center (PBC). The analysis process is on track. The DEIR may be out late 2011 to mid-2012.

The community has concerns with the San Pedro Waterfront EIR and the USS Iowa Battleship. If Kaiser Point was to be used only on occasion, how does the USS Iowa impact that plan? Is there now any consideration of building an alternate/additional or permanent site out at Kaiser Point for cruise ships? These issues need to be assessed in the EIR.

3. Status on Health Impact Assessment (HIA): Discussion postponed.

G. Action on the USS Iowa EIR Process was not necessary at this time.

H. RECOMMENDATION:

Whereas, the Port Community Advisory Committee (PCAC) was established through LA City Resolution # 6039 and was charged with the responsibility of reviewing past and present Environmental Impact Reports (EIRs) and Port impacts/mitigations affecting Harbor Area Communities; and

Whereas, the Port of LA conducted public presentations of the LA Waterfront Plan/EIR, but made no presentation to the PCAC.

Therefore, be it resolved, the PCAC advises the Board of Harbor Commissioners (BHC) to ensure the PCAC can fulfill responsibilities assigned by City Resolution # 6039 by recognizing the PCAC as the necessary venue for public presentations and discussions regarding the LA Waterfront Plan and/or that the Waterfront Plan meetings be conducted through POLA/PCAC partnership.

The recommendation was moved by Jody James, Second by Chuck Hart and carried with 6 Ayes, 0 Nays and 0 Abstentions.

- I. John S Gibson Blvd/I-110 Access Ramps and SR47/I-110 Connector Improvements (Notice of Intent/Initial Study (NOI/IS) for Mitigated Negative Declaration (MND)).

NOI/IS was released July 30, 2011. Comment Period has been extended thirty (30) days to September 30, 2011.

Pat Nave explained that the proposed project involved widening the SR47/I-110 connector from one to two lanes, extending the additional general purpose lane on the northbound I-110 past the John S. Gibson Boulevard off-ramp, modifying the northbound ramps at the interchange.

The Northwest San Pedro Neighborhood Council (NWSPNC) is considering a motion/recommendation that pertains to the noise from the increase in accelerating and decelerating trucks. The MND does not provide enough discussion on noise or the increase of traffic onto the I-110 freeway when adding an additional lane. Would there be any future rerouting of truck traffic off of Terminal Island?

The NWSPNC is likely to provide in their comment letter, a recommendation for an interim skate board park at Peck Park.

Since the deadline for public comment on the John S Gibson Blvd/SR 47/I-110 Connector Project is September 30, 2011, which does not provide the PCAC an opportunity to meet and discuss comments on this project, Mr. Nave suggested that if the neighborhood council were to adopt a recommendation that he could then distribute it to the individual neighborhood councils/resident groups PCAC representatives to take back to their respective groups for consideration. In the meantime, the EIR Subcommittee should review the MND and provide comments by September 30, 2011.

- J. Discussion of LA County Civil Grand Jury Report on PCAC:

Richard Havenick stated that Dr. John Miller has been in the process of drafting a comment letter in response to the Civil Grand Jury Report, which he will provide upon its completion (within the month).

- K. Status of Operational Mitigation Monitoring/Reporting Program (MMRP):

With the approval of the Clean Air Action Plan (CAAP), new and newly renewed tenant leases are (theoretically) more stringent, in that they entail additional implementation and compliance with various mitigation requirements. The MMRP was understood to be a tracking tool to monitor these requirements so as to provide regular updates to the Harbor Commission.

Mr. Cannon explained that they were currently working on an electronic database. They have begun tracking requirements, and are now in the process of devising a reporting format.

There are two forms of mitigation monitoring; one for construction and one for operations. The Committee should be interested in both forms of monitoring, in that some construction is ongoing during operation.

The EIR/Aesthetic Mitigation Subcommittee requested copies of these reports when they become available. Mr. Cannon anticipates having a report by the end of the year.

