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# FINAL INTEGRATED FEASIBILITY REPORT AND ENVIRONMENTAL IMPACT STATEMENT / ENVIRONMENTAL IMPACT REPORT (EIS/EIR)

## APPENDIX A: AGENCY COORDINATION AND PUBLIC INVOLVEMENT

### PORT OF LONG BEACH DEEP DRAFT NAVIGATION STUDY Los Angeles County, California

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October 2021



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## Attachments

- 1 Notices of Preparation, Notice of Intent, and Notice of Availability
- 2 Comment Letters Received in Response to NOPs/NOI
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- 4 Agency Coordination Correspondence

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## 1 INTRODUCTION

The environmental review of the Port of Long Beach Deep Draft Navigation Study is being conducted in accordance with state and federal regulations. The Port of Long Beach (POLB) is acting as lead agency for purposes of compliance with the California Environmental Quality Act (CEQA). The United States Army Corps of Engineers, Los Angeles District, (USACE) is the lead agency for purposes of compliance with the National Environmental Policy Act (NEPA). The public scoping requirements for each of these regulations differs slightly; however, the intent of each process remains the same — to initiate public scoping to assist in the preparation of the Integrated Feasibility Report (IFR) by providing information about the Project to, and solicit information that will be helpful in the environmental review process from, the public.

This appendix documents the issues and concerns expressed by members of the public, government agencies, and organizations during the public scoping period. After the release of the Notice of Preparation (NOP), the POLB and the USACE held a 30-day public scoping period under CEQA. The comment period allowed the public and regulatory agencies an opportunity to comment on the scope of the environmental document, comment on the alternatives considered, and to identify issues that should be addressed in the IFR. An earlier public review and comment period was previously conducted by the USACE as part of the review process under NEPA.

The POLB and the USACE have prepared an IFR, which evaluates the potential environmental impacts associated with the Project and identifies mitigation measures to reduce these impacts to an insignificant level, where possible.

### 1.1 Purpose of Scoping

The process of determining the focus and content of an IFR is known as scoping. Scoping helps to identify environmental features, areas of local concern, update local conditions, and eliminate from detailed study those issues that are not pertinent to the final decision on the Project. The scoping process is not intended to resolve differences of opinion regarding the Project or evaluate its merits. Instead, the process allows all interested parties to express their concerns regarding the Project and thereby ensures that all opinions and comments are considered in the environmental analysis. Scoping is an effective way to bring together and address the concerns of the public, affected agencies, and other interested parties. Members of the public, relevant federal, state, regional, and local agencies, interest groups, community organizations, and other interested parties may participate in the scoping process by providing comments or recommendations regarding issues to be investigated in the IFR.

Comments received during the scoping process are part of the public record as documented in this scoping report. The comments and questions received during the public scoping process have been reviewed and considered by the POLB and the USACE in determining the appropriate scope of issues to be addressed in the IFR.

The purpose of the scoping for Project was to:

- Inform the public and relevant public agencies about the Project, CEQA and NEPA requirements, and the environmental impact analysis process;
- Identify potentially significant environmental resources for consideration in the IFR; and

- Compile a mailing list of public agencies and individuals interested in future Project meetings and notices.

## **1.2 Notice of Preparation (NOP)**

As required by CEQA Guidelines §15082, the POLB issued a NOP on November 3, 2016, that summarized the Project, stated its intention to prepare a joint IFR, and requested comments from interested parties (see Attachment 1). The NOP also included notice of the public scoping meeting that was held on November 19, 2016 at 2:00 pm. The NOP was filed with the State Clearinghouse (SCH# 2016111014), which began the 30-day public scoping period. An amended NOP was filed by the POLB on January 29, 2019. The amended NOP was filed with the State Clearinghouse (SCH# 20162016111014), which began the 30-day public scoping period. The amended NOP also included notice of the public scoping meeting that was held on February 13, 2019, at 2:00 pm.

## **1.3 Notice of Intent (NOI)**

NEPA, among other Federal laws and regulations, mandate public involvement. Federal planning policies, USACE practice, and regulations have consistently required and encouraged this practice. The NOI was published in the Federal Register on January 5, 2016. The NOI summarized the Project, stated USACE's intention to prepare a joint environmental impact statement/environmental impact report (EIS/EIR), and requested comments from interested parties (Attachment 1). The NOI also included notice of the public scoping meeting that was held on January 19, 2016 at 2:00 pm.

### **1.3.1 Scoping Comments**

Attachment 2 contains copies of all written (and emailed) comments received from the general public, government agencies, and private companies during the scoping periods. All written and oral comments received during the public comment period, during the public scoping meetings, and through email were reviewed for the IFR.

## **1.4 Notice of Availability**

The Notice of Availability (NOA) was published in the Federal Register on October 25, 2019 and was amended on November 29, 2019 (Attachment 1). The NOA summarized the purpose of the study and project description and requested comments from interested parties. The Draft IFR with EIS/EIR had a review period of 45 days from October 25, 2019 to December 9, 2019. Two public meetings were held on November 13, 2019, at the POLB's Administration Building in the city of Long Beach, California. Transcripts from both meetings are included as Attachment 3.

### **1.4.1 Public Meeting Comments**

Attachment 2 of Appendix O contains copies of all comments (written, oral, and mailed) received from the public, government agencies, and private entities during the two public meetings and in response to the NOA. USACE responses to comments received are provided in Appendix O.

## 2 AGENCY COORDINATION

### 2.1 Endangered Species Act Preliminary Coordination and Informal Consultation

Preliminary coordination with the U.S. Fish and Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS) was conducted relatively early in the planning phase. A formal species list request was made to NMFS on July 31, 2014. A formal response was received on August 29, 2014. Copies of these letters are included in Appendix I of the main report. The USFWS no longer prepares species lists but has deferred to an online system allowing federal agencies to define the study area generating an online species request via their ECOS portal. An initial species list was generated on February 18, 2015, with a follow-up request on March 10, 2015, because of a modification to the study area. Copies of this correspondence are also included in this appendix under Attachment 4.

Recent information has shown a low probability of green sea turtles in the vicinity of the Surfside Borrow Site Nearshore Placement Area (Bredvik et al., 2019; Hanna et al. 2020). Telephone discussions were held with the NMFS on February 23, 2021 and July 28, 2021, to discuss effects to green sea turtle. On July 29, 2021, the USACE submitted a written request for informal consultation to the NMFS. This was followed up with a conference call held on August 4, 2021, that resulted in the preparation of a revised request dated August 9, 2021. The USACE determined the project may affect not likely to adversely affect green sea turtles. NMFS concurred with the may affect not likely to adversely affect determination in a letter dated August 31, 2021. Correspondence can be found in Attachment 4.1.

### 2.2 Fish and Wildlife Coordination Act

Coordination with the USFWS, in accordance with the Fish and Wildlife Coordination Act, was also started early in the planning process. A Scope of Work was provided to USFWS in May 2015 to initiate award of a task order to USFWS to prepare a Planning Aid Report (PAR) and a Coordination Act Report (CAR). The task order was awarded on September 30, 2015. A Final PAR was submitted to the USACE on June 30, 2016. A copy of the PAR can be found in Appendix I. A Draft CAR was submitted to the USACE on March 12, 2021. A Final CAR was submitted to the USACE on April 14, 2021. A copy of the Final CAR can be found in Appendix I.

#### 2.2.1 Planning Aid Report (PAR)

The PAR included six recommendations for the study.

#### PAR Recommendations

1. USACE should use dredge materials, as contaminant levels in the dredge materials allow, to construct areas of shallow water fish habitats (areas of water less than -20 feet MLLW).
2. Within the center of the area of created shallow water fish habitats noted above, USACE should create a least tern/snowy plover nesting island with dredge materials. We suggest that the Outer Harbor in areas of low shipping traffic would likely be a functional location for this purpose, particularly areas adjacent to (behind) the existing Middle or Long Beach breakwaters. The middle of this island(s) should be at least several acres in size and relatively flat with the surface constructed of typical least tern nesting soil matrix materials.

3. USACE should implement a construction schedule for the project that avoids the least tern breeding season, if feasible.
4. Turbidity from dredge and fill activities in the vicinity of the shallow water habitats should not extend over an area greater than 5 acres of shallow waters (i.e., areas less than 20 feet deep) at any one time during the April-to-September breeding season of the California least tern. Monitoring of project-related turbidity, as provided for in measure 5 below, should be based on visually observed differences between ambient surface water conditions and any visible dredging turbidity plume.
5. USACE should provide a qualified least tern biologist, acceptable to the Service and Department, and approved by USACE, to help monitor and manage project activities. This program should be carried out during project activities. The biologist should coordinate with the Service and the Department and:
  - a. If the areas associated with project activities (such as staging areas) would occur within upland areas of the Port that are capable of supporting sensitive species, USACE should provide an education program for construction crews, including the identity of the least tern and their nests, restricted areas and activities, and actions to be taken if least tern nesting sites are found outside the designated least tern nesting sites/within project activity areas.
  - b. Visually monitor and report to the dredging contractor or USACE contract manager and Service/Department any turbidity from project dredging which extends over an area greater than 5 acres of shallow waters.
6. If least tern or other protected species nests are found within the project's direct footprint in upland areas during construction, then all work in the immediate area should be halted, and the USACE biologist be notified immediately. An appropriate buffer zone around the nest for exclusion of project-related activities should be specified by the biologist in coordination with the Service and the Department.

#### PAR Recommendations Responses

We are not able to include any of the recommendations provided for reasons discussed below.

**Recommendations 1 and 2** will be discussed together as they relate to the same thing, i.e. construction of shallow water habitat. There are no safe areas within the POLB where such a habitat could be safely constructed that would not obstruct shipping or would not erode away leading to sedimentation of the federal navigation channels. The majority of the sediments to be dredged are also considered to be too fine grained to be useful for the construction of such habitats. The Approach Channel is the only area expected to have a high sand content. Sediments from this area are proposed to be beneficially reused to fill in the borrow area for Surfside-Sunset. This would have an equivalent effect to the recommended measures. However, creation of an island in this area is not possible as it would obstruct recreational navigation and fishing in the area.

**Recommendation 3** is not feasible. The least tern breeding season runs from April 15 to September 15. Avoiding this season for a multi-year effort would double the length of time required for construction. In

addition, the USACE has determined that construction activities would have no effect on the species if conducted during the breeding season. This measure would not provide any protections to this species but would result in substantial cost and time delays in completing the proposed project.

**Recommendation 4** is not applicable. There are no shallow water areas close enough to proposed dredge operations where turbidity would extent over them. Monitoring of project-related turbidity would continue over the duration of the project, including outside the California least tern breeding season. This monitoring would be based on instrument packages taking measurements throughout the water column, a standard practice by the USACE. It is a better measure of turbidity than observations of ambient surface water conditions.

**Recommendation 5.** As discussed in Section 5.4 of the main report, the USACE has made a determination that the Proposed Project would not affect California least tern. Inclusion of a least tern biologist to monitor construction activities would be an unnecessary measure adding delays and expenses to the proposed project that are considered to be unnecessary. None of the upland areas are suitable nest sites for this, or any other species of migratory bird.

**Recommendation 6.** None of the upland areas within the project's direct footprint are suitable nest sites for this, or any other species of bird. They are all developed with no sandy, unvegetated areas suitable for nesting.

### **2.2.2 Coordination Act Report (CAR)**

The Final CAR included four recommendations for the study.

#### CAR Recommendations

1. As part of the proposed project, the Corps should create a least tern/snowy plover nesting island in the project region with rock and dredge materials. We suggest that the San Pedro Bay breakwater area, in a zone of low fleet/shipping/boating traffic, would likely be a functional location for this purpose, particularly areas adjacent to (shoreward of) the existing Middle or Long Beach breakwaters.<sup>6</sup> Other functional locations away from shore likely exist in the project region. This island should be at least 9 acres in size and relatively flat with the main surface of the island constructed of typical least tern nesting soil matrix materials (e.g., light-colored sand). To accommodate snowy plovers and the haul-out of some pinniped marine mammals, a portion of the island should have a zone of low gradient shoreline sloped down to the water within a protected cove, likely adjacent to and facing the existing breakwater for swell/wave energy protection. Other features such as subaquatic reefs constructed of rock are also suggested around the island, to provide shallow rocky reef habitats and to additionally help prevent erosion of the island cove shoreline surface materials (sand and gravel) through dissipation of wave energy. The configuration and slope surface of the noted island cove shore should be constructed of surface sand and gravel (possibly partially cemented or grouted in place for erosion control) or other compatible materials for snowy plover chick foraging: the configuration should be such that the cove areas remain open to tide-borne deposition of natural beach wrack and would otherwise support (e.g., shore slope angle) snowy plover chick and adult foraging. The remainder of the island (outside of the sand/gravel shore portion) would likely need to be edged by riprap or similar materials to avoid erosion of the island by wave and wind energy. Possibly waste rock and/or dredging materials could be used for this purpose. It is preferred that the

surface/shore of this island not be utilized for human recreation and be protected from unauthorized entry.

2. Consistent with the general recommendations provided by Pacific Fisheries Management Council (2019), the Corps should, to the extent feasible, offset all likely adverse effects to important marine fish habitats from new dredging. Specifically, the dredged material may provide a beneficial re-use opportunity to restore aquatic ecosystem structures and functions in East San Pedro Bay. The Corps should evaluate the feasibility of re-using the dredged material that would be provided by the project (as contaminant levels in the dredge materials allow) to support various restoration measures (e.g., to create: areas of shallow water habitats at depths less than -20 feet MLLW, nearshore wetlands, a sandy island as noted above) that would require fill material, as described in the Corps' East San Pedro Bay Ecological Restoration Project feasibility study.
3. We recommend that the Corps consider the risks of potential injury and disturbance impacts to green sea turtles in their determination of whether this species may be adversely affected by proposed project activities (NOAA 2019). In particular, we recommend that the Corps consider the risks of injury associated with hopper dredge activities, including transit between dredging and the Nearshore/Sunset/Surfside location outside the entrance to Anaheim Bay. Hopper dredge encounters with sea turtles known to occur in the southeastern U.S. have been formally consulted upon numerous times by Corps and NMFS (NOAA 2019). We recommend that the Corps engage in consultation with NMFS Protected Resources Division in Long Beach, California. Appropriate project monitoring for sea turtles by qualified individuals should be incorporated into the project, including monitoring for avoidance of project vessel strikes, as well as improved understanding of sea turtle use of the project area/region and potential effects associated with temporarily increased turbidity, with guidance developed in consultation with NMFS.
4. The Corps should further analyze potential ecological impacts associated with Pier J structural improvements, as outlined herein. Compensatory mitigation should be developed and implemented for any permanent loss of fish or reef habitats due to fill associated with proposed Pier J structural improvements.

#### [CAR Recommendations Responses](#)

Recommendation 1 (create a least tern/snowy plover nesting island in the project region with rock and dredge materials) is not feasible. Generally, the USACE would not propose to develop such an island for species as part of the navigation project unless it is justified as mitigation or offsets for adverse effects. The USACE has determined that the proposed project would not affect the California least tern. Western snowy plover habitat does not occur within the project study area, are not considered to be present, and were therefore not evaluated in the IFR. In addition, there is no feasible location for such an island. There are no safe areas within the POLB where such a habitat could be safely constructed that would not obstruct shipping or would not erode away leading to sedimentation of the federal navigation channels. The area shoreward of the middle breakwater is a frequent location of local boating traffic, as well as mooring locations for the POLB. The area shoreward of the Long Beach breakwater is a frequently used mooring location for the nearby Naval Weapon Station Seal Beach. The majority of the sediments to be dredged are also considered to be too fine grained to be useful for the construction of such habitats. The Approach Channel is the only area expected to have a high sand content. Sediments from this area are proposed to be beneficially reused to fill in the borrow area for



Surfside-Sunset. This would have an equivalent effect to the recommended measures. However, creation of an island in this area is not possible as it would obstruct recreational navigation and fishing in the area.

Recommendation 2 (evaluate the feasibility of re-using the dredged material that would be provided by the project (as contaminant levels in the dredge materials allow) to support restoration measures and beneficial reuse in East San Pedro Bay) will be evaluated further during project design once sediment sampling and analysis have been completed as described in the IFR. Examination of any beneficial re-use of the dredged material is already planned to be done in Preconstruction Engineering and Design (PED) phase that includes contributing sediments to the East San Pedro Bay Ecosystem Restoration Project, if authorized, as well as to any other beneficial reuse options available at the time and for which the sediments are found to be suitable. Beneficial reuse is the preferred option for all dredged sediments within the Los Angeles District. The USACE has attempted to retain flexibility in the proposed project to increase beneficial reuse of dredged sediments by including possible use of dredged materials as part of the proposed project for the East San Pedro Bay Ecosystem Restoration Feasibility Study. Other beneficial reuse options may be identified prior to the start of construction, including beach nourishment (if sediment testing shows unexpected areas of beach compatible material) and port development projects should any be identified and in construction at the same time.

USACE concurs with Recommendation 3 (consider risks of injury to green sea turtle and engage in consultation with NMFS) and initiated informal consultation with NMFS on August 9, 2021.

Recommendation 4 requests that the USACE further analyze potential ecological impacts associated with Pier J structural improvements. Under the Recommended Plan, there are no improvements proposed to Pier J. There are improvements planned to the Pier J breakwaters. Pier J breakwater structural improvements would not result in the loss of fish or reef habitats as all potential construction methods leave the structure underwater and result in only a very small area of conversion from soft to hard bottom habitat. Compensatory mitigation is not required.

### **2.3 Southern California Dredged Material Management Team**

The project has undergone preliminary coordination with the Southern California Dredged Material Management Team (SC-DMMT). The SC-DMMT is a multi-agency management team set up jointly by the USACE and the USEPA. The SC-DMMT has expanded to include participation by the various Regional Water Quality Control Boards, the California Coastal Commission, USFWS, NMFS, and CDFW. Preliminary plans for the Project, including placement/disposal options, have been discussed at monthly meetings of the SC-DMMT. These informal discussions were meant to keep SC-DMMT member agencies apprised of the status of the Project, including identification of alternatives and plans to conduct a full sediment sampling and analysis program during the Project's PED phase.

### **2.4 U.S. Army Corps of Engineers, Regulatory Division**

The Project has been coordinated with the USACE Regulatory Division, which is responsible for issuing permits to the POLB for the local service facilities, including deepening Pier J Basin, berth dredging, and Pier J breakwater improvements. The USACE Regulatory Division would use the IFR to support its permit actions. Coordination with USACE Regulatory Division is ongoing.

## **2.5 South Coast Air Quality Management District (SCAQMD)**

POLB staff has been consulting with the SCAQMD on measures to ensure that the proposed project is in conformance with the State Implementation Plan (SIP), as required by federal regulation. Refer to Sections 5.5 and 10 (Clean Air Act) of the Main IFR for details. The SCAQMD has agreed to include the project emissions within its Air Quality Management Plan (AQMP) emissions budget resulting in the following finding of conformity. The Recommended Plan will conform to the latest US Environmental Protection Agency (EPA) approved AQMP as the emissions from the project are accommodated within the AQMP's emissions budgets, and the proposed project is not expected to result in any new or additional violations of the National Ambient Air Quality Standards (NAAQS) or impede the projected attainment of the NAAQS. Correspondence is included in this appendix under Attachment 4.

## **2.6 California Coastal Commission**

The USACE will continue coordinating with California Coastal Commission (CCC) throughout the NEPA process and construction activities. The USACE is preparing a Consistency Determination (CD) in accordance with Federal Coastal Zone Management Act (CZMA), 16 U.S.C. §1455(d), and regulations at 15 C.F.R. §930 et seq for submittal during PED. The CD is being delayed until PED in accordance with a policy exception granted by ASA(CW) on June 4, 2021, a copy of which is included in this appendix under Attachment 4. The CCC provided a letter of support dated October 22, 2020, included in this appendix under Attachment 4.

## **2.7 Regional Water Quality Control Board**

To satisfy requirements of the Federal Clean Water Act (CWA), the USACE submitted the Draft IFR, a Section 401 certification application, and appropriate technical documentation to the Los Angeles Regional Water Quality Control Board (RWQCB) for their review for CWA Section 401 certification. The USACE will obtain water quality certification from the RWQCB during PED. However, the RWQCB provided a letter of support dated April 23, 2021, included in this appendix under Attachment 4.

## **2.8 Essential Fish Habitat Consultation**

NMFS encourages streamlining the consultation process using review procedures under NEPA, Fish and Wildlife Coordination Act, CWA, and/or Endangered Species Act provided that documents meet requirements for EFH assessments under Section 600.920(g). EFH assessments must include (1) a description of the proposed action, (2) an analysis of effects, including cumulative effects, (3) the Federal agency's views regarding the effects of the action on EFH, and (4) proposed mitigation, if applicable. An EFH assessment has been prepared in conjunction with this IFR. NMFS provided their conservation recommendation letter on December 23, 2019. USACE response to recommendations provided to NMFS on July 22, 2020. The correspondence is included in this appendix under Attachment 4.

## **2.9 Clean Air Act General Conformity Determination**

Section 176(c) of the Clean Air Act (CAA) requires all Federal projects to conform to USEPA approved or promulgated SIPs. CAA Applicability Analysis is addressed for this action in Section 5.5 of the IFR. On 24 May 2021, the USACE notified the USEPA, California Air Resources Board (CARB), SCAQMD, and federally recognized tribes of the draft conformity determination in accordance with 40 CFR 93.155. The correspondence is included in this appendix under Attachment 4. On 24 May 2021, the USACE made



public, for a 30-day comment period, its draft general conformity determination (DGCD) by publishing a notice of availability and placing a notice in the Long Beach Press-Telegram in accordance with 40 CFR 93.156(b). The USACE received four letters on the DGCD, which are included in Attachment 4. The USEPA and three federally recognized tribes, including the Northern Chumash, Santa Ynez Band of Chumash, and Xolon Salinan Tribe, provided “No Comments” on the DCGD. No other comments were received from the public. The notice of availability and newspaper announcement are included in this appendix under Attachment 4. The final general conformity determination is included in Appendix H5 of the Final IFR. On June 24, 2021, the USACE made public its final conformity determination by issuing notices to USEPA, CARB, SCAQMD, and federally recognized tribes and in the Long Beach Press Telegram in accordance with 40 CFR 93.155(b) and 40 CFR 93.156(d). These notices are included in this appendix under Attachment 4.

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## **Attachment 1**

### **Notices of Preparation, Notice of Intent, and Notice of Availability**

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Port of  
**LONG BEACH**  
*The Green Port*

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LOS ANGELES, COUNTY CLERK

**NOTICE OF PREPARATION OF A DRAFT  
ENVIRONMENTAL IMPACT REPORT**

**COPY**

**Date:** November 14, 2016  
**To:** Agencies, Organizations, and Interested Parties  
**Subject:** Port of Long Beach Deep Draft Navigation Study

The Port of Long Beach (POLB) and the U.S. Army Corps of Engineers (USACE) are preparing a Port of Long Beach Deep Draft Navigation Feasibility Study and joint Environmental Impact Report/Environmental Impact Statement (EIR/EIS). The Federal lead agency responsible for implementing the National Environmental Policy Act (NEPA) is the USACE, Los Angeles District. The USACE published a Notice of Intent (NOI) for the preparation of the EIS in the January 5, 2016 Federal Register. A scoping meeting for the EIS was held at the POLB Interim Administration Building on January 19, 2016.

The Port of Long Beach (POLB), pursuant to the California Environmental Quality Act (CEQA), will act as the Lead Agency in the preparation of an Environmental Impact Report (EIR) for the subject study, which is further described below. The POLB has prepared a Notice of Preparation (NOP) under CEQA and is soliciting input from agencies, organizations, and interested parties on the scope of environmental issues to be addressed in the EIR for the subject project. Since the lead agency has determined that an EIR will be prepared for the subject project, an initial study has not been prepared and is not included as an attachment.

**Project Applicant: Port of Long Beach**

**Project Location:** The potential project area includes portions of the POLB complex as shown on Figure 1, including the channels and berths serving Pier J, Pier T/West Basin, the Southeast basin, anchorage area adjacent to the main channel, and the approach channel extending seaward from the Queen's Gate opening of the Long Beach Breakwater.

**Project Description:** The purpose of the Port of Long Beach Deep Draft Navigation Study is to identify and evaluate improvements to existing navigation channels within the POLB. The study will focus on improving conditions for current and future container and liquid bulk vessel operations in regards to safety, reliability, and waterborne transportation efficiencies. The study will evaluate costs, benefits, and environmental impacts of the project alternatives to confirm federal interest in dredging to deepen channels and areas in the Port of Long Beach.

Tide restrictions, light loading of container vessels and lightering of liquid bulk vessels to reduce vessel draft, and other operational inefficiencies result in economic inefficiencies that translate into increased costs for the national economy at the Nation's second busiest port. Container movements along the secondary channels serving Pier J, Pier T/West Basin, and the Southeast basin, and liquid

bulk vessel movements along the main channel, have been identified as constrained by current conditions.

Navigation improvements for liquid bulk vessels include deepening the Approach Channel (extending seaward from the Queen's Gate opening of the Long Beach Breakwater) up to -82 feet Mean Lower Low Water (MLLW) and constructing an anchorage area for ultra-large liquid bulk vessels adjacent to the Main Channel to a depth of up to -75 ft. MLLW. Navigation improvements for container vessels include deepening the Pier J approach channel, berths, and constructing a turning basin to Pier J up to a depth of -57 ft. MLLW; deepening the Southeast Basin and associated berths up to -57 ft. MLLW, and deepening the Pier T/West Basin and berths up to -57 ft. MLLW. The exact depths of dredging will be determined based on an economic analysis of costs and benefits, but are not expected to exceed the depths given above.

An estimated total volume of up to 10 million cubic yards (cy) of material would be dredged. Dredging would be performed by clamshell, hydraulic, or hopper dredge barges. Potential disposal locations for the dredged material may include, but are not limited to, designated U.S. EPA ocean disposal sites LA-2 (offshore of Los Angeles/Long Beach) and LA-3 (offshore of Newport Beach), surfside borrow pits off Huntington Beach/Seal Beach, and Port fill sites.

In addition to the dredging, improvements/modifications may need to be performed to several of the berths within the project areas to accommodate the proposed dredge depths. Types of modifications may include installation of steel bulkheads and other structural modifications to reinforce the wharf design. A new dredge electrical substation may be constructed landside within the Harbor District to provide electricity to the dredge equipment that is not able to access the existing dredge electrical substation on Pier T.

**Potential Impacts:** It is anticipated that the following environmental resource areas may be affected by the project and therefore will be addressed in the EIR: topography, geology and geography, oceanographic characteristics and coastal processes, water and sediment quality, biological resources, cultural resources, air quality, greenhouse gases, noise, socioeconomics and environmental justice, transportation, land use, recreation, aesthetics, public safety, and public utilities.

**Document Availability:** A copy of this draft NOP is available for public review at the locations listed below:

- Online on the POLB's website at: [www.polb.com/ceqa](http://www.polb.com/ceqa).
- Port of Long Beach Interim Administration Building, 4801 Airport Drive, Long Beach
- Long Beach City Clerk, 333 W. Ocean Boulevard, Long Beach
- Long Beach Main Library, 101 Pacific Avenue, Long Beach
- San Pedro Regional Branch Library, 931 S. Gaffey Street, San Pedro
- Wilmington Branch Library, 1300 N. Avalon Boulevard, Wilmington

**Comments:** The POLB is seeking comments on the proposed project. Accordingly, please provide comments at your earliest convenience but no later than **Tuesday, December 20, 2016**.



Comments should be mailed or emailed to the POLB. Please list a contact person for your agency or organization, include a valid U.S. mail or email address, and send your comments to:

Heather A. Tomley  
Director of Environmental Planning  
Port of Long Beach  
4801 Airport Plaza Drive  
Long Beach, CA 90815  
[heather.tomley@polb.com](mailto:heather.tomley@polb.com)

**Scoping Meeting:** A scoping meeting will be held to receive comments (Spanish and sign language translation services provided) on the proposed project on November 16, 2016, starting at 5:30 p.m. in the Board Room at the Port Interim Administration Building, 4801 Airport Plaza Drive, Long Beach, California 90815. Oral or written comments may be submitted at that time.

For additional information, please contact Janna Watanabe at 562-283-7100 or [janna.watanabe@polb.com](mailto:janna.watanabe@polb.com).

Sincerely,

A handwritten signature in black ink, appearing to read 'Heather A. Tomley', written over the printed name and title.

Heather A. Tomley  
Director of Environmental Planning

JW

Attachment: Figure 1





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### Legend

- Main Channel Widening
- Pier T West Basin
- Pier J Approach
- Southeast Basin
- Main Channel
- Standby Area (Anchorage)
- 300' Anchorage Center (79' deep)
- Standby Area (Anchorage) - 3300'
- Approach Channel
- POLB Boundary



#### SOURCES:

Imagery Background:  
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2015 DigitalGlobe Inc

Coordinate System:  
NAD 1983 StatePlane  
California V FIPS 0405 Feet

0 1,500 3,000  
Feet  
1 inch = 3,000 feet

**POLB  
NAVIGATION IMPROVEMENTS**

## MAIN POLB MAP

Date: 10/21/2016



U.S. ARMY CORPS OF ENGINEERS  
LOS ANGELES DISTRICT





**AMENDED NOTICE OF PREPARATION  
OF AN ENVIRONMENTAL IMPACT REPORT FOR THE  
PORT OF LONG BEACH DEEP DRAFT NAVIGATION FEASIBILITY STUDY AND  
CHANNEL DEEPENING PROJECT**

**Date:** January 29, 2019

**To:** All Interested Agencies, Organizations, and Persons

-AND-

County of Los Angeles  
Registrar-Recorder County Clerk  
Business Filings and Registration  
12400 Imperial Highway, Room 1201  
Norwalk, California 90650

Office of Planning and Research  
State Clearinghouse  
1400 Tenth Street  
Sacramento, California 95814

**From:** City of Long Beach Harbor Department  
Port of Long Beach  
4801 Airport Plaza  
Long Beach, California 90815

**Subject:** Amended Notice of Preparation of a Draft Joint Environmental Impact Report/Environmental Impact Statement; SCH# 2016111014

**Project Title:** Port of Long Beach Deep Draft Navigation Feasibility Study and Channel Deepening Project

**Lead Agency:** City of Long Beach Harbor Department  
Port of Long Beach

**Project Location:** Port of Long Beach channels and berths serving Pier J, Pier T/West Basin, anchorage area adjacent to the main channel, the main channel, and the approach channel extending seaward from the Queen's Gate opening of the Long Beach Breakwater. The project is located in the City of Long Beach.

**County:** Los Angeles

The Port is issuing this Amended Notice of Preparation (NOP) to notify agencies and interested parties that the City of Long Beach Harbor Department (Port of Long Beach [Port or POLB]) and the U.S Army Corps of Engineers (USACE) are preparing a joint Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the proposed Deep Draft Navigation Feasibility Study and Channel Deepening Project (Proposed Project). The Port will be the Lead Agency for the preparation of the EIR/EIS in accordance with the California Environmental Quality Act (CEQA). The Federal lead agency responsible for implementing the National Environmental Policy Act (NEPA) is the USACE, Los Angeles District.

## **Amended Notice of Preparation**

### **Deep Draft Navigation Feasibility Study and Deepening Project**

January 29, 2019

Page 2 of 6

On November 4, 2016, the Port of Long Beach issued the original NOP for the Port of Long Beach Deep Draft Navigation Feasibility Study and joint EIR/EIS. A scoping meeting for the EIS was held at the POLB Interim Administration Offices on January 19, 2016. The Port and USACE are now proposing to alter the original project title from “Port of Long Beach Deep Draft Navigation Feasibility Study” to “Port of Long Beach Deep Draft Navigation Feasibility Study and Channel Deepening Project.” The update to the Project Title clarifies that in addition to the feasibility study, channel deepening and related activities will occur as well. In addition, the scope of the project has been updated – dredging in the Southeast Basin is no longer being considered as part of the Proposed Project. The Port is issuing this Amended NOP to notify public agencies and the public of these updates and to request input regarding the scope and content of the Draft EIR in light of this modification of the Proposed Project.

**Project Description:** The purpose of the Port of Long Beach Deep Draft Navigation Feasibility Study and Channel Deepening Project is to identify, evaluate, and improve existing navigation channels within the POLB. The Proposed Project will focus on improving conditions for current and future container and liquid bulk vessel operations in regards to safety, reliability, and waterborne transportation efficiencies. The Proposed Project will evaluate costs, benefits, and environmental impacts of the project alternatives to confirm federal interest in dredging to deepen channels and areas in the Port of Long Beach as shown in the attached figure ‘Proposed Dredge Locations.’

Tide restrictions, light loading of container vessels and lightering of liquid bulk vessels to reduce vessel draft, and other operational inefficiencies result in economic inefficiencies that translate into increased costs for the national economy at the nation’s second busiest port. Container movements along the secondary channels serving Pier J and Pier T/West Basin and liquid bulk vessel movements along the main channel have been identified as constrained by current conditions. Navigation improvements for liquid bulk vessels include deepening the Approach Channel (extending seaward from the Queen’s Gate opening of the Long Beach Breakwater) up to 80 feet below mean lower low water (MLLW) and constructing an anchorage area for very-large liquid bulk vessels adjacent to the Main Channel to a depth of up to -76 ft MLLW. Navigation improvements for container vessels include deepening the Pier J approach channel, berths, and constructing a turning basin to Pier J up to a depth of -57 ft MLLW. Navigational improvements for container vessels will also include deepening the Pier T/West Basin and berths up to -57 ft MLLW. The exact depths of dredging will be determined based on an economic analysis of costs and benefits, but are not expected to exceed the depths given above.

An estimated total volume of up to 8.3 million cubic yards (cy) of material would be dredged. The expected volume of dredge material has decreased by approximately 1.6 million cy since the 2016 NOP was issued. Dredging would be performed by clamshell, hydraulic, or hopper dredge barges. Potential disposal locations for the dredged material may include, but are not limited to, designated U.S. EPA ocean

**Amended Notice of Preparation**

**Deep Draft Navigation Feasibility Study and Deepening Project**

January 29, 2019

Page 3 of 6

disposal sites LA-2 (offshore of Los Angeles/Long Beach) and LA-3 (offshore of Newport Beach), surfside borrow pits off Huntington Beach/Seal Beach, and Port fill sites.

In addition to the dredging, improvements/modifications may need to be performed to several of the berths within the project areas to accommodate the proposed dredge depths. Types of modifications may include installation of pilings, steel bulkheads, rock toes, and other structural modifications to reinforce the wharf design. A new dredge electrical substation may be constructed landside within the Harbor District to provide electricity to the dredge equipment that is not able to access the existing dredge electrical substation on Pier T.

**Environmental Factors Potentially Affected:** The potential environmental effects of the Proposed Project to be addressed in the EIR/EIS will include, but may not be limited to the following: topography, geology and geography, oceanographic characteristics and coastal processes, water and sediment quality, biological resources, cultural resources, air quality, greenhouse gas emissions, noise, socioeconomics and environmental justice, transportation, land use, recreation, aesthetics, public safety, public utilities, and cumulative effects. The Draft EIR/EIS will also address other CEQA and NEPA mandated topics, including alternatives, energy consumption, and growth inducement.

**Public Review and Comment Period:** The Amended NOP is available for public review at the following locations:

- Online at the Port's website at [www.polb.com/ceqa](http://www.polb.com/ceqa)
- Port of Long Beach Interim Administration Offices, 4801 Airport Plaza Drive, Long Beach
- Long Beach City Clerk, 333 W. Ocean Boulevard., Long Beach
- San Pedro Regional Branch Library, 931 S. Gaffey Street, San Pedro
- Wilmington Branch Library, 1300 N. Avalon Boulevard, Wilmington

Written comments on the Amended NOP can be submitted anytime during the 30-day public review and comment period beginning on January 30, 2019 and ending on March 1, 2019 at 4 p.m. Please identify a contact person for your agency or organization and include a valid mailing address. Comments submitted via email should also include the project title in the subject line of the email message. Please submit comments via mail or email to:

**Mail:** Director of Environmental Planning  
Port of Long Beach  
4801 Airport Plaza Drive  
Long Beach, California 90815

**E-mail:** [CEQA@polb.com](mailto:CEQA@polb.com)

**Public Information and Scoping Meeting:** A public scoping meeting will be held to present updated information on the Proposed Project and to solicit input and comments on the scope and content of the EIR/EIS. Spanish and sign language translation services will be provided. Written comments may be submitted at the Scoping Meeting or at any time during the review and comment period.

**Amended Notice of Preparation**  
**Deep Draft Navigation Feasibility Study and Deepening Project**  
January 29, 2019  
Page 4 of 6

**Date:** Wednesday, February 13, 2019  
**Time:** 6:00 p.m.  
**Location:** Port of Long Beach Interim Administrative Offices – Board Room  
4801 Airport Plaza Drive  
Long Beach, California 90815

**Project Contact:** Please direct any project-related questions to the Project Manager:

Baron Barrera, Environmental Specialist Associate  
Phone: (562) 283-7137  
E-mail: [baron.barrera@polb.com](mailto:baron.barrera@polb.com)

**Signature:**  **Title:** Acting Director of Environmental Planning  
Matthew Arms

**Attachments** Figure - Proposed Dredge Locations, Deep Draft Navigation Feasibility Study and Deepening Project





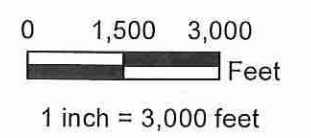
© OpenStreetMap (and) contributors, CC-BY-SA

### Legend

- AreaType**
- Main Channel Widening
  - Pier T West Basin
  - Pier J Approach/Basin
  - Standby Area
  - Main Channel
  - Standby Area Circle
  - Standby Area Center
  - Approach Channel
  - POLB Boundary



SOURCES:  
Imagery Background:  
Image Copyright  
2015 DigitalGlobe Inc  
Coordinate System:  
NAD 1983 StatePlane  
California V FIPS 0405 Feet



POLB  
NAVIGATION IMPROVEMENTS

**MAIN  
POLB MAP**  
Date: 1/22/2019



**Notice of Completion & Environmental Document Transmittal**

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613  
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

**SCH #2016111014****Project Title:** Port of Long Beach Deep Draft Navigation Feasibility Study and Channel Deepening Project

Lead Agency: Port of Long Beach

Contact Person: Baron Barrera

Mailing Address: 4801 Airport Plaza Drive

Phone: (562) 283-7100

City: Long Beach

Zip: 90815

County: Los Angeles

**Project Location:** County: Los Angeles City/Nearest Community: Long Beach

Cross Streets: N/A

Zip Code: 90802

Longitude/Latitude (degrees, minutes and seconds): \_\_\_\_\_° \_\_\_\_\_' \_\_\_\_\_" N / \_\_\_\_\_° \_\_\_\_\_' \_\_\_\_\_" W Total Acres: \_\_\_\_\_

Assessor's Parcel No.: \_\_\_\_\_ Section: \_\_\_\_\_ Twp.: \_\_\_\_\_ Range: \_\_\_\_\_ Base: \_\_\_\_\_

Within 2 Miles: State Hwy #: SR-47, I-710

Waterways: San Pedro Bay, Long Beach Harbor

Airports: Long Beach

Railways: UPRR, BNSF

Schools: \_\_\_\_\_

**Document Type:**CEQA: ☒ NOP☐ Draft EIRNEPA: ☐ NOIOther: ☐ Joint Document☐ Early Cons☐ Supplement/Subsequent EIR☐ EA☐ Final Document☐ Neg Dec

(Prior SCH No.) \_\_\_\_\_

☐ Draft EIS☐ Other: \_\_\_\_\_☐ Mit Neg Dec

Other: \_\_\_\_\_

☐ FONSI**Local Action Type:**☐ General Plan Update☐ Specific Plan☐ Rezone☐ Annexation☐ General Plan Amendment☐ Master Plan☐ Prezone☐ Redevelopment☐ General Plan Element☐ Planned Unit Development☐ Use Permit☒ Coastal Permit☐ Community Plan☐ Site Plan☐ Land Division (Subdivision, etc.)☐ Other: \_\_\_\_\_**Development Type:**☐ Residential: Units \_\_\_\_\_ Acres \_\_\_\_\_☐ Office: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_☐ Commercial: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_☐ Industrial: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_☐ Educational: \_\_\_\_\_☐ Recreational: \_\_\_\_\_☐ Water Facilities: Type \_\_\_\_\_ MGD \_\_\_\_\_☐ Transportation: Type \_\_\_\_\_☐ Mining: Mineral \_\_\_\_\_☐ Power: Type \_\_\_\_\_ MW \_\_\_\_\_☐ Waste Treatment: Type \_\_\_\_\_ MGD \_\_\_\_\_☐ Hazardous Waste: Type \_\_\_\_\_☒ Other: Dredging**Project Issues Discussed in Document:**☒ Aesthetic/Visual☐ Fiscal☒ Recreation/Parks☐ Vegetation☐ Agricultural Land☐ Flood Plain/Flooding☐ Schools/Universities☒ Water Quality☒ Air Quality☐ Forest Land/Fire Hazard☐ Septic Systems☐ Water Supply/Groundwater☒ Archeological/Historical☒ Geologic/Seismic☐ Sewer Capacity☐ Wetland/Riparian☒ Biological Resources☐ Minerals☐ Soil Erosion/Compaction/Grading☐ Growth Inducement☒ Coastal Zone☒ Noise☐ Solid Waste☒ Land Use☐ Drainage/Absorption☐ Population/Housing Balance☐ Toxic/Hazardous☐ Cumulative Effects☒ Economic/Jobs☒ Public Services/Facilities☒ Traffic/Circulation☐ Other: \_\_\_\_\_**Present Land Use/Zoning/General Plan Designation:**

IP - Port industrial; Port Master Plan Harbor Districts 4,6,7,8, and 10

**Project Description:** (please use a separate page if necessary)

The Port of Long Beach Deep Draft Navigation Feasibility Study and Channel Deepening Project will evaluate dredging to deepen several channels, basins, and standby areas within the Port to improve waterborne transportation efficiencies and navigational safety for current and future container and liquid bulk vessel operations. Project areas include the approach channel extending seaward from the Queen's Gate opening of the Long Beach Breakwater; approach channel, berths, and turning basin to Pier J; and associated berths; and the Pier T/West Basin and berths. Additionally, structural improvements may need to be performed to several of the berths within the project areas to reinforce the wharf design to accommodate the proposed dredging. A new electrical substation may be constructed landside to provide electricity to the dredge equipment.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

## Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".  
If you have already sent your document to the agency please denote that with an "S".

☒ Air Resources Board  
☐ Boating & Waterways, Department of  
☐ California Emergency Management Agency  
☐ California Highway Patrol  
☒ Caltrans District #7  
☐ Caltrans Division of Aeronautics  
☐ Caltrans Planning  
☐ Central Valley Flood Protection Board  
☐ Coachella Valley Mtns. Conservancy  
☒ Coastal Commission  
☐ Colorado River Board  
☐ Conservation, Department of  
☐ Corrections, Department of  
☐ Delta Protection Commission  
☐ Education, Department of  
☐ Energy Commission  
☒ Fish & Game Region #5  
☐ Food & Agriculture, Department of  
☐ Forestry and Fire Protection, Department of  
☐ General Services, Department of  
☐ Health Services, Department of  
☐ Housing & Community Development  
☒ Native American Heritage Commission

☐ Office of Historic Preservation  
☐ Office of Public School Construction  
☐ Parks & Recreation, Department of  
☐ Pesticide Regulation, Department of  
☒ Public Utilities Commission  
☒ Regional WQCB #4  
☐ Resources Agency  
☐ Resources Recycling and Recovery, Department of  
☐ S.F. Bay Conservation & Development Comm.  
☐ San Gabriel & Lower L.A. Rivers & Mtns. Conservancy  
☐ San Joaquin River Conservancy  
☐ Santa Monica Mtns. Conservancy  
☒ State Lands Commission  
☐ SWRCB: Clean Water Grants  
☐ SWRCB: Water Quality  
☐ SWRCB: Water Rights  
☐ Tahoe Regional Planning Agency  
☒ Toxic Substances Control, Department of  
☐ Water Resources, Department of  
  
Other: \_\_\_\_\_  
Other: \_\_\_\_\_

### Local Public Review Period (to be filled in by lead agency)

Starting Date January 30, 2019

Ending Date March 1, 2019

### Lead Agency (Complete if applicable):

Consulting Firm: ICF  
Address: 49 Discovery, Suite 250  
City/State/Zip: Irvine, CA 92618  
Contact: Chad Beckstrom  
Phone: 949-929-3576

Applicant: Port of Long Beach  
Address: 4081 Airport Plaza Drive  
City/State/Zip: Long Beach, CA 90815  
Phone: 562-283-7100

Signature of Lead Agency Representative: Mattia

Date: 1-28-19

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.



January 29, 2019

Office of Planning and Research  
State Clearinghouse  
1400 Tenth Street, Room 121  
Sacramento, California 95814

**Subject: Amended Notice of Preparation of an Environmental Impact Report for the Port of Long Beach Deep Draft Navigation Feasibility Study and Channel Deepening Project; SCH Number 2016111014**

In accordance with the California Environmental Quality Act (CEQA), the Port of Long Beach, as the Lead Agency, has prepared an amended Notice of Preparation (NOP) for the Port of Long Beach Deep Draft Navigation Feasibility Study and Channel Deepening Project. The NOP was originally submitted to the State Clearinghouse on November 4, 2016, under assigned SCH Number 2016111014.

The Port is updating the original project title from "Port of Long Beach Deep Draft Navigation Feasibility Study" to "Port of Long Beach Deep Draft Navigation Feasibility Study and Channel Deepening Project." The update to the Project Title clarifies that in addition to the feasibility study, channel deepening and related activities will occur as well. The scope of the project has also been modified to no longer consider dredging activities in the Southeast Basin as part of the Proposed Project. The public review and comment period will begin on January 30, 2019 and end on March 1, 2019.

The Notice of Completion & Environmental Document Transmittal Form has been revised to reflect the project changes and ensuing public review period and is included herein as an attachment to this letter.

For additional information, or if there are any questions, please contact Baron Barrera of my staff at (562) 283-7137 or [baron.barrera@polb.com](mailto:baron.barrera@polb.com).

Sincerely,



Matthew Arms  
Acting Director of Environmental Planning

Attachment: Notice of Completion & Environmental Document Transmittal Form  
Amended Notice of Preparation, SCH #2016111014



**Notice of Completion & Environmental Document Transmittal**

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613  
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

**Project Title:** Port of Long Beach Deep Draft Navigation Study

Lead Agency: Port of Long Beach

Contact Person: Heather A. Tomley

Mailing Address: 4801 Airport Plaza Drive

Phone: (562) 283-7100

City: Long Beach

Zip: 90815

County: Los Angeles

**Project Location:** County: Los Angeles

City/Nearest Community: Long Beach

Cross Streets: N/A

Zip Code: 90802

Longitude/Latitude (degrees, minutes and seconds): \_\_\_\_\_ ° \_\_\_\_\_ ' \_\_\_\_\_ " N / \_\_\_\_\_ ° \_\_\_\_\_ ' \_\_\_\_\_ " W Total Acres: \_\_\_\_\_

Assessor's Parcel No.: \_\_\_\_\_

Section: \_\_\_\_\_

Twp.: \_\_\_\_\_

Range: \_\_\_\_\_

Base: \_\_\_\_\_

Within 2 Miles: State Hwy #: SR-47, I-710

Waterways: San Pedro Bay, Long Beach Harbor

Airports: Long Beach

Railways: UPRR, BNSF

Schools: \_\_\_\_\_

**Document Type:**CEQA: ☒ NOP☐ Draft EIRNEPA: ☐ NOIOther: ☐ Joint Document☐ Early Cons☐ Supplement/Subsequent EIR☐ EA☐ Final Document☐ Neg Dec

(Prior SCH No.) \_\_\_\_\_

☐ Draft EIS☐ Other: \_\_\_\_\_☐ Mit Neg Dec

Other: \_\_\_\_\_

☐ FONSI**Local Action Type:**☐ General Plan Update☐ Specific Plan☐ Rezone☐ Annexation☐ General Plan Amendment☐ Master Plan☐ Prezone☐ Redevelopment☐ General Plan Element☐ Planned Unit Development☐ Use Permit☒ Coastal Permit☐ Community Plan☐ Site Plan☐ Land Division (Subdivision, etc.)☐ Other: \_\_\_\_\_**Development Type:**☐ Residential: Units \_\_\_\_\_

Acres \_\_\_\_\_

☐ Office: Sq.ft. \_\_\_\_\_

Acres \_\_\_\_\_

Employees \_\_\_\_\_

☐ Transportation: Type \_\_\_\_\_☐ Commercial: Sq.ft. \_\_\_\_\_

Acres \_\_\_\_\_

Employees \_\_\_\_\_

☐ Mining: Mineral \_\_\_\_\_☐ Industrial: Sq.ft. \_\_\_\_\_

Acres \_\_\_\_\_

Employees \_\_\_\_\_

☐ Power: Type \_\_\_\_\_

MW \_\_\_\_\_

☐ Educational: \_\_\_\_\_☐ Waste Treatment: Type \_\_\_\_\_

MGD \_\_\_\_\_

☐ Recreational: \_\_\_\_\_☐ Hazardous Waste: Type \_\_\_\_\_☐ Water Facilities: Type \_\_\_\_\_

MGD \_\_\_\_\_

☒ Other: Dredging**Project Issues Discussed in Document:**☒ Aesthetic/Visual☐ Fiscal☒ Recreation/Parks☐ Vegetation☐ Agricultural Land☐ Flood Plain/Flooding☐ Schools/Universities☒ Water Quality☒ Air Quality☐ Forest Land/Fire Hazard☐ Septic Systems☐ Water Supply/Groundwater☒ Archeological/Historical☒ Geologic/Seismic☐ Sewer Capacity☐ Wetland/Riparian☒ Biological Resources☒ Minerals☐ Soil Erosion/Compaction/Grading☐ Growth Inducement☒ Coastal Zone☒ Noise☐ Solid Waste☒ Land Use☐ Drainage/Absorption☐ Population/Housing Balance☐ Toxic/Hazardous☐ Cumulative Effects☒ Economic/Jobs☒ Public Services/Facilities☒ Traffic/Circulation☐ Other: \_\_\_\_\_**Present Land Use/Zoning/General Plan Designation:**

IP - Port industrial; Port Master Plan Harbor Districts 4,6,7,8, and 10

**Project Description:** (please use a separate page if necessary)

The Port of Long Beach Deep Draft Navigation Study will evaluate dredging to deepen several channels, basins, and standby areas within the Port to improve waterborne transportation efficiencies and navigational safety for current and future container and liquid bulk vessel operations. Study areas include the approach channel extending seaward from the Queen's Gate opening of the Long Beach Breakwater; approach channel, berths, and turning basin to Pier J; the Southeast Basin and associated berths; and the Pier T/West Basin and berths. Additionally, structural improvements may need to be performed to several of the berths within the project areas to reinforce the wharf design to accommodate the proposed dredging. A new electrical substation may be constructed landside to provide electricity to the dredge equipment.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

## Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with an "X".  
If you have already sent your document to the agency please denote that with an "S".

<input checked="" type="checkbox"/> Air Resources Board	<input checked="" type="checkbox"/> Office of Historic Preservation
<input type="checkbox"/> Boating & Waterways, Department of	<input type="checkbox"/> Office of Public School Construction
<input type="checkbox"/> California Emergency Management Agency	<input type="checkbox"/> Parks & Recreation, Department of
<input type="checkbox"/> California Highway Patrol	<input type="checkbox"/> Pesticide Regulation, Department of
<input checked="" type="checkbox"/> Caltrans District #7	<input checked="" type="checkbox"/> Public Utilities Commission
<input type="checkbox"/> Caltrans Division of Aeronautics	<input checked="" type="checkbox"/> Regional WQCB #4
<input type="checkbox"/> Caltrans Planning	<input type="checkbox"/> Resources Agency
<input type="checkbox"/> Central Valley Flood Protection Board	<input type="checkbox"/> Resources Recycling and Recovery, Department of
<input type="checkbox"/> Coachella Valley Mtns. Conservancy	<input type="checkbox"/> S.F. Bay Conservation & Development Comm.
<input checked="" type="checkbox"/> Coastal Commission	<input type="checkbox"/> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<input type="checkbox"/> Colorado River Board	<input type="checkbox"/> San Joaquin River Conservancy
<input type="checkbox"/> Conservation, Department of	<input type="checkbox"/> Santa Monica Mtns. Conservancy
<input type="checkbox"/> Corrections, Department of	<input checked="" type="checkbox"/> State Lands Commission
<input type="checkbox"/> Delta Protection Commission	<input type="checkbox"/> SWRCB: Clean Water Grants
<input type="checkbox"/> Education, Department of	<input type="checkbox"/> SWRCB: Water Quality
<input type="checkbox"/> Energy Commission	<input type="checkbox"/> SWRCB: Water Rights
<input checked="" type="checkbox"/> Fish & Game Region #5	<input type="checkbox"/> Tahoe Regional Planning Agency
<input type="checkbox"/> Food & Agriculture, Department of	<input checked="" type="checkbox"/> Toxic Substances Control, Department of
<input type="checkbox"/> Forestry and Fire Protection, Department of	<input type="checkbox"/> Water Resources, Department of
<input type="checkbox"/> General Services, Department of	
<input type="checkbox"/> Health Services, Department of	Other: _____
<input type="checkbox"/> Housing & Community Development	Other: _____
<input checked="" type="checkbox"/> Native American Heritage Commission	

### Local Public Review Period (to be filled in by lead agency)

Starting Date November 3, 2016 Ending Date December 9, 2016

### Lead Agency (Complete if applicable):

Consulting Firm: _____	Applicant: _____
Address: _____	Address: _____
City/State/Zip: _____	City/State/Zip: _____
Contact: _____	Phone: _____
Phone: _____	

Signature of Lead Agency Representative: \_\_\_\_\_

Date: 11/2/16

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.



EDMUND G. BROWN JR.  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE of PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX  
DIRECTOR

## Memorandum

**Date:** November 14, 2016  
**To:** All Reviewing Agencies  
**From:** Scott Morgan, Director  
**Re:** SCH # 2016111014  
**Port of Long Beach Deep Draft Navigation Study**

---

Pursuant to the attached letter, the Lead Agency has *extended* the review period for the above referenced project to **December 20, 2016** to accommodate the review process. All other project information remains the same.

cc: Heather A. Tomley  
Port of Long Beach  
4801 Airport Plaza Drive  
Long Beach, CA 90815



Port of  
**LONG BEACH**

*The Green Port*

November 14, 2016

Office of Planning and Research  
State Clearinghouse  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

**Subject: Notice of Time Extension of Public Comment Period for the Port of Long Beach Deep Draft Navigation Study Notice of Preparation (SCH# 2016111014)**

In accordance with the California Environmental Quality Act (CEQA), the Port of Long Beach (Port), as the CEQA Lead Agency, prepared a Notice of Preparation (NOP) for the Port Deep Draft Navigation Study. The NOP was previously provided to the State Clearinghouse on November 3, 2016, and has been assigned number SCH# 2016111014. This notice is to announce that the comment period, which was set to end on December 9, 2016, **has been extended to December 20, 2016**. The Notice of Completion and Environmental Document Transmittal form has been revised with the new public comment period and is included as an attachment to this letter.

For additional information, please contact Janna Watanabe at 562-283-7100 or [janna.watanabe@polb.com](mailto:janna.watanabe@polb.com).

Sincerely,

Heather A. Tomley  
Director of Environmental Planning

JW

Governor's Office of Planning & Research

NOV 14 2016

**STATE CLEARINGHOUSE**

Attached: Revised Notice of Completion and Environmental Document Transmittal Form

**Notice of Completion & Environmental Document Transmittal**

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613  
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #2016111014

**Project Title:** Port of Long Beach Deep Draft Navigation Study

Lead Agency: Port of Long Beach

Contact Person: Heather A. Tomley

Mailing Address: 4801 Airport Plaza Drive

Phone: (562) 283-7100

City: Long Beach

Zip: 90815

County: Los Angeles

Project Location: County: Los Angeles

City/Nearest Community: Long Beach

Cross Streets: N/A

Zip Code: 90802

Longitude/Latitude (degrees, minutes and seconds): \_\_\_\_\_ ° \_\_\_\_\_ ' \_\_\_\_\_ " N / \_\_\_\_\_ ° \_\_\_\_\_ ' \_\_\_\_\_ " W Total Acres: \_\_\_\_\_

Assessor's Parcel No.: \_\_\_\_\_

Section: \_\_\_\_\_

Twp.: \_\_\_\_\_

Range: \_\_\_\_\_

Base: \_\_\_\_\_

Within 2 Miles: State Hwy #: SR-47, I-710

Waterways: San Pedro Bay, Long Beach Harbor

Airports: Long Beach

Railways: UPRR, BNSF

Schools: \_\_\_\_\_

**Document Type:**CEQA: ☒ NOP☐ Draft EIRNEPA: ☐ NOIOther: ☐ Joint Document☐ Early Cons☐ Supplemental Statement of Findings & Research☐ EA☐ Final Document☐ Neg Dec

(Prior SCH No.) \_\_\_\_\_

☐ Draft EIS☐ Other: \_\_\_\_\_☐ Mit Neg Dec

Other: \_\_\_\_\_

☐ FONSI

NOV 14 2016

**Local Action Type:**☐ General Plan Update☐ Specific Plan☐ Rezone☐ Annexation☐ General Plan Amendment☐ Master Plan☐ Prezone☐ Redevelopment☐ General Plan Element☐ Planned Unit Development☐ Use Permit☒ Coastal Permit☐ Community Plan☐ Site Plan☐ Land Division (Subdivision, etc.)☐ Other: \_\_\_\_\_**Development Type:**☐ Residential: Units \_\_\_\_\_ Acres \_\_\_\_\_☐ Office: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_☐ Commercial: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_☐ Industrial: Sq.ft. \_\_\_\_\_ Acres \_\_\_\_\_ Employees \_\_\_\_\_☐ Educational: \_\_\_\_\_☐ Recreational: \_\_\_\_\_☐ Water Facilities: Type \_\_\_\_\_ MGD \_\_\_\_\_☐ Transportation: Type \_\_\_\_\_☐ Mining: Mineral \_\_\_\_\_☐ Power: Type \_\_\_\_\_ MW \_\_\_\_\_☐ Waste Treatment: Type \_\_\_\_\_ MGD \_\_\_\_\_☐ Hazardous Waste: Type \_\_\_\_\_☒ Other: Dredging**Project Issues Discussed in Document:**☒ Aesthetic/Visual☐ Fiscal☒ Recreation/Parks☐ Vegetation☐ Agricultural Land☐ Flood Plain/Flooding☐ Schools/Universities☒ Water Quality☒ Air Quality☐ Forest Land/Fire Hazard☐ Septic Systems☐ Water Supply/Groundwater☒ Archeological/Historical☒ Geologic/Seismic☐ Sewer Capacity☐ Wetland/Riparian☒ Biological Resources☐ Minerals☐ Soil Erosion/Compaction/Grading☐ Growth Inducement☒ Coastal Zone☒ Noise☐ Solid Waste☒ Land Use☐ Drainage/Absorption☐ Population/Housing Balance☐ Toxic/Hazardous☐ Cumulative Effects☒ Economic/Jobs☒ Public Services/Facilities☒ Traffic/Circulation☐ Other: \_\_\_\_\_**Present Land Use/Zoning/General Plan Designation:**

IP - Port industrial; Port Master Plan Harbor Districts 4,6,7,8, and 10

**Project Description:** (please use a separate page if necessary)

The Port of Long Beach Deep Draft Navigation Study will evaluate dredging to deepen several channels, basins, and standby areas within the Port to improve waterborne transportation efficiencies and navigational safety for current and future container and liquid bulk vessel operations. Study areas include the approach channel extending seaward from the Queen's Gate opening of the Long Beach Breakwater; approach channel, berths, and turning basin to Pier J; the Southeast Basin and associated berths; and the Pier T/West Basin and berths. Additionally, structural improvements may need to be performed to several of the berths within the project areas to reinforce the wharf design to accommodate the proposed dredging. A new electrical substation may be constructed landside to provide electricity to the dredge equipment.

Note: The State Clearinghouse will assign identification numbers for all new projects. If a SCH number already exists for a project (e.g. Notice of Preparation or previous draft document) please fill in.

## Reviewing Agencies Checklist

Lead Agencies may recommend State Clearinghouse distribution by marking agencies below with and "X".  
If you have already sent your document to the agency please denote that with an "S".

<u>S</u> Air Resources Board	<u>S</u> Office of Historic Preservation
<u>    </u> Boating & Waterways, Department of	<u>    </u> Office of Public School Construction
<u>    </u> California Emergency Management Agency	<u>    </u> Parks & Recreation, Department of
<u>    </u> California Highway Patrol	<u>    </u> Pesticide Regulation, Department of
<u>S</u> Caltrans District #7	<u>S</u> Public Utilities Commission
<u>    </u> Caltrans Division of Aeronautics	<u>S</u> Regional WQCB #4
<u>    </u> Caltrans Planning	<u>    </u> Resources Agency
<u>    </u> Central Valley Flood Protection Board	<u>    </u> Resources Recycling and Recovery, Department of
<u>    </u> Coachella Valley Mtns. Conservancy	<u>    </u> S.F. Bay Conservation & Development Comm.
<u>S</u> Coastal Commission	<u>    </u> San Gabriel & Lower L.A. Rivers & Mtns. Conservancy
<u>    </u> Colorado River Board	<u>    </u> San Joaquin River Conservancy
<u>    </u> Conservation, Department of	<u>    </u> Santa Monica Mtns. Conservancy
<u>    </u> Corrections, Department of	<u>S</u> State Lands Commission
<u>    </u> Delta Protection Commission	<u>    </u> SWRCB: Clean Water Grants
<u>    </u> Education, Department of	<u>    </u> SWRCB: Water Quality
<u>    </u> Energy Commission	<u>    </u> SWRCB: Water Rights
<u>S</u> Fish & Game Region #5	<u>    </u> Tahoe Regional Planning Agency
<u>    </u> Food & Agriculture, Department of	<u>S</u> Toxic Substances Control, Department of
<u>    </u> Forestry and Fire Protection, Department of	<u>    </u> Water Resources, Department of
<u>    </u> General Services, Department of	<u>    </u> Other: _____
<u>    </u> Health Services, Department of	<u>    </u> Other: _____
<u>    </u> Housing & Community Development	
<u>S</u> Native American Heritage Commission	

### Local Public Review Period (to be filled in by lead agency)

Starting Date November 14, 2016

Ending Date December 20, 2016

### Lead Agency (Complete if applicable):

Consulting Firm: _____	Applicant: _____
Address: _____	Address: _____
City/State/Zip: _____	City/State/Zip: _____
Contact: _____	Phone: _____
Phone: _____	

Signature of Lead Agency Representative: \_\_\_\_\_

Date: 11/11/16

Authority cited: Section 21083, Public Resources Code. Reference: Section 21161, Public Resources Code.

# NOP Distribution List



County: Los Angeles

SCH# 2016111014

## Resources Agency

- ☐ Fish & Wildlife Region 1E  
Laurie Harnsberger
- ☐ Fish & Wildlife Region 2  
Jeff Drongesen
- ☐ Fish & Wildlife Region 3  
Craig Weightman
- ☐ Fish & Wildlife Region 4  
Julie Vance
- ☒ Fish & Wildlife Region 5  
Leslie Newton-Reed  
Habitat Conservation  
Program
- ☐ Fish & Wildlife Region 6  
Tiffany Ellis  
Habitat Conservation  
Program
- ☐ Fish & Wildlife Region 6 I/M  
Heidi Calvert  
Inyo/Mono, Habitat  
Conservation Program
- ☐ Dept. of Fish & Wildlife M  
William Paznokas  
Marine Region

## Other Departments

- ☐ Food & Agriculture  
Sandra Schubert  
Dept. of Food and  
Agriculture
- ☐ Depart. of General  
Services  
Public School Construction
- ☐ Dept. of General Services  
Cathy Buck/George Carollo  
Environmental Services  
Section
- ☐ Delta Stewardship  
Council  
Kevan Samsam
- ☐ Housing & Comm. Dev.  
CEQA Coordinator  
Housing Policy Division

## Independent Commissions, Boards

- ☐ Delta Protection Commission  
Erik Vink

- ☐ OES (Office of Emergency  
Services)  
Monique Wilber
- ☒ Native American Heritage  
Comm.  
Debbie Treadway
- ☒ Public Utilities  
Commission  
Supervisor
- ☐ Santa Monica Bay  
Restoration  
Guangyu Wang
- ☒ State Lands Commission  
Jennifer Deleong
- ☐ Tahoe Regional Planning  
Agency (TRPA)  
Cherry Jacques

## Cal State Transportation Agency CalSTA

- ☐ Caltrans - Division of  
Aeronautics  
Philip Crimmins
- ☐ Caltrans - Planning  
HQ LD-IGR  
Terri Pencovic
- ☒ California Highway Patrol  
Suzann Ikeuchi  
Office of Special Projects

## Dept. of Transportation

- ☐ Caltrans, District 1  
Rex Jackman
- ☐ Caltrans, District 2  
Marcelino Gonzalez
- ☐ Caltrans, District 3  
Eric Federicks - South  
Susan Zanchi - North
- ☐ Caltrans, District 4  
Patricia Maurice
- ☐ Caltrans, District 5  
Larry Newland
- ☐ Caltrans, District 6  
Michael Navarro
- ☒ Caltrans, District 7  
Dianna Watson

- ☐ Caltrans, District 8  
Mark Roberts
- ☐ Caltrans, District 9  
Gayle Rosander
- ☐ Caltrans, District 10  
Tom Dumas
- ☐ Caltrans, District 11  
Jacob Armstrong
- ☐ Caltrans, District 12  
Maureen El Harake

## Cal EPA

### Air Resources Board

- ☐ Airport & Freight  
Cathi Slaminski
- ☐ Transportation Projects  
Nesamani Kalandiyur
- ☐ Industrial/Energy Projects  
Mike Tollstrup
- ☐ State Water Resources Control  
Board  
Regional Programs Unit  
Division of Financial Assistance
- ☐ State Water Resources Control  
Board  
Cindy Forbes - Asst Deputy  
Division of Drinking Water

- ☐ State Water Resources Control  
Board  
Div. Drinking Water # \_\_\_\_\_
- ☐ State Water Resources Control  
Board  
Student Intern, 401 Water Quality  
Certification Unit  
Division of Water Quality
- ☐ State Water Resources Control  
Board  
Phil Crader  
Division of Water Rights
- ☐ Dept. of Toxic Substances  
Control  
CEQA Tracking Center
- ☐ Department of Pesticide  
Regulation  
CEQA Coordinator

## Regional Water Quality Control Board (RWQCB)

- ☐ RWQCB 1  
Cathleen Hudson  
North Coast Region (1)
- ☐ RWQCB 2  
Environmental Document  
Coordinator  
San Francisco Bay Region (2)
- ☐ RWQCB 3  
Central Coast Region (3)
- ☒ RWQCB 4  
Teresa Rodgers  
Los Angeles Region (4)
- ☐ RWQCB 5S  
Central Valley Region (5)
- ☐ RWQCB 5F  
Central Valley Region (5)  
Fresno Branch Office
- ☐ RWQCB 5R  
Central Valley Region (5)  
Redding Branch Office
- ☐ RWQCB 6  
Lahontan Region (6)
- ☐ RWQCB 6V  
Lahontan Region (6)  
Victorville Branch Office
- ☐ RWQCB 7  
Colorado River Basin Region (7)
- ☐ RWQCB 8  
Santa Ana Region (8)
- ☐ RWQCB 9  
San Diego Region (9)

☐ Other \_\_\_\_\_

☐ \_\_\_\_\_

Conservancy



EDMUND G. BROWN JR.  
GOVERNOR

STATE OF CALIFORNIA  
GOVERNOR'S OFFICE of PLANNING AND RESEARCH  
STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX  
DIRECTOR

Notice of Preparation

November 3, 2016

To: Reviewing Agencies

Re: Port of Long Beach Deep Draft Navigation Study  
SCH# 2016111014

Attached for your review and comment is the Notice of Preparation (NOP) for the Port of Long Beach Deep Draft Navigation Study draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Heather A. Tomley  
Port of Long Beach  
4801 Airport Plaza Dr  
Long Beach, CA 90815

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan  
Director, State Clearinghouse

Attachments  
cc: Lead Agency



**Document Details Report  
State Clearinghouse Data Base**

**SCH#** 2016111014  
**Project Title** Port of Long Beach Deep Draft Navigation Study  
**Lead Agency** Long Beach, Port of

---

**Type** NOP Notice of Preparation  
**Description** Note: Review Per Lead

The Port of Long Beach Deep Draft Navigation Study will evaluate dredging to deepen several channels, basins, and standby areas within the Port to improve waterborne transportation efficiencies and navigational safety for current and future container and liquid bulk vessel operations. Study areas include the approach channel extending seaward from the Queen's Gate opening of the Long Beach Breakwater; approach channel, berths, and turning basin to Pier J; the Southeast Basin and associated berths; and the Pier T/West Basin and berths. Additionally, structural improvements may need to be performed to several of the berths within the project areas to reinforce the wharf design to accommodate the proposed dredging. A new electrical substation may be constructed landside to provide electricity to the dredge equipment.

---

**Lead Agency Contact**

<b>Name</b>	Heather A. Tomley	
<b>Agency</b>	Port of Long Beach	
<b>Phone</b>	562-283-7100	<b>Fax</b>
<b>email</b>		
<b>Address</b>	4801 Airport Plaza Dr	
<b>City</b>	Long Beach	<b>State</b> CA <b>Zip</b> 90815

---

**Project Location**

<b>County</b>	Los Angeles		
<b>City</b>	Long Beach		
<b>Region</b>			
<b>Cross Streets</b>			
<b>Lat / Long</b>			
<b>Parcel No.</b>			
<b>Township</b>	<b>Range</b>	<b>Section</b>	<b>Base</b>

---

**Proximity to:**

<b>Highways</b>	SR 47, I 710
<b>Airports</b>	Long Beach
<b>Railways</b>	UPRR, BNSF
<b>Waterways</b>	San Pedro Bay, Long Beach Harbor
<b>Schools</b>	
<b>Land Use</b>	IP- Port Industrial; port master plan harbor districts 4,6,7,8, 10

---

**Project Issues** Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Coastal Zone; Economics/Jobs; Geologic/Seismic; Noise; Public Services; Recreation/Parks; Traffic/Circulation; Water Quality; Landuse

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**Reviewing Agencies** Resources Agency; California Coastal Commission; Department of Parks and Recreation; Department of Water Resources; Department of Fish and Wildlife, Region 5; Native American Heritage Commission; Public Utilities Commission; State Lands Commission; California Highway Patrol; Caltrans, District 7; Regional Water Quality Control Board, Region 4

---

**Date Received** 11/03/2016 **Start of Review** 11/03/2016 **End of Review** 12/09/2016

2016111014

## Notice of Completion &amp; Environmental Document Transmittal

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613  
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: Port of Long Beach Deep Draft Navigation Study

Lead Agency: Port of Long Beach

Contact Person: Heather A. Tomley

Mailing Address: 4801 Airport Plaza Drive

Phone: (562) 283-7100

City: Long Beach

Zip: 90815

County: Los Angeles

Project Location: County: Los Angeles

City/Nearest Community: Long Beach

Cross Streets: N/A

Zip Code: 90802

Longitude/Latitude (degrees, minutes and seconds): ° ' " N / ° ' " W Total Acres:

Assessor's Parcel No.:

Section:

Twp.:

Range:

Base:

Within 2 Miles: State Hwy #: SR-47, I-710

Waterways: San Pedro Bay, Long Beach Harbor

Airports: Long Beach

Railways: UPRR, BNSF

Schools:

## Document Type:

CEQA: ☒ NOP☐ Draft EIRNEPA: ☐ NOI

Other:

☐ Joint Document☐ Early Cons☐ Supplement/Subsequent EIR☐ Final Document☐ Neg Dec

(Prior SCH No.)

☐ Draft EIS

Other:

☐ Mit Neg Dec

Other:

☐ FONSI

## Local Action Type:

☐ General Plan Update☐ Specific Plan☐ Rezone☐ Annexation☐ General Plan Amendment☐ Master Plan☐ Prezone☐ Redevelopment☐ General Plan Element☐ Planned Unit Development☐ Use Permit☒ Coastal Permit☐ Community Plan☐ Site Plan☐ Land Division (Subdivision, etc.)☐ Other:

## Development Type:

☐ Residential: Units

Acres

☐ Office: Sq.ft.

Acres

Employees

☐ Transportation: Type☐ Commercial: Sq.ft.

Acres

Employees

☐ Mining: Mineral☐ Industrial: Sq.ft.

Acres

Employees

☐ Power: Type

MW

☐ Educational:☐ Waste Treatment: Type

MGD

☐ Recreational:☐ Hazardous Waste: Type☐ Water Facilities: Type

MGD

☒ Other: Dredging

## Project Issues Discussed in Document:

☒ Aesthetic/Visual☐ Fiscal☒ Recreation/Parks☐ Vegetation☐ Agricultural Land☐ Flood Plain/Flooding☐ Schools/Universities☒ Water Quality☒ Air Quality☐ Forest Land/Fire Hazard☐ Septic Systems☐ Water Supply/Groundwater☒ Archeological/Historical☒ Geologic/Seismic☐ Sewer Capacity☐ Wetland/Riparian☒ Biological Resources☐ Minerals☐ Soil Erosion/Compaction/Grading☐ Growth Inducement☒ Coastal Zone☒ Noise☐ Solid Waste☒ Land Use☐ Drainage/Absorption☐ Population/Housing Balance☐ Toxic/Hazardous☐ Cumulative Effects☒ Economic/Jobs☒ Public Services/Facilities☒ Traffic/Circulation☐ Other:

## Present Land Use/Zoning/General Plan Designation:

IP - Port industrial; Port Master Plan Harbor Districts 4,6,7,8, and 10

## Project Description: (please use a separate page if necessary)

The Port of Long Beach Deep Draft Navigation Study will evaluate dredging to deepen several channels, basins, and standby areas within the Port to improve waterborne transportation efficiencies and navigational safety for current and future container and liquid bulk vessel operations. Study areas include the approach channel extending seaward from the Queen's Gate opening of the Long Beach Breakwater; approach channel, berths, and turning basin to Pier J; the Southeast Basin and associated berths; and the Pier T/West Basin and berths. Additionally, structural improvements may need to be performed to several of the berths within the project areas to reinforce the wharf design to accommodate the proposed dredging. A new electrical substation may be constructed landside to provide electricity to the dredge equipment.