L. Old Business / New Business / Non Agenda Items:

New Business/Action Item: Rancho LPG Holding Facility:

Jody James explained that the Harbor Commission had received a letter from Dr. Richard Vladovic, Vice President of the LAUSD Board of Education, supporting the community's request to withdraw rail line rights for Rancho LPG until they have completed an environmental review reflecting their current operation, ensuring that they adequately meet the legal requirements of CEQA law and that they ensure the safety of our children and our community.

This motion was moved by Jody James, Second by Chuck Hart and carried with 6 Ayes, 0 Nays and 0 Abstentions. A copy of Dr. Vladovic's letter is attached.

RECOMMENDATION:

Whereas, the PCAC has historically opposed the existence of the Ultra Hazardous Amerigas/Rancho Liquid Propane Gas facility in San Pedro and has consistently urged the City and Port of LA to relocate the facility due to its high risk; and

Whereas, the risk of hazard continues to increase with every day due to the facility's aging infrastructure, increased likelihood of earthquake or natural disaster due to its location in a seismically dangerous area and tsunami zone, and a growing threat of terrorism in a port city acknowledged as a probable target site: and

Whereas, the facility entered into the community 37 years ago without benefit of a Risk Analysis and failed to engage in an EIR process when for example the business significantly changed its Business operation from the transport of LPG and Butane primarily by sea to the more hazardous mode of transportation by truck and rail and when pipelines from refineries were constructed and connected; and.

Whereas, the restoration of a legal public process needs to be instituted to ensure the right of our communities to live in a safe environment; and

Whereas, the rail line spur accommodating the transportation of the Liquid Gas for Rancho LPG falls under the jurisdiction of the Port and City of Los Angeles.

Therefore, be it resolved that the Port of LA immediately revoke their permit to rail line access to the Rancho LPG Facility until an Environmental Impact Review process is completed that reflects the current Rancho LPG operation and proves that the Harbor Communities are not exposed to an unnecessary and elevated risk of hazard due to their operation.

- M. Next Meeting is scheduled for October 13, 2011, at the Port of LA Charter High School, 250 W. 5th Street, San Pedro, CA 90731
- N. Adjournment: 6:45 p.m.

Signature on File

Richard Havenick, Acting Chair
EIR/Aesthetic Mitigation Subcommittee

Signature on File

Debra Babcock-Doherty, PCAC Executive Assistant

*Los Angeles Unified School District
Board of Education*



DR. RICHARD VLADOV
Board Member, District

August 29, 2011

Hon. Carmen Trutanich
City Attorney
Los Angeles City Attorney's Office
200 North Main Street
8th Floor, Room 800 CHE
Los Angeles, Ca. 90012

Dear City Attorney Trutanich:

As you are aware, the neighbors of the Taper Avenue Elementary School community in San Pedro have been concerned about the Rancho LPG butane storage facility on Gaffey Street for many years. I have supported their pleas for help and assistance in relocating the tanks to a much safer location such as pier 400 or terminal island. I have also written a letter to District Attorney Steve Cooley asking for assistance in this very important issue.

I have been informed that this facility was introduced without a proper Environmental Impact Report or Risk Assessment in 1973 to transport their liquid energy gas through a wharf at the adjacent Port of Los Angeles. The Los Angeles Unified School District Office of Environmental Health and Safety investigated this location. They expressed concern about the facility and informed me that the City of Los Angeles has jurisdiction.

In 2005, The Port of Los Angeles refused to renew the facility's wharf lease, which altered Rancho LPG's business operation and also forced 100% of the transportation of the butane by truck and rail. This change should have triggered a new CEQA process under the California Code of Regulations, but it never happened. I actually remember Amerigas fighting this change and using scare tactics to get the community to support them. This campaign highlighted the dangers to the community if they had to use rail and truck instead of ship.