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# NOP Distribution List

County: Los Angeles

SCH# 2016111014

## Resources Agency

☒ Resources Agency  
Nadell Gayou

☐ Dept. of Boating & Waterways  
Denise Peterson

☒ California Coastal Commission  
Elizabeth A. Fuchs

☐ Colorado River Board  
Lisa Johansen

☐ Dept. of Conservation  
Elizabeth Carpenter

☐ California Energy Commission  
Eric Knight

☐ Cal Fire  
Dan Foster

☐ Central Valley Flood Protection Board  
James Herota

☐ Office of Historic Preservation  
Ron Parsons

☒ Dept of Parks & Recreation  
Environmental Stewardship Section

☐ California Department of Resources, Recycling & Recovery  
Sue O'Leary

☐ S.F. Bay Conservation & Dev't. Comm.  
Steve Goldbeck

☒ Dept. of Water Resources  
Resources Agency  
Nadell Gayou

## Fish and Game

☐ Depart. of Fish & Wildlife  
Scott Flint  
Environmental Services Division

☐ Fish & Wildlife Region 1  
Curt Babcock

☐ Fish & Wildlife Region 1E  
Laurie Harnsberger

☐ Fish & Wildlife Region 2  
Jeff Drongesen

☐ Fish & Wildlife Region 3  
Craig Weightman

☐ Fish & Wildlife Region 4  
Julie Vance

☒ Fish & Wildlife Region 5  
Leslie Newton-Reed  
Habitat Conservation Program

☐ Fish & Wildlife Region 6  
Tiffany Ellis  
Habitat Conservation Program

☐ Fish & Wildlife Region 6 I/M  
Heidi Calvert  
Inyo/Mono, Habitat Conservation Program

☐ Dept. of Fish & Wildlife M  
William Paznokas  
Marine Region

## Other Departments

☐ Food & Agriculture  
Sandra Schubert  
Dept. of Food and Agriculture

☐ Depart. of General Services  
Public School Construction

☐ Dept. of General Services  
Cathy Buck/George Carollo  
Environmental Services Section

☐ Delta Stewardship Council  
Kevan Samsam

☐ Housing & Comm. Dev.  
CEQA Coordinator  
Housing Policy Division

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☐ OES (Office of Emergency Services)  
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☒ Public Utilities Commission  
Supervisor

☐ Santa Monica Bay Restoration  
Guangyu Wang

☒ State Lands Commission  
Jennifer Deleong

☐ Tahoe Regional Planning Agency (TRPA)  
Cherry Jacques

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Philip Crippins

☐ Caltrans - Planning  
HQ I.D.-IGR  
Terri Pencovic

☒ California Highway Patrol  
Suzann Ikeuchi  
Office of Special Projects

## Dept. of Transportation

☐ Caltrans, District 1  
Rex Jackman

☐ Caltrans, District 2  
Marcelino Gonzalez

☐ Caltrans, District 3  
Eric Federicks - South  
Susan Zanchi - North

☐ Caltrans, District 4  
Patricia Maurice

☐ Caltrans, District 5  
Larry Newland

☐ Caltrans, District 6  
Michael Navarro

☒ Caltrans, District 7  
Dianna Watson

☐ Caltrans, District 8  
Mark Roberts

☐ Caltrans, District 9  
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☐ Caltrans, District 10  
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☐ Caltrans, District 11  
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☐ Caltrans, District 12  
Maureen El Harake

## Cal EPA

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Cathi Slaminski

☐ Transportation Projects  
Nesamani Kalandiyur

☐ Industrial/Energy Projects  
Mike Tollstrup

☐ State Water Resources Control Board  
Regional Programs Unit  
Division of Financial Assistance

☐ State Water Resources Control Board  
Cindy Forbes - Asst Deputy  
Division of Drinking Water

☐ State Water Resources Control Board  
Div. Drinking Water # \_\_\_\_\_

☐ State Water Resources Control Board  
Student Intern, 401 Water Quality Certification Unit  
Division of Water Quality

☐ State Water Resources Control Board  
Phil Crader  
Division of Water Rights

☐ Dept. of Toxic Substances Control  
CEQA Tracking Center

☐ Department of Pesticide Regulation  
CEQA Coordinator

## Regional Water Quality Control Board (RWQCB)

☐ RWQCB 1  
Cathleen Hudson  
North Coast Region (1)

☐ RWQCB 2  
Environmental Document Coordinator  
San Francisco Bay Region (2)

☐ RWQCB 3  
Central Coast Region (3)

☒ RWQCB 4  
Teresa Rodgers  
Los Angeles Region (4)

☐ RWQCB 5S  
Central Valley Region (5)

☐ RWQCB 5F  
Central Valley Region (5)  
Fresno Branch Office

☐ RWQCB 5R  
Central Valley Region (5)  
Redding Branch Office

☐ RWQCB 6  
Lahontan Region (6)

☐ RWQCB 6V  
Lahontan Region (6)  
Victorville Branch Office

☐ RWQCB 7  
Colorado River Basin Region (7)

☐ RWQCB 8  
Santa Ana Region (8)

☐ RWQCB 9  
San Diego Region (9)

☐ Other \_\_\_\_\_

☐ \_\_\_\_\_  
Conservancy

of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden (including hours and cost) of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology.

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection; they also will become a matter of public record.

Dated: December 30, 2015.

**Sarah Brabson,**

*NOAA PRA Clearance Officer.*

[FR Doc. 2015-33152 Filed 1-4-16; 8:45 am]

**BILLING CODE 3510-JE-P**

## DEPARTMENT OF DEFENSE

### Department of the Army, Corps of Engineers

#### Intent To Prepare an Environmental Impact Statement for the Port of Long Beach Deep Draft Navigation Project, Los Angeles County, CA

**AGENCY:** Department of the Army, U.S. Army Corps of Engineers, DOD.

**ACTION:** Notice of Intent.

**SUMMARY:** The Los Angeles District intends to prepare an Environmental Impact Statement (EIS) to support a cost-shared feasibility study with the Port of Long Beach, California, for navigation improvements to existing navigation channels within the Port. The purpose of the feasibility study is to provide safe, reliable, and efficient waterborne transportation improvements to the Port of Long Beach. The EIS will analyze potential impacts of the recommended plan and a range of alternatives for navigation improvements. Alternatives will include both structural and non-structural measures.

**ADDRESSES:** You may submit your concerns in writing to the Los Angeles District at the address below. Comments, suggestions, and requests to be placed on the mailing list for announcements should be sent to Larry Smith, U.S. Army Corps of Engineers, Los Angeles District, 915 Wilshire Boulevard, Suite 930, Los Angeles, CA

90017-3401, or email to [lawrence.j.smith@usace.army.mil](mailto:lawrence.j.smith@usace.army.mil).

**FOR FURTHER INFORMATION CONTACT:** For further information contact Mr. Larry Smith, Project Environmental Coordinator, (213) 452-3846.

**SUPPLEMENTARY INFORMATION:**

Authorization: Resolution of the Senate Committee on Public Works adopted 11 May 1967 and the Resolution of the House Committee on Public Works adopted 10 July 1968. The Army Corps of Engineers intends to prepare an EIS to assess the environmental effects associated with proposed navigation improvements measures in the study area.

**Study Area:** The Port of Long Beach is on the coast of southern California in San Pedro Bay, approximately 20 miles south of downtown Los Angeles, California. The communities of San Pedro and Wilmington are to the west and northwest of San Pedro Bay, respectively, and to the northeast the city of Long Beach. The study area includes the waters in the immediate vicinity (and shoreward) of the breakwaters through the entire Port of Long Beach and the downstream reaches of the Los Angeles River that have direct impact on the Bay, including Outer Harbor, Inner Harbor, Cerritos Channel, West Basin, and the Back Channel.

**Problems and Needs:** The primary problem is the inefficient operation of deep draft vessels in secondary channels, which increases the Nation's transportation costs. This study will address inefficiencies to container movements only. The following problem statements summarize these inefficiencies.

(1) Due to depth limitations along channels accessing the Port's container terminals, existing container vessels cannot load to their maximum draft, which is causing light-loading of vessels at the point of origin and delays to an increasing number of containerships.

(2) The dimensions of the world-wide fleet of container vessels have increased significantly, and it is anticipated that this trend will continue into the future. Delays and light-loading due to container vessel draft limits will increase as new, larger vessels are added to the fleet.

(3) There are diminished recreation opportunities and environmental degradation in coastal areas outside of the study area.

**Proposed Action and Alternatives:** The Los Angeles District will investigate and evaluate all reasonable alternatives to address the problems and needs identified above. In addition to the NO

ACTION alternative, both structural (deepen the secondary access channel to Pier J, deepen the secondary access channel to Pier T West Basin, construct a turning basin in the secondary access channel to Pier J, construct a turning basin in the secondary access channel to Pier T West Basin, deepen the approach channel, or deepen the anchorage along the main channel, beneficial use of dredged material for recreation or ecosystem restoration) and non-structural (high tide riding, light loading, and vessel re-routing) measures will be investigated.

**Previous Actions:** Port of Long Beach Main Channel Deepening Project, Pier T Marine Terminal, Middle Harbor Redevelopment.

**Scoping:** The scoping process is ongoing and has involved preliminary coordination with Federal, State, and local agencies. A public scoping meeting is scheduled on 19 January 2016, from 2:00 to 4:00 p.m. at the Port of Long Beach Harbor Department Interim Administrative Offices; 4801 Airport Plaza Drive, Long Beach, California. The public will have an opportunity to express opinions and raise any issues relating to the scope of the Feasibility Study and the EIS. The public as well as Federal, State, and local agencies are encouraged to participate by submitting data, information, and comments identifying relevant environmental and socioeconomic issues to be addressed in the study. Useful information includes other environmental studies, published and unpublished data, alternatives that could be addressed in the analysis, and potential mitigation measures associated with the proposed action. All comments enter into the public record.

**Availability of the Draft EIS:** The Draft EIS is scheduled to be published and circulated in late 2016, and a public hearing to receive comments on the Draft EIS will be held after it is published.

Dated: December 29, 2015.

**Dennis P. Sugrue,**

*Lieutenant Colonel, U.S. Army, Acting Commander and Acting District Engineer.*

[FR Doc. 2015-33166 Filed 1-4-16; 8:45 am]

**BILLING CODE 3720-58-P**

## DEPARTMENT OF ENERGY

### Orders Granting Authority To Import and Export Natural Gas, To Import and Export Liquefied Natural Gas, To Vacate Prior Authorization and Errata During November 2015

recreational areas, road sides, road cuts, construction sites, and rights-of-way.

Contact: BPPD.

2. *File Symbol:* 91213-U. *Docket ID number:* EPA-HQ-OPP-2017-0336. *Applicant:* United States Department of Agriculture-Agricultural Research Service, 920 Valley Road, Reno NV 89512. *Product name:* *Pseudomonas fluorescens* strain ACK55 Technical. *Active ingredient:* Herbicide—*Pseudomonas fluorescens* strain ACK55 at 100%. *Proposed use:* Manufacturing use product. Contact: BPPD.

3. *File Symbol:* 93566-R. *Docket ID number:* EPA-HQ-OPP-2019-0550. *Applicant:* G.D.G Environment, 430 Rue Saint-Laurent, Trois-Rivieres (Quebec) G8T 6H3 Canada c/o Technology Sciences Group, USA, 1150 18th Street NW, Washington, DC 20036. *Product name:* Fraxiprotec. *Active ingredient:* Insecticide—*Beauveria bassiana* strain CFL-A at 12%. *Proposed use:* End use product/Control Emerald Ash Borer Beetle. Contact: BPPD.

**Authority:** 7 U.S.C. 136 *et seq.*

Dated: October 10, 2019.

**Delores Barber,**

*Director, Information Technology and Resources Management Division, Office of Pesticide Programs.*

[FR Doc. 2019-23361 Filed 10-24-19; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[ER-FRL-9047-6]

### Environmental Impact Statements; Notice of Availability

*Responsible Agency:* Office of Federal Activities, General Information 202-564-5632 or <https://www.epa.gov/nepa/>.

Weekly receipt of Environmental Impact Statements  
Filed 10/14/2019 10 a.m. ET Through  
10/21/2019 10 a.m. ET  
Pursuant to 40 CFR 1506.9.

### Notice

Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: <https://cdxnodengn.epa.gov/cdx-enepa-public/action/eis/search>.

*EIS No. 20190255, Draft Supplement, NRC, VA, Generic Environmental Impact Statement for License Renewal of Nuclear Plants—Supplement 6, Second Renewal Regarding Subsequent License Renewal for Surry Power Station Units 1 and 2,*

*Comment Period Ends: 12/10/2019, Contact: Tam Tran 301-415-3617 EIS No. 20190256, Draft Supplement, NASA, CA, Draft Supplemental Environmental Impact Statement for Soil Cleanup Activities at Santa Susana Field Laboratory, Comment Period Ends: 12/09/2019, Contact: Peter Zorba [msfc-ssfl-information@mail.nasa.gov](mailto:msfc-ssfl-information@mail.nasa.gov)*

*EIS No. 20190257, Final, RUS, WI, Cardinal-Hickory Creek 345-kV Transmission Line Project, Review Period Ends: 11/25/2019, Contact: Dennis Rankin 202-720-1953*

*EIS No. 20190258, Draft Supplement, NASA, FL, Supplemental Environmental Impact Statement for the Mars 2020 Mission, Comment Period Ends: 12/10/2019, Contact: George Tahu 202-358-0016*

*EIS No. 20190259, Final, BR, CA, Mendota Pool Group 20-Year Exchange Program, Review Period Ends: 11/25/2019, Contact: Rain Emerson 559-262-0335*

*EIS No. 20190260, Draft, BR, USACE, CA, Port of Long Beach Deep Draft Navigation Feasibility Study, Comment Period Ends: 12/09/2019, Contact: Larry Smith 213-452-3846*

### Amended Notice

*EIS No. 20190254, Draft, USFS, AK, Rulemaking for Alaska Roadless Areas, Comment Period Ends: 12/17/2019, Contact: Ken Tu 202-403-8991*  
Revision to FR Notice Published 10/18/2019; Correction to Comment Period Due Date from December 18, 2019 to December 17, 2019.

Dated: October 21, 2019.

**Robert Tomiak,**

*Director, Office of Federal Activities.*

[FR Doc. 2019-23313 Filed 10-24-19; 8:45 am]

**BILLING CODE 6560-50-P**

## ENVIRONMENTAL PROTECTION AGENCY

[EPA-HQ-OPP-2019-0045; FRL-10001-12]

### Pesticide Product Registration; Receipt of Applications for New Uses (September 2019)

**AGENCY:** Environmental Protection Agency (EPA).

**ACTION:** Notice.

**SUMMARY:** EPA has received applications to register new uses for pesticide products containing currently registered active ingredients. Pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA), EPA is hereby providing notice of receipt and opportunity to comment on these applications.

**DATES:** Comments must be received on or before November 25, 2019.

**ADDRESSES:** Submit your comments, identified by the docket identification (ID) number and the File Symbol of the EPA registration number of interest as shown in the body of this document, by one of the following methods:

- *Federal eRulemaking Portal:* <http://www.regulations.gov>. Follow the online instructions for submitting comments. Do not submit electronically any information you consider to be Confidential Business Information (CBI) or other information whose disclosure is restricted by statute.

- *Mail:* OPP Docket, Environmental Protection Agency Docket Center (EPA/DC), (28221T), 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001.

- *Hand Delivery:* To make special arrangements for hand delivery or delivery of boxed information, please follow the instructions at <https://www.epa.gov/dockets/where-send-comments-epa-dockets>.

Additional instructions on commenting or visiting the docket, along with more information about dockets generally, is available at <https://www.epa.gov/dockets/about-epa-dockets>.

### FOR FURTHER INFORMATION CONTACT:

Michael Goodis, Registration Division (7505P), main telephone number: (703) 305-7090, email address:

[RDFRNotices@epa.gov](mailto:RDFRNotices@epa.gov). Anita Pease, Antimicrobials Division (AD) (7510P), main telephone number: (703) 305-7090; email address: [ADFRNotices@epa.gov](mailto:ADFRNotices@epa.gov). The mailing address for each contact person is: Office of Pesticide Programs, Environmental Protection Agency, 1200 Pennsylvania Ave. NW, Washington, DC 20460-0001. As part of the mailing address, include the contact person's name, division, and mail code. The division to contact is listed at the end of each application summary.

### SUPPLEMENTARY INFORMATION:

#### I. General Information

*A. Does this action apply to me?*

You may be potentially affected by this action if you are an agricultural producer, food manufacturer, or pesticide manufacturer. The following list of North American Industrial Classification System (NAICS) codes is not intended to be exhaustive, but rather provides a guide to help readers determine whether this document applies to them. Potentially affected entities may include:

- Crop production (NAICS code 111).
- Animal production (NAICS code 112).

Agreement and Schedule F Info Filings to be effective 1/1/2020.

*Filed Date:* 11/21/19.

*Accession Number:* 20191121–5170.

*Comments Due:* 5 p.m. ET 12/12/19.

*Docket Numbers:* ER20–441–000.

*Applicants:* Southwest Power Pool, Inc.

*Description:* § 205(d) Rate Filing: 2841R1 Smoky Hills/Evergy Kansas Central Meter Agent Agr to be effective 11/1/2019.

*Filed Date:* 11/21/19.

*Accession Number:* 20191121–5166.

*Comments Due:* 5 p.m. ET 12/12/19.

*Docket Numbers:* ER20–442–000.

*Applicants:* Wildcat I Energy Storage, LLC.

*Description:* Baseline eTariff Filing: Market-based Rate Tariff and Application to be effective 11/23/2019.

*Filed Date:* 11/22/19.

*Accession Number:* 20191122–5053.

*Comments Due:* 5 p.m. ET 12/13/19.

*Docket Numbers:* ER20–443–000.

*Applicants:* Acorn I Energy Storage, LLC.

*Description:* Baseline eTariff Filing: Market-based Rate Tariff and Application to be effective 11/23/2019.

*Filed Date:* 11/22/19.

*Accession Number:* 20191122–5054.

*Comments Due:* 5 p.m. ET 12/13/19.

*Docket Numbers:* ER20–444–000.

*Applicants:* Midcontinent Independent System Operator, Inc.

*Description:* § 205(d) Rate Filing: 2019–11–22 SA 3374 Entergy Louisiana-Amite Solar GIA (J909) to be effective 11/7/2019.

*Filed Date:* 11/22/19.

*Accession Number:* 20191122–5073.

*Comments Due:* 5 p.m. ET 12/13/19.

*Docket Numbers:* ER20–445–000.

*Applicants:* Mountain Wind Power, LLC.

*Description:* § 205(d) Rate Filing: Revisions to Market-Based Rate Tariff and Requests for Waivers to be effective 11/23/2019.

*Filed Date:* 11/22/19.

*Accession Number:* 20191122–5074.

*Comments Due:* 5 p.m. ET 12/13/19.

*Docket Numbers:* ER20–446–000.

*Applicants:* Mountain Wind Power II LLC.

*Description:* § 205(d) Rate Filing: Revisions to Market-Based Rate Tariff and Requests for Waivers to be effective 11/23/2019.

*Filed Date:* 11/22/19.

*Accession Number:* 20191122–5075.

*Comments Due:* 5 p.m. ET 12/13/19.

*Docket Numbers:* ER20–447–000.

*Applicants:* Spring Canyon Energy III LLC.

*Description:* § 205(d) Rate Filing: Revisions to Market-Based Rate Tariff

and Requests for Waivers to be effective 11/23/2019.

*Filed Date:* 11/22/19.

*Accession Number:* 20191122–5078.

*Comments Due:* 5 p.m. ET 12/13/19.

*Docket Numbers:* ER20–448–000.

*Applicants:* Spring Canyon Energy II LLC.

*Description:* § 205(d) Rate Filing: Revisions to Market-Based Rate Tariff and Requests for Waivers to be effective 11/23/2019.

*Filed Date:* 11/22/19.

*Accession Number:* 20191122–5085.

*Comments Due:* 5 p.m. ET 12/13/19.

*Docket Numbers:* ER20–449–000.

*Applicants:* California Independent System Operator Corporation.

*Description:* § 205(d) Rate Filing: 2019–11–22 Amendment to Facilitate Data Sharing in Response to a Cyber Exigency to be effective 2/5/2020.

*Filed Date:* 11/22/19.

*Accession Number:* 20191122–5126.

*Comments Due:* 5 p.m. ET 12/13/19.

*Docket Numbers:* ER20–450–000.

*Applicants:* ISO New England Inc., New England Power Pool Participants Committee, Eversource Energy Service Company (as agent), Vermont Electric Power Company, Inc.

*Description:* § 205(d) Rate Filing: ISO–NE and NEPOOL; Interconnection Service Capability Changes to be effective 1/22/2020.

*Filed Date:* 11/22/19.

*Accession Number:* 20191122–5129.

*Comments Due:* 5 p.m. ET 12/13/19.

*Docket Numbers:* ER20–451–000.

*Applicants:* PJM Interconnection, L.L.C.

*Description:* Tariff Cancellation: Notice of Cancellation of ISA SA No. 4327; Queue No. AA1–057 to be effective 11/29/2019.

*Filed Date:* 11/22/19.

*Accession Number:* 20191122–5166.

*Comments Due:* 5 p.m. ET 12/13/19.

*Docket Numbers:* ER20–452–000.

*Applicants:* Inland Empire Energy Center, LLC.

*Description:* Tariff Cancellation: Notice of Cancellation of MBR Tariff to be effective 12/31/2019.

*Filed Date:* 11/22/19.

*Accession Number:* 20191122–5168.

*Comments Due:* 5 p.m. ET 12/13/19.

Take notice that the Commission received the following electric securities filings:

*Docket Numbers:* ES20–10–000.

*Applicants:* AEP Appalachian Transmission Company, Inc., AEP Indiana Michigan Transmission Company, Inc., AEP Kentucky Transmission Company, Inc., AEP Oklahoma Transmission Company, Inc.,

AEP Southwestern Transmission Company, Inc., AEP West Virginia Transmission Company, Inc.

*Description:* Application Under Section 204 of the Federal Power Act for Authorization to Issue Securities of AEP Appalachian Transmission Company, Inc., et al.

*Filed Date:* 11/22/19.

*Accession Number:* 20191122–5103.

*Comments Due:* 5 p.m. ET 12/13/19.

Take notice that the Commission received the following PURPA 210(m)(3) filings:

*Docket Numbers:* QM19–4–000.

*Applicants:* Southwestern Public Service Company.

*Description:* Supplement to September 5, 2019 Application to Terminate the Requirement to Enter Into New Contracts or Obligations with Qualifying Facilities of Southwestern Public Service Company.

*Filed Date:* 11/4/19.

*Accession Number:* 20191104–5115.

*Comments Due:* 5 p.m. ET 12/2/19.

The filings are accessible in the Commission's eLibrary system by clicking on the links or querying the docket number.

Any person desiring to intervene or protest in any of the above proceedings must file in accordance with Rules 211 and 214 of the Commission's Regulations (18 CFR 385.211 and 385.214) on or before 5:00 p.m. Eastern time on the specified comment date. Protests may be considered, but intervention is necessary to become a party to the proceeding.

eFiling is encouraged. More detailed information relating to filing requirements, interventions, protests, service, and qualifying facilities filings can be found at: <http://www.ferc.gov/docs-filing/efiling/filing-req.pdf>. For other information, call (866) 208–3676 (toll free). For TTY, call (202) 502–8659.

Dated: November 22, 2019.

**Nathaniel J. Davis, Sr.,**

*Deputy Secretary.*

[FR Doc. 2019–25918 Filed 11–27–19; 8:45 am]

**BILLING CODE 6717–01–P**

## ENVIRONMENTAL PROTECTION AGENCY

[ER–FRL–9048–2]

### Environmental Impact Statements; Notice of Availability

*Responsible Agency:* Office of Federal Activities, General Information 202–564–5632 or <https://www.epa.gov/nepa/>.

Weekly receipt of Environmental Impact Statements

Filed 11/18/2019 10 a.m. ET Through  
11/25/2019 10 a.m. ET  
Pursuant to 40 CFR 1506.9.

#### Notice

Section 309(a) of the Clean Air Act requires that EPA make public its comments on EISs issued by other Federal agencies. EPA's comment letters on EISs are available at: <https://cdxnodengn.epa.gov/cdx-enepa-public/action/eis/search>.

EIS No. 20190281, Draft, USACE, LA, Upper Barataria Basin, Louisiana Draft Feasibility Study, Comment Period Ends: 01/13/2020, Contact: Patricia Naquin 504-862-1544

EIS No. 20190282, Draft, USA, LA, Amite River and Tributaries East of Mississippi River, Louisiana, Comment Period Ends: 01/13/2020, Contact: US Army Corps of Engineers 504-862-1014

EIS No. 20190283, Final, USFS, UT, High Uintas Wilderness Colorado River Cutthroat Trout Habitat Enhancement, Review Period Ends: 12/31/2019, Contact: Ronald Brunson 435-781-5202

EIS No. 20190284, Draft, USACE, CA, Draft Integrated Feasibility Report and Environmental Impact Statement/Environmental Impact Report (IFR/EIS/EIR) for the East San Pedro Bay Ecosystem Restoration Feasibility Study, Comment Period Ends: 01/27/2020, Contact: Naeem Siddiqui 213-452-3852

#### Amended Notice

EIS No. 20190260, Draft, USACE, CA, Port of Long Beach Deep Draft Navigation Feasibility Study, Comment Period Ends: 12/09/2019, Contact: Larry Smith 213-452-3846 Revision to FR Notice Published 10/25/2019; Correcting Lead Agency from BR, USACE to USACE.

Dated: November 25, 2019.

**Robert Tomiak,**

*Director, Office of Federal Activities.*

[FR Doc. 2019-25877 Filed 11-27-19; 8:45 am]

**BILLING CODE 6560-50-P**

#### EXPORT-IMPORT BANK OF THE UNITED STATES

#### Sunshine Act Meeting; Notice of a Partially Open Meeting of the Board of Directors of the Export-Import Bank of the United States.

**TIME AND DATE:** Monday, December 16, 2019 at 2:00 p.m.

**PLACE:** The meeting will be held at Ex-Im Bank in Room 1125, 811 Vermont Avenue NW, Washington, DC 20571.

**STATUS:** The meeting will be open to public observation for Item No. 1 only.

**MATTERS TO BE CONSIDERED:** Item No. 1 Small Business Update

#### CONTACT PERSON FOR MORE INFORMATION:

Members of the public who wish to attend the meeting should call Joyce Stone, Office of the General Counsel, 811 Vermont Avenue NW, Washington, DC 20571, (202) 565-3336 by close of business Thursday, December 12, 2019.

**Joyce Brotemarkle Stone,**

*Assistant Corporate Secretary.*

[FR Doc. 2019-25964 Filed 11-26-19; 11:15 am]

**BILLING CODE 6690-01-P**

#### FEDERAL DEPOSIT INSURANCE CORPORATION

**RIN 3064-ZA13**

#### Request for Information on a Framework for Analyzing the Effects of FDIC Regulatory Actions

**AGENCY:** Federal Deposit Insurance Corporation.

**ACTION:** Notice and request for information (RFI).

**SUMMARY:** The Federal Deposit Insurance Corporation (FDIC) is seeking comment on approaches it is considering to analyze the effects of its regulatory actions. The FDIC views analysis of the effects of regulatory actions and alternatives as an important part of a credible and transparent rulemaking process. The comments received will help the FDIC to strengthen its analysis of regulatory actions.

**DATES:** Comments must be received by January 28, 2020.

**ADDRESSES:** You may submit comments, identified by RIN 3064-ZA13, by any of the following methods:

- **Agency Website:** <http://www.fdic.gov/regulations/laws/federal/>. Follow the instructions for submitting comments on the Agency website.

- **Email:** [Comments@fdic.gov](mailto:Comments@fdic.gov). Include the RIN 3064-ZA13 in the subject line of the message.

- **Mail:** Robert E. Feldman, Executive Secretary, Attention: Comments, Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

- **Hand Delivery:** Comments may be hand-delivered to the guard station at the rear of the 550 17th Street Building (located on F Street) on business days between 7:00 a.m. and 5:00 p.m.

- **Public Inspection:** All comments received must include the agency name and RIN for this rulemaking. All comments received will be posted

without change to <http://www.fdic.gov/regulations/laws/federal/>—including any personal information provided—for public inspection. Paper copies of public comments may be ordered from the FDIC Public Information Center, 3501 North Fairfax Drive, Room E-1002, Arlington, VA 22226 by telephone at (877) 275-3342 or (703) 562-2200.

**FOR FURTHER INFORMATION CONTACT:** For further information about this request for comments, contact George French (202-898-3929), or Ryan Singer (202-898-7352), Federal Deposit Insurance Corporation, 550 17th Street NW, Washington, DC 20429.

**SUPPLEMENTARY INFORMATION:** The FDIC has had a longstanding commitment to improving the quality of its regulations and policies, to minimizing regulatory burdens on the public and the banking industry, and generally to ensuring that its regulations and policies achieve legislative goals efficiently and effectively.<sup>1</sup> An objective and transparent analysis of the effects of regulatory actions and alternatives supports both good policy decisions and the meaningful involvement and trust of the public in the rulemaking process.

The FDIC is considering ways to improve the quality of its analysis of regulatory actions. The approaches being considered are consistent with, and supportive of, efforts to apply the FDIC's "Statement of Policy on the Development and Review of Regulations." In broad terms, the FDIC is considering a more structured approach to regulatory analysis and one that incorporates a number of analytical practices identified in standard references. Comments received on this RFI will be of assistance to the FDIC in strengthening its analysis of the effects of regulatory actions.

As background, the FDIC is subject to a number of statutory mandates relevant to the effects of regulations. The Administrative Procedures Act (APA) governs the procedural requirements for all federal government rulemakings. The Regulatory Flexibility Act (RFA) requires the FDIC and other agencies to review the effects of regulatory actions on small entities, identify whether the actions would have a significant economic effect on a substantial number of small entities, and if so, consider whether the purpose of the rule could be achieved in a way that mitigates adverse impacts on small entities. The Paperwork Reduction Act requires the FDIC and other agencies to identify the

<sup>1</sup> See the FDIC's revised "Statement of Policy on the Development and Review of Regulations" at 63 FR 25157 May 7, 1998, and further revised at 77 FR 22771 April 17, 2013.

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## **Attachment 2**

### **Comment Letters Received in Response to NOPs/NOI**

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
REGION IX  
75 Hawthorne Street  
San Francisco, CA 94105

February 25, 2016

Larry Smith  
U.S. Army Corps of Engineers  
Los Angeles District, Project Management Division  
915 Wilshire Boulevard, Suite 930  
Los Angeles, CA 90017-3401

Subject: Notice of Intent to Prepare an Environmental Impact Statement for the Port of Long Beach Deep Draft Navigation Project, Los Angeles County, CA

Dear Mr. Smith:

The U.S. Environmental Protection Agency has received the above referenced Notice of Intent (NOI). We appreciate the opportunity to provide our recommendations on the scope of the upcoming Draft Environmental Impact Statement (DEIS). Our comments are provided pursuant to the National Environmental Policy Act, the Council on Environmental Quality NEPA Implementation Regulations at 40 CFR 1500-1508, and our NEPA review authority under Section 309 of the Clean Air Act.

According to the NOI, the U.S. Army Corps of Engineers (Corps) proposes to support a cost-shared feasibility study with the Port of Long Beach (Port) for navigation improvements to existing navigation channels within the Port. The primary problem stated in the NOI is the inefficient operation of deep draft vessels in secondary channels, and consequent inefficiencies to container movements and loading of vessels. The NOI further states that newer and larger vessels are anticipated, which will result in even greater delays, and that navigation improvements are needed to improve existing inefficiencies to container movements. The project is proposed in the South Coast Air Basin, which has some of the worst air quality in the nation, and is adjacent to communities that have a long history of experiencing adverse effects of goods movement. As such, it is critical that the Draft EIS for the proposed project include a robust analysis of the possible health and environmental impacts associated with the project, as well as measures to reduce those impacts. We encourage the Corps, and the Port of Long Beach, to include the neighboring communities in a transparent decision-making process and provide opportunities for the community to inform meaningful mitigation.

Please consider the following comments and recommendations while preparing the Draft EIS.

**Analysis and Disclosure of Air Quality Impacts**

The proposed project has the potential to result in increased air pollutants from dredging, operation of larger cargo vessels, and the rail and truck transport of the increased freight that a deeper channel will allow. EPA recommends that emissions from all of these sources be analyzed, disclosed, and mitigated to the extent feasible.

### ***Emissions from Dredging***

The DEIS should discuss the projected air pollutant emissions from the operation of dredging equipment for each alternative. The DEIS should discuss methods of improving dredging efficiency and measures to reduce emissions including, but not limited to, utilizing more efficient drive trains and dredge pumps, using new excavation tools, implementing strategies to recover waste heat, using alternative energy sources or energy management systems, and utilizing after-treatment technologies.

### ***Emissions from Cargo Vessels***

The DEIS should discuss the projected air pollutant emissions from vessels expected to call at the Port, under each alternative, including the No Action Alternative. The DEIS should also discuss the Port's Green Ship Incentive Program that provides incentives for cleaner ships.

### ***Emissions from Rail Transport***

EPA supports the maximum use of on-dock rail lines at the Port of Long Beach. We recommend that the DEIS identify the relative percentage of containers passing through the terminal that will use off-dock, near-dock and on-dock rail facilities, and provide air emissions projections associated with the use of these facilities under each alternative, including the No Action Alternative.

### ***Emissions from Truck Transport***

The DEIS should discuss the projected air pollutant emissions from truck transport of freight, and whether the proposed project is expected to increase operational air pollutant emissions. The DEIS should discuss programs that the Port has in place to minimize emissions from trucks (including zero emissions vehicles), systems that reduce drayage truck turn-around times and emissions, and idling reduction measures for drayage trucks. The DEIS should also provide information on the Port's Clean Trucks Program.

When a truck carrier cannot arrange for both an inbound and outbound shipment to a destination, the resulting empty truck trip increases traffic, fuel use, air pollutant emissions, and transportation costs. Reducing the percentage of empty export freight containers may represent a potentially fruitful opportunity for increasing dual transactions. The DEIS should estimate the number of trucks arriving at the Port that would involve single transactions, dual transactions, empty chassis, and any other categories of truck transactions and explain how dual transactions could be further increased in the future.

### ***Mobile and Stationary Source Controls***

EPA recommends that the proposed project include the following measures and that the DEIS identify all such measures that the Port and its partners would commit to for this project:

- Minimize use, trips, and unnecessary idling of heavy equipment.
- Maintain and tune engines per manufacturer's specifications to perform at EPA certification levels, where applicable, and to perform at verified standards applicable to retrofit technologies.
- Employ periodic, unscheduled inspections to limit unnecessary idling and to ensure that construction equipment is properly maintained, tuned, and modified consistent with established specifications. The California Air Resources Board (CARB) has a number of mobile source anti-idling requirements which should be employed (<http://www.arb.ca.gov/msprog/truck-idling/truck-idling.htm>).

- Prohibit any tampering with engines and require continuing adherence to manufacturer's recommendations.
- To the extent possible, construction activities should utilize grid-based electricity and/or onsite renewable electricity generation rather than diesel and/or gasoline powered generators.
- In general, commit to the best available emissions control technologies for project equipment.
  - *On-Highway Vehicles* - On-highway vehicles used for this project should meet, or exceed the EPA exhaust emissions standards for model year 2010 and newer heavy-duty on-highway compression-ignition engines (e.g., long-haul trucks, refuse haulers, shuttle buses, etc.).<sup>1</sup>
  - *Nonroad Vehicles & Equipment* - Nonroad vehicles & equipment used for this project should meet, or exceed the EPA Tier 4 exhaust emissions standards for heavy-duty nonroad compression-ignition engines (e.g., construction equipment, nonroad trucks, etc.).<sup>2</sup>
  - *Low Emission Equipment Exemptions* – The equipment specifications outlined above should be met unless: (1) a piece of specialized equipment is not available for purchase or lease within the United States; or (2) the relevant project contractor has been awarded funds to retrofit existing equipment, or purchase/lease new equipment, but the funds are not yet available.
  - *Advanced Technology Demonstration & Deployment* – To the extent feasible, the Port is encouraged to demonstrate and deploy technologies that exceed the latest emission performance standards for the equipment categories that are relevant for this project (e.g., plug-in hybrid-electric vehicles-PHEVs, battery-electric vehicles-BEVs, fuel cell electric vehicles-FCEVs, advanced technology locomotives and marine vessels, etc.).
- Utilize EPA or CARB verified emission control devices where suitable to reduce emissions of diesel particulate matter and other pollutants at the construction site.

### **Health Impacts and Environmental Justice Considerations**

The DEIS should identify communities with potential environmental justice concerns that could be affected by the proposed project and assess potential health impacts and impact avoidance measures. Because the proposed project could result in increased mobile source air toxics (MSAT) and criteria pollutant emissions and increased traffic at the Port of Long Beach, there is potential to disproportionately impact low income and minority communities that may occur in and around the project area. Disproportionate impacts to communities with potential environmental justice concerns should be avoided and mitigated to the fullest extent practicable. In addition, the Corps should work with affected communities to identify appropriate mitigation measures.

The increased volume of freight traffic that will likely occur in conjunction with the navigation improvements may result in additional conventional truck traffic along the freight corridor, which would contribute to increases in roadway-related MSAT and criteria pollutant emissions impacting already heavily burdened, low income and minority communities along the I-710 Corridor and other freight corridors. Near roadway exposure to air pollution is linked to a variety of adverse health outcomes

<sup>1</sup> <http://www.epa.gov/otag/standards/heavy-duty/hdci-exhaust.htm>

<sup>2</sup> <http://www.epa.gov/otag/standards/nonroad/nonroadci.htm>

including asthma and adverse birth and childhood outcomes.<sup>3</sup> In addition, there is a growing volume of evidence that low income and minority communities are more vulnerable to pollution impacts than other communities. The DEIS should disclose the amount of additional conventional truck traffic that this project will generate and discuss the potential health impacts on vulnerable populations, including children and communities with potential environmental justice concerns. The DEIS should evaluate near roadway health impacts on neighboring communities, and work with the affected community to develop mitigation measures to reduce emissions, reduce exposure to emissions, and compensate for near-roadway health impacts. EPA recently published a guidance document titled “Best Practices for Mitigating Near Roadway Pollution at Schools” (November 2015) which could serve as a useful resource for mitigating impacts.

The Corps should also consider conducting a corridor level EJ analysis of near roadway impacts, as recommended in the Draft 2016-2040 Southern California Association of Governments Regional Transportation Plan/Sustainable Communities Strategy.<sup>4</sup>

### ***Children’s Health***

Executive Order 13045 on Children’s Health and Safety directs that each Federal agency shall make it a high priority to identify and assess environmental health and safety risks that may disproportionately affect children, and shall ensure that its policies, programs, activities, and standards address these risks. To meet this priority, we recommend that the DEIS consider data on existing asthma rates, or indicators, and asthma severity among children and the general community near the project site; identify impacts of the project on asthma rates or indicators and quantify associated costs, to the extent feasible; and, consider impacts from noise on health and learning, especially near schools and daycare centers along the freight corridors and close to any construction work.

### ***Mitigation of Health Impacts***

The DEIS should discuss the Port Mitigation Grant Programs and the work that has been done to improve community health by reducing the impacts of Port-related air pollution and to decrease greenhouse gas emissions. The DEIS should describe whether the action alternatives will provide additional funding for community projects or grants. We also encourage the Port of Long Beach to describe programs intended to benefit the local community (e.g., job training and local hiring requirements).

### **Climate Change Impacts**

The DEIS should identify the cumulative contributions to greenhouse gas emissions that will result from implementation of the proposed project, and discuss the potential impacts of climate change on the project. The DEIS should also identify any specific mitigation measures needed to: (1) protect the project from the effects of climate change (e.g., changes to storm surge, magnitude, or frequency), (2) reduce the project’s adverse air quality effects, and/or (3) promote pollution prevention and environmental stewardship.

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<sup>3</sup> Padmanabhan, N. & Glenn, B. August 2009, EPA Research Focus on Health Effects of Near-Roadway Air Pollution. Air and Waste Management Association, EM Magazine. Available at: <http://pubs.awma.org/gsearch/em/2009/8/padmanabhan.pdf>

<sup>4</sup> <http://scagrtpscscs.net/Pages/DRAFT2016RTPSCS.aspx>



Any sustainable design and operation measures that can be identified as reducing greenhouse gases should be identified in the DEIS with an estimate of the greenhouse gas emissions reductions that would result if such measures were implemented, and the DEIS should indicate whether these measures would be required. Attention should be paid to explaining the quality of each greenhouse gas mitigation measure – including its permanence, verifiability and enforceability.

### **Dredged Material Management**

The NOI does not provide an estimate of the volume of dredged material associated with each action alternative. The DEIS should estimate dredged material volumes in as much detail as possible for each action alternative. Placement site capacity, impacts of dredging and placement, and degree of any benefits all relate directly to the volume of material at issue.

The DEIS should also estimate as specifically as possible the subsequent (post-construction) maintenance dredging needs for each action alternative and address whether modifications in channel configuration or depth may result in greater volumes needing to be maintenance-dredged in comparison to current (No Action) volumes. The DEIS should provide estimates for funding increases that may be needed to support these activities.

Comprehensive physical, chemical, and biological testing of sediment should be conducted and the results presented in the DEIS. Sediment testing and evaluation is required to determine suitability for ocean disposal. The DEIS should discuss the criteria associated with management and disposal of dredged material, including sediment characterization results (e.g. grain size, contaminant concentrations, and toxicity) or plans for sediment characterization sampling and analysis, and disposal options for sediment that cannot be beneficially reused. Sampling and analysis plans and sediment testing results must be reviewed by the Southern California Dredged Material Management Team (SC-DMMT), a Federal-State interagency review group, to ensure that that sediments proposed for dredging are adequately characterized in order to determine suitable placement options.

Absent sediment suitability determinations in advance from the appropriate agencies, the DEIS should presume that a percentage of the material to be dredged will not be suitable for all placement options, and the DEIS should identify how any toxic or contaminated material that does not meet placement criteria would be handled.

To the maximum extent practicable, alternatives to ocean disposal should be evaluated for all feasible beneficial reuse options, including but not limited to beach nourishment, marsh restoration, and construction fill. The Corps and the Port should target 100% of the material to be dredged for beneficial reuse, and not limit the evaluation of possible reuse options to the immediate Port vicinity. EPA will not concur on ocean disposal of any material that can practicably be reused.

Storm surge and subsidence are common along the coastal areas, and beneficial reuse of dredged material may provide protection to shore-side infrastructure endangered by coastal erosion, or be used to extend the area of recreational beaches where sand has been eroded by storm surge. Coastal marshes are also subject to erosion and subsidence, and these areas can be restored using suitable dredged material. We recommend that the Corps coordinate with EPA and other resource agencies on the relative merits of specific reuse opportunities to ensure that maximum benefits are realized and ancillary adverse impacts on existing habitats are avoided.

## **Aquatic Resource and Habitat Impacts**

### ***Clean Water Act Section 404(b)(1) Analysis***

Section 404 of the Clean Water Act regulates the discharge of dredged or fill materials to waters of the United States. Compliance with the 404(b)(1) Guidelines (40 CFR 230) requires that permits be issued only for the Least Environmentally Damaging Practicable Alternative (LEDPA). The CWA Section 404(b)(1) alternatives analysis for this project will be used to determine the LEDPA and demonstrating project compliance with Federal Guidelines for Specification of Disposal Sites for Dredged or Fill Materials ("Guidelines"). Page 29 of the Corps South Pacific Division February 8, 2013 Regulatory Program Standard Operating Procedure for Preparing and Coordinating EISs (12509-SPD) states:

Districts will make all reasonable efforts to ensure the NEPA alternatives analysis is thorough and robust enough to provide the information needed for the evaluation of alternatives under the section 404(b)(1) Guidelines and the public interest review. The goal of integrating the NEPA alternatives analysis and the CWA section 404(b)(1) alternatives analysis is to gain efficiencies, facilitate agency decision-making and avoid unnecessary duplication.

The practice of deferring, until later in the NEPA process, the disclosure of information needed for findings of compliance with the Guidelines makes it difficult for agencies and the public to provide timely and substantive input on the evaluation of alternatives, which could inform the Corps' decision-making process. Integrating the section 404(b)(1) alternatives analysis into the DEIS alternatives analysis would afford agencies and the public a more meaningful opportunity to evaluate impacts and provide relevant and timely feedback to inform these analyses and the Corps' decision. We recommend that the DEIS identify the LEDPA and include the CWA Section 404(b)(1) alternatives analysis within the document.

### ***Benthic Habitat***

Any alternative involving deepening or reconfiguring the existing channel(s) must address potential short-term and long-term impacts to benthic habitat, and discuss the need for mitigation of those impacts. We note that mitigation or otherwise offsetting measures could be required under either or both the Essential Fish Habitat and Endangered Species Act processes, as well as under Section 404 of the Clean Water Act, depending on the alternative selected.

### ***Ocean Discharges from Ocean Going Vessels***

The DEIS should discuss compliance with EPA's Final 2013 Vessel General Permit for discharges incidental to the normal operation of commercial vessels greater than 79 feet in length. We encourage the Port to raise awareness of the requirements of the General Permit among mariners.

### **Inefficiencies in Container Movements and Loading of Vessels**

The NOI states that existing container vessels cannot load to their maximum draft, which is causing light-loading of vessels at the point of origin and delays to an increasing number of containerships. The DEIS should provide more detailed information on these issues including how many ships are currently affected by depth limitations in the channels, the degree that ships are light-loaded, estimates for the amount of freight which cannot be loaded, whether the freight is loaded onto the ship elsewhere, and the extent of delays. The DEIS should discuss how ship traffic and loading of container ships is anticipated



to change in conjunction with each alternative, including anticipated increases of container freight and improvements in logistics.

**Recreation Opportunities**

The NOI presents three problem statements that summarize inefficiencies associated with operation of deep draft vessels in secondary channels. The third item mentions diminished recreation opportunities and environmental degradation in coastal areas outside of the study area. The DEIS should clarify what specific "diminished recreation opportunities" might be addressed by the proposed navigation deepening project.

We appreciate the opportunity to review this scoping notice and look forward to working with you on this project. Please send a hard copy of the DEIS to this office when it is officially filed via *e-NEPA*. If you have any questions, please contact me at 415-972-3545 or [mcpherson.ann@epa.gov](mailto:mcpherson.ann@epa.gov) or Jeanne Geselbracht at 415-972-3853 or [Geselbracht.jeanne@epa.gov](mailto:Geselbracht.jeanne@epa.gov).

Sincerely,



Ann McPherson  
Environmental Review Section

CC (via email): Richard D. Cameron, Port of Long Beach  
Christopher Cannon, City of Los Angeles Harbor Department  
Cynthia Marvin, California Air Resources Board  
Philip Fine, South Coast Air Quality Management District  
Courtney Aguirre, Southern California Association of Governments

February 3, 2016

Mr. Lawrence Smith  
Project Environmental Coordinator  
U.S. Army Corps of Engineers  
Los Angeles District  
915 Wilshire Boulevard, Suite 390  
Los Angeles CA 90017-3401

**Via e-mail to:** [Lawrence.J.Smith@usace.army.mil](mailto:Lawrence.J.Smith@usace.army.mil)

**RE: Port of Long Beach Deep Draft Navigation Project**

Dear Mr. Smith:

Thank you for the opportunity to comment on the proposed Port of Long Beach Deep Draft Navigation Project (Proposed Project). Founded in 1993, Los Angeles Waterkeeper (LAW) has approximately 3,000 members who live and/or recreate in and around the Los Angeles area. LAW is dedicated to the preservation, protection, and defense of the rivers, creeks, wetlands, tidelands, coastal waters and groundwater of Los Angeles County from all sources of pollution and degradation. For more than two decades, LAW has pursued these goals through a combination of education, advocacy, and impact litigation.

LAW would like to take this opportunity early in the stage of the Proposed Project to ask that the U.S. Army Corps of Engineers (USACE) evaluates the following in the Environmental Impact Statement (EIS):

1. The EIS should include an analysis of how the disposal sites for the dredged sediment will be chosen, and that analysis should assess the appropriate grain size of the sediment being disposed of as well as the impacts from potentially contaminated sediment.
2. The EIS' assessment of the water quality impacts from dredging and sediment disposal should evaluate impacts from an increased turbidity and suspended solids, particularly in sensitive habitat areas near the Proposed Project site.
3. The EIS' assessment of impacts on habitat/biota should focus on the Proposed Project's impacts on sensitive nearshore coastal and estuarine habitats; impacts on fisheries; the potential loss of benthic habitat; potential harm to species, particularly endangered species; and the newly dredged substrate's susceptibility to colonization by opportunistic and non-native, invasive species.
4. The EIS should also evaluate the Proposed Project's impact on waterborne vessel traffic in the port. If the Proposed Project increases shipping efficiency as intended, will vessel traffic in the Port of Long Beach increase and what will be the environmental impacts of the increased traffic?

Thank you for the opportunity to comment, and we look forward to reviewing the EIS.

Sincerely,



Melissa Kelly  
Law Fellow

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 7 – Office of Regional Planning  
100 S. MAIN STREET, MS 16  
LOS ANGELES, CA 90012  
PHONE (213) 897-9140  
FAX (213) 897-1337  
TTY 711  
www.dot.ca.gov



*Making Conservation  
a California Way of Life.*

February 26, 2019

Matthew Arms  
Acting Director of Environmental Planning  
Port of Long Beach  
4801 Airport Plaza Drive  
Long Beach, CA 90815

RE: Long Beach Deep Draft Navigation  
Feasibility Study and Channel Deepening  
Project – Notice of Preparation (NOP)  
SCH # 2016111014  
GTS # 07-LA-2016-02241  
Vic. LA-710/PM: 3.869

Dear Mr. Arms:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project's Notice of Preparation (NOP). The Port of Long Beach Deep Draft Navigation Study will evaluate dredging to deepen several channels, basins, and standby areas within the Port to improve waterborne transportation efficiencies and navigational safety for current and future container and liquid bulk vessel operations. Study areas include the approach channel extending seaward from the Queen's Gate opening of the Long Beach Breakwater; approach channel, berths, and turning basin to Pier J; the Southeast Basin and associated berths; and the Pier T/West Basin and berths. Additionally, structural improvements may need to be performed to several of the berths within the project areas to reinforce the wharf design to accommodate the proposed dredging. A new electrical substation may be constructed landside to provide electricity to the dredge equipment.

Caltrans has reviewed the NOP and has the following comments:

In order to assist in evaluating this project's impact on state facilities, a traffic study should be prepared to analyze the following information:

- Please analyze the traffic impact to the Main Channel, Queen's Gate, Pier T, Pier J and all potentially impacted streets, intersections/crossroads and ramps associated with this project.

Please include:

- Trip counts on/off Interstate 710 and State Route 47 during construction
- LOS analysis before, during and after the construction.
- AM and PM peak hour volumes
- A brief traffic discussion/map indicating the turning movements and directional flow of construction/operation vehicles
- Any/all potential mitigation traffic analysis

Further information included for your consideration:

If VMT methodology is being used The Port should refer to the traffic study consultant of the Developer to OPR's website guidelines in the evaluation of traffic impact:

[http://opr.ca.gov/docs/Revised\\_VMT\\_CEQA\\_Guidelines\\_Proposal\\_January\\_20\\_2016.pdf](http://opr.ca.gov/docs/Revised_VMT_CEQA_Guidelines_Proposal_January_20_2016.pdf)

Caltrans emphasizes that safety and mobility are the most important criteria. This needs to be the main consideration. Increased congestion on local arterial and freeways contributes to an increase in the number of accidents

In case the City of Los Angeles intends to use Level of Service (LOS) and HCM methodology for TIS, we recommend the use of "Caltrans Guide for the Preparation of Traffic Impact Studies" for traffic impact on the State highways and freeways and the appurtenant facilities. Please note that these guidelines are different than those applied in the Los Angeles County Congestion Management Program (CMP). For State thresholds and guidance on preparation of acceptable traffic studies, please refer to Caltrans (State) Guide for Traffic Impact Studies:

[http://www.dot.ca.gov/hq/tpp/offices/ocp/igr\\_ceqa\\_files/tisguide.pdf](http://www.dot.ca.gov/hq/tpp/offices/ocp/igr_ceqa_files/tisguide.pdf)

Caltrans seeks to promote safe, accessible multimodal transportation. Methods to reduce pedestrian and bicyclist exposure to vehicles improve safety by lessening the time that the user is in the likely path of a motor vehicle. These methods include the construction of physically separated facilities such as sidewalks, raised medians, refuge islands, and off-road paths and trails, or a reduction in crossing distances through roadway narrowing.

Caltrans recommends the project to consider the use of methods such as, but not limited to, pedestrian and bicyclist warning signage, flashing beacons, crosswalks, signage and striping, be used to indicate to motorists that they should expect to see and yield to pedestrians and bicyclists. Visual indication from signage can be reinforced by road design features such as lane widths, landscaping, street furniture, and other design elements.

Storm water run-off is a sensitive issue for Los Angeles County. Please be mindful that projects should be designed to discharge clean run-off water. Discharge of storm water run-off is not permitted onto State Highway facilities without a storm water management plan.

As a reminder, any transportation of heavy construction equipment and/or materials which requires use of oversized-transport vehicles on State highways will need a Caltrans transportation permit. We recommend large size truck trips be limited to off-peak commute periods

If you have any questions regarding these comments, please contact project coordinator Reece Allen, at [reece.allen@dot.ca.gov](mailto:reece.allen@dot.ca.gov) and refer to GTS# 07-LA-2016-02241

Sincerely,



MIYA EDMONSON  
IGR/CEQA Branch Chief  
cc: Scott Morgan, State Clearinghouse



**CALIFORNIA COASTAL COMMISSION**

South Coast Area Office  
301 E Ocean Blvd, Suite 300  
Long Beach, CA 90802  
(562) 590-5071



March 1, 2019

Director of Environmental Planning  
Port of Long Beach  
4801 Airport Plaza Drive  
Long Beach, California 90815

**RE: Port of Long Beach Deep Draft Navigation Feasibility Study and Channel Deepening Project  
Coastal Commission Staff Comments on Amended NOP of a DEIR/EIS (SCH# 2016111014)**

Director of Environmental Planning:

Thank you for the invitation to comment on the Amended Notice of Preparation (NOP) of a Draft Joint Environmental Impact Report/Environmental Impact Statement (DEIR/EIS) for the Port of Long Beach (Port) Deep Draft Navigation Feasibility Study and Channel Deepening Project (Project). The Project, as proposed, is within the Coastal Zone and involves changes to the design of the Port's water and land areas to improve existing navigation channels focusing on improvements for container and liquid bulk vessel operations. A harbor development permit for the Project from the Port of Long Beach is required. Under Section 30715 of the Coastal Act, because the development is, in part, for the transmission of liquid bulk cargo in the Port, which includes large quantities of liquefied natural gas and crude oil, it is also appealable to the Coastal Commission. This letter provides direction on topics and issues that should be addressed in the DEIR/EIS.

The following are general comments on Coastal Act issues relevant to the Project:

- A. Consistency with the Port of Long Beach certified Port Master Plan (PMP).** The DEIR/EIS should include a thorough analysis of the Project's consistency with the Port of Long Beach's certified Port Master Plan (PMP), including all certified amendments to the PMP. In addition, under Section 30711 of the Coastal Act, projects listed as appealable shall be included in the Port's PMP and shall be consistent with the Chapter 3 policies of the Coastal Act. Thus, an amendment to the Port's certified PMP is necessary to add a description of the Project to the PMP and ensure the Project's consistency with the certified PMP.
- B. Consistency with the Coastal Act.** The DEIR/EIS should also include a thorough analysis of the Project's consistency with the Chapter 3 and Chapter 8 policies of the Coastal Act. These include, but are not limited to: *Section 30705*, which prohibits the dredging of water areas unless the dredging is consistent with the PMP, falls under one of the categories where dredging can be permitted, takes advantage of existing water depths, water circulation, siltation patterns and means to reduce controllable sedimentation, minimizes disruption of fish and bird breeding and migrations, marine habitats and water circulation, and balances socioeconomic and environmental factors; *Sections 30233 and 30706* relating to fill of coastal waters (including fill resulting from addition of new piles, bulkheads, rock toes, etc.) and requiring that fill only be permitted in certain

circumstances where there is no feasible alternative and where mitigation measures are provided; and *Sections 30230 and 30231*, which protect and, where feasible, enhance marine resources, biological productivity, and water quality. If any mitigation credits are proposed to be used as a result of this project, the DEIR/EIS should also include information on the Port's current mitigation credit balance and proposed use of mitigation credits.

**C. Ocean Disposal Requirements.** Section 30706 of the Coastal Act requires that any disposal of dredged materials within the jurisdiction of the Port shall minimize harmful effects to coastal resources. However, the Project, as proposed, also includes potential disposal of dredged material at offshore disposal sites outside the Port and seaward of the coastal zone boundary (e.g., LA-2 and LA-3). Disposal of dredged material at these locations will require the Port to prepare and submit to the Commission a federal consistency certification. The standard of review for dredged material disposal at these sites is Section 30233 of the Coastal Act rather than Section 30706. The DEIR/EIS should analyze dredge spoil disposal alternatives with the goal of maximizing beneficial reuse of dredged sediments and minimizing disposal volumes at ocean disposal sites. The DEIR/EIS should also note that proposed dredged material disposal in ocean waters must be reviewed by the interagency Southern California Dredged Material Management Team to determine the suitability of dredged materials for disposal.

Please note that the comments provided herein are preliminary in nature. More specific comments may be appropriate as the project develops. Coastal Commission staff requests notification of any future activity associated with this project or related projects. Thank you for the opportunity to comment on the Amended NOP. Please contact me at (562) 590-5071 with any questions.

Sincerely,



Dani Ziff  
Coastal Program Analyst



SENT VIA USPS AND E-MAIL:

February 21, 2019

[CEQA@polb.com](mailto:CEQA@polb.com)

Director of Environmental Planning  
Port of Long Beach  
4801 Airport Plaza Drive  
Long Beach, CA 90815

**Amended Notice of Preparation of an Environmental Impact Report for the Proposed  
Deep Draft Navigation Feasibility Study and Channel Deepening**

South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. SCAQMD staff's comments are recommendations regarding the analysis of potential air quality impacts from the Proposed Project that should be included in the Environmental Impact Report (EIR). Please send SCAQMD a copy of the EIR upon its completion. Note that copies of the EIR that are submitted to the State Clearinghouse are not forwarded to SCAQMD. Please forward a copy of the EIR directly to SCAQMD at the address shown in the letterhead. **In addition, please send with the EIR all appendices or technical documents related to the air quality, health risk, and greenhouse gas analyses and electronic versions of all air quality modeling and health risk assessment files<sup>1</sup>. These include emission calculation spreadsheets and modeling input and output files (not PDF files). Without all files and supporting documentation, SCAQMD staff will be unable to complete our review of the air quality analyses in a timely manner. Any delays in providing all supporting documentation will require additional time for review beyond the end of the comment period.**

**Air Quality Analysis**

SCAQMD adopted its California Environmental Quality Act (CEQA) Air Quality Handbook in 1993 to assist other public agencies with the preparation of air quality analyses. SCAQMD recommends that the Lead Agency use this Handbook as guidance when preparing its air quality analysis. Copies of the Handbook are available from SCAQMD's Subscription Services Department by calling (909) 396-3720. More guidance developed since this Handbook is also available on SCAQMD's website at: [http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-\(1993\)](http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/ceqa-air-quality-handbook-(1993)). SCAQMD staff also recommends that the Lead Agency use the CalEEMod land use emissions software. This software has recently been updated to incorporate up-to-date state and locally approved emission factors and methodologies for estimating pollutant emissions from typical land use development. CalEEMod is the only software model maintained by the California Air Pollution Control Officers Association (CAPCOA) and replaces the now outdated URBEMIS. This model is available free of charge at: [www.caleemod.com](http://www.caleemod.com).

SCAQMD has also developed both regional and localized significance thresholds. SCAQMD staff requests that the Lead Agency quantify criteria pollutant emissions and compare the results to SCAQMD's CEQA regional pollutant emissions significance thresholds to determine air quality impacts. SCAQMD's CEQA regional pollutant emissions significance thresholds can be found here: <http://www.aqmd.gov/docs/default-source/ceqa/handbook/scaqmd-air-quality-significance-thresholds.pdf>. In addition to analyzing regional air

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<sup>1</sup> Pursuant to the CEQA Guidelines Section 15174, the information contained in an EIR shall include summarized technical data, maps, plot plans, diagrams, and similar relevant information sufficient to permit full assessment of significant environmental impacts by reviewing agencies and members of the public. Placement of highly technical and specialized analysis and data in the body of an EIR should be avoided through inclusion of supporting information and analyses as appendices to the main body of the EIR. Appendices to the EIR may be prepared in volumes separate from the basic EIR document, but shall be readily available for public examination and shall be submitted to all clearinghouses which assist in public review.

quality impacts, SCAQMD staff recommends calculating localized air quality impacts and comparing the results to localized significance thresholds (LSTs). LSTs can be used in addition to the recommended regional significance thresholds as a second indication of air quality impacts when preparing a CEQA document. Therefore, when preparing the air quality analysis for the Proposed Project, it is recommended that the Lead Agency perform a localized analysis by either using the LSTs developed by SCAQMD staff or performing dispersion modeling as necessary. Guidance for performing a localized air quality analysis can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/localized-significance-thresholds>.

The Lead Agency should identify any potential adverse air quality impacts that could occur from all phases of the Proposed Project and all air pollutant sources related to the Proposed Project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips). Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., boilers), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, such as sources that generate or attract vehicular trips, should be included in the analysis.

In the event that the Proposed Project generates or attracts vehicular trips, especially heavy-duty diesel-fueled vehicles, it is recommended that the Lead Agency perform a mobile source health risk assessment. Guidance for performing a mobile source health risk assessment (“*Health Risk Assessment Guidance for Analyzing Cancer Risk from Mobile Source Diesel Idling Emissions for CEQA Air Quality Analysis*”) can be found at: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mobile-source-toxics-analysis>. An analysis of all toxic air contaminant impacts due to the use of equipment potentially generating such air pollutants should also be included.

In addition, guidance on siting incompatible land uses (such as placing homes near freeways) can be found in the California Air Resources Board’s *Air Quality and Land Use Handbook: A Community Health Perspective*, which can be found at: <http://www.arb.ca.gov/ch/handbook.pdf>. CARB’s Land Use Handbook is a general reference guide for evaluating and reducing air pollution impacts associated with new projects that go through the land use decision-making process. Guidance<sup>2</sup> on strategies to reduce air pollution exposure near high-volume roadways can be found at: [https://www.arb.ca.gov/ch/rd/technical\\_advisory\\_final.PDF](https://www.arb.ca.gov/ch/rd/technical_advisory_final.PDF).

### **Mitigation Measures**

In the event that the Proposed Project generates significant adverse air quality impacts, CEQA requires that all feasible mitigation measures that go beyond what is required by law be utilized during project construction and operation to minimize these impacts. Pursuant to CEQA Guidelines Section 15126.4 (a)(1)(D), any impacts resulting from mitigation measures must also be discussed. Several resources are available to assist the Lead Agency with identifying potential mitigation measures for the Proposed Project, including:

- Chapter 11 “Mitigating the Impact of a Project” of SCAQMD’S *CEQA Air Quality Handbook*. SCAQMD’s CEQA web pages available here: <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook/mitigation-measures-and-control-efficiencies>

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<sup>2</sup> In April 2017, CARB published a technical advisory, *Strategies to Reduce Air Pollution Exposure Near High-Volume Roadways: Technical Advisory*, to supplement CARB’s *Air Quality and Land Use Handbook: A Community Health Perspective*. This technical advisory is intended to provide information on strategies to reduce exposures to traffic emissions near high-volume roadways to assist land use planning and decision-making in order to protect public health and promote equity and environmental justice. The technical advisory is available at: <https://www.arb.ca.gov/ch/landuse.htm>.

- SCAQMD's Rule 403 – Fugitive Dust, and the Implementation Handbook for controlling construction-related emissions and Rule 1403 – Asbestos Emissions from Demolition/Renovation Activities
- SCAQMD's Mitigation Monitoring and Reporting Plan (MMRP) for the 2016 Air Quality Management Plan (2016 AQMP) available here (starting on page 86):  
<http://www.aqmd.gov/docs/default-source/Agendas/Governing-Board/2017/2017-mar3-035.pdf>
- CAPCOA's *Quantifying Greenhouse Gas Mitigation Measures* available here:  
<http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>

### **Alternatives**

In the event that the Proposed Project generates significant adverse air quality impacts, CEQA requires the consideration and discussion of alternatives to the project or its location which are capable of avoiding or substantially lessening any of the significant effects of the project. The discussion of a reasonable range of potentially feasible alternatives, including a "no project" alternative, is intended to foster informed decision-making and public participation. Pursuant to CEQA Guidelines Section 15126.6(d), the EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the Proposed Project.

### **Permits and SCAQMD Rules**

In the event that the Proposed Project requires a permit from SCAQMD, SCAQMD should be identified as a Responsible Agency for the Proposed Project in the EIR. The assumptions in the air quality analysis in the EIR will be the basis for permit conditions and limits. For more information on permits, please visit SCAQMD's webpage at: <http://www.aqmd.gov/home/permits>. Questions on permits can be directed to SCAQMD's Engineering and Permitting staff at (909) 396-3385.

### **General Conformity Review and Determination**

In the event that the Proposed Project is subject to the General Conformity requirement of the Clean Air Act and is not exempt from General Conformity review and determination, the Lead Agency should quantify the Proposed Project's annual total emissions and compared those emissions to the de minimis thresholds in the EIR to determine if the Proposed Project's annual total emissions would exceed General Conformity de minimis thresholds. Any questions related to the SCAQMD General Conformity review process and determination can be directed to Ms. Sang-Mi Lee, Program Supervisor, at [slee@aqmd.gov](mailto:slee@aqmd.gov).

### **Data Sources**

SCAQMD rules and relevant air quality reports and data are available by calling SCAQMD's Public Information Center at (909) 396-2039. Much of the information available through the Public Information Center is also available at SCAQMD's webpage at: <http://www.aqmd.gov>.

SCAQMD staff is available to work with the Lead Agency to ensure that project air quality and health risk impacts are accurately evaluated and mitigated where feasible. If you have any questions regarding this letter, please contact me at [lsun@aqmd.gov](mailto:lsun@aqmd.gov) or (909) 396-3308.

Sincerely,

*Lijin Sun*

Lijin Sun, J.D.

Program Supervisor, CEQA IGR

Planning, Rule Development & Area Sources



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## **Attachment 3**

### **Public Hearing Transcripts 1 and 2**

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STATE OF CALIFORNIA

PORT OF LONG BEACH and

UNITED STATES ARMY CORPS OF ENGINEERS:

DEEP DRAFT NAVIGATION FEASIBILITY STUDY

PUBLIC HEARING 3:00

415 West Ocean Boulevard

Wednesday, November 13, 2019

Long Beach, California

REPORTED BY: Katherine Henry-Sexton, CSR No. 13662

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1 REPRESENTATIVES:

2 Colonel Aaron Barta, District Engineer and  
3 Commander, Army Corps of Engineers,  
LA District

4 Sean Gamette, Managing Director, Port of Long  
5 Beach

6 Heather Schlosser, Lead Environmental Planner,  
Army Corps of Engineers

7 Allyson Teramoto, Manager of CEQA/NEPA,  
8 Practices, Port of Long Beach

9 Justin Luedy and Janna Morimoto, Environmental  
staff, Port of Long Beach

10 Ed De Mesa, Chief of Planning, Army Corps of  
11 Engineers

12 Raina Fulton, Chief of Planning, Plan  
Formulation Branch, Army Corps of Engineers

13 Chris Lee, Project Manager, Army Corps of  
14 Engineers

15 Larry Smith, Environmental Coordinator, Army  
Corps of Engineers

16 John Goertz, Coastal Engineer, Army Corps of  
17 Engineers

18 Matt Arms, Environmental Planning, Port of Long  
Beach

19 Eric Paulsen and Derek Davis, Project  
20 Management, Port of Long Beach

21  
22 SPEAKERS:

23 Heather Kryczka Page 34

24 Andrea Hricko Page 36

25 Williams Johns Page 39



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TRANSCRIPT OF PROCEEDINGS

3:08 P.M.

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COL. BARTA: Welcome ladies and gentlemen.

My name is Colonel Aaron Barta. I'm the Commander and District Engineer of the United States Army Corps of Engineers for the Los Angeles District covering southern California, Arizona and southern Nevada. I'm very happy to be here, and I'd like to thank you for taking the time to come out to today's public hearing as we look at the Port of Long Beach Deep Draft Navigation Feasibility Study.

The Corps and the Port of Long Beach are co-hosting this shared public event. So quickly to go over some administrative items -- to make our presentation as accessible as possible, we have an American Sign Language interpreter and a Spanish translator service available for this hearing. If there is anyone who would like to use either of these services, please let one of our folks know at this time. The restrooms are located outside the main door to the right, and emergency exit is located in the rear of room and exits out to the street.

So our purpose here today is to hear your

1 concerns and your questions regarding the study  
2 findings up to this date, the array of alternatives  
3 which we formulated and evaluated, and more specifics  
4 on the identified tentatively selected plan. This  
5 meeting is part of a public review process that ends  
6 on the 9th of December.

7 Before I talk more about the details of  
8 this meeting and the public review timeframe which  
9 we'll cover a little later, let me first introduce a  
10 few of the key members here tonight who will be able  
11 to answer a lot of the details of this project.

12 So from staff I have Mr. Ed De Mesa, our  
13 chief of planning; Ms. Raina Fulton, chief of our  
14 planning division's plan formulation branch;  
15 Ms. Chris Lee, project manager for the study; Ms.  
16 Heather Schlosser, lead planner; Mr. Larry Smith,  
17 environmental coordinator; John Goertz, coastal  
18 engineer.

19 I'd also like to acknowledge the Port of  
20 Long Beach staff members in attendance including Mr.  
21 Sean Gamette, managing director; Matt Arms from  
22 environmental planning; Eric Paulsen and Derek Davis  
23 from project management; Ms. Allyson Teramoto,  
24 manager for the CEQA/NEPA practices; and Mr. Justin  
25 Luedy and Ms. Janna Morimoto from our environmental

1 staff.

2 Thank you, everybody, for arranging this  
3 meeting and for your continuing support of the study  
4 and the sound partnership we've had ever since the  
5 very beginning of this study's initiation.

6 You, the public, have an important role  
7 with the Corps' National Environmental Policy Act, or  
8 NEPA, the process and the overall planning process.  
9 After all, the Army Corps of Engineers is here to  
10 serve the American people. The Corps' goal tonight  
11 is to exchange information in several ways. First,  
12 we'll briefly describe the feasibility process to  
13 date, the draft findings so far and what is to come  
14 in the next steps to study completion.

15 Most importantly, tonight we are seeking  
16 your input during the remainder of the public comment  
17 period for those interested in contributing comments  
18 on the study. Today we want to hear from anyone who  
19 wishes to make oral comments on the draft feasibility  
20 report. Alternatively, you have until December 9th to  
21 submit written comments to us via e-mail or by mail  
22 that we'll display at the end of this presentation.

23 When you signed in tonight, you were  
24 offered comment cards if you're interested in  
25 speaking tonight. They look like this. In addition,

1       there's room on the back for submitting written  
2       comments also as well. If you did not have an  
3       opportunity to fill out a card, please do so now.  
4       We'll be around to collect any remaining cards in the  
5       next few minutes. We'll sort through the cards in  
6       the order received to identify those who checked  
7       they'd like to speak tonight.

8               If you do speak, we ask initially that you  
9       limit your comments to three minutes, which sometimes  
10      goes by pretty fast, to allow enough time for all  
11      interested parties to contribute their comments. If  
12      time permits, we'll open up the floor to others  
13      interested in speaking.

14             I'll speak more about the public comment  
15      period later; but first, I would like to invite Sean  
16      Gamette, managing director of the Port of Long Beach,  
17      to say a few words about the study.

18             MR. GAMETTE: Thank you. Good afternoon,  
19      everybody. Everybody hear me okay? I tend to be a  
20      little loud. My name is Sean Gamette, and I'm the  
21      managing director of engineering here at the Port of  
22      Long Beach. And I'm definitely happy and pleased to  
23      be here with you this evening to support this public  
24      meeting and the one that comes after it. And on  
25      behalf of the Port I just want to welcome all of you

1 from the public who are here at our new facility  
2 adjacent to City Hall down here at 415 West Ocean  
3 Boulevard. I hope you'll enjoy your time in this  
4 facility. It's an amazing place.

5 Speaking on behalf the Port, we are excited  
6 to be back down here in downtown Long Beach and  
7 adjacent to our Port for a lot of different reasons.  
8 We need to be down here and interacting with our  
9 customers, our stakeholders and the public. And so  
10 we're definitely excited about that.

11 This proposed project has been around for  
12 some time, and we're all really excited to see it  
13 move forward. So we're here in support of that  
14 tonight. I first want to thank all of the hard  
15 working staff from both the Port of Long Beach and  
16 the Army Corps of Engineers for all the work they've  
17 done to move this project forward.

18 And I also want to thank and introduce Ms.  
19 Irantzu Pujadas. Would you raise your hand? Thank  
20 you, Irantzu. Irantzu is deputy district director  
21 for Congressman Lowenthal. And we just want to thank  
22 you, Irantzu, and the Congressman for your support of  
23 the Port of Long Beach and for being here tonight.  
24 So thank you very much for that.

25 I won't say a lot here. I'll just close up



1 so we can get going with the meeting. But I do want  
2 to recognize that this is a great partnership. One  
3 of the secrets of being a great port is having a  
4 great partnership with the United States Army Corps  
5 of Engineers. A lot of times we talk about different  
6 things in the Port, different concerns that the  
7 community would like to engage us in related to  
8 development and different things like that. But one  
9 key element of any good port is our waterways, and  
10 that's what we're going to be talking about tonight  
11 -- making sure we've got adequate appropriate  
12 waterways in the Port of Long Beach for efficient  
13 movement of cargo.

14 So we're really excited about this  
15 partnership together. It's a big milestone tonight.  
16 We very much appreciate the public coming out for  
17 this meeting and are excited to receive your comments  
18 and input tonight on what we like to call our Long  
19 Beach Deep Draft Navigation Study. And so we're  
20 really excited about that and want to kind of --  
21 Colonel, did you want to say a few more words, or are  
22 we going right to Heather? I can't remember.

23 So the Colonel is going to come back to say  
24 a few words. If anybody has any questions, we've got  
25 a great Port team that the Colonel introduced

1        tonight. So again, thank you very much for coming.

2                COLONEL BARTA: Real quickly -- I'll turn  
3        this over to Heather, one of our lead marine  
4        managers. But the purpose tonight is to make sure  
5        everyone has a common understanding of what our study  
6        will look like in order to get approval and get the  
7        public to make sure we take considerations for  
8        everybody since we all share this port; and  
9        eventually turn this around for our chief engineers  
10       to submit to the Office of Management with the  
11       Executive Office and then eventually to Congress for  
12       funding.

13               With that, I'll let Heather address you.

14               MS. SCHLOSSER: Thank you, Sean, and Colonel  
15        Barta. Good afternoon. Thank you for coming to  
16        participate in this public hearing. As was mentioned  
17        previously, we are here to present the feasibility  
18        study process and the tentatively selected plan. We  
19        will then go over the next steps in the process and  
20        then hear from you.

21               The water resources project delivery  
22        process -- this is sort of an overview just so you  
23        know where we are in the process, and we'll show this  
24        again at the end so you get a little more detail on  
25        where we go in the next steps. The process starts

1 when local interests such as the Port of Long Beach  
2 ask for Federal assistance in solving a water  
3 resources problem. Congress acts by authorizing and  
4 appropriating funds for the Corps to study the  
5 problem.