Both The Port of Los Angeles and City of Los Angeles currently have jurisdiction over the rail line that Rancho LPG now uses to conduct its business through rail. It is clear that this change of operation has missed a giant step in proper procedure by not having to comply with CEQA law with respect to that change. I support the community's request that your office and The Port of Los Angeles withdraw rail permission rights until Rancho LPG has completed their overdue environmental review process that reflects the current operation and adequately meets the legal requirements of CEQA law and ensures our children and community are safe. There are over 1000 students within a 1 mile's distance to this facility and something needs to be done to insure their safety.

Sincerely,

Dr. Richard Vladovic
LAUSD Board Vice President

C: Anthony G. Patchett
Janet Gunter

**PCAC APPROVED AESTHETIC PROJECTS
SEPTEMBER 2011 UPDATE**

PROJECT TITLE & COMMUNITY LOCATION	APPLICANT PORT CONTACT	1. PCAC APPROVAL DATE 2. CONSTRUCT. DATE 3. COMPLETION DATE 4. PHASING DATE	BOARD ACTION(S) AND DATE(S)		FUNDING AMOUNT ALLOCATED BY BOARD (less payments to date) and current balance	COMMENTS
PLAZA PARK	San Pedro Chamber Beautification Committee, Anne Gushe	1. 4/19/2005 2. Oct. 2011 3. TBD 4. TBD	1. Staff directed to conduct cost and feasibility	12-Dec-2005	\$5,000,000	There is a monthly project coordination meeting at the Council Office. It is attended by representatives from Rec & Parks, Bureau of Engineering, Beautification Committee of the Chamber of Commerce (the project applicant), Harbor Department, and the Council Office. These meetings are held the first Wednesday of every month at 2pm. The Groundbreaking Ceremony that was scheduled for early October has been postponed. It will be re-scheduled when Rec and Parks obtains the necessary approvals from the Coastal Commission.
			2. Allocation of funding	18-Dec-2008		
San Pedro	Lead: T. Scognamillo		3. Approval of Agreement with RAP to construct the project	MOU Revised and re-approved by BOHC in 12/2010		
YOUTH SAILING CENTER	Pacific Unicom - Donna Ethington	1. 4/19/2005 2. TBD 3. TBD 4. TBD	1. Staff directed to conduct cost and feasibility	22-Jun-2005	\$3,100,000	The real estate division continues to work with the City Attorney's Office to resolve the current leasehold on the property area.
Wilmington	Lead: Joanne Ruddell (Planning and Research)					
BANNING MUSEUM TRANSPORTATION EXHIBIT	Friends of Banning's Landing, Michael Sanborn	1. 12/18/2007 2. Design and Construct. Underway 3. Proposed April 2010	1. Approved project, allocated funding	21-Feb-2008	\$900,000 (\$700,000) \$200,000	The existing contract has expired. A new one will be necessary to pay out the remaining balance. This will not impact the existing project schedule. Grand opening is scheduled for August 18 with a community open house on August 20.
Wilmington	Lead: T. Scognamillo		2. Approved agreement	21-Aug-2008		