6 The general feasibility process is laid out  
7 in this graphic. The star indicates where we are in  
8 this process, which is in the midst of public review  
9 and other concurrent reviews. We'll organize and  
10 consolidate the comments into similar topics, report  
11 the findings to a panel of senior leaders at the  
12 agency's decision milestone to the Corps of Engineers  
13 at our headquarters in Washington, DC, for  
14 determining the recommended plan to go forward with.

15 After completing any additional refinements  
16 of the plan, we will finalize our feasibility report  
17 and present findings to a senior panel to seek an  
18 endorsement to move forward for final State and  
19 agency review. That is where we send out the  
20 final/final report. If that's the case, and the  
21 chief engineer signs a favorable report and the  
22 administration review is complete, the assistant  
23 secretary of the Army for civil works signs the  
24 record of decision completing the National  
25 Environmental Policy Act process or NEPA process.

1 Congress may then authorize the project's  
2 construction in a Water Resources Development Act.  
3 Project implementation can begin once Federal and  
4 local funds are appropriated.

5 Later on I'll discuss our proposed schedule  
6 to complete the planning phase and implement the  
7 project.

8 This study was conducted as an interim  
9 response to the resolution of the House Committee on  
10 Public Works adopted July 10, 1968. In summary,  
11 Congress has given the Corps of Engineers the  
12 authority to look at "promoting and encouraging the  
13 efficient, economic and logical development of the  
14 harbor complex." This may include "investigation of  
15 current shipping problems, adequacy of facilities,  
16 delays in intermodal transfers, channel dimensions,  
17 storage locations and capacities, and other physical  
18 aspects affecting waterborne commerce in the  
19 San Pedro Bay region."

20 As the nation's second busiest container  
21 seaport, activity at the Port of Long Beach supports  
22 over 51,000 jobs in Long Beach. Across the southern  
23 California the Port supports well over half a million  
24 jobs providing about \$30 billion in income.  
25 Nation-wide the Port supports about 2.6 million jobs

1 providing close to \$127 billion in income.

2 The Port of Long Beach provides shipping  
3 terminals for nearly one-third of the waterborne  
4 trade moving through the West Coast. Today trade  
5 valued annually at more than \$194 billion moves  
6 through the Port. The Port facilities include ten  
7 piers, 62 berths and 68 post-Panamax gantry cranes.  
8 The Port's ability to accommodate large  
9 containerships and handle additional cargo is a key  
10 objective of the Port of Long Beach.

11 In preparation of the next generation of  
12 vessels, the Port of Long Beach has a ten-year,  
13 \$4 billion capital program to update infrastructure  
14 and facilities to improve the efficiency of cargo  
15 operations.

16 The program has a plan for projected  
17 spending of \$2.3 billion over the next ten years.  
18 This includes Middle Harbor Redevelopment Project,  
19 the Gerald Desmond Bridge Replacement, the Pier B  
20 Rail Support Facility, the Pier G and J modification  
21 project and berth deepening.

22 Widening and enlargement of the Panama  
23 Canal has led to a new class of container vessels  
24 whose fully loaded drafts exceed current Federal  
25 channel and berth depths. This has led to one of the



1 primary problems facing current operations, which is  
2 the inefficient operation of deep draft container  
3 vessels in secondary and Federal channels, which  
4 increases the nation's transportation costs.

5 Container vessels must either ride the  
6 tides, wait for a high tide, and enter and leave only  
7 on high tides or to light load the vessel in order to  
8 ensure a shallower draft required to safely enter and  
9 leave the Port, which means it wouldn't be ever fully  
10 loaded, maybe it doesn't reach maximum capacities  
11 where it actually should.

12 Additionally, liquid bulk vessels which  
13 transport petroleum products must enter and exit the  
14 two-mile long Approach Channel one at a time, which  
15 results in increased delays due to channel width  
16 limitations, or they must delay entry during wave  
17 swells and other conditions or, as mentioned, light  
18 load; or as you can see in this picture, lightering  
19 where they have to transfer to smaller vessels to be  
20 able to come into the Port. And these are all due to  
21 depth limitations along the Approach Channel.

22 The planning objectives for this study are  
23 to increase transportation efficiencies during the  
24 period analysis for container and liquid bulk vessels  
25 operating in the Port of Long Beach for both the

1 current and future fleets and to improve conditions  
2 during the period of analysis for vessel operation  
3 and safety, including reducing constraints of harbor  
4 pilot operating practices.

5 There are three primary outcomes from  
6 navigation improvements that would induce changes in  
7 operations and composition of the future fleet mix at  
8 the Port of Long Beach. The first is an increase in  
9 a vessel's maximum loading capacity. That's how much  
10 the vessel can actually hold. Channel restrictions  
11 limit a vessel's capacity by limiting its draft, how  
12 deep it is in the water.

13 Deepening the channel reduces this  
14 constraint and the vessel's maximum capacity  
15 increases towards its design capacity. This increase  
16 in vessel capacity results in fewer vessel trips  
17 required to transport the forecasted cargo. The  
18 second effect is the increase in the reliability of  
19 water depth, which encourages the deployment of  
20 larger vessels to the Port of Long Beach.

21 The third effect is a consequence of the  
22 second -- the increase in larger post-Panamax vessels  
23 displaces the less economically efficient smaller  
24 post-Panamax vessels and Panamax class vessels. This  
25 would decrease the number of vessel trips overall at

1 the Port of Long Beach. You can get more larger  
2 ships and fewer less efficient ships. That's a  
3 benefit.

4 These outcomes are what we consider  
5 national economic development, or NED, benefits.  
6 Contributions to the National Economic Development  
7 account represent the anticipated increase in the  
8 value of the national output of goods and services.  
9 This is one of the important criteria the Corps uses  
10 to evaluate the Federal interest in a project.

11 In the case of navigation projects such as  
12 this one, the increase in national output is in the  
13 form of reduced transportation costs, which we  
14 consider benefits. When consumers buy goods, the  
15 price includes the costs to have the goods  
16 transported from where they are produced to where  
17 they are sold. Where efficiencies are created, the  
18 lower cost of transporting the goods can be passed on  
19 to the consumers in the form of lower prices.

20 The container and liquid bulk design  
21 vessels that were used for the study were determined  
22 based on input and forecasts from the Port of Long  
23 Beach, professional judgment of harbor pilots and  
24 data collected and analyzed by the Corps. What we're  
25 looking at for the container design vessel would be a

1 1,300-foot long vessel with a maximum draft of 52  
2 feet. This is roughly equivalent to what's called a  
3 Triple E or Generation 4 vessel class. The liquid  
4 bulk design vessel is 1,200 feet long with a maximum  
5 draft of 70 feet. This vessel is what's called a  
6 VLCC, a very or ultra large crude carrier class, also  
7 known as VLCC or ULCC.

8 An essential step when evaluating  
9 navigation improvements is to analyze types and  
10 volumes of cargo moving through the Port. Trends in  
11 cargo history can offer insights into a port's  
12 long-term trade forecasts; and thus, the estimated  
13 cargo volume upon which future vessel calls are  
14 based.

15 Under future without a project and also  
16 future with project conditions, this project, the  
17 same volume of cargo is assumed to move through the  
18 Port of Long Beach. So we're not assuming that this  
19 project is inducing additional cargo through the  
20 Port. We think that would happen without the  
21 project.

22 However, a deepening project will allow  
23 shippers to load, as I mentioned before, their  
24 vessels more efficiently or take advantage of larger  
25 vessels. This efficiency translates to savings and

1 is the main driver of National Economic Development.  
2 Strong growth in throughput, as you can see on the  
3 right of this graph -- the throughput is projected to  
4 continue until the Port of Long Beach's facilities  
5 reach capacity, which is anticipated around 2035.

6 So we looked at management measures that  
7 can be implemented along the areas of the Port.  
8 These are generally categorized as either structural  
9 or non-structural. Preliminary alternatives are  
10 formulated by these measures and refined by  
11 combining, adapting and scaling management measures  
12 to best address the planning objectives.

13 Management measures were developed through  
14 brainstorming sessions during our reconnaissance  
15 phase, a kickoff meeting and a value engineering  
16 workshop. Each measure was assessed and a  
17 preliminary determination was made whether it should  
18 be retained for consideration and formulation of  
19 alternatives. You'll see for the non-structural  
20 measures -- you'll see the high tide riding and the  
21 lightering. It's non-structural, but that's also  
22 what is already being done. So that is considered  
23 future without a project condition.

24 The measures that were carried forward were  
25 to deepen the West Basin Channel and construct a



1 turning basin. And you'll see this in the yellow  
2 area here -- which is expected to decrease delays and  
3 light loading for larger containerhips. We're also  
4 looking at constructing an approach channel in the  
5 orange here. The orange area shows constructing an  
6 approach channel at Pier J, as well as a turning  
7 basin which is outside of Pier J South. And this is  
8 also expected to help with decreasing delays in light  
9 loading for containerhips.

10 We also considered constructing or  
11 deepening this area called a standby area, which  
12 would be available for the liquid bulk vessels. It  
13 would be a waiting and passing area inside the  
14 breakwater, and would reduce delays for those deeper  
15 drafting liquid bulk vessels.

16 And then we also looked at deepening the  
17 approach channel here to help with the crude  
18 efficiency of liquid bulk vessels.

19 The measures carried forward are  
20 independent with the exception of fixed costs.  
21 Basically, it means that any of these could be  
22 constructed independent of the other measures. This  
23 creates a relatively large number of potential  
24 alternatives. To address this, the analysis was  
25 separated initially into measures impacting liquid

1 bulk movements, which is the approach channel and  
2 standby area, as well as some improvements to the  
3 main channel, the Federal channel. And then for the  
4 containerships we also looked at Pier J South and the  
5 West Basin for container vessels.

6 The benefits and costs of deepening Queen's  
7 Gate, Main Channel, and the standby area for liquid  
8 bulk vessels were evaluated. So the depths analyzed  
9 ranged from 53 feet to 57 below mean lower low water  
10 in the Pier J approach channel, the new turning basin  
11 to Pier J, as well as the Pier T or West Basin area.

12 Measures considered to address the planning  
13 objectives for the liquid bulk vessels included  
14 deepening the Approach Channel with depths ranging  
15 from 78 feet to 83 feet below mean lower low water.  
16 And you'll see some areas in the main channel in red.  
17 That's the ease for -- where we had the pilots look  
18 at alternatives, it was noticed that they need a  
19 little bit more area in that going around some  
20 corners in those areas. So those areas in the red  
21 would be to the current Federally established.

22 An additional measure evaluated, as I  
23 mentioned, included deepening of the waiting or  
24 passing area or the standby area landward of the  
25 Middle Breakwater. The depth increments evaluated

1       ranged from 67 feet to 73 feet below mean lower low  
2       water.

3               Also, what we have to consider when we look  
4       at our Federal projects are any local service  
5       facilities, which are actions that need to be taken  
6       in order to fully implement the project. These are  
7       actions that the Corps of Engineers cannot cost  
8       share, such as berth dredging. That is the  
9       responsibility of the local sponsor or Port of Long  
10      Beach.

11             Those actions include berth dredging in the  
12      West Basin. And for all the alternatives that we  
13      looked at, there were potential wharf improvements,  
14      deeper ducts that we needed at Piers J and T for the  
15      57-foot alternative, as well as structural  
16      improvements to the Pier J breakwater, which is hard  
17      to see on this slide; but you have the turning basin  
18      here and then we'll have another channel in here. So  
19      in order to accommodate the channel improvements,  
20      strengthening needs to be done to the ends of the  
21      Pier J breakwaters.

22             So as I mentioned, these local service  
23      facilities are needed to fully implement the project  
24      and to allow the Port to realize all of the economic  
25      benefits of the project.

1                   Based on the economic analysis, the  
2                   combination of measures included deepening to 55 feet  
3                   below mean lower low water for the containerships.  
4                   So that's that West Basin and Pier J approach channel  
5                   or turning basin, and 80 feet below mean lower low  
6                   water for liquid bulk from the ocean provides the  
7                   greatest contribution of net benefits and has been  
8                   determined as what the Corps calls our National  
9                   Economic Development Plan.

10                  Alternative 3 is highlighted in yellow, and  
11                  that is what is presented today as the tentatively  
12                  selected plan. So Alternative 2 represents a smaller  
13                  scale alternative with depths at 53 and 78 feet. And  
14                  Alternative 4 is a larger scale alternative. A  
15                  standby measure was also analyzed, as I mentioned  
16                  before, but current results indicate that it is not  
17                  independently economically justified.

18                  However, it is included as a component of  
19                  Alternative 5. So alternative 5 is basically  
20                  Alternative 3 with the standby area added to it.

21                  So here's the tentatively selected plan:  
22                  As I mentioned, it would deepen the Approach Channel,  
23                  the bright blue area here -- to 80 feet below mean  
24                  lower low water, and widen parts of the main channel,  
25                  and that's the areas of red -- to 76 feet below mean

1 lower low water. And those would benefit the liquid  
2 bulk vessels and would construct an approach channel  
3 and turning basin to Pier J South to 55 feet below  
4 mean lower low water and deepen the West Basin to 55  
5 feet below mean lower low water for containerships.

6 This would mean dredging approximately 7.4  
7 million cubic yards of material, and they would be  
8 placed in a near shore site located nearby, as well  
9 as two EPA-designated offshore disposal sites.

10 In addition to the activities listed above,  
11 the Port of Long Beach would conduct berth dredging  
12 within the Pier J South Basin along Berths J266 to  
13 J277, and then Berth T140 along Pier T would be also  
14 deepened to 55 feet below mean lower low water. As I  
15 mentioned before, structural improvements would also  
16 be performed on the Pier J breakwaters to accommodate  
17 deepening in these areas -- there's a little "4"  
18 there (indicating).

19 Construction would take approximately  
20 three-and-a-half years beginning in 2024. The  
21 estimated cost is about \$151 million with average net  
22 annual benefits of \$18 million. The tentatively  
23 selected plan does have a benefit to cost ratio of  
24 3.8 to one.

25 These are the dredged material placement



1 sites: Three locations we identified for placement  
2 of material -- a nearshore placement site near Sunset  
3 Beach will be utilized. This area is currently and  
4 has been used in the past as a borrow site for areas  
5 for Corps projects to place sediment on Sunset  
6 beaches. And we estimate it could contain  
7 approximately 2.5 million cubic yards of material.

8 The Environmental Protection Agency or EPA  
9 maintains ocean disposal sites LA-2 you can see on  
10 the screen, as well as LA-3. LA-2 has an annual  
11 maximum disposal volume of one million cubic yards  
12 from all sources. And LA-3 has an annual maximum  
13 volume of 2.5 million cubic yards. So we've made  
14 assumptions for the study that we'd be able to place  
15 about 900,000 cubic yards a year at LA-2 and about  
16 2.2 million yards a year at LA-3.

17 This assumes dredging will be performed  
18 using a hopper dredge as well as clamshell dredge.  
19 To minimize transit time, disposal of material from  
20 the hopper dredge will maximize use of the nearshore  
21 site, while a clamshell dredge will be used most  
22 likely for disposal at LA-2 and LA-3. To reduce air  
23 quality emissions, the construction of an electrical  
24 substation on Pier J would also be required to  
25 maximize the ability to use electric dredge

1 equipment.

2 I mentioned the tentatively selected plan  
3 has a private cost \$151 million. This shows the cost  
4 share. Different parts of the project are cost  
5 shared different ways; but the project costs of  
6 approximately \$131 million, which is -- most of the  
7 dredging and mitigation would be cost shared between  
8 the sponsors here [phonetic] and the Port of Long  
9 Beach 50/50. It shows 65.6 million apiece.

10 And then the local service facilities, the  
11 additional berth dredging, the strengthening of the  
12 Pier J breakwaters, that is about \$19-and-a-half  
13 million. And that would be 100 percent paid for by  
14 the co-sponsor.

15 So the integrated feasibility report  
16 considered the potential impacts of the proposed  
17 alternatives in addition to the No Action Alternative  
18 according to several resource categories: Geology  
19 and topography, oceanographic and coastal processes,  
20 water and sediment quality, air quality, greenhouse  
21 gases, aesthetics, cultural resources, noise,  
22 socioeconomics, transportation, land use, recreation,  
23 public safety and public utilities.

24 And just to note -- the draft document that  
25 is on the street is a combined environmental impact

1 statement which complies with the National  
2 Environmental Impact Policy Act, NEPA. It's also an  
3 environmental impact report which satisfies CEQA,  
4 which is the California Environmental Quality Act.  
5 The Port is a lead agency for CEQA and, of course,  
6 the lead agency for NEPA.

7 So this is, obviously, a highly developed  
8 port complex which impacts will only be during  
9 construction. The Federal Endangered Species Act  
10 consideration -- we have the California Least Tern  
11 present seasonally, but project construction would  
12 not affect this species.

13 Temporary loss of benthic organisms  
14 resulting from any dredging or placement operations  
15 is possible. Air quality, significant levels -- we  
16 have ways to minimize the impacts with electric  
17 dredging at the site and emissions reduction at the  
18 site. And then we would do monitoring for water  
19 quality during dredging activities.

20 So we have significant unavoidable impacts  
21 to air quality that may occur from the emissions of  
22 air contaminants from construction equipment. So  
23 this is the impacts during construction -- not after  
24 construction. Mitigation measures would be  
25 implemented, but would not reduce impacts to below

1 significance.

2 Therefore, mitigation measures identified,  
3 including the first one, which is the use of electric  
4 clamshell dredge -- would be required for the project  
5 during the entire construction period of the project  
6 and the construction of an electrical substation at  
7 Pier J would be required to provide electric power to  
8 the clamshell dredge.

9 Construction related harbor craft --  
10 construction-related harbor craft with Category 1 or  
11 Category 2 marine engines shall meet USEPA Tier 3  
12 emission standards for marine engines. Off-road  
13 construction equipment -- anything that's  
14 self-propelled, diesel-fueled off-road construction  
15 equipment, 25 horsepower or greater shall meet the  
16 USEPA/CARB Tier 4 emission standards for non-road  
17 equipment.

18 And then the last one would be additional  
19 mitigation for off-road construction equipment.  
20 Diesel-powered construction equipment shall comply  
21 with the following: Construction equipment shall be  
22 maintained according to manufacturer's  
23 specifications, and construction equipment shall not  
24 idle for more than five minutes when not in use.

25 So our environmental coordination is really

1 related mostly to cultural resources -- consultation  
2 on the area of potential effects and the need to  
3 develop a programmatic agreement initiated in a  
4 letter sent to the State Historic Preservation  
5 Officer. The letter has been sent in October of this  
6 year. We have sent project initiation letters to  
7 tribal contacts in July and followup letters  
8 specifically describing the tentatively selected plan  
9 were also sent in October of this year.

10 And the Corps proposes to develop a  
11 programmatic agreement to fulfill the National  
12 Historic Preservation Section 106 responsibilities  
13 and phase future inventories.

14 So the Corps has undertaken initial  
15 coordination and outreach with Federal and State  
16 resource agencies. Concerns of the U.S. Fish and  
17 Wildlife Service and California Department of Fish  
18 and Wildlife may be potential concerns to the  
19 California Least Tern, which is known to forage in  
20 the study area only during its nesting season of  
21 mid-April to mid-September. The tern does not nest  
22 in the study area, and the closest nesting location  
23 is in the Port of Los Angeles.

24 Major issues are anticipated to be the  
25 temporary loss of benthic organisms resulting from



1 dredging or in-water construction either by removal  
2 or burial and water quality impacts during dredging  
3 activities.

4 I'll turn it over to Allyson Teramoto.

5 MR. GAMETTE: I'm not Allyson, but if you  
6 don't mind before Allyson comes up -- I just want to  
7 thank and introduce Tina Ahmad [phonetic] from  
8 Assembly Member Patrick O'Donnell's office. Thank  
9 you for coming today. You might have already raised  
10 your hand, but thanks again for coming. And the Port  
11 of Long Beach wants to thank the Assembly Members'  
12 support of this public process and the Port of Long  
13 Beach. So thank you. Allyson.

14 MS. TERAMOTO: Thank you, Sean and Heather.  
15 Good afternoon. I'm Allyson Teramoto, and I am the  
16 manager of CEQA/NEPA Practices for the Port of Long  
17 Beach. As the local sponsor for the project, the  
18 Port of Long Beach is the local lead agency for the  
19 implementation of the California Environmental  
20 Quality Act, or See-Kwa. As such, an environmental  
21 impact report of EIR has been prepared and included  
22 in Chapter 12 of the Draft Integrated Feasibility  
23 Report and EIS/EIR.

24 Heather previously described the plan  
25 formulation and the array of alternatives. Similar

1 to the NEPA EIS, Alternative 3 or the Army Corps'  
2 Tentatively Selected Plan or proposed action is the  
3 proposed project for the CEQA evaluation. For the  
4 purposes of CEQA the environmental study is used to  
5 determine the impacts associated with the proposed  
6 project and is based on the environmental conditions  
7 that existed at the time of the initial Notice of  
8 Preparation for this project, which was published in  
9 November, 2016.

10 In contrast, NEPA assumes the year 2027 as  
11 the base year for analysis, which is the end of  
12 construction, at which all the benefits of the  
13 proposed action are realized.

14 The EIR also evaluates the same  
15 environmental resource areas as the EIS. However,  
16 the CEQA document also evaluates environmental  
17 impacts to hazards and hazardous materials and global  
18 climate change. In addition, CEQA also requires an  
19 EIR to discuss the growth inducement potential of a  
20 proposed project, including ways in which the project  
21 could potentially foster economic or population  
22 growth or the construction of additional housing.

23 In summary, based on the analysis,  
24 potential significant and unavoidable impacts to air  
25 quality associated with construction activities would

1 remain after the implementation of mitigations AQ-1  
2 through AQ-4, which were previously described by  
3 Heather.

4 Direct air emissions of nitrogen oxides,  
5 particulate matter, carbon monoxide and volatile  
6 organic compounds are expected to exceed South Coast  
7 Air Quality Management District's thresholds during  
8 construction. Off-site ambient concentrations of  
9 nitrogen dioxide are expected to exceed the one-hour  
10 national ambient air quality standard.

11 In addition to the mitigation measures, we  
12 are proposing a special condition for the proposed  
13 project: The Port would contribute approximately  
14 \$147,000 to the Port's Community Grants Program,  
15 which was originally established to mitigate  
16 projects' cumulative operational impacts. However,  
17 for the proposed project, the contribution to the  
18 grants program was considered for pollutants that  
19 would exceed the South Coast Air Quality Management  
20 District's peak daily significance thresholds during  
21 construction activities following the implementation  
22 of mitigation measures.

23 With this, I'll hand it back to Heather to  
24 go over the next steps. Thank you.

25 MS. SCHLOSSER: Thank you, Allyson. We are

1 currently, as I mentioned, in the public and  
2 concurrent review phase of the study. So we will  
3 consider all comments received. And as mentioned  
4 before, the Corps will hold what's called an Agency  
5 Decision Milestone with senior leadership to  
6 determine if changes are needed to the tentatively  
7 selected plan.

8 The study will then move forward towards  
9 finalizing the report in December of 2020. And the  
10 Port of Long Beach Harbor Commission will consider  
11 CEQA certification of the Environmental Impact Report  
12 around April of 2021. The Corps is then looking  
13 towards gaining concurrence and approval from the  
14 Chief of Engineers of the Corps of Engineers in  
15 September of 2021.

16 The report would then be forwarded to the  
17 Assistant Secretary of the Army for Civil Works for  
18 its consideration and approval of the Record of  
19 Decision. At this time authorization of the project  
20 is anticipated in 2022 with construction starting in  
21 2024 and, as Allyson mentioned, completion in 2027.

22 I will now turn the presentation back to  
23 Colonel Barta for closing remarks.

24 COL. BARTA: Thank you, Heather. So our  
25 meeting here tonight is not just a formality. I and

1 we really do care about what you have to say. Make  
2 no mistake about it, your participation and  
3 contributions will be instrumental in helping us to  
4 develop a plan that far exceeds what we could develop  
5 just on our own. Your contributions are essential in  
6 helping us get to the decision needed to finalize the  
7 study. Today is the next step in this process.

8 So all this so far has been a warm-up, and  
9 now we are getting to the actual most important part  
10 of the meeting, which is the public comment section.  
11 So there are going to be several guidelines that we  
12 ask you to follow when you speak out of respect for  
13 others who are interested in these projects.

14 First, to ensure completeness of the  
15 record, please identify yourself clearly at the  
16 beginning of your comments and state the interest or  
17 organization that you represent. We ask that you  
18 provide comments applicable to this topic meeting,  
19 the Port of Long Beach Deep Draft Navigation  
20 Feasibility Study.

21 Please be brief and to the point when  
22 providing comments tonight, not more than three  
23 minutes. If you require more time and more detailed  
24 comments, you can provide those comments in writing  
25 on the comment cards provided. Please be respectful



1 to the opinions and viewpoints of everyone who comes  
2 to speak tonight.

3 Given the time constraints, we do not plan  
4 to respond to the comments that you make tonight, but  
5 will be available for an informal and off-the-record  
6 discussion after the meeting by the poster for those  
7 of you who are interested parties.

8 If you do not want to speak tonight, but  
9 are still interested in providing comments, please  
10 take a comment card with you. Written comments can  
11 be sent to Mr. Ed De Mesa or Mr. Larry Smith's  
12 attention at the address shown on the card and this  
13 slide. The Web page listed on the slide also  
14 includes a link to the same mailbox for submitting  
15 e-mail comments. All comments postmarked by December  
16 9th will be included in the final documentation.

17 After December 9th we'll consider all  
18 comments received in the coming months and inform the  
19 Corps of Engineers' senior leadership when we come  
20 back prior to the Agency Decision Milestone meeting  
21 where leaders will select a single recommended plan.

22 With that, let's begin with the first  
23 comments. I'll turn this over to Ed De Mesa.

24 MR. De MESA: Thank you. I have  
25 Ms. Heather Kryczka.

1 COL. BARTA: Do you mind stepping to the  
2 microphone?

3 MS. KRYCZKA: I'm Heather Kryczka. I'm an  
4 attorney with the National Resources Defense Council.  
5 So thanks so much to the staff for the presentation  
6 today, and I'd also like to thank the Long Beach  
7 Environmental staff for giving us some information  
8 about this project and meeting with us about this.

9 The draft CEQA and NEPA documents here take  
10 the position that the dredging project will not  
11 facilitate future growth at the Port. This position  
12 is flawed and the documents are inadequate because  
13 they fail to disclose or mitigate the impacts of  
14 growth that will be accommodated by the dredging  
15 project.

16 The stated purpose of the project gives  
17 away the fact that this project is inextricably  
18 linked to the Port's growth. The draft EIR and EIS  
19 states that the project is needed to reduce current  
20 inefficiencies in ship unloading and to expand the  
21 Port's capacity to bring in the larger ships of the  
22 future. Increasing the harbor's efficiency and  
23 capacity means that the Port will be able to bring in  
24 bigger ships carrying more cargo than it currently  
25 brings in. And indeed, deepening the harbor to

1 accommodate mega ships that the Port expects to see  
2 in future years is an important component of its plan  
3 to grow and maintain its market share.

4 CEQA and NEPA require the Port and the Army  
5 Corps to analyze and mitigate the foreseeable  
6 environmental impacts of the project including the  
7 growth-inducing effects of the project. The agencies  
8 must analyze how the project will impact the Port's  
9 capacity for increasing its cargo throughput.

10 The agencies must also analyze how  
11 increased cargo throughput will result in overall  
12 higher levels of emissions, health impacts, truck  
13 traffic, noise, greenhouse gas emissions and other  
14 impacts on the community. Mitigation measures must  
15 be proposed for those operational impacts.

16 The EIR and EIS also failed to look at the  
17 direct impacts of bringing larger vessels into the  
18 harbor. Ultra large ships carry more cargo and will  
19 take longer to unload spending more time in the  
20 harbor. They also require more cargo handling  
21 equipment, rail and truck visits at any given time to  
22 handle the influx of the larger cargo loads resulting  
23 in higher concentrations of pollution.

24 The agencies treat forecasted growth and  
25 cargo throughput as a given in this draft EIR/EIS.

1 But growth is not a force of nature. Actions taken  
2 by the Port and the Army Corps impact the level of  
3 growth that will occur in the future. This deepening  
4 project is one of the actions that will majorly  
5 influence the Port's future capacity. The agencies  
6 are legally required to disclose the impacts that  
7 will result from accommodating more growth and larger  
8 ships in order to allow for an honest and informed  
9 decision-making process on this issue.

10 Thank you.

11 COL. BARTA: Thank you for your comments.  
12 For the future speakers, there is a light next to the  
13 speaker, and it's set for three minutes. When 30  
14 seconds remains, it will turn yellow and turn red  
15 after three minutes.

16 MR. De MESA: We have Ms. Andrea Hricko.

17 MS. HRICKO: Hi. My name is Andrea Hricko,  
18 and I'm a professor emeritus from the USC Keck School  
19 of Medicine. Thank you for the opportunity to  
20 present comments on this proposal. I have the same  
21 key concerns that many others have raised in comment  
22 letters; namely, lack of an evaluation of air  
23 pollution and health effects resulting from brining  
24 in larger oil tankers and containerships in future  
25 years.

1           In February comments from USEPA stated that  
2       the proposed project has the potential to result in  
3       increased air pollutants from dredging, from larger  
4       cargo vessels and the rail and truck-transported  
5       increased freight that a deepening allows. EPA  
6       recommends that emissions from all of these sources  
7       be analyzed, disclosed and mitigated to the extent  
8       feasible.

9           I have two other concerns about the  
10       dredging itself. One is the use of Tier III tugboats  
11       and electric dredges as mitigation measures. And the  
12       second is the cursory and, I believe, flawed  
13       description of the contaminant levels in the sediment  
14       and where dredging materials would be disposed.

15           First the air quality mitigation measures  
16       call for tugboats and dredges. The draft EIR says  
17       tugboats should use Tier III engines. The City of  
18       Long Beach mitigated negative declaration for the  
19       Long Beach cruise terminal improvement project, and  
20       it is clear that small Tier III engine tugboats are  
21       not readily available in southern California. If the  
22       type of tugboats that are needed for this harbor  
23       deepening are actually not readily available, then  
24       the EIR must require that the Port of Long Beach  
25       purchase the needed Tier III engine tugboats for this

1 major project.

2           The EIR also describes a clamshell electric  
3 dredge. Again, the EIR must require that the Port  
4 buy such a dredge or dredges. The Port cannot assume  
5 it will have access to an electric dredge. I have a  
6 question about whether there is any way to electrify  
7 the hopper dredges that will be dredging sediment  
8 material to the nearshore disposal site. And if  
9 there is a way to electrify them, then they should be  
10 required to be electrified.

11           Another major concern in the EIR is there  
12 appears to have not yet been any chemical  
13 contamination testing of the sediment that will be  
14 dredged other than some sampling done in 2018 of the  
15 Approach Channel. Obviously, more robust sampling  
16 with results must be made publicly available, and it  
17 must be done as part of this EIR.

18           Based on the cruise terminal project  
19 dredging soils report, there is likely to be moderate  
20 contamination. The EIR, however, states there is  
21 likely to be moderate contamination, and it states  
22 that will be okay for ocean disposal with no data  
23 backing that up. We need to see the actual results.

24           And the phrase "moderate contamination" of  
25 Port of Long Beach Harbor sediments had been



1       interpreted in divergent ways. Back in 2009 there  
2       was testing done near the cruise terminal, and it  
3       showed moderate levels of contamination. We're  
4       talking arsenic, lead, chromium, zinc, and the  
5       material was deemed unsuitable for ocean disposal in  
6       2009.

7               On the other hand, sediment sampling done  
8       -- my last sentence -- done in 2018 near the cruise  
9       terminal showed moderate contamination; yet, the City  
10      of Long Beach concluded that the disposal in the  
11      ocean was acceptable. The levels were higher in 2018  
12      than they were in 2019 and in 2009; yet, in 2019 the  
13      Port and the City said that dumping it in the ocean  
14      was okay.

15             Thank you. I have a written comment, but I  
16      left out a draft, so I'll send you my written  
17      comments.

18             MS. SCHLOSSER: That wasn't our timer.

19             MS. HRICKO: It was my cellphone.

20             MR. De MESA: Next is William Johns.

21             MR. JOHNS: Hi, my name is William Johns.

22       I'm with a company Utility Coordination,  
23       Incorporated, and I pretty much work with a lot of  
24       the pipeline companies and all. So my question is  
25       kind of geared towards that and appreciated your

1 presentation.

2 I did have one question on how far into the  
3 main channel the depth -- I think it was 57 feet. If  
4 it goes 70 feet all the way to that Berth 121, which  
5 is the deep water oil facility -- but my comment is  
6 for the planning, taking care of, including  
7 permitting and then footprint for impacted utilities.

8 So if you find underground former dredge  
9 HDDs, things like that, that allows for in the  
10 permitting process -- it could take a mile away on  
11 each side of the project to impact a large petroleum  
12 line and crossing. So taking that into account is  
13 the permitting development and also the footprint for  
14 temporary construction easements and things like  
15 that.

16 On my statement -- I didn't write it down.  
17 I'm just winging it up here. So thank you.

18 COL. BARTA: Thank you. Those are all the  
19 registered comments. There's opportunity for anybody  
20 who had oral comments. No.

21 So with that, we will go ahead and end the  
22 formal portion. All the project management teams for  
23 Corps of Engineers and the Port will stick around to  
24 answer informal questions that you have to get more  
25 input and feedback from the public. So thank you for

1 attending and thank you for being very cooperative.

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3 (Proceedings concluded at 4:10 p.m.)

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REPORTER'S CERTIFICATE

I, the undersigned Certified Shorthand Reporter, holding a valid and current license issued by the State of California, do hereby certify:

That said proceedings were taken down by me in shorthand at the time and place therein set forth and thereafter transcribed under my direction and supervision.

I further certify that I am neither counsel for nor related to any party to said action, nor in any way interested in the outcome thereof.

IN WITNESS WHEREOF, I have subscribed my name on this date: November 21, 2019.



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Certified Shorthand Reporter

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STATE OF CALIFORNIA

PORT OF LONG BEACH and

UNITED STATES ARMY CORPS OF ENGINEERS:

DEEP DRAFT NAVIGATION FEASIBILITY STUDY

PUBLIC HEARING 6:00

415 West Ocean Boulevard

Wednesday, November 13, 2019

Long Beach, California

REPORTED BY: Katherine Henry-Sexton, CSR No. 13662

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1 REPRESENTATIVES:

2 Colonel Aaron Barta, District Engineer and  
3 Commander, Army Corps of Engineers,  
LA District

4 Sean Gamette, Managing Director, Port of Long  
5 Beach

6 Heather Schlosser, Lead Environmental Planner,  
Army Corps of Engineers

7 Allyson Teramoto, Manager of CEQA/NEPA,  
8 Practices, Port of Long Beach

9 Justin Luedy and Janna Morimoto, Environmental  
staff, Port of Long Beach

10 Ed De Mesa, Chief of Planning, Army Corps of  
11 Engineers

12 Raina Fulton, Chief of Planning, Plan  
Formulation Branch, Army Corps of Engineers

13 Chris Lee, Project Manager, Army Corps of  
14 Engineers

15 Larry Smith, Environmental Coordinator, Army  
Corps of Engineers

16 John Goertz, Coastal Engineer, Army Corps of  
17 Engineers

18 Matt Arms, Environmental Planning, Port of Long  
Beach

19 Eric Paulsen and Derek Davis, Project  
20 Management, Port of Long Beach



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TRANSCRIPT OF PROCEEDINGS

6:03 P.M.

\* \* \*

COL. BARTA: Welcome, everyone, ladies and gentlemen. My name is Colonel Aaron Barta. I'm the District Engineer and Commander of the United States Army Corps of Engineers, Los Angeles District, covering southern California, Arizona and southern Nevada. I'd like to thank you for taking the time to come out to today's public hearing as we look at the Port of Long Beach Deep Draft Navigation Feasibility Study.

The Corps and the Port of Long Beach are co-hosting this event for shared meeting. Before we start I'll go over some administrative items. One is to make our presentation as accessible as possible, we have an American Sign Language interpreter and a Spanish language translator service available for this hearing. Anyone who would like to use either of these services, please let one of our staff members know at this time. The restrooms are located outside the meeting doors to the right, and the emergency exit is located in the rear of room and exits out to Chestnut Avenue.

1                   So our purpose why we're here tonight is to  
2                   hear the public's concerns and your questions  
3                   regarding the study findings up to this date, the  
4                   array of alternatives we have formulated and  
5                   evaluated, and more specifics on the identified  
6                   tentatively selected plan. This meeting is part of a  
7                   public review process that ends on the 9th of  
8                   December.

9                   Before I talk more about the details of  
10                  this meeting and the public review timeframe a little  
11                  later, let me first introduce some of the staff  
12                  members here tonight. So joining me on my staff from  
13                  the Corps of Engineers, we have Mr. Ed De Mesa, our  
14                  chief of planning; Ms. Raina Fulton, our chief of our  
15                  planning formulation; Ms. Chris Lee, project manager;  
16                  Ms. Heather Schlosser, our lead planner; Mr. Larry  
17                  Smith, environmental coordinator; and Mr. John  
18                  Goertz, coastal engineer, and Chuck Mesa, coastal  
19                  engineer.

20                  I'd also like to acknowledge the Port of  
21                  Long Beach staff members in attendance including  
22                  Mr. Sean Gamette who is the managing director;  
23                  Mr. Matt Arms from environmental planning; Mr. Eric  
24                  Paulsen and Derek Davis from project management;  
25                  Ms. Allyson Teramoto, manager for the CEQA/NEPA

1 practices; and Mr. Justin Luedy and Janna Morimoto  
2 from our environmental staff.

3 So thank you to the Port for arranging  
4 tonight's meeting and your continued support for the  
5 study and the sound partnership we've had ever since  
6 the study was first initiated.

7 You, the public, have an important role  
8 with the Corps of Engineers and our National  
9 Environmental Policy Act also known as NEPA in its  
10 process, overall planning process. After all, the  
11 Army Corps of Engineers is designed to serve the  
12 people of the United States. The Corps' goal tonight  
13 is to exchange information in several ways. First,  
14 we'll briefly describe the feasibility study process  
15 to date, our draft findings so far and what is to  
16 come in the next steps to study completion.

17 Most importantly, tonight we are seeking  
18 the public's input during the remainder of the public  
19 comment period for those interested in contributing  
20 comments on the study. Today we want to hear from  
21 anyone who wishes to make oral comments on the draft  
22 feasibility report. Alternatively, you'll have until  
23 December 9th to submit written comments to us via  
24 e-mail or by mail that we'll display at the end of  
25 this presentation.

1                   When you signed in tonight, you were also  
2                   offered comment cards to notify us if you're  
3                   interested in speaking tonight. These blue cards,  
4                   they look like this. You can get them at the front  
5                   desk. We'll be around, in addition, to collect any  
6                   remaining cards in the next few minutes. We'll sort  
7                   through the cards in the order received to identify  
8                   the checked boxes that indicate your interest in  
9                   speaking tonight.

10                  We ask that you initially limit your  
11                  comments to no more than three minutes to allow  
12                  enough time for all interested parties to contribute  
13                  their comments. If time permits, we'll open up the  
14                  floor for others interested in speaking.

15                  I'll speak more about the public comment  
16                  period later; but first, I would like to invite Sean  
17                  Gamette, managing director of the Port of Long Beach,  
18                  to say a few words about the study.

19                  MR. GAMETTE: Thank you. Good evening  
20                  everybody. My name is Sean Gamette, and I'm the  
21                  managing director of engineering for the Port of Long  
22                  Beach. And I'm definitely happy to be here tonight.  
23                  I just want to say on behalf of the Port we welcome  
24                  you to our new facility here at 415 West Ocean. It's  
25                  an amazing place. We've been blessed to be back down

1 from where we were located next to the Long Beach  
2 Airport to the Port that we love to be involved with  
3 here at the Harbor Department, City of Long Beach.  
4 So we're really happy to have you guys here.

5 We really want to thank all you guys who  
6 are out in the audience for attending tonight taking  
7 the time to come here.

8 The proposed project has been around for  
9 some time, and we're all really excited to see it  
10 move forward. With that said, I'd really like to  
11 thank the hard working staff of the Port of Long  
12 Beach and the U.S. Army Corps of Engineers for all  
13 the work they've done to bring us up to this point.

14 And I'd say a little bit more -- any  
15 successful port is going to have a successful and  
16 great partnership with the United States Army Corps  
17 of Engineers. And tonight we're going to be talking  
18 about why that is. We're not going to be taking  
19 about site improvements like we often do in public  
20 meetings -- terminal improvements, rails, things like  
21 that. We're going to be talking about having an  
22 adequate waterway, and that's what our partnership  
23 with the Army Corps of Engineers brings.

24 So we're really excited about this  
25 partnership together. It's a big milestone tonight.

1 We very much look forward to anyone from the public  
2 speaking tonight on the proposed project. And with  
3 that, those brief comments, I'd like to invite  
4 Heather Schlosser who will be giving a presentation  
5 on behalf of the Army Corps of Engineers. Thank you.

6 MS. SCHLOSSER: Thank you, Sean, and thank  
7 you, Colonel Barta. So this is our water resources  
8 project delivery process. It starts with local  
9 interest. The Port of Long Beach asked for Federal  
10 assistance in solving the water resource problem.  
11 Congress acts by authorizing and appropriating funds  
12 to the Corps to study the problem.

13 The general feasibility process is laid out  
14 on this graphic. The star indicates where we are in  
15 this process, which is in the midst of public review  
16 and other concurrent reviews. At the end of the  
17 presentation I'll talk more about the next steps when  
18 we get to authorization of the project.

19 This study was conducted as an interim  
20 response to the resolution of the House Committee on  
21 Public Works on July 10, 1968. In summary, Congress  
22 has given the Corps of Engineers the authority to  
23 look at "promoting and encouraging the efficient,  
24 economic and logical development of the harbor  
25 complex." This may include "investigation of current



1 shipping problems, adequacy of facilities, delays in  
2 intermodal transfers, channel dimensions, storage  
3 locations and capacities, and other physical aspects  
4 affecting waterborne commerce in the San Pedro Bay  
5 region."

6 As the nation's second busiest container  
7 seaport, activity at the Port supports over 51,000  
8 jobs in Long Beach. Across southern California the  
9 Port supports well over half a million jobs providing  
10 about \$30 billion in income. Nation-wide the Port  
11 supports about 2.6 million jobs providing close to  
12 \$127 billion in income.

13 The Port of Long Beach provides shipping  
14 terminals for nearly one-third of the waterborne  
15 trade moving through the West Coast. The Port's  
16 ability to accommodate large containerships and  
17 handle additional cargo is a key objective of the  
18 Port of Long Beach.

19 Widening and enlargement of the Panama  
20 Canal has led to a new class of container vessels  
21 whose fully loaded drafts exceed current Federal  
22 channel and berth depths. This has led to one of the  
23 primary problems facing current operations, which is  
24 the inefficient operation of deep draft container  
25 vessels in secondary and Federal channels, which

1 increases the nation's transportation costs.

2 Container vessels must either ride the  
3 tides, enter and leave only on high tides or light  
4 load the vessel in order to ensure a shallower draft  
5 required to safely enter and leave the Port.

6 Additionally, liquid bulk vessels which  
7 transport petroleum products must enter and exit the  
8 two-mile long Approach Channel one at a time, which  
9 results in increased delays due to channel width  
10 limitations, or they must delay entry during wave  
11 swells and other conditions or light load at point of  
12 origin are depth limitations along the Approach  
13 Channel.

14 The planning objectives for this study are  
15 to increase transportation efficiencies during the  
16 period analysis for container and liquid bulk vessels  
17 operating in the Port of Long Beach for both the  
18 current and future fleets and to improve conditions  
19 during the period of analysis for vessel operation  
20 and safety, including reducing constraints of harbor  
21 pilot operating practices.

22 The container and liquid bulk design  
23 vessels were determined based on input and forecasts  
24 from the Port of Long Beach, professional judgment of  
25 harbor pilots and data collection and analysis by the

1 Corps of Engineers. The container design vessel  
2 characteristics include a 1,300-foot long ship with a  
3 maximum draft of 52 feet. This is roughly equivalent  
4 to what's called a Triple E or Gen 4 vessel class.  
5 The liquid bulk design vessel is a 1,200-foot long  
6 vessel with maximum draft of 70 feet. This vessel is  
7 within the very or ultra large crude carrier class,  
8 also known as VLCC and ULCC.

9 An essential step when evaluating  
10 navigation improvements is to analyze the types of  
11 volumes of cargo moving through the Port. Trends in  
12 cargo history can offer insights into a port's  
13 long-term trade forecasts; and thus, the estimated  
14 cargo volume upon which future vessel calls are  
15 based.

16 Under future without and future with  
17 project conditions, the same volume of cargo is  
18 assumed to move through the Port of Long Beach.  
19 However, a deepening project will allow shippers to  
20 load their vessels more efficiently or take advantage  
21 of larger vessels.

22 This efficiency translates to savings and  
23 is the main driver of what the Corps calls our  
24 National Economic Development. Strong growth in  
25 throughput, as you can see on the right side of the

1 slide -- is to continue until the Port of Long  
2 Beach's facilities reach capacity, which is  
3 anticipated around 2035.

4 Management measures were developed through  
5 brainstorming sessions during our reconnaissance  
6 phase, a kickoff meeting and a value engineering  
7 workshop. Each measure was assessed and a  
8 preliminary determination made whether it should be  
9 retained for consideration and formulation of  
10 alternatives.

11 The measures that were carried forward were  
12 deepening the West Basin Channel and constructing a  
13 turning basin as shown here in yellow of this map --  
14 which is expected to decrease delays and light  
15 loading for large container ships. Next would be to  
16 construct an approach channel and turning basin at  
17 the entrance to Pier J South shown in the orange  
18 here, which would also look to decrease delays in  
19 light loading for those large container ships.

20 According to the draft Corps Master Plan  
21 Update, the Pier J South slip may not be operational  
22 after year about 2047. And that has been taken into  
23 account in our analysis.

24 We also considered constructing or  
25 deepening this area called a standby area, which is

1 in purple here. This would be a waiting and passing  
2 area inside the breakwater, and would reduce delays  
3 for those deeper drafting liquid bulk vessels and  
4 provide a safe area of anchor adjacent to the  
5 Approach Channel.

6 And then finally, we also looked at  
7 deepening Queen's Gate -- what you see in this blue  
8 area -- just inside the breakwater, as well as the  
9 Approach Channel up to two miles. This would be  
10 aimed at reducing delays and light loading for deeper  
11 drafting liquid bulk vessels.

12 So the measures carried forward are  
13 independent with the exception of certain fixed costs  
14 per staging equipment and placement site constraints.  
15 So basically, all the different colors you see on the  
16 map could be done as separate projects.

17 So this creates a relatively large number  
18 of potential alternatives. To address this, the  
19 analysis was separated initially into measures  
20 impacting the liquid bulk movements, which is the  
21 Approach Channel and standby area, and you'll see in  
22 the red area some thin easening or widening a little  
23 bit of the main channel. So that's for the liquid  
24 bulk containerships at the Pier J, Approach and  
25 turning as well as the West Basin.

1                   For the containerships and for those  
2           measures, depths analyzed ranged between 53 feet to  
3           57 feet below mean lower low water as in the Pier J  
4           approach channel and West Basin area.

5                   Measures considered to address the planning  
6           objectives associated with liquid bulk vessels  
7           included deepening the Approach Channel with depths  
8           ranging from 78 feet to 83 feet below mean lower low  
9           water. And then the depths we looked at for the red  
10          area, the main channel, would just be equivalent to  
11          the current Federal channel, which is 76 feet. And  
12          then the areas we looked at for the standby area --  
13          that's where we looked at the standby area --  
14          included a depth that ranged from between 67 to 73  
15          feet below mean lower low water.

16                  Additionally, local services facilities  
17          would be those actions that would be needed to be  
18          take in order to fully implement the project, whether  
19          or not cost shared by the Corps of Engineers or  
20          whether they would be actions that would be paid for  
21          by the Port of Long Beach. Actions include berth  
22          dredging in Pier J South as well as along Pier T, as  
23          well as structural improvements of the Pier J  
24          breakwaters.

25                  Based on the economic analysis, the



1 combination of measures included deepening to 55 feet  
2 below mean lower low water for the containerships and  
3 to 80 feet below mean lower low water for the liquid  
4 bulk -- provides the greatest contribution of net  
5 benefits and has been determined as what the Corps  
6 has identified as the National Economic Development  
7 Plan but is presented here as the Tentatively  
8 Selected Plan. And that is Alternative 3 I'm showing  
9 you in yellow.

10 Alternative 2 represents a smaller scale,  
11 and Alternative 4 is a larger scale alternative. A  
12 standby measure was also analyzed, but current  
13 results indicate that the standby part of the project  
14 is not independently economically justified.

15 However, it is included as a component of  
16 Alternative 5. So Alternative 5 is essentially  
17 Alternative 3 with the standby area added to it.

18 So the Tentatively Selected Plan would  
19 deepen the Approach Channel -- the bright blue area  
20 here -- as I mentioned, to 80 feet below mean lower  
21 low water, and widen parts of the main channel. And  
22 that's to 76 feet below mean lower low water for  
23 liquid bulk vessels and would construct an approach  
24 channel and turning basin to Pier J South to 55 feet  
25 below mean lower low water and deepen the West Basin

1 to 55 feet as well. Approximately 7.4 million cubic  
2 yards of material would be placed in a nearshore site  
3 as well as two EPA-designated offshore disposal  
4 sites.

5 In addition to the activities listed above,  
6 the Port of Long Beach would conduct berth dredging  
7 within the Pier J South Basin along Berths J266 to  
8 J277. This is the area shown in the orange area here  
9 (indicating) -- and Berth T140 along Pier T, both of  
10 those would be deepened to 55 feet below mean lower  
11 low water. Structural improvements would also be  
12 performed -- there's a little "4" there -- on the  
13 Pier J breakwaters to accommodate deepening through  
14 the opening there.

15 Construction would take approximately  
16 three-and-a-half years beginning in 2024. The  
17 estimated cost is about \$151 million with an average  
18 net annual benefit of \$18 million. The Tentatively  
19 Selected Plan maximizes those net national economic  
20 development benefits and has a benefit cost ratio of  
21 3.8.

22 This map shows the dredged material  
23 placement sites we have identified: A nearshore  
24 placement site near Sunset Beach shown at the top  
25 here. We're looking at utilizing this area. Right

1 now it's the borrow pit that the Corps has used to  
2 get sand from this place for a beach sediment  
3 project. And we estimate that this nearshore site  
4 could hold about approximately 2.5 million cubic  
5 yards of material.

6 And then we also have the two EPA ocean  
7 disposal sites, LA-2 and LA-2. LA-2 has an annual  
8 maximum disposal capacity of one million cubic yards  
9 that it can take from all sources. We're assuming  
10 that we could utilize that and place about 900,000  
11 cubic yards a year there. LA-3 has a capacity of  
12 2.5 million cubic yards a year from all sources. And  
13 we're assuming that we'd be able to place about  
14 2.2 million yards a year there in construction.

15 This assumes dredging will be performed  
16 using a hopper dredge as well as a clamshell dredge.  
17 To minimize transit time, disposal of material from  
18 the hopper dredge would maximize use of the nearshore  
19 site, while a clamshell dredge would be looked at for  
20 disposal at LA-2 and LA-3. And to reduce air quality  
21 emissions, the construction of an electrical  
22 substation on Pier J would also be required for the  
23 project to maximize the ability to use electric  
24 dredge equipment.

25 This shows the Tentatively Selected Plan.

1 It has a project cost \$151 million. This shows the  
2 cost share. The Corps and the Port would cost share  
3 a portion of the dredging, including mitigation  
4 costs. So we would cost share about \$131 million  
5 50/50.

6 And then the local service facilities  
7 includes the berth dredging and the work at the  
8 Pier J breakwaters would be borne by the local  
9 sponsor. That is about almost \$19-and-a-half  
10 million.

11 So this integrated feasibility report  
12 considered the potential impacts of the proposed  
13 alternatives in addition to the No Action Alternative  
14 according to several resource categories, including  
15 geology and topography, oceanographic and coastal  
16 processes, water and sediment quality, air quality,  
17 greenhouse gases, aesthetics, cultural resources,  
18 noise, socioeconomics, transportation, land use,  
19 recreation, public safety and public utilities.

20 This is, obviously, a highly developed port  
21 complex, and we estimate that impacts would only  
22 occur during construction. As far as looking at the  
23 Federal Endangered Species Act, we have the  
24 California Least Tern present seasonally, but project  
25 construction we don't think would have an effect on

1 this species.

2 There's a potential for temporary loss of  
3 benthic organisms resulting from any dredging or  
4 placement operations. We are looking at air quality  
5 -- significant levels emissions for air quality  
6 during construction. And then we would need to  
7 monitor for water quality during dredging activities.

8 So significant unavoidable impacts to air  
9 quality may occur from the emissions of air  
10 contaminants from construction equipment. Mitigation  
11 measures would be implemented, but would not reduce  
12 impacts to below significance. The mitigation  
13 measures we have presented in the document include  
14 the use of an electric clamshell dredge -- would be  
15 used for the project during the entire construction  
16 period. And the construction of an electrical  
17 substation at Pier J, as I mentioned previously,  
18 would be required to provide electric power to that  
19 dredge.

20 Construction-related harbor craft with  
21 Category 1 or Category 2 marine engines shall meet  
22 USEPA Tier 3 emission standards for marine engines.  
23 For off-road construction equipment, self-propelled,  
24 diesel-fueled off-road construction equipment, 25  
25 horsepower or greater shall meet the USEPA/CARB

1 Tier 4 emission standards for non-road equipment.

2 And then the last one, off-road, diesel-  
3 powered construction equipment shall comply with the  
4 following: Construction equipment shall be  
5 maintained according to the manufacturer's  
6 specifications; and construction equipment shall not  
7 be idle for more than five minutes when not in use.

8 This shows a snapshot of environmental  
9 coordination specifically related mostly to cultural  
10 resources. Consultation on the area of potential  
11 effects and the need to develop a programmatic  
12 agreement has been initiated with the State Historic  
13 Preservation Officer. The letter was sent in October  
14 of this year. We sent project initiation letters to  
15 tribal contacts in July and a followup letter  
16 specifically describing the Tentatively Selected Plan  
17 in October of this year.

18 And as I mentioned, the Corps proposes to  
19 develop a programmatic agreement to fulfill the  
20 National Historic Preservation Section 106  
21 responsibilities and phase future inventories.

22 So the Corps has undertaken an initial  
23 coordination and outreach with Federal and State  
24 resource agencies. Concerns of the U.S. Fish and  
25 Wildlife Service and California Department of Fish



1 and Wildlife will be potential impacts to the  
2 California Least Tern. The Least Tern is known to  
3 forage in the study area only during its nesting  
4 season defined as mid-April to mid-September. The  
5 tern does not nest in the study area, and the closest  
6 nesting location is in the Port of Los Angeles.

7 Major issues are anticipated to be the  
8 temporary loss of benthic organisms resulting from  
9 any dredging or any water construction either by  
10 removal or burial and water quality impacts during  
11 dredging activities and placement.

12 Now I'll turn it over to Allyson Teramoto.

13 MS. TERAMOTO: Thank you, Heather. I'm  
14 Allyson Teramoto, and I am the manager of CEQA/NEPA  
15 Practices for the Port of Long Beach. As the local  
16 sponsor for the project, the Port of Long Beach is  
17 the local lead agency for the implementation of the  
18 California Environmental Quality Act, or See-Kwa. As  
19 such, an environmental impact report of EIR has been  
20 prepared and included as Chapter 12 of the Draft  
21 Integrated Feasibility Report and EIS/EIR.

22 Heather previously described the plan  
23 formulation and the array of alternatives. Similar  
24 to the NEPA EIS, Alternative 3 or the Army Corps'  
25 Tentatively Selected Plan or proposed action is the

1 proposed project for the CEQA evaluation. For the  
2 purposes of CEQA the environmental study is used to  
3 determine the impacts associated with the proposed  
4 project and is based on the environmental conditions  
5 that existed at the time of the initial Notice of  
6 Preparation for this project, which was published in  
7 November, 2016.

8 In contrast, NEPA assumes the year 2027 as  
9 the base year for analysis, which is the end of  
10 construction, at which time all the benefits of the  
11 proposed action are realized.

12 The EIR also evaluates the same  
13 environmental resource areas as the EIS. However, it  
14 also evaluates the potential environmental impacts to  
15 hazards and hazardous materials and global climate  
16 change. In addition, CEQA also requires an EIR to  
17 discuss the growth inducement potential of a proposed  
18 project, including ways in which the project could  
19 potentially foster economic or population growth or  
20 the construction of additional housing.

21 Based on the environmental analysis,  
22 potential significant and unavoidable impacts to air  
23 quality associated with construction activities would  
24 remain after the implementation of mitigation  
25 measures, AQ-1 through AQ-4, which were previously

1 described by Heather.

2 Direct air emissions of nitrogen oxides,  
3 particulate matter, carbon monoxide and volatile  
4 organic compounds are expected to exceed South Coast  
5 Air Quality Management District's thresholds during  
6 construction activities. Off-site ambient  
7 concentrations of nitrogen dioxide are expected to  
8 exceed the one-hour national ambient air quality  
9 standard also during construction activities.

10 As a special condition for the proposed  
11 project, the Port would contribute approximately  
12 \$147,000 to the Port's Community Grants Program,  
13 which was originally established to mitigate the  
14 projects' cumulative operational impacts. However,  
15 for the proposed project, the contribution to the  
16 grants program was considered for pollutants that  
17 would exceed the South Coast Air Quality Management  
18 District's peak daily significance thresholds during  
19 construction activities following the implementation  
20 of mitigation measures.

21 So with this, I'll hand it back to Heather  
22 to go over the next steps. Thank you.

23 MS. SCHLOSSER: Thank you, Allyson. We are  
24 currently, as I mentioned, in the public and  
25 concurrent review phase of the study. So we will

1 consider all comments received. And the Corps will  
2 hold what's called an Agency Decision Milestone with  
3 senior leadership to determine if changes are needed  
4 to the Tentatively Selected Plan.

5 The study will then move forward towards  
6 finalizing the report in December of 2020. And the  
7 Port of Long Beach Harbor Commission will consider  
8 CEQA certification of the Environmental Impact Report  
9 around April of 2021. The Corps is then looking  
10 towards gaining concurrence and approval from the  
11 Chief of Engineers in September of 2021, a signed  
12 Chief's report.

13 That report would then be forwarded to the  
14 Assistant Secretary of the Army for Civil Works for  
15 its consideration and approval of the Record of  
16 Decision. At this time authorization of the project  
17 is anticipated to be in the year 2022 with  
18 construction starting in 2024 and completion in 2027.

19 I will now turn the presentation back to  
20 Colonel Barta for closing remarks.

21 COL. BARTA: Thank you, Heather. So our  
22 meeting here tonight is not just a formality. I and  
23 we really do care about what you have to say. Make  
24 no mistake, just being instrumental in helping us  
25 develop a plan which exceeds what we could have done

1 just on our own. Your contributions are essential in  
2 helping us get to the decision needed to finalize the  
3 study. Today is the next step in this process.

4 So that was Part A, and now we go into the  
5 most important part -- giving an opportunity to the  
6 public to provide comments. So there are going to be  
7 several guidelines that we ask you to follow so we  
8 have respect for others who are interested in these  
9 projects.

10 MR. De MESA: I don't believe anybody has  
11 been identified to provide comments.

12 COL. BARTA: All right. Is there anybody  
13 here who would like to provide any open comments? No  
14 questions.

15 There is an opportunity to provide written  
16 comments via e-mail or on the back of your comments  
17 cards; and we will incorporate that into our study as  
18 well. I'll close the formal portion, and the staff  
19 will be around to ask any questions. Thank you.

20  
21 (Proceeding concluded at 6:40 p.m.)

22 \* \* \* \*

23

24

25

REPORTER'S CERTIFICATE

I, the undersigned Certified Shorthand Reporter, holding a valid and current license issued by the State of California, do hereby certify:

That said proceedings were taken down by me in shorthand at the time and place therein set forth and thereafter transcribed under my direction and supervision.

I further certify that I am neither counsel for nor related to any party to said action, nor in any way interested in the outcome thereof.

IN WITNESS WHEREOF, I have subscribed my name on this date: November 21, 2019.



---

Certified Shorthand Reporter

## **Attachment 4**

### **Agency Coordination Correspondence**

- 4.1 National Marine Fisheries Service**
- 4.2 U.S. Fish and Wildlife Service**
- 4.3 South Coast Air Quality Management District**
- 4.4 California Coastal Commission**
- 4.5 Regional Water Quality Control Board**
- 4.6 Assistant Secretary of the Army (Civil Works)**
- 4.7 Clean Air Act General Conformity Determination**



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#### **4.1 National Marine Fisheries Service**



DEPARTMENT OF THE ARMY  
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
915 WILSHIRE BOULEVARD, SUITE 930  
LOS ANGELES, CALIFORNIA 90017

July 31, 2014

Office of the Chief  
Planning Division

Mr. Bryant Chesney  
National Marine Fisheries Service  
501 West Ocean Boulevard, Suite 4200  
Long Beach, California 90802-4221

Dear Mr. Chesney:

The U.S. Army Corps of Engineers (Corps) is initiating the Port of Long Beach Deep Draft Navigation Reconnaissance Study in order to improve navigation efficiencies. The study area is located in the city of Long Beach, Los Angeles County, California. A project vicinity map is enclosed.

To aid the planning process, the Corps requests a current list of any endangered, threatened, proposed or candidate species, pursuant to the Endangered Species Act of 1973, that may be within the vicinity of the study area. Please also include species of concern.

Also, enclosed for your review is a draft plan formulation document identifying preliminary problems, opportunities, objectives, and measures. Your review of the document and initial comments concerning resource constraints as well as avoidance and minimization measures that could further aid the planning process is solicited.

Comments, and the species list, should be forwarded by September 1, 2014, to:

Josephine R. Axt, Ph.D.  
Chief, Planning Division  
U.S. Army Corps of Engineers  
Los Angeles District  
915 Wilshire Boulevard, Suite 930  
Attention: Mr. Larry Smith  
Los Angeles, California 90017-3401

Should you require additional information or have any questions, please contact Mr. Larry Smith, Project Environmental Coordinator, at (213) 452-3846.

Sincerely,

A handwritten signature in black ink, appearing to read "Josephine R. Axt", is written over the typed name.

Josephine R. Axt, Ph.D.  
Chief, Planning Division

Enclosure

## Port of Long Beach Deep Draft Navigation Reconnaissance Study.

- 1) Problems: The primary problem is the inefficient operation of deep draft vessels—liquid bulk and container—in the Federal channel and secondary channels, which increases the Nation's transportation costs
  - a. Existing container vessels cannot draft more than 43 feet, which causes lightering and delays to an increasing number of containerships.
  - b. Delays and lightering from container vessel draft limits will increase as new, larger vessels are added to the fleet.
  - c. Existing vessels drafting 55 feet or more with LOA of 900 feet cannot enter the Federal Approach Channel during periods of dynamic (high) wave events causing delays.
  - iv. The severity of delays from dynamic wave effects will increase as liquid bulk (crude oil) traffic increases.
  - d. Liquid bulk vessels drafting over 61 feet must enter and exit the 2-mile long Entrance Channel one-at-a-time increasing costs due to delays arriving at berths.
  - e. Oil tankers in VLCC or ULCC classes (+200,000 DWT) drafting over 61 feet have no anchorage within the Inner Harbor due to the lack of deep anchorages creating safety concerns in the event of propulsion or equipment failure, weather conditions, emergency repairs, or other possible berthing issues.
  - f. Oil tankers are lightering offshore.
- 2) Opportunities: A number of opportunities were identified in the initial and subsequent steps and iterations of the planning process.
  - a. Reduce the transportation cost of import and export trade through the Port of Long Beach and contribute to increases in national net income
  - b. Provide a more accessible channel and increased opportunities for vessel transit
  - c. Provide improved conditions for vessel operation
  - d. Reduce constraints of harbor pilot operating practices
  - e. Provide beneficial placement of sediment (e.g., beach nourishment)
- 3) Planning Objectives:
  - a. Contribute to National Economic Development by reducing the cost of transporting cargo volumes to and from the Port of Long Beach by examining improvements to channel dimensions and vessel operations
  - b. Reduce expected future vessel re-routings from the Port of Long Beach to alternate facilities by examining improvements to channel dimensions and vessel operations
  - c. Utilize dredged sediment for beneficial means when possible
- 4) Measures
  - a. Deepen the secondary access channel to Pier J
  - b. Deepen the secondary access channel to Pier T West Basin
  - c. Construct a turning basin in the secondary access channel to Pier J
  - d. Construct a turning basin in the secondary access channel to Pier T West Basin
  - e. Deepen the approach channel
  - f. Deepen Cerritos Channel
  - g. Construct a turning basin in Cerritos Channel

- h. Deepen the Back Channel
- i. Construct an inner harbor waiting area or deepen the anchorage along main channel

5) Preliminary Alternatives

- a. Improvement to Container & Liquid Bulk Efficiency: Deepen the secondary access channels and construct turning basins to Pier J, Pier T West Basin, and Cerritos Channel. Deepen the approach channel. Construct an inner harbor waiting area and widen the main channel turning basin.
- b. Improvement to Container Efficiency: Deepen the secondary access channels and construct turning basins to Pier J, Pier T West Basin, and Cerritos Channel.
- c. Improvement to Container Efficiency at Pier J and Pier T West Basin: Deepen the secondary access channels and construct turning basins to Pier J and Pier T West Basin.





UNITED STATES DEPARTMENT OF COMMERCE  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
West Coast Region  
501 West Ocean Boulevard, Suite 4200  
Long Beach, California 90802-4213

**AUG 29 2014**

Josephine Axt  
Office of the Chief  
Planning Division  
U.S. Army Corps of Engineers  
Los Angeles District  
915 Wilshire Boulevard Suite 930  
Los Angeles, California 90017

Dear Ms. Axt:

NOAA's National Marine Fisheries Service (NMFS) has reviewed a letter from the U.S. Army Corps of Engineers (Corps), received August 8, 2014, requesting a current list of any species that are listed as endangered or threatened, or candidate species for listing, under the Endangered Species Act (ESA) that may be found within the vicinity of Port of Long Beach (POLB) areas under study for modifications to accommodate deep draft vessels. The letter also requests a list of any species of concern that may be in this area. NMFS has also reviewed the supporting project description and background information provided by the Corps along with the August 8, 2014, letter. NMFS offers the following response pursuant to the ESA.

### **Proposed Project**

The proposed project briefly describes the planning study of a suite of construction and dredging operations that could be undertaken to improve the capability of the Port of Long Beach to efficiently accommodate large container vessels (greater than 43 ft draft). The list of measures under study and consideration includes the deepening of several access channels within POLB, the construction of multiple turning basins near these access channels, the construction of an inner harbor waiting area or deepening of the anchorage along the main channel of POLB, and the deepening of the approach channel into POLB. Given the proposed project, NMFS assumes that the project area includes POLB areas within the Long Beach Breakwater, extending out into open marine waters adjacent to the approach channel of POLB.

### **Endangered Species Act Species List**

The following species listed as threatened or endangered under the ESA may be found within the vicinity of the proposed project area:





<b>Sea Turtles</b>	
Leatherback sea turtle - ( <i>Dermochelys coriacea</i> )	Endangered
Loggerhead turtle - North Pacific Ocean and South Pacific Ocean DPS( <i>Caretta caretta</i> )	Endangered
Olive ridley ( <i>Lepidochelys olivacea</i> )	Endangered/Threatened*
Green turtle ( <i>Chelonia mydas</i> )	Endangered/Threatened*
<b>Marine Mammals</b>	<b>Status</b>
Blue whale ( <i>Balaenoptera musculus</i> )	Endangered
Fin whale ( <i>Balaenoptera physalus</i> )	Endangered
Humpback whale ( <i>Megaptera novaeangliae</i> )	Endangered
Gray whale, western North Pacific population ( <i>Eschrichtius robustus</i> )	Endangered

\* Globally listed as threatened, but populations associated with breeding populations along the Pacific Mexican coast are listed as endangered. Individuals found in southern California are assumed to be part of endangered populations.

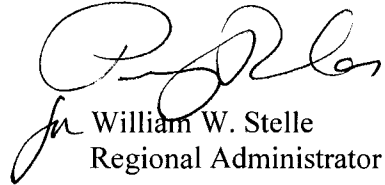
As indicated above, there are ESA-listed species of sea turtles and marine mammals that may be found in the vicinity of the project area. Green sea turtles are known to reside and forage year-round in the Long Beach area, including areas within the vicinity of POLB, through observations of free-swimming and stranded animals, as well as through directed scientific research conducted by NMFS. Olive ridley and loggerhead turtles may also occasionally visit coastal areas all along southern California, including the POLB area, as evidenced by stranding records and observations. Several ESA-listed species of whales are also known to occasionally or frequently visit or transit through the coastal waters of Long Beach, as evidenced by observations by an extensive whale watching community, scientific research, and records of stranded individuals. Blue, humpback, and fin whales may seasonally be found in marine waters adjacent to POLB. Gray whales regularly transit through marine waters adjacent to POLB twice a year, during seasonal migrations back and forth from summer foraging grounds in Alaska to winter breeding grounds in Mexico. Most of the gray whales that travel past Long Beach belong to the Eastern North Pacific stock of gray whales, which is not listed under the ESA. However, recent observations have confirmed that individuals from the endangered Western North Pacific stock have been seen migrating along the U.S. west coast, and may pass through marine waters adjacent to POLB. At this time, there are no additional candidate species, species currently proposed for listing, or critical habitats designated under the ESA that occur in the project area.

There may be some additional species in the vicinity of the project area that have been designated as species of concern by NMFS. Based on a review of the current list, it is possible that cowcod (*Sebastes levis*), green abalone (*Haliotis fulgens*), and pink abalone (*Haliotis corrugate*) could be found in the vicinity of POLB and adjacent marine waters. It is also possible that basking sharks (*Cetorhinus maximus*) could occasionally be found in adjacent marine waters. NMFS retains no regulatory authority to protect species of concern, and may not necessarily be the best source of information for all of these species.

Thank you for your consideration of ESA-listed species during the development of your project planning. Upon request, NMFS Protected Resources staff in Long Beach, California is available to help in the determination of how any ESA-listed species may be directly or indirectly affected by the

Project, and assist the Corps with ESA compliance. NMFS staff may also be able to assist in further development of protective measures that can help minimize the potential for adverse effects to ESA-listed species. If you have any questions pursuant to this letter or other ESA issues, please contact Dan Lawson at (562) 980-3209 or [Dan.Lawson@noaa.gov](mailto:Dan.Lawson@noaa.gov).

Sincerely,



William W. Stelle  
Regional Administrator

cc: Administrative File: 151422WCR2014PR00212



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT  
915 WILSHIRE BOULEVARD, SUITE 930  
LOS ANGELES, CALIFORNIA 90017-3489

October 21, 2019

Mr. Bryant Chesney  
National Marine Fisheries Service  
501 West Ocean Boulevard, Suite 4200  
Long Beach, California 90802-4221

Dear Mr. Chesney:

A copy of the Draft Integrated Feasibility Report (IFR) for the Port of Long Beach Deep Draft Navigation Feasibility Study located in Los Angeles County, California, is available for your review at:

<https://www.spl.usace.army.mil/Missions/Civil-Works/Projects-Studies/Port-of-Long-Beach-Deep-Draft-Navigation-Study/>

The purpose of the proposed project is to increase transportation efficiencies for both the current and future fleet of container and liquid bulk vessels operating in the Port of Long Beach, and to improve overall conditions for vessel operations and safety, in the event of vessel malfunction or weather-related events. The proposed project deepens existing and constructs new Federal channels and turning basins by dredging and disposing approximately 7.4 million cubic yards of sediment. Construction would begin in 2024 and take approximately three years to complete.

Please review the Draft IFR. This letter also requests your review and written comments for this project, pursuant to the Magnuson-Stevens Fishery Conservation and Management Act, as amended.

Public meetings will be held on Wednesday, November 13, 2019, in the Port of Long Beach Offices located at 415 W. Ocean Blvd, Long Beach, CA 90802 in their first floor multipurpose room. The first meeting will be 3:00 – 4:00 pm. A second meeting will be 6:00 – 7:00 pm.

Please respond with comments on the Draft IFR by December 9, 2019. Correspondence may be sent to:

Mr. Eduardo T. De Mesa  
Chief, Planning Division  
U.S. Army Corps of Engineers  
Los Angeles District  
ATTN: Mr. Larry Smith, CESPL-PDR-Q  
915 Wilshire Boulevard, Suite 930  
Los Angeles, California 90017-3849  
EMAIL: [POLB@usace.army.mil](mailto:POLB@usace.army.mil)

If you have any questions regarding the project, please contact Mr. Larry Smith, Project Environmental Coordinator, at (213) 452-3846, FAX: (213) 452-4204, and EMAIL: POLB@usace.army.mil.

Thank you for your attention to this document.

Sincerely,

A handwritten signature in black ink, appearing to be 'Eduardo J. De Mesa', with a large, stylized initial 'E' and a long, sweeping horizontal stroke extending to the right.

Eduardo J. De Mesa  
Chief, Planning Division



UNITED STATES DEPARTMENT OF COMMERCE  
National Oceanic and Atmospheric Administration  
NATIONAL MARINE FISHERIES SERVICE  
West Coast Region  
501 West Ocean Boulevard, Suite 4200  
Long Beach, California 90802-4213  
December 23, 2019

Mr. Eduardo T. De Mesa  
Chief, Planning Division  
U.S. Army Corps of Engineers  
Los Angeles District  
ATTN: Mr. Larry Smith, CESPL-PDR-Q  
915 Wilshire Boulevard, Suite 930  
Los Angeles, California 90017-3849

Dear Mr. De Mesa:

NOAA's National Marine Fisheries Service (NMFS) has reviewed the U.S. Army Corps of Engineers' (USACE) Port of Long Beach (POLB) Deep Draft Navigation Study Integrated Feasibility Report (IFR) and Environmental Impact Statement / Environmental Impact Report. NMFS offers the following comments pursuant to our responsibilities under the Magnuson-Stevens Fishery Conservation and Management Act (MSA), Fish and Wildlife Coordination Act (FWCA), Endangered Species Act (ESA), and Marine Mammal Protection Act (MMPA).

### **Consultation Background**

The USACE requested an ESA species list request on July 31, 2014, and NMFS responded on August 29, 2014 that a number of listed species may occur in the project area. NMFS staff received your transmittal letter on October 21, 2019, regarding the public release of the Deep Draft Study with requested comment response by December 9, 2019. NMFS received notice of the release of the Draft Integrated Feasibility Report, including an Environmental Impact Statement/Environmental Impact Report for the East San Pedro Bay Ecosystem Restoration Study (Restoration Study) on November 27, 2019, which contained new information that affected the basis of our essential fish habitat (EFH) review. Therefore, on December 4, 2019, we requested the use of the expanded EFH consultation timeline (60 days) for our response to the Deep Draft Study. Also, we requested clarification of the dredging area and proposed changes in seafloor depth. The USACE accepted the revised timeline and addressed our information request on December 10, 2019, via electronic mail.