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YMCA AQUATIC CENTER WILMINGTON	YMCA, Julie Tisue Turner	1. 12/18/2007 2. TBD 3. TBD 4. TBD	1. Approved project, allocated funding	21-Feb-2008	\$2,723,762	The YMCA is working with community leaders/supporters to help resolve issues that have come up in plan check and issues related to unanticipated costs for this project. The permitting issues have been resolved, however there is a budget shortfall and the YMCA is exploring opportunities to find additional money. The project schedule has been delayed until this is resolved.
Wilmington	Lead: T. Scognamillo		2. Approved Agreement	15-Oct-2009		
ALAMEDA & HARRY BRIDGES LANDSCAPING WILMINGTON	CRA & WIPAC, Susan Totaro	1. 12/18/2007 2. January 2010 3. TBD 4. TBD	1. Approved project, allocated funding	3-Jul-2008	\$1,814,041	Groundbreaking took place in September 2010 and project work began in October 2010. The Alameda and E Street Gateway was completed on July 18, 2011. The Eubank Gateway design process kick-off is expected at the end of August. Since Susan Totaro has retired, Will Cipes is the new project manager from the CRA.
			2. Approved agreement	5-Feb-2009		
	Lead: T. Scognamillo		3. Approved revised agreement	4-Jun-2009		
ROBERT F. KENNEDY INSTITUTE (RFKI) BANNING'S LANDING EDUCATION PROGRAM	Mary Werk - Friends of Banning's Landing	16-Jun-09	1. Approved project, allocated funding	16-Jul-2009	\$1,000,000 (\$203,430) \$796,570	Port staff has requested a schedule of upcoming education events.
Wilmington	Lead: T. Scognamillo		2. Agreement			
ANGEL'S GATE LIGHTHOUSE RESTORATION PROJECT	Cabrillo Beach Boosters, Gary Dwight	16-Jun-09	1. Approved project, allocated funding	16-Jul-2009	\$1,800,000	Project is progressing. Physical work is expected to begin this summer.
Wilmington	Lead: T. Scognamillo		2. Agreement			
TALL SHIP RESTORATION	Los Angeles Maritime Institute, Ed Stelner	16-Jun-09	1. Approved project, allocated funding	16-Jul-2009	\$771,000 (\$393,479.67) \$377,520.33	Vessel restoration is nearly complete.
Wilmington	Lead: T. Scognamillo		2. Agreement			

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SEPTEMBER 2011 UPDATE**

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WILMINGTON CHAMBER OF COMMERCE LED SIGN	Wilmington Chamber of Commerce, Dan Hoffman	16-Jun-09	1. Approved project, allocated funding	16-Jul-2009	\$50,000	The sign has been put into place. Electrical and Telephone lines are being installed and tested in August. If all goes well, the sign will be fully installed and the Chamber will schedule a ribbon cutting ceremony in next few weeks.
Wilmington	Lead: T. Scognamillo		2. Agreement			
ELEMENTARY STORM DRAIN ED PROGRAM	Kennedy Communications, Maria Elena Kennedy	16-Jun-09	1. Approved project, allocated funding	16-Jul-2009	\$75,000	The agreement is expected to be considered by the Board in October or November 2011 and the education programs and clean ups will be scheduled throughout the coming school year.
			2. Agreement			
WILMINGTON MARINA'S PARKWAY	Donna Ethington - Wilmington Boat owners Association	16-Jun-09	1. Approved project, allocated funding	16-Jul-2009	\$1,455,971	Port staff has worked with a steering committee on landscape design. Permits and construction documents are being completed.
			2. Design			
HEY ROOKIE POOL REDEVELOPMENT	Ft MacArthur Museum Assoc	16-Jun-09	Approved	10-Dec-2009	\$6.9M	The contract will considered by the Board this fall.
NW SAN PEDRO BEAUTIFICATION (PHASE 2)	NWSP Neighborhood Council, Dan Dixon Lead: Wendy Delgado	1. April 2005 2.	Project may not require any additional Board approvals. This section will be updated as more information is received.		2,500,000	The project was divided into 2 phases. Phase 1 from Westmont Drive to Gatun Street was completed in June 2009. Phase 2 from Gatun Street to Pacific Avenue is being developed. Staff met with project applicants to discuss landscaping and design expectation for Phase 2.
FRONT STREET/HARBOR BOULEVARD LANDSCAPING IMPROVEMENTS	Community Redevelopment Agency and Carrie Scoville	1. June 16, 2009 (funding became available in May 2011)				This project will be funded with the \$3.2 million that was deposited into the aesthetic fund for San Pedro due to the installation of 4 cranes at Berth 102. Port staff will meet with applicants to discuss details necessary for project planning.