### **Proposed Project**

The proposed project would deepen the entrance to the Main Channel (the Approach Channel through Queens Gate) to a depth of -80 feet (ft) mean lower low water (MLLW), widen portions of the Main Channel (bend easing) to a depth of -76 ft MLLW, construct a new approach channel and turning basin to Pier J South to a depth of -55ft MLLW, and deepen portions of the West Basin and West Basin Approach to a depth of -55 ft MLLW. The POLB would also deepen two additional locations within the harbor to a depth of -55 ft MLLW: the Pier J Slip, including



berths J266-270, and berth T140 on Pier T. Structural improvements would also be implemented on the Pier J breakwaters at the entrance of the Pier J Slip to accommodate deepening of the Pier J Slip and Approach Channel to -55 ft MLLW. The total proposed dredging volume is approximately 7.4 million cubic yards (mcy) and total dredge area is approximately 880 acres. The project would expand the size of existing navigation channels and turning basin areas by approximately 345 acres.

According to the IFR, sediment in the proposed Pier J approach channel has not previously been dredged. This area was naturally deep enough to accommodate container vessels going to Pier J without dredging. Dredging in this area would be through sediments that have not historically been dredged, and are expected to be suitable for open ocean disposal. Based upon clarifying information provided by USACE, this new area of dredging would be approximately 241 acres.

Dredged material will be disposed of in a nearshore placement site (Surfside Borrow Site) and ocean-dredged material disposal sites (ODMDS) (LA-2 and LA-3). The nearshore placement site, approximately 5 miles from the project, can accommodate about 2.5 mcy of dredged material. LA-2 and LA-3, approximately 9 miles and 22 miles, respectively, from the project site, have an annual disposal volume limit of 1.0 and 2.5 mcy, respectively, from all sources. It is assumed that 0.9 mcy for LA-2 and 2.2 mcy for LA-3 is available for use by this project each year.

The IFR assumes that dredging will be performed using a hopper dredge as well as an electric clamshell dredge. In order to minimize transit time, disposal of material from the hopper dredge will maximize use of the nearshore site, while a clamshell dredge will be evaluated for disposal at ODMDS. Project construction is expected to last two and a half years. The Approach Channel will be completed in year one, utilizing the nearshore placement site and LA-2. The rest of the project areas, completed by the clamshell dredge, will take the full 2.5 years. One limiting factor on production is the disposal sites LA-2 and LA-3, due to their yearly disposal capacity. Another is the production rate that the clamshell dredge can achieve.

The IFR indicates that the POLB would implement structural improvements to the Pier J breakwaters to account for the deepened channels and need for increased structural stability. The types of improvements could consist of placing additional rock at the base of the existing structure, placing rock on the dredge slope and stepping it, or in extreme cases using ground improvement methods, or submerged bulkhead walls of steel sheet pile structures. The most likely ground improvement method would be injection grouting of cement grout at the base of the existing structure. However, the IFR does not specify the location, amount, and/or type of fill associated with these improvements.

## **Magnuson-Stevens Fishery Conservation and Management Act**

### **Essential Fish Habitat Affected by the Project**

The proposed project occurs within EFH for various federally managed fish species within the Pacific Coast Groundfish, Coastal Pelagic Species, and Highly Migratory Species Fishery Management Plans (FMP). In addition, the project occurs within the vicinity of estuarine and canopy kelp habitat, which are all considered habitat areas of particular concern (HAPC) for various federally managed fish species within the Pacific Coast Groundfish FMP. HAPC are described in the regulations as subsets of EFH which are rare, particularly susceptible to human-induced degradation, especially ecologically important, or located in an environmentally stressed area. Designated HAPC are not afforded any additional regulatory protection under MSA; however, federally permitted projects with potential adverse impacts to HAPC will be more carefully scrutinized during the consultation process.

The project area primarily consists of relatively deepwater soft bottom habitat. In addition, MBC (2016) observed kelp on the breakwaters protecting the harbors, riprap along the piers and wharves facing the open waters of the Outer Harbor, riprap along some piers and wharves not directly exposed to the Outer Harbor, and submerged rock dikes. Specific to the project area, they found kelp on both faces of the Long Beach and Middle breakwaters, both faces of Pier F and the Navy Mole, and the west-, south-, and east-facing outer faces of Pier J and both faces of the breakwaters protecting the Pier J slip.

#### Effects of the Action

The USACE indicated that the proposed activities related to deepening of the channel within the area of the proposed action would directly affect the identified FMP species in the following ways: 1) temporary disturbance and displacement of fish species; 2) increased sediment loads and turbidity in the water column; 3) temporary loss of food items to fisheries (vis-a-vis temporary loss of soft bottom habitat and associated benthic invertebrates); 4) limited sediment transport and re-deposition; and 4) temporary degradation of the water quality due to dredging and construction activities. Ultimately, the USACE determined that the project would not have a substantial, adverse impact to EFH.

The Pacific Fishery Management Council (PFMC) (2019, 1998) has identified broad types of potential adverse effects and recommendations to consider when evaluating dredging and disposal projects. In general, the potential adverse effects on EFH from dredging and disposal include: 1) loss and alteration of habitat; 2) altered hydrology and geomorphology; 3) sedimentation, siltation, and turbidity; 4) release of contaminants; 5) direct impact to organisms; and 6) noise. Of particular concern to NMFS are benthic impacts associated with new dredging, cumulative impacts associated with disposal at the Surfside Borrow Site, and potential fill impacts associated with structural repairs.

Many fishery species forage on infaunal and bottom-dwelling organisms, such as polychaete worms, crustacean, and other prey types. Dredging may adversely affect these prey species at the site by directly removing or burying these organisms. Recolonization studies suggest that recovery (generally meaning the later phase of benthic community development after disturbance when species that inhabited the area prior to disturbance begin to re-establish) may not be



straightforward, and can be regulated by physical factors including particle size distribution, currents, and compaction/stabilization processes following disturbance. Rates of recovery listed in the literature range from several months to several years for estuarine muds to up to 2 to 3 years for sands and gravels. Recolonization can also take up to 1 to 3 years in areas of strong current but up to 5 to 10 years in areas of low current. Given the large dredging footprint (i.e. 880 acres) and expansion into previously undredged areas (i.e. 241 acres), NMFS believes the adverse effects to benthic foraging habitat are more than temporary and minimal.

As a result of southern California's large population and intense economic and recreational activity, very little coastal space exists that has not been subject to construction, mineral extraction, or other form of habitat alteration. Dredge and fill activities, shoreline armoring, and overwater structures are the primary causes of habitat alteration within southern California coastal habitats. At the Ports of Long Beach and Los Angeles, increasing global economic trade have resulted in the need for larger, deeper draft ships to transport cargo. This has led to a demand for new construction dredging to widen and deepen channels, turning basins, and slips to accommodate these larger vessels. The USACE's Restoration Study specifically identified habitat loss and declines in abundance and biodiversity of marine populations as the primary problems in the study area, which includes the majority of the area comprised by the Deep Draft Study. Consistent with the general recommendations provided by PFMC (2019), NMFS believes the USACE should, to the extent feasible, mitigate all adverse effects to EFH from new dredging. Specifically, the dredged material may provide a beneficial re-use opportunity to restore aquatic ecosystem structure and function in East San Pedro Bay. Therefore, NMFS believes the USACE should evaluate the feasibility of re-using the dredged material provided to support various restoration measures (e.g., shallow water habitat, wetlands, sandy island) requiring fill material described in the USACE's Restoration Study.

The disposal of dredged material may adversely affect EFH by 1) impacting or destroying benthic communities; 2) affecting adjacent habitats; 3) creating turbidity plumes and introducing contaminants and/or nutrients. Sediment disposal at the ODMDS sites has previously undergone significant environmental review during their designation as offshore disposal sites. In addition, dredged material proposed for these areas are evaluated through the Southern California Dredged Material Management Team approval process. NMFS believes these environmental review processes adequately address anticipated adverse impacts to EFH for the ODMDS sites.

The IFR indicates that the USACE still needs to investigate the potential to utilize the Surfside-Sunset Borrow Sites for sediment disposal, but assumes that 2.5 million cubic yards of sediment may be placed here. Placement of 2.5 mcy at the Surfside Borrow Site would fill in an underwater pit resulting in a flatter, more natural topography. However, the USACE did not consider the cumulative effects of sediment disposal at the Surfside Borrow Site associated with the U.S. Navy's Ammunition Pier and Turning Basin project at Naval Weapons Station Seal Beach. In addition, as the name implies, the Surfside Borrow Site provides source material for future USACE beach nourishment efforts at Surfside/Sunset Beach. Therefore, the benefit of restoring a natural topography in this area may be temporary depending upon future shoreline protection needs.

The Bolsa Chica Lowlands Restoration Project lies to the south of the Surfside Borrow Site and relies upon an open tidal inlet connection with the ocean. The USACE's existing beach nourishment program at Surfside/Sunset Beach may periodically increase sedimentation rates at the tidal inlet. If gross sediment transport increases due to a cumulative increase in sand nourishment at Surfside/Sunset Beach, sedimentation of the tidal inlet at Bolsa Chica may also increase. Increased sedimentation within the tidal inlet may increase tidal muting and/or risk of inlet closure, which may adversely affect the ecological condition of the Bolsa Chica project. In our EFH consultation response to the Navy's Seal Beach project, we recommended that the Navy should collaborate with USACE Civil Works program responsible for periodic beach nourishment at Surfside/Sunset to ensure there is not a net cumulative increase in sedimentation down coast that may impact sedimentation patterns within the tidal inlet channel connecting the Pacific Ocean to the full tidal basin within the Bolsa Chica Lowlands Restoration Project. Similarly, NMFS recommends that the USACE consider the cumulative disposal impacts at the Surfside Borrow Site on the Bolsa Chica project.

Another potential project concern is the spread of the invasive alga *Caulerpa taxifolia* from project activities. This invasive alga had been introduced to our coastline. Evidence of harm that can ensue as a result of an uncontrolled spread of the alga has already been seen in the Mediterranean Sea where it has destroyed local ecosystems, impacted commercial fishing areas, and affected coastal navigation and recreational opportunities. Although it is not known to be present within the project area, it had been detected in two other locations in Southern California. If the invasive alga is present within the project area, the dredging activities would adversely affect EFH by promoting its spread and increasing its negative ecosystem impacts. The IFR indicates that pre-construction surveys for *Caulerpa taxifolia* would be conducted in the Main Channel, proposed Pier J Channel and Turning Basin, and the Surfside Borrow Site. In addition, construction would not begin should *Caulerpa taxifolia* be identified until cleared to do so by NMFS. The proposed environmental commitment to survey appropriate locations for *Caulerpa taxifolia* adequately addresses our concern. According to the IFR, the Approach Channel is considered to be too deep and too rough for *Caulerpa taxifolia*, however, the Main Channel, proposed Pier J Channel and Turning Basin, and the Surfside Borrow Site are considered to be suitable habitat. NMFS generally agrees with this conclusion, and believes that the Surfside Borrow Site is also unlikely to be suitable habitat for *Caulerpa taxifolia*.

The IFR does not fully describe or analyze the structural improvements to the Pier J breakwater. It does indicate that the placement of a submerged sheet pile structure with associated rock protection to stabilize the Pier J breakwaters would have localized effects on marine biota, including marine mammals. Sheet pile installation would be by either a hammer or vibratory method, to be determined during design based on sediment characteristics. Likewise, other motile organisms are expected to leave during construction. Rock placement would bury soft bottom habitat, replacing it over time with a rocky reef type of habitat after colonization of the placed stone. As described in MBC Applied Environmental Sciences (2016), riprap supports a unique biological community associated with the rock substrate in the Port Complex. In addition, it supports canopy kelp HAPC and associated biogenic habitat. If present in the areas proposed

for structural improvements, NMFS believes the use of concrete grouting in such locations would adversely affect canopy kelp HAPC via direct disturbances to the macroalgal and associated biogenic community, and may ultimately reduce habitat complexity, which is important as settlement substrate, foraging, and refuge, for various living marine resources. Given the limited information provided regarding the type, location, and effects of the Pier J structural improvements, NMFS believes additional consultation will be necessary to fully assess the effects of these structural improvements, and identify appropriate conservation recommendations. However, we offer preliminary conservation recommendations on these structural improvements below.

### EFH Conservation Recommendations

Based upon the above effects analysis, NMFS has determined that the proposed project would adversely affect EFH for various federally managed fish species under the Coastal Pelagic Species, Pacific Coast Groundfish Species, and Highly Migratory Species FMPs. Therefore, pursuant to section 305(b)(4)(A) of the MSA, NMFS offers the following EFH conservation recommendations to avoid, minimize, mitigate, or otherwise offset the adverse effects to EFH.

1. The USACE should evaluate the feasibility of beneficially re-using suitable dredged material for ecosystem restoration purposes within East San Pedro Bay. Specifically, the USACE should evaluate the feasibility of utilizing dredged material to support restoration measures identified in the USACE's East San Pedro Bay Ecosystem Restoration Feasibility Study. Beneficial re-use for ecosystem restoration purposes would offset adverse effects associated with the extensive dredge footprint and disturbance of new areas not previously dredged within San Pedro Bay.
2. The USACE should evaluate the cumulative effects of sediment disposal at the Surfside Borrow Site and ensure there is not a net cumulative increase in sedimentation down coast that may impact sedimentation patterns within the tidal inlet channel connecting the Pacific Ocean to the full tidal basin within the Bolsa Chica Lowlands Restoration Project.
3. If the use of grouting is necessary for Pier J structural improvements to rock slope areas that currently support or have previously supported canopy kelp HAPC, the USACE should conduct pre- and post-construction surveys to document impacts to these communities. In addition, a contingency mitigation plan to offset any potential impacts to canopy kelp HAPC should be developed prior to conducting any repairs to rock slopes. Both the monitoring and mitigation plans should be developed in consultation with NMFS. Compensatory mitigation should be conducted, in consultation with NMFS, for any adverse impacts to canopy kelp HAPC.
4. Compensatory mitigation should be developed and implemented for any permanent loss of EFH due to fill associated with Pier J structural improvements. Mitigation may be provided at the POLB's existing Bolsa Chica Mitigation Bank and/or other USACE-approved sites.

### Statutory Response Requirement

Please be advised that regulations at section 305(b)(4)(B) of the MSA and 50 CFR 600.920(k) of the MSA require your office to provide a written response to this letter within 30 days of its receipt and at least 10 days prior to final approval of the action. A preliminary response is acceptable if final action cannot be completed within 30 days. Your final response must include a description of measures to be required to avoid, mitigate, or offset the adverse impacts of the activity. If your response is inconsistent with our EFH conservation recommendations, you must provide an explanation of the reasons for not implementing those recommendations. The reasons must include the scientific justification for any disagreements over the anticipated effects of the proposed action and the measures needed to avoid, minimize, mitigate, or offset such effects.

### Supplemental Consultation

Pursuant to 50 CFR 600.920(l), the USACE must reinitiate EFH consultation with NMFS if the proposed action is substantially revised in a way that may adversely affect EFH, or if new information becomes available that affects the basis for NMFS' EFH conservation recommendations. As previously stated, NMFS believes additional consultation will be necessary to fully assess the effects of Pier J structural improvements given the lack of information on these project components in the IFR.

### Endangered Species Act Comments

As a federal agency and pursuant to section 7 of the ESA of 1973, as amended (16 U.S.C. § 1531 et. seq.), the USACE shall, in consultation with and with the assistance of NMFS, insure that any action it authorizes, funds, or carries out, does not jeopardize the continued existence of any species listed as threatened or endangered, or result in the destruction or adverse modification of designated critical habitat designated. In our 2014 letter to the USACE identifying the threatened or endangered species that may be found in the project area, we indicated that green sea turtles are known to reside and forage year-round in the Long Beach area, including areas within the vicinity of POLB, through observations of free-swimming and stranded animals, as well as through directed scientific research. In contrast, the USACE determined that federally-listed marine turtles do not occur in the study area, but are occasionally sighted in warm-water areas of estuaries and bays in the regions.

Consistent with our 2014 letter, NMFS believes the federally-listed endangered green sea turtle (*Chelonia mydas*) has the potential to occur within the project area. Various sightings and strandings have been documented in the POLB area (NMFS, unpublished data), and preliminary green sea turtle tagging results also indicate they are present (Bredvik *et al.*, 2019). NMFS recommends that the USACE consider the risks of potential injury, disturbance, and impacts to foraging habitats of green sea turtles in their determination of whether this species may be adversely affected by activities described in the IFR. In particular, NMFS recommends that the USACE consider the risks of injury associated with hopper dredge activities. In 2012, a dead

green sea turtle was found near Encinitas with injuries consistent with contact from a hydraulic hopper dredge (Harris, 2014). NMFS understands that dredging activities permitted by the USACE were occurring in the vicinity of Encinitas during that time period. Hopper dredge encounters with sea turtles known to occur in the Southeastern U.S. have been formally consulted upon numerous times by Corps and NMFS. NMFS recommends that the USACE engage in consultation with NMFS Protected Resources Division in Long Beach, California, for assistance with ESA compliance. Upon request, NMFS staff may be able to help in the determination of how green sea turtles or any other ESA-listed species may be directly or indirectly affected by the Project. NMFS staff may also be able to assist in the development of protective measures that can help minimize the potential for adverse effects to ESA-listed species.

### **Marine Mammal Protection Act Comments**

Harbor seal (*Phoca vitulina*) and California sea lion (*Zalophus californianus californianus*) are commonly observed within the Port complex. Cetaceans known to occur within the Port complex include bottlenose dolphin (*Tursiops* spp) and common dolphin (*Delphinus* spp). Both pinnipeds and cetaceans utilize the waters of the Port complex primarily to rest and forage (MBC 2016). Marine mammals are protected under the Marine Mammal Protection Act (MMPA; 16 U.S.C. § 1361 et. seq.). Under the MMPA, it is generally illegal to "take" a marine mammal without prior authorization from NMFS. "Take" is defined as harassing, hunting, capturing, or killing, or attempting to harass, hunt, capture, or kill any marine mammal. Except with respect to military readiness activities and certain scientific research conducted by, or on behalf of, the Federal Government, "harassment" is defined as any act of pursuit, torment, or annoyance which has the potential to injure a marine mammal in the wild, or has the potential to disturb a marine mammal in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering.

NMFS recommends that the USACE assess the potential for harassment or injury to marine mammals as a result of any activities that could occur under the proposed project. For example, the IFR indicates that structural improvements to Pier J may have localized effects on marine mammals. If the incidental take of marine mammals may be expected to occur as a result of the project, the USACE should apply for an Incidental Harassment Authorization (IHA) or Letter of Authorization (LOA) from NMFS well in advance of any work. NMFS staff is available to assist with this assessment and compliance with the MMPA, including any IHA or LOA applications, upon request from the USACE. If it becomes apparent to the USACE that impacts to marine mammals in the form of "take" that hasn't been authorized by NMFS may be occurring as a result of any project activities, the USACE should cease operations and contact NMFS immediately to discuss appropriate steps going forward. In the unlikely event of an injury or mortality of a marine mammal due to project activities, please immediately contact our regional stranding coordinator, Justin Viezbicke, at (562) 980-3230.

**Fish and Wildlife Coordination Act**

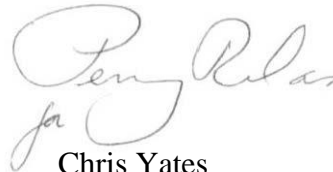
The purpose of the FWCA is to ensure that wildlife conservation receives equal consideration, and is coordinated with other aspects of water resources development (16 U.S.C. 661). The FWCA establishes a consultation requirement for Federal departments and agencies that undertake any action that proposes to modify any stream or other body of water for any purpose, including navigation and drainage (16 U.S.C. 662(a)). Consistent with this consultation requirement, NMFS provides recommendations and comments to Federal action agencies for the purpose of conserving fish and wildlife resources. The FWCA allows the opportunity to offer recommendations for the conservation of species and habitats beyond those currently managed under the ESA and MSA.

In Section 10 of the IFR describing environmental compliance and commitments, the USACE describes extensive coordination with NMFS regarding the development of the proposed alternatives, environmental commitments, and potential mitigation measures. However, NMFS has no substantive record of coordination on these issues since the request for an ESA-species list in 2014. Therefore, NMFS recommends that the USACE remove references to extensive FWCA coordination with NMFS in the final IFR.

NMFS has determined that various benthic habitats within San Pedro Bay may be negatively impacted by proposed project activities. In addition, sediment disposal has the potential to negatively affect sedimentation patterns within the tidal inlet channel connecting the Pacific Ocean to the full tidal basin within the Bolsa Chica Lowlands Restoration Project. As such, EFH Conservation Recommendations provided above also serve as FWCA recommendations to address these negative impacts.

Thank you for considering our comments. Please contact Mr. Bryant Chesney at (562) 980-4037, or via email at [Bryant.Chesney@noaa.gov](mailto:Bryant.Chesney@noaa.gov) if you have any questions concerning our EFH comments. Please contact Dan Lawson at (206) 526-4740, [Dan.Lawson@noaa.gov](mailto:Dan.Lawson@noaa.gov), if you have any questions pursuant to ESA, and Laura McCue at (562) 980-3232, [Laura.McCue@noaa.gov](mailto:Laura.McCue@noaa.gov), for MMPA questions.

Sincerely,

A handwritten signature in dark ink, appearing to read "Chris Yates", with a stylized flourish underneath.

Chris Yates  
Assistant Regional Administrator  
for Protected Resources

cc: Administrative File: 150316WCR2019PR00241

## References

Bredvik, J.J., Graham, S.E., and B.P. Saunders. 2019. Green Sea Turtle Satellite Tagging in Support of Naval Weapons Station Ammunition Pier and Turning Basin. Prepared for Naval Facilities Engineering Command (NAVFAC) Southwest. Submitted to National Marine Fisheries Service, California, September 2019.

Harris, H. 2014. Sea turtle necropsy report on SWFSC-MT-2012-10 recovered November 4, 2012 from Moonlight Beach near Encinitas, CA. Necropsy report completed by NOAA contract veterinarian Heather Harris on November 3, 2014.

MBC Applied Environmental Sciences. 2016. 2013-2014 Biological Surveys of Long Beach and Los Angeles Harbors. Prepared for the Ports of Los Angeles and Long Beach. 307pp.

Pacific Fishery Management Council. 2019. Non-fishing effects on West Coast groundfish essential fish habitat and recommended conservation measures. Appendix D to Pacific Coast Groundfish Fishery Management Plan. <https://www.pcouncil.org/wp-content/uploads/2019/06/Appendix-D-FINAL-Am28.pdf>

Pacific Fishery Management Council. 1998. Description and identification of essential fish habitat for the Coastal Pelagic Species Fishery Management Plan. Appendix D to Amendment 8. [http://www.pcouncil.org/wp-content/uploads/cpsa8\\_apdx\\_d.pdf](http://www.pcouncil.org/wp-content/uploads/cpsa8_apdx_d.pdf)





**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT**  
**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

July 22, 2020

Mr. Chris Yates  
Assistant Regional Administrator for Protected Resources  
National Oceanic and Atmospheric (NOAA)  
Fisheries West Coast Region  
501 West Ocean Boulevard, Suite 4200  
Attention: Mr. Bryant Chesney  
Long Beach, California 90802-4213

Dear Mr. Yates:

This letter is our statutory required response (50 CFR 600.920(k)) to your letter (reference 150316WCR2019PR00241) dated December 23, 2019, that provided Essential Fish Habitat (EFH) comments and Conservation Recommendations from your agency on the Draft Integrated Feasibility Report with Environmental Impact Statement / Environmental Impact Report for the Port of Long Beach Deep Draft Navigation Study, Los Angeles County, California. The purpose of the proposed project is to identify and evaluate alternatives to increase transportation efficiencies for the current and future fleet of container and liquid bulk vessels operating in the Port of Long Beach, and to improve overall conditions for vessel operations and safety in the event of vessel malfunction or weather-related events.

The December 23, 2019, EFH Consultation letter contained four EFH Conservation Recommendations. The U.S. Army Corps of Engineers, Los Angeles Corps (Corps) plans to study the four measures and implement where the selected alternative warrants inclusion. See the enclosed for a complete discussion of all Conservation Recommendations and the rationale behind the Corps' intended actions.

If you have any questions regarding the project, please contact Mr. Larry Smith, Project Biologist, at (213) 452-3846 or via email at [lawrence.j.smith@usace.army.mil](mailto:lawrence.j.smith@usace.army.mil).

Thank you for your attention to this document.

Sincerely,

DEMESA.EDUARDO.T.10 Digitally signed by  
DEMESA.EDUARDO.T. [REDACTED]  
Date: 2020.07.22 16:46:29 -07'00'

Eduardo T. De Mesa  
Chief, Planning Division

Enclosure

## Corps Response to NMFS EFH Conservation Recommendations:

### **EFH Conservation Recommendation #1.**

1. The USACE should evaluate the feasibility of beneficially re-using suitable dredged material for ecosystem restoration purposes within East San Pedro Bay. Specifically, the USACE should evaluate the feasibility of utilizing dredged material to support restoration measures identified in the USACE's East San Pedro Bay Ecosystem Restoration Feasibility Study. Beneficial re-use for ecosystem restoration purposes would offset adverse effects associated with the extensive dredge footprint and disturbance of new areas not previously dredged within San Pedro Bay.

### **Corps Response to EFH Conservation Recommendation #1.**

1. The possibility of using sediments from the proposed project for the East San Pedro Bay Project would be evaluated during the Preconstruction, Engineering and Design phase (PED) of the Port of Long Beach (POLB) project and a decision made based on sediment quality and the timing of construction for both projects. Sediments from the POLB would have to be uncontaminated and physically compatible with proposed project uses from the East San Pedro Bay Project and available when needed for construction of the East San Pedro Bay Project. Sediment quality and construction timing issues would have to be resolved in order for the U.S. Army Corps of Engineers (Corps) to take advantage of this opportunity. It is in the Corps' interests to maximize beneficial reuse and it is a policy of the Los Angeles District to do so as part of the Southern California Dredged Material Management Team (SC-DMMT).

### **EFH Conservation Recommendation #2.**

2. The USACE should evaluate the cumulative effects of sediment disposal at the Surfside Borrow Site and ensure there is not a net cumulative increase in sedimentation down coast that may impact sedimentation patterns within the tidal inlet channel connecting the Pacific Ocean to the full tidal basin within the Bolsa Chica Lowlands Restoration Project.

### **Corps Response to EFH Conservation Recommendation #2.**

2. The Surfside-Sunset Borrow Site is a non-dispersive site, which is why the site has not naturally filled in. Placement at the Surfside-Sunset Borrow Sites is not expected to have any impacts downcoast to the Bolsa Chica inlet. Sediments are expected to remain at the placement site providing habitat benefits to the site.

### **EFH Conservation Recommendation #3.**

3. If the use of grouting is necessary for Pier J structural improvements to rock slope areas that currently support or have previously supported canopy kelp HAPC, the USACE should conduct pre- and post-construction surveys to document impacts to these communities. In addition, a contingency mitigation plan to offset any potential impacts to canopy kelp HAPC should be developed prior to conducting any repairs to rock slopes. Both the monitoring and mitigation

plans should be developed in consultation with NMFS. Compensatory mitigation should be conducted, in consultation with NMFS, for any adverse impacts to canopy kelp HAPC.

**Corps Response to EFH Conservation Recommendation #3.**

3. Pier J structural improvements are a local service feature. As such, the design and implementation are solely at the discretion of the Port of Long Beach. They would require an application for a permit under Section 404 of the Clean Water Act from the Corps' Regulatory Division. The permit process would include EFH consultation for the actual remedy identified and selected by the Port of Long Beach. This would include any use of grout and address the concerns related above to kelp HAPC.

**EFH Conservation Recommendation #4.**

4. Compensatory mitigation should be developed and implemented for any permanent loss of EFH due to fill associated with Pier J structural improvements. Mitigation may be provided at the POLB's existing Bolsa Chica Mitigation Bank and/or other USACE-approved sites.

**Corps Response to EFH Conservation Recommendation #4.**

4. Pier J structural improvements are a local service feature. As such, the design and implementation are solely at the discretion of the Port of Long Beach. They would require an application for a permit under Section 404 of the Clean Water Act from the Corps' Regulatory Division. The permit process would include EFH consultation for the actual remedy identified and selected by the Port of Long Beach. However, permanent EFH loss is not anticipated. Conversion of habitat from soft bottom to rock may occur. Preliminary remedies all remain subtidal in nature.



DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS  
LOS ANGELES DISTRICT  
915 WILSHIRE BOULEVARD, SUITE 930  
LOS ANGELES, CALIFORNIA 90017-3489

August 9, 2021

Ms. Penny Ruvelas  
Protected Resources Division Branch Chief  
National Marine Fisheries Service  
501 West Ocean Boulevard, Suite 4200  
Long Beach, California 90802-4221

Dear Ms. Ruvelas:

This letter serves as the request of the U.S. Army Corps of Engineers, Los Angeles District (USACE), to initiate informal consultation under Section 7(a)(2) of the Endangered Species Act (ESA) of 1973, as amended, and implementing regulations at 50 CFR 402 regarding the effects of the Port of Long Beach (POLB) Deep Draft Navigation (DDN) Project on the federally threatened East Pacific Distinct Population Segment (DPS) of green sea turtles (*Chelonia mydas*). This request supersedes and replaces our request dated July 29, 2021. No critical habitat has been designated for the green sea turtle East Pacific DPS, therefore, no impacts to critical habitat would occur. The USACE requests your concurrence with the USACE's conclusion that the proposed project may affect, but is not likely to adversely affect, the East Pacific DPS of green sea turtle. This request incorporates information from the concurrence letter prepared for informal consultation for green sea turtles for the project proposed by the East San Pedro Bay Ecosystem Restoration Feasibility Study prepared by National Marine Fisheries Service (NMFS) (NMFS, 2021) that includes the habitat use in the study area and describes the avoidance and minimization measures for green sea turtles determined appropriate for that proposed project. Similar measures are proposed in the POLB DDN Feasibility Study for the DDN proposed project. The East San Pedro Bay Ecosystem Restoration informal consultation process should inform this consultation as well.

### **Consultation History**

On October 21, 2019, the USACE provided their Draft Integrated Feasibility Report (IFR), which included an Environmental Impact Statement/Environmental Impact Report, for the POLB DDN Feasibility Study (Study) to the NMFS. The Draft IFR concluded that the proposed project would not affect green sea turtle due to absence of the species from the study area. NMFS provided comments on the Draft IFR on December 23, 2019, disagreeing with the no affect determination and provided further documentation on the potential presence of green sea turtles in the Study area. Additional comments and documentation were also provided as part of the final Coordination Act Report submitted by the U.S. Fish and Wildlife Service on April 14,

2021. Telephone discussions of the issue were held by NMFS and USACE on February 23, 2021, and July 28, 2021.

On July 29, 2021, the USACE submitted a written request for informal consultation to the NMFS. This was followed up with a conference call held on August 4, 2021, that resulted in the preparation of this revised request.

### **Proposed Action and Action Area**

The POLB encompasses the eastern part of the San Pedro Bay, located in the southwestern portion of the city of Long Beach, in southern Los Angeles County, approximately 20 miles south of downtown Los Angeles (Figure 1). The Study area includes the waters in the immediate vicinity (and shoreward) of the breakwaters through the entire port and includes the LA-2 and LA-3 U.S. Environmental Protection Agency (USEPA)-designated ocean dredged material disposal sites (ODMDS), the Surfside Borrow Site Nearshore Placement Area, and the transit lanes to and from the disposal/placement sites.

The purpose of the Study is to identify and evaluate alternatives to increase transportation efficiencies for container and liquid bulk vessels operating in the POLB, for both the current and future fleet, and to improve conditions for vessel operations and safety in the event of vessel malfunction or weather-related events.

The proposed project for purposes of this consultation is Alternative 3. The Study identified Alternative 3, with a combination of measures for container vessels (constructing an Approach Channel to Pier J South and deepening the West Basin Channel to a new depth of -55 feet MLLW) and liquid bulk vessels (deepening the Approach Channel to -80 feet MLLW, and widening portions of the Main Channel through bend easing to match the currently authorized depth in the Main Channel of -76 feet MLLW), together the General Navigation Features that would be constructed by the USACE, and the local service facilities (LSF) that would be constructed by the sponsor as described below, provides the greatest contribution to net benefits and has been determined as the National Economic Development (NED) Plan (Figure 2). The POLB, as non-federal sponsor, has also expressed support for this plan. Accordingly, Alternative 3 was identified as the Tentatively Selected Plan (TSP) in the Draft IFR and will be the Recommended Plan in the Final IFR, which is currently being finalized.

General Navigation Features of the proposed project for liquid bulk vessels includes:

- deepening the Approach Channel from -76 feet to -80 feet MLLW; and
- bend easing within portions of the Main Channel from -70 feet to -76 feet MLLW.

General Navigation Features of the proposed project for container ships includes:

- constructing an approach channel to Pier J South to -55 feet MLLW;
- constructing a turning basin outside of Pier J South;
- deepening the West Basin from -50 feet MLLW to -55 feet MLLW; and
- constructing an electrical substation at Pier J South.

The proposed project includes the LSFs that would be constructed by the non-federal sponsor, the POLB, to fully realize all the benefits of the General Navigation Features discussed above. LSFs that would be constructed by the POLB require appropriate permits from the USACE Regulatory Division. Impacts from construction of LSFs are included in this informal consultation request because they are a part of the proposed project without which the full economic benefits of the project cannot be realized and would not be constructed if the General Navigation Features were not constructed.

The proposed project is composed of feasible dredging and placement/disposal measures in accordance with federal and state guidelines, including POLB environmental protection guidelines. Sediments dredged by a hopper dredge from deepening of the Approach Channel would be placed in the Surfside Borrow Site Nearshore Placement Area, and sediments dredged by an electric clamshell dredge from the remaining dredge areas would be disposed at LA-2 and LA-3. Figure 3 shows the location of the Surfside Borrow Site Nearshore Placement Area and approximate locations of the LA-2 and LA-3 ODMDS.

The General Navigation Features include dredging approximately 7.1 million cubic yards (mcy) of material, with placement of the dredged material in the Surfside Borrow Site Nearshore Placement Area and LA-2 and LA-3 ODMDS. Overall project duration is estimated at 39 months. To support dredging at the Pier J berth, the Approach Channel, and turning basin, a new dredge electric substation is required to be constructed to mitigate for air quality impacts.

LSFs include deepening Pier J Basin, berths J266-J270, within the Pier J South Slip and structural improvement to the Pier J breakwaters to accommodate dredging the Pier J Slip and approach channel. Approximately 337,000 cubic yards of dredged material would be placed in LA-2 and LA-3 ODMDS.

### **Proposed Avoidance and Minimization Measures**

The following measures will be implemented by the responsible entity to avoid or minimize impacts to the federally threatened East Pacific DPS of green sea turtles. These commitments will be included in the Final IFR.

### Hopper Dredge Operations

- 1) During dredging, transit to and from, and for placement of dredged material at the Surfside Borrow Site Nearshore Placement Area occurs, a qualified biologist with experience monitoring green sea turtles will be onboard the hopper dredge to monitor for the presence of green sea turtles. The green sea turtle monitor will have the authority to cease or alter operations to avoid impacts to green sea turtles.
- 2) During dredging, the biological monitor will periodically check in the hopper for the presence of green sea turtles.
- 3) Adequate lighting will be provided during nighttime operations (i.e., dredging, dredge material transport and placement) to allow the monitor to observe the surrounding area effectively.
- 4) All vessels associated with the project will not exceed eight (8) knots inside the breakwater (most vessels will be transiting outside the breakwater).
- 5) If a green sea turtle is observed within the vicinity of the project site during project operations, all appropriate precautions shall be implemented to avoid or minimize unintended impacts. These precautions include, but are not limited to:
  - Cessation of placement operations that is observed within 100 feet of a green sea turtle;
  - Operations may not resume until the green sea turtle has departed the monitoring zone by its own accord or has not been observed for a 15-minute period of time; and
  - Maneuver the hopper dredge to avoid any free-swimming green sea turtles observed during transit.
- 6) Biological monitors will maintain a written log of all green sea turtle observations during project operations. This observation log will be provided to the USACE and NMFS as an attachment to the post-construction report for the project. Each observation log will contain the following information:
  1. Observer name and title;
  2. Type of construction activity (maintenance dredging, etc.);
  3. Date and time animal first observed (for each observation);
  4. Date and time observation ended (for each observation). A green sea turtle observation will terminate if (1) an animal is observed exiting the monitoring zone or (2) after a 15-minute period of no observation (assumption is that animal has exited, but was not observed to do so);



5. Location of monitor (latitude/longitude), direction of green sea turtle in relation to the monitor, and estimated distance (in meters) of green sea turtle to the monitor; and
  6. Nature and duration of equipment shutdown.
- 7) Any observations involving the potential “take” of green sea turtles will be reported to the USACE within 10 minutes of the incident and to the NMFS stranding coordinator immediately thereafter.
  - 8) The contractor will implement an Environmental Protection Plan that will include a green sea turtle Monitoring and Avoidance Plan and an employee training program on green sea turtle observation protocols, avoidance, and minimization measures. The program will be conducted by the Biological Monitor and a record kept of dates of training, names and positions of attending employees, and an outline of the training presentation.

#### Clamshell Dredging and LSF Construction Activities

Similar commitments are expected to be included as requirements as part of any permit issued for LSFs by the USACE Regulatory Division.

- 1) During construction, a 100-foot (visually estimated) monitoring zone around all in-water equipment, vessels, and/or debris shall be implemented. Green sea turtle monitoring is not required for the transportation of material between dredging and disposal sites.
- 2) Visual monitoring of the monitoring zone (visually estimated) shall commence at least 15 minutes prior to the beginning of in-water construction activities each day and after each break of more than 30 minutes. If a green sea turtle is observed within the monitoring zone, all in-water project activities shall cease as soon as possible, in consideration of worker safety. Project activities shall not commence or continue until the green sea turtle has either been observed having left the monitoring zone, or at least 15 minutes have passed since the last sighting whereby it is assumed the green sea turtle has voluntarily left the monitoring zone.
- 3) The visual monitor shall maintain a written log containing all observations of green sea turtles including:
  1. Observer name and title;
  2. Type of activity (maintenance dredging, pile-driving, etc.);
  3. Date and time animal first observed (for each observation);
  4. Date and time observation ended (for each observation), including if the green sea turtle was observed exiting the monitoring zone or was assumed to have exited following a 15-minute period of no observation;

5. Location of observer (latitude/longitude), direction, and estimated distance to green sea turtle;
  6. Nature and duration of equipment shutdown.
- 4) The green sea turtle observation log shall be provided by the visual monitor to the USACE for transmittal to NMFS within a reasonable time after completion of construction. Any observations involving potential take of green sea turtle shall be reported to the USACE and NMFS within 24 hours.
  - 5) Adequate lighting will be provided during nighttime operations to allow the visual monitor to observe the surrounding area effectively.
  - 6) The visual monitor will be trained in how to conduct visual monitoring and in the identification of green sea turtles by the biological monitor proposed for monitoring hopper dredge operations.
  - 7) The contractor will implement an Environmental Protection Plan that will include a green sea turtle Monitoring and Avoidance Plan and an employee training program on green sea turtle observation protocols, avoidance, and minimization measures. The training program will be conducted by the biological monitor and a record kept of dates of training, names and positions of attending employees, and an outline of the training presentation.

## **Status of Special Status Species and Critical Habitat in the Action Area**

### **Green sea turtle East Pacific DPS**

The Green sea turtle (*Chelonia mydas*) East Pacific DPS was listed as threatened on April 6, 2016 (Federal Register, 2016). Critical habitat has not been designated for this DPS. A Recovery Plan (NMFS and USFWS, 1998) for this DPS was prepared to delineate reasonable actions which are believed to be required to recover and/or protect the species in January 1998. Recovery Plan goals are to protect nest sites, protect and manage East Pacific green turtle populations in the marine habitat, and protect and manage marine habitat, including foraging habitats.

A small population of green sea turtles persists in the San Gabriel River, and within Anaheim Bay and the Seal Beach National Wildlife Refuge (SBNWR) estuarine complex (Crear et al. 2016). The available information suggests that while green sea turtles are present in the San Gabriel River year-round, their presence may be more seasonal in other locations during the summer and fall when water temperatures are warmer, including Anaheim Bay, the SBNWR, Sunset/Huntington Harbor, and Alamitos Bay. Crear et al. (2016) showed that acoustically tagged juvenile sea turtles left SBNWR/Anaheim Bay and moved into the San Gabriel River during winter months, when temperatures dropped below 15° Celsius (C). Conversely, turtles moved through Anaheim Bay to get to the 7th Street Basin in the SBNWR during summer and fall

months to forage on eelgrass beds. The bay and estuarine habitat areas in which green sea turtles appear to most frequently occur are primarily adjacent and inshore of the Surfside Borrow Site Nearshore Placement Area.

There is no known nesting by this species in the United States or in any territory under U.S. jurisdiction for the East Pacific DPS. The main nesting sites for the East Pacific GPS green sea turtle are located in the state of Michoacán, Mexico (Colola and Maruata Beaches) and in the Galapagos Islands, Ecuador. Sighting and stranding reports of "green" turtles along the west coast of the United States are probably mostly of the East Pacific green sea turtle. It is not known whether they regularly migrate from breeding grounds in Mexico to specific areas along the North American coast, or whether these turtles are vagrants that occasionally stray into more northern waters, perhaps moving with "El Niño" currents (NMFS and USFWS, 1998).

NMFS's Southwest Fisheries Science Center has been monitoring green turtles throughout southern California, including Anaheim Bay and the SBNWR, to characterize population structure, foraging ecology, and movement patterns. While the specific importance of eelgrass in East San Pedro Bay has not been characterized, eelgrass is likely an important habitat feature for green sea turtles that may be found within the project area. In addition to eelgrass, other important prey species identified in a study of green sea turtle in San Diego Bay included mobile and sessile invertebrates, as well as red and green algae to a lesser degree (Lemmons et al. 2011), which are not found in either the deep navigation channels or in the shallow nearshore parts of the action area.

In addition, the Navy, in collaboration with NMFS, has been implementing a green sea turtle satellite tagging study to help monitor and better understand impacts of the Navy actions on green sea turtles within the Anaheim Bay estuarine complex. Preliminary results from this effort indicate that habitat utilization is highest within the SBNWR, but a limited number of forays have occurred in the adjacent nearshore within the action area (Bredvik et al. 2019; Hanna et al. 2020). For example, tagging study results indicate limited use of shallow nearshore habitat in East San Pedro Bay, which harbors eelgrass habitat in various locations. In addition, preliminary tagging study results also indicate limited movements within and adjacent to the Surfside Borrow Site Nearshore Placement Area. Only two turtles of the sixteen tagged turtles swam into the outer bay near where dredged material transport vessels will be operating. It appears that turtles predominately stay in the estuarine complex mentioned above and only rarely swim into the outer bay.

While located in the vicinity of the local turtle community described above, due to the depths of the dredging footprint, lack of submerged aquatic vegetation needed for foraging, and the water temperatures, green sea turtles are unlikely to be present in any of the proposed dredge or LSF construction areas within or adjacent to the port complex.

Green turtles are generally found in fairly shallow waters (except when migrating) inside reefs, bays, and inlets (NMFS, undated). The LA-2 and LA-3 ODMDs are located several miles offshore and in very deep water. LA-2 is approximately 9-1/2 miles from the entrance to Queen's Gate and is approximately 6 miles from the nearest coast. LA-3 is approximately 22 miles from the entrance to Queen's Gate and is approximately 4-3/4 miles from the nearest coast. Figure 5 is a map using Google Earth showing the locations of the two ODMDs. The LA-2 site is located on the outer continental shelf, margin, and upper southern wall of the San Pedro Sea Valley at depths from approximately 360–1,115 ft. The depth of the center of the LA-3 site would be approximately 1,600 ft. Chances of green sea turtles occurring at either ODMDs are unlikely.

### **USACE's Effects Determination**

The USACE has concluded that the proposed project may affect, but is not likely to adversely affect, the federally threatened East Pacific DPS of green sea turtles. The USACE has concluded that construction activities would not likely cause direct mortality, would not result in the direct loss of habitat for green sea turtles, and would only temporarily increase turbidity and noise in the action area. The USACE committed to several conservation measures that would avoid and/or minimize impacts to green sea turtles, which are described above.

### **Effects of the Action**

Under the ESA, "effects of the action" are all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action (50 CFR 402.02). In our analysis, which describes the effects of the proposed action, we considered 50 CFR 402.17(a) and (b). When evaluating whether the proposed action is not likely to adversely affect listed species or critical habitat, the effects are evaluated to be completely beneficial, insignificant, or discountable. Completely beneficial effects are contemporaneous positive effects without any adverse effects to the species or critical habitat. Insignificant effects relate to the size of the impact and should never reach the scale where take occurs. Discountable effects are those extremely unlikely to occur.

The potential effects of the proposed action include risks of injury, general disturbance, loss/avoidance of habitat, and/or mortality to sea turtles because of project activities through the use of dredges and construction equipment needed to complete project activities. Green sea turtles may be affected through collisions with vessels that are transporting and disposing/placing dredged materials. The USACE has committed to several avoidance and minimization measures described above for the General

Navigation Features. The POLB has agreed to apply those measures to LSFs and they are expected to be included in any permit(s) issued by the USACE Regulatory Division for LSFs as standard measures applied to the POLB. These measures are expected to minimize the risk of potential adverse effects to green sea turtles caused by the proposed activities in the unlikely event that a turtle is encountered during the project.

#### Approach Channel

Approximately 2.5 mcy of sediments would be dredged from the Approach Channel by a hopper dredge, transported to the Surfside Borrow Site Nearshore Placement Area, placed there, and transit of the hopper dredge back to the Approach Channel. This activity is expected to take approximately 6 months operating 24 hours a day, seven days a week with an estimated eight transits per day to the Surfside Borrow Site Nearshore Placement Area. The expected transit route between the Approach Channel dredge area and the Surfside Borrow Site Nearshore Placement Area is shown on Figure 4.

Recent information has shown a low probability of green sea turtles in the vicinity of the Surfside Borrow Site Nearshore Placement Area (Bredvik et al., 2019; Hanna et al. 2020). Dredged sediments from the Approach Channel are the only sediments currently planned for placement in this area. All dredging in the Approach Channel would be conducted by a hopper dredge. Hopper dredges are slow moving vessels with maximum speed of 8-10 knots depending on load and sea conditions. While green sea turtles are not shown at the actual placement site, there is a low probability that transiting hopper dredges may encounter individual sea turtles.

Dredging in the Approach Channel will be in water depths ranging from -76 ft MLLW to -80 ft MLLW, with a project depth of -80 ft MLLW. Green sea turtles are highly unlikely to be in the area and less likely to interact with the suction head of the hopper dredge given the extreme depths of dredging. In the interests of caution, monitoring for green sea turtles will be conducted for dredging under the same conditions as for transit and placement of dredged sediments.

#### Direct Contact Injury

Considering the lack of foraging habitat near the Surfside Borrow Site Nearshore Placement Area and the expectation of turtles to avoid the project area due to noise generation disturbance, USACE does not expect there to be a significant presence of turtles in the project area during dredging operations.

The severity of injuries resulting from a collision between a green sea turtle and a project vessel typically depends on the size and speed of the vessel (Knowlton and Kraus 2001, Laist et al. 2001, Vanderlaan and Taggart 2007). For example, research has shown that lethality, defined as mortality or serious injury, increases with vessel

speed. As described above in the proposed avoidance and minimization measures, vessels will be moving at relatively slow speeds while conducting project-related movements. The likelihood of collisions between sea turtles and project vessels moving at such slow speeds is remote, as we expect alert vessel operators, biological monitors, and turtles to be able to avoid collisions.

USACE expects that the implementation of the proposed avoidance and minimization measures will be effective at reducing the risks of direct contact between sea turtles and vessels and/or dredging equipment. Given the low likelihood that sea turtles will be in the project areas, and the additional impact minimization measures that can be triggered because of monitoring and avoidance measures, USACE concludes that the likelihood of direct contact with vessels resulting in severe injury or mortality because of the proposed dredging project is discountable.

The risks of direct contact injury for sea turtles because of dredge sediment placement are low as green sea turtles do not commonly occur near the Surfside Borrow Site Nearshore Placement Area. If any green sea turtles are in the project areas, we expect that those turtles will detect the commencement of project activities as they move into the area and will have an opportunity to move away. Avoidance measures will ensure that placement activities do not adversely affect green sea turtles. USACE concludes that the likelihood of direct contact with vessels resulting in severe injury or mortality because of the proposed dredging material placement is discountable.

#### General Disturbance

Given the lack of important foraging habitat features near the Surfside Borrow Site Nearshore Placement Area, we do not expect green sea turtles to spend a significant time near the placement operations. Therefore, USACE expects that any effects or disturbance resulting from exposure to project activities will be insignificant, given the low probability that turtles will be in the project area for extended periods of time and the lack of any expected impact on health and fitness that avoidance of these areas would have on green sea turtles.

#### Impacts to foraging habitat

Given the lack of important foraging habitat features near the Surfside Borrow Site Nearshore Placement Area USACE expects that any effects or disturbance resulting from exposure to project activities will be insignificant, given the low probability that turtles will be in the project area for extended periods of time and the lack of any expected impact on health and fitness that avoidance of these areas would have on green sea turtles.

### Clamshell Dredging and Other Construction Activities

Approximately 4.6 mcy of sediments would be dredged from the remaining federal channels by an electrified clamshell dredge, transported to the LA-2 and LA-3 ODMDS by tug and barge, disposed there, and transit of the tug and barge back to the dredge site. Multiple barges would be employed allowing the dredging to continue into a different barge while a barge is in transit to the disposal site. This activity is expected to take approximately 39 months operating 24 hours a day, seven days a week with an estimated three transits per day to the LA-2 or LA-3 ODMDS. The expected transit route for ocean disposal is between the dredge area out Queens Gate to the disposal site.

Construction of General Navigation Features and LSFs were evaluated for potential effects to green sea turtles. Due to the depths of the dredging footprint (currently -50 ft MLLW with a project depth of -55ft MLLW), lack of submerged aquatic vegetation needed for foraging, high volume of vessel traffic, and the water temperatures, which typically ranges from 60 - 70 degrees Fahrenheit (POLB and POLA 2016), green sea turtles are unlikely to be present in that part of the Study area. Disposal of dredged sediments at the LA-2 and LA-3 ODMDS were evaluated separately by the USEPA (USEPA & USACE, 2005) with a determination of no affect to any listed species. Construction of the electrical substation would have no effect on green sea turtles as the site is entirely land based with no impacts to marine waters.

### Direct Contact Injury

USACE expects that the implementation of the proposed avoidance and minimization measures will be effective at reducing the risks of direct contact between sea turtles and vessels and/or dredging equipment. Given the low likelihood that sea turtles will be in the project areas, and the additional impact minimization measures that can be triggered because of monitoring and avoidance measures, USACE concludes that the likelihood of direct contact with vessels resulting in severe injury or mortality because of the proposed dredging project is discountable. Dredging would be conducted by a clamshell dredge, that generally operates on a slow cycle time allowing any green sea turtles present to avoid impact and is also considered less likely to result in injury as compared to hydraulic dredging. Structural improvements to Pier J breakwaters would be evaluated during design as part of the USACE permitting process once a specific design is identified. Green sea turtles, if present, would be expected to avoid the construction area. Monitors and avoidance measures described above for LSFs would be included as special conditions in any permit issued by the USACE Regulatory Division.



### General Disturbance

Given the lack of important foraging habitat features near the dredging and construction areas, we do not expect green sea turtles to spend a significant time near the construction operations. Therefore, USACE expects that any effects or disturbance resulting from exposure to project activities will be insignificant, given the very low probability that turtles will be in the project area for extended periods of time and the lack of any expected impact on health and fitness that avoidance of these areas would have on green sea turtles.

### Impacts to foraging habitat

Given the lack of important foraging habitat features near the Study area USACE expects that any effects or disturbance resulting from exposure to project activities will be insignificant, given the low probability that turtles will be in the project area and the lack of any expected impact on health and fitness that avoidance of these areas would have on green sea turtles.

Projects that may overlap in the Surfside Borrow Site Nearshore Placement Area are limited to potential impacts associated with the East San Pedro Bay Ecosystem Restoration Project, if approved and funded. That project is currently undergoing study and may utilize a portion of the Surfside Borrow Site Nearshore Placement Area adjacent to, but outside, the placement proposed for use by the Study. In all likelihood, if the two projects overlap, sediments dredged for the Study from the Approach Channel would be used by the East San Pedro Bay Ecosystem Restoration Project in lieu of dredging sediments from the Surfside Borrow Site Nearshore Placement Area. The East San Pedro Bay Ecosystem Restoration Project would then no longer require dredging in the Surfside Borrow Site Nearshore Placement Area and the Study would have reduced volume of sediments for placement in the Surfside Borrow Site Nearshore Placement Area thus reducing the chances for effects of these two actions on the Eastern Pacific DPS of green sea turtle. The Navy no longer plans to use the Surfside Borrow Site Nearshore Placement Area as a placement area for sediments dredged from the nearby Naval Weapons Station, Seal Beach associated with their base realignment project.

There are no reasonably foreseeable projects that could overlap within the POLB.

The USACE has used the best scientific and commercial data available in preparing this request.

A copy of this document is being furnished to Mr. Bryant Chesney (NMFS), Mr. Dan Lawson (NMFS) and Ms. Cynthia Fowler (USACE-SPD).

If you have any questions regarding the project, please contact Mr. Larry Smith, Project Environmental Coordinator, at (213) 452-3846, FAX: (213) 452-4204, and email: [lawrence.j.smith@usace.army.mil](mailto:lawrence.j.smith@usace.army.mil).

Thank you for your attention to this document.

Sincerely,

DEMESA.EDUARDO.  
T. [REDACTED]

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Date: 2021.08.09 16:25:51 -07'00'

Eduardo T. De Mesa  
Chief, Planning Division

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- NMFS (National Marine Fisheries Service). 2021. Letter Re: Endangered Species Act Section 7(a)(2) Concurrence Letter, Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Response, and Fish and Wildlife Coordination Act Recommendations for the East San Pedro Bay Ecosystem Restoration Study. May 1, 2020. NMFS No.: WCRO-2020-00072

NMFS. Undated. Environmental Conservation Online System. Green sea turtle (*Chelonia mydas*).

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Vanderlaan, A.S.M, and C.T. Taggart. 2007. Vessel collisions with whales: The probability of lethal injury based on vessel speed. Marine Mammal Science 23: 144-156.





Figure 2 Tentatively Selected Plan



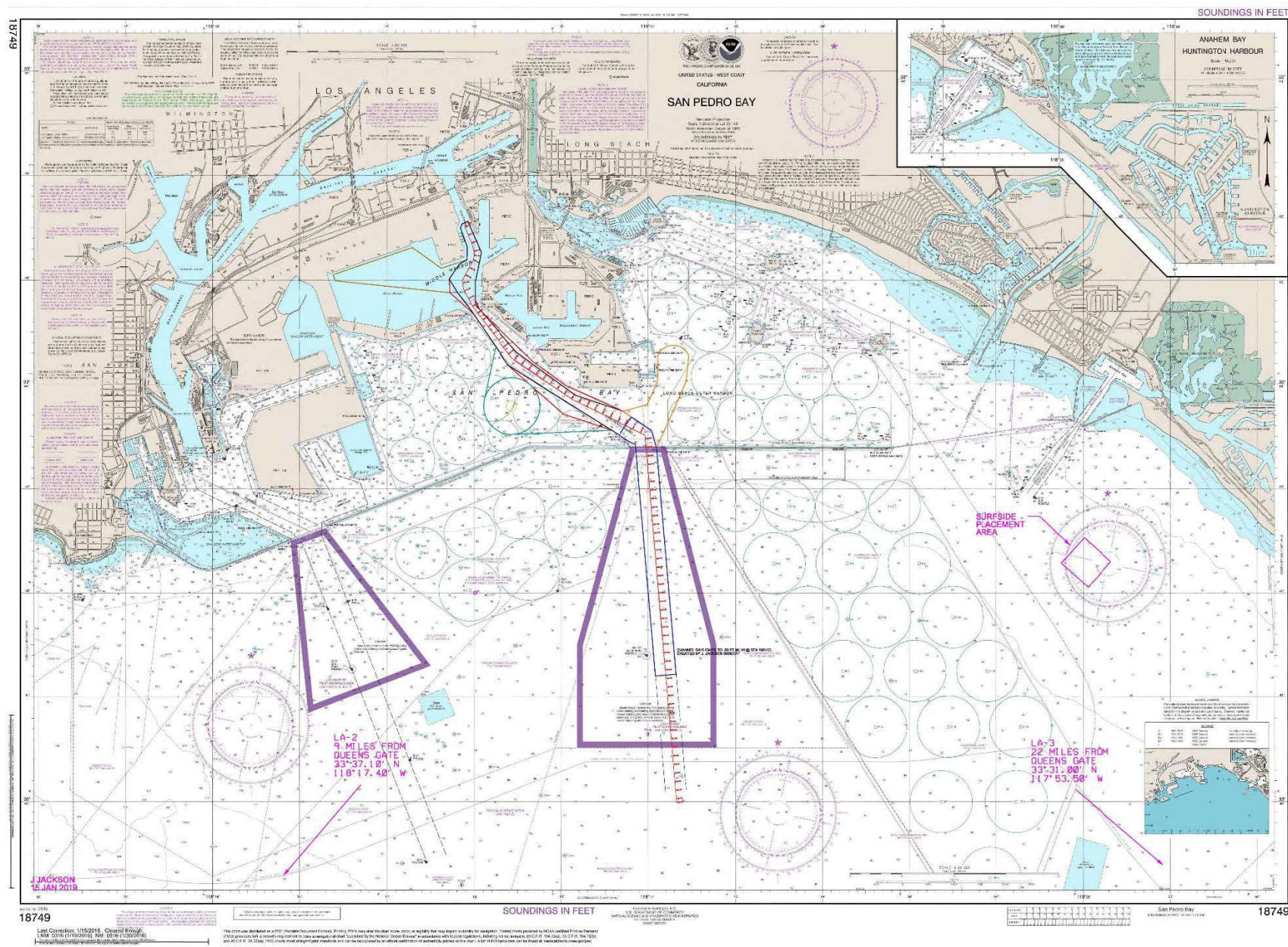


Figure 3 Study Fill Locations



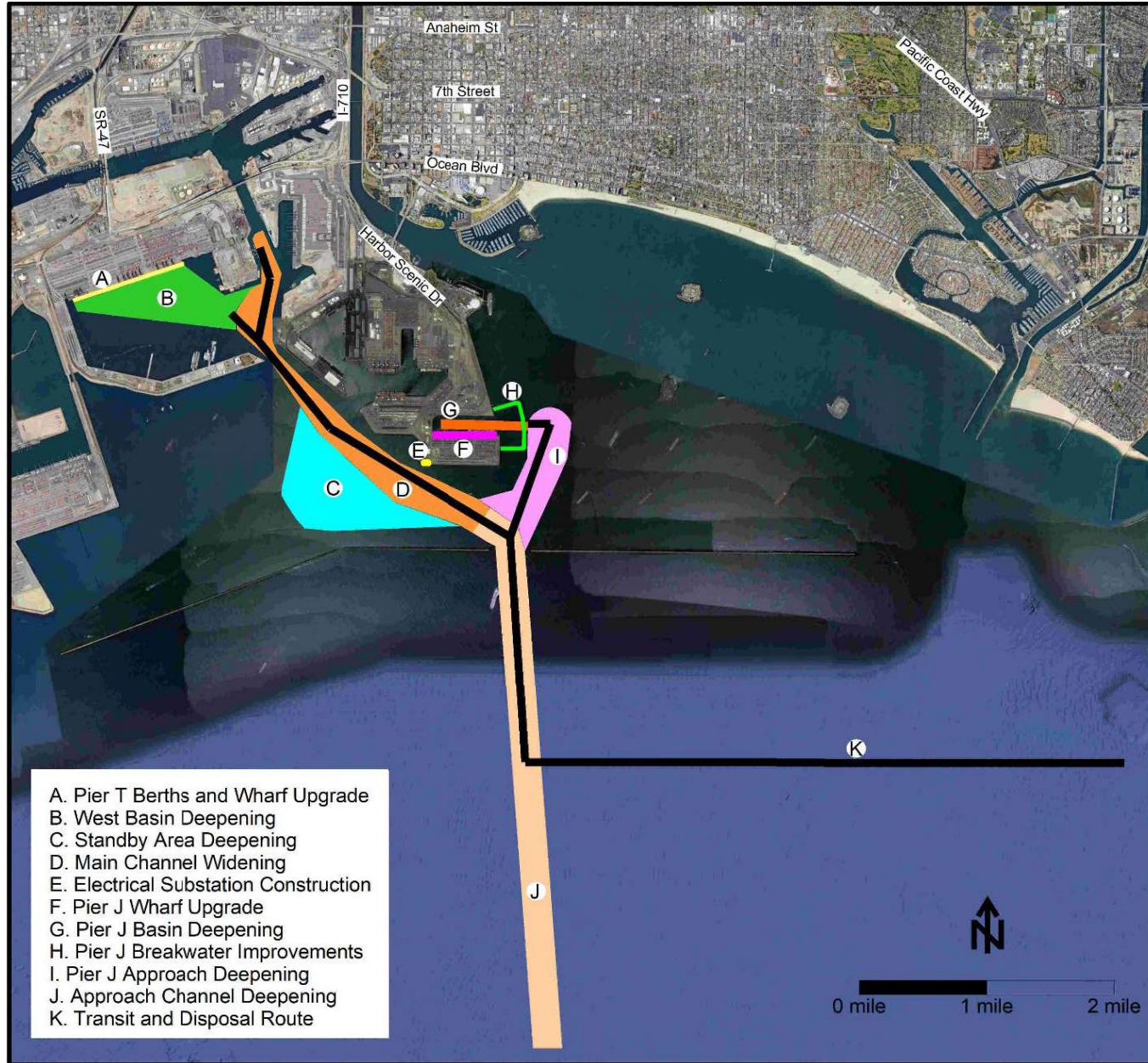


Figure 4 Transit Route to Surfside Borrow Site Nearshore Placement Area (K)

Note: Item C Standby Area Deepening is not a part of the TSP and would not be constructed.



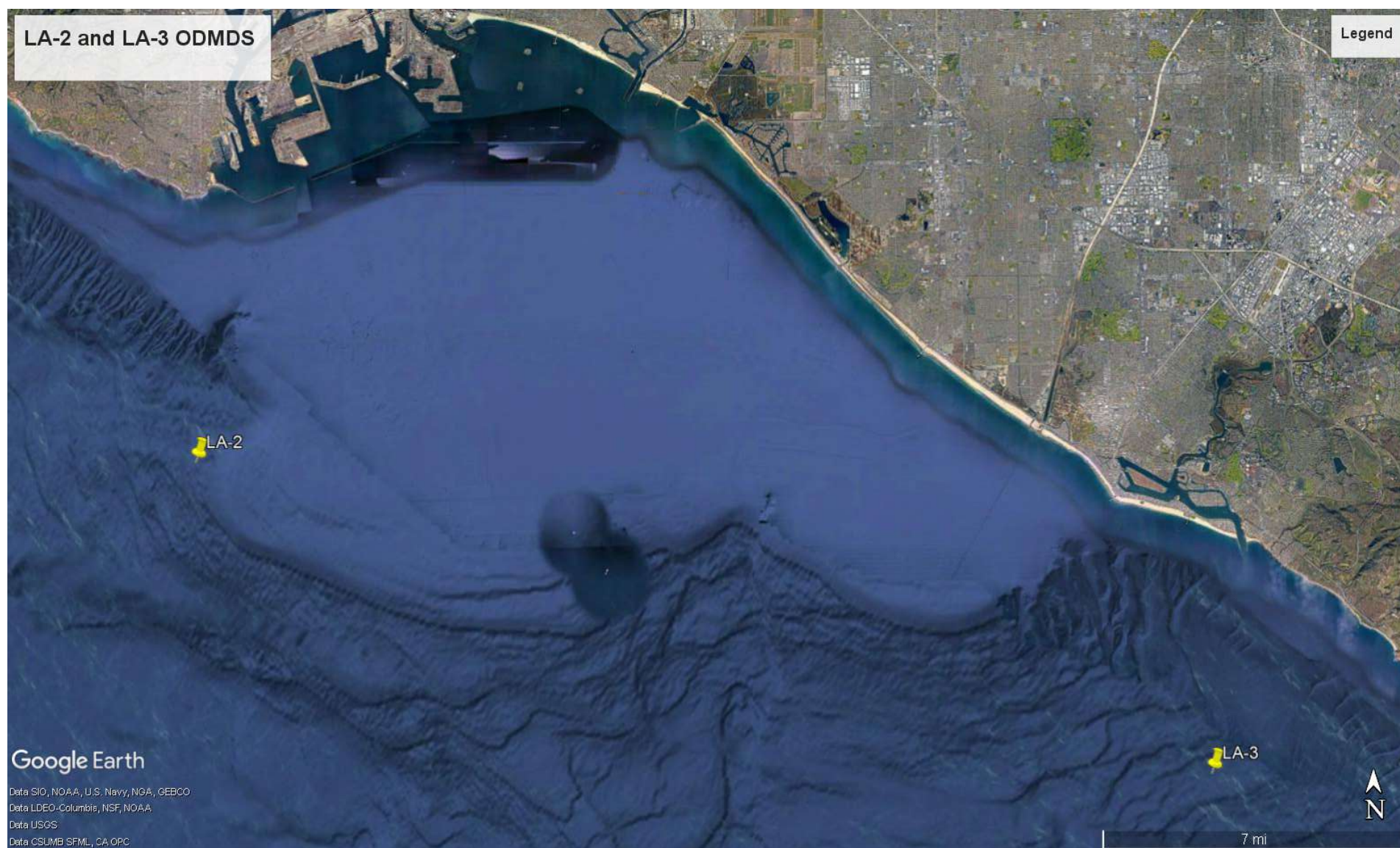


Figure 5. LA-2 and LA-3 ODMDS

**From:** [Smith, Lawrence J Jr CIV USARMY CESPL \(USA\)](#)  
**To:** [Dan Lawson - NOAA Federal](#); [Fowler, Cynthia Jo CIV USARMY CESP \(USA\)](#)  
**Cc:** [Bryant Chesney - NOAA Federal](#); [Penny Ruvelas - NOAA Federal](#); [Lee, Maricris C \(Chris\) CIV USARMY CESPL \(USA\)](#)  
**Subject:** RE: [Non-DoD Source] Re: Port of Long Beach Deep Draft Navigation Study Request for Informal Consultation  
**Date:** Wednesday, August 11, 2021 9:08:00 AM

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Good morning, Dan. Thank you very much. While it is not specifically called out as such, please consider our request letter to be our Biological Assessment for this project in compliance with 50 CFR 402.12(b).

Please share with us, when you can, your schedule for completing this consultation. We look forward to working with you to complete this consultation.

The Los Angeles District is teleworking. I should be reachable by office phone and/or mobile phone. Intermittent connectivity issues may delay some messages.

Larry Smith Ecologist  
Planning Division/Environmental Resources Branch/Environmental Policy Group  
Los Angeles District, U.S. Army Corps of Engineers  
[lawrence.j.smith@usace.army.mil](mailto:lawrence.j.smith@usace.army.mil)

Office: 213-452-3846  
Government Mobile: 213-453-3205

---

**From:** Dan Lawson - NOAA Federal <[dan.lawson@noaa.gov](mailto:dan.lawson@noaa.gov)>  
**Sent:** Wednesday, August 11, 2021 7:24 AM  
**To:** Fowler, Cynthia Jo CIV USARMY CESP (USA) <[Cynthia.J.Fowler@usace.army.mil](mailto:Cynthia.J.Fowler@usace.army.mil)>  
**Cc:** Bryant Chesney - NOAA Federal <[bryant.chesney@noaa.gov](mailto:bryant.chesney@noaa.gov)>; Penny Ruvelas - NOAA Federal <[penny.ruvelas@noaa.gov](mailto:penny.ruvelas@noaa.gov)>; Smith, Lawrence J Jr CIV USARMY CESPL (USA) <[Lawrence.J.Smith@usace.army.mil](mailto:Lawrence.J.Smith@usace.army.mil)>  
**Subject:** Re: [Non-DoD Source] Re: Port of Long Beach Deep Draft Navigation Study Request for Informal Consultation

Hi Larry and Cynthia

I've reviewed the letter and supporting documentation, and believe that sufficient information has been provided to initiate informal consultation. We'll be in touch with any questions or additional information needs that come up as necessary to conclude consultation.

Dan

On Tue, Aug 10, 2021 at 1:14 PM Fowler, Cynthia Jo CIV USARMY CESP (USA) <[Cynthia.J.Fowler@usace.army.mil](mailto:Cynthia.J.Fowler@usace.army.mil)> wrote:

Thanks, Bryant! Appreciate all your assistance! Enjoy your vacation.

Dan – let us know if you need anything else or if informal consultation can be initiated.

v/r,

Cynthia

---

**From:** Bryant Chesney - NOAA Federal <[bryant.chesney@noaa.gov](mailto:bryant.chesney@noaa.gov)>

**Sent:** Tuesday, August 10, 2021 10:07 AM

**To:** Fowler, Cynthia Jo CIV USARMY CESP (USA) <[Cynthia.J.Fowler@usace.army.mil](mailto:Cynthia.J.Fowler@usace.army.mil)>

**Cc:** Dan Lawson - NOAA Federal <[dan.lawson@noaa.gov](mailto:dan.lawson@noaa.gov)>; Penny Ruvelas - NOAA Federal <[penny.ruvelas@noaa.gov](mailto:penny.ruvelas@noaa.gov)>; Smith, Lawrence J Jr CIV USARMY CESPL (USA) <[Lawrence.J.Smith@usace.army.mil](mailto:Lawrence.J.Smith@usace.army.mil)>

**Subject:** [Non-DoD Source] Re: Port of Long Beach Deep Draft Navigation Study Request for Informal Consultation

Hi Cynthia,

I'm following up to let you and Larry know that I'm heading out on leave later today, and will be deferring to Dan to review while I'm gone.

Take care,

Bryant

On Mon, Aug 9, 2021 at 4:44 PM Fowler, Cynthia Jo CIV USARMY CESP (USA)

<[Cynthia.J.Fowler@usace.army.mil](mailto:Cynthia.J.Fowler@usace.army.mil)> wrote:

Hi Dan and Bryant! Thank you again for working so closely with us on this consultation – it really means so much to the region to get this completed in time to keep the study on track. After you've reviewed the informal consultation request and believe that you have all the information to initiate informal consultation, could you respond by letting us know that your agency believes that you have the appropriate information and informal consultation has begun? Our higher headquarters would feel more comfortable knowing that we have begun informal consultation before moving forward for state and agency review.

Thank you again! Much appreciated and I look forward to working with you in the future!

Respectfully,

Cynthia

Cynthia Jo Fowler  
Environmental Program Lead  
South Pacific Division  
U.S. Army Corps of Engineers

450 Golden Gate Avenue, 6th Floor  
San Francisco, California 94102

o: 415-503-6858

c: 415-658-1869

p: 415-238-6906

---

**From:** Smith, Lawrence J Jr CIV USARMY CESPL (USA) <[Lawrence.J.Smith@usace.army.mil](mailto:Lawrence.J.Smith@usace.army.mil)>

**Sent:** Monday, August 9, 2021 4:30 PM

**To:** [Penny.Ruvelas@noaa.gov](mailto:Penny.Ruvelas@noaa.gov)

**Cc:** Bryant Chesney ([Bryant.Chesney@noaa.gov](mailto:Bryant.Chesney@noaa.gov)) <[Bryant.Chesney@noaa.gov](mailto:Bryant.Chesney@noaa.gov)>;  
[dan.lawson@noaa.gov](mailto:dan.lawson@noaa.gov); Lee, Maricris C (Chris) CIV USARMY CESPL (USA)  
<[Maricris.C.Lee@usace.army.mil](mailto:Maricris.C.Lee@usace.army.mil)>; Fowler, Cynthia Jo CIV USARMY CESPD (USA)  
<[Cynthia.J.Fowler@usace.army.mil](mailto:Cynthia.J.Fowler@usace.army.mil)>; Demesa, Eduardo T CIV USARMY CESPL (USA)  
<[Eduardo.T.Demesa@usace.army.mil](mailto:Eduardo.T.Demesa@usace.army.mil)>; Lovan, Hayley J CIV (USA)  
<[Hayley.J.Lovan@usace.army.mil](mailto:Hayley.J.Lovan@usace.army.mil)>

**Subject:** Port of Long Beach Deep Draft Navigation Study Request for Informal Consultation

Good afternoon, Ms. Ruvelas. hope you are well. Attached please find our revised request letter to NMFS to initiate informal consultation on the Port of Long Beach Deep Draft Navigation Study for the Eastern Pacific DPS green sea turtle. We have determined that the project may affect, but is unlikely to adversely green sea turtle. This request is similar to a recently concluded informal consultation for our East San Pedro Bay Restoration Study. We are requesting expedited review and concurrence with our determination to allow this study to remain on schedule. We are facing a very tight time line to get to state and agency review in the next two weeks and would greatly appreciate the efforts of you and your staff to complete this consultation in time. We have spoken with Bryant Chesney and Dan Lawson of your staff regarding this request. I have attached, as a reference, the NMFS concurrence letter for the East San Pedro Bay Restoration Study informal consultation. We look forward to working with your staff to complete this consultation. Please do not hesitate to contact us if you need any additional information of have any questions.

Please acknowledge receipt of this email and its attachments.

The Los Angeles District is teleworking. I should be reachable by office phone and/or mobile phone. Intermittent connectivity issues may delay some messages.

Larry Smith Ecologist  
Planning Division/Environmental Resources Branch/Environmental Policy Group  
Los Angeles District, U.S. Army Corps of Engineers  
[lawrence.j.smith@usace.army.mil](mailto:lawrence.j.smith@usace.army.mil)

Office: 213-452-3846  
Government Mobile: 213-453-3205

--

**Bryant Chesney**

*Senior Marine Habitat Resource Specialist, West Coast Region*  
*Protected Resources Division, Long Beach, California*  
NOAA Fisheries | U.S. Department of Commerce  
Office: (562) 980-4037  
[www.westcoast.fisheries.noaa.gov](http://www.westcoast.fisheries.noaa.gov)

--

Dan Lawson  
NMFS Protected Resources Division  
West Coast Region  
7600 Sand Point Way NE, Bldg 1  
Seattle WA 98115  
206-526-4740



**UNITED STATES DEPARTMENT OF COMMERCE**  
**National Oceanic and Atmospheric Administration**  
NATIONAL MARINE FISHERIES SERVICE  
West Coast Region  
501 West Ocean Boulevard, Suite 4200  
Long Beach, California 90802-4213

August 31, 2021

Refer to NMFS No:  
WCRO-2021-01950

Eduardo T. De Mesa  
Chief, Planning Division  
U.S. Army Corps of Engineers  
Los Angeles District  
915 Wilshire Boulevard, Suite 930  
Los Angeles, California 90017-3489

Re: Endangered Species Act Section 7(a)(2) Concurrence Letter for Port of Long Beach Deep Draft Navigation Project

Dear Mr. De Mesa:

On July 29, 2021, NOAA's National Marine Fisheries Service (NMFS) received your request for a written concurrence that the proposed Port of Long Beach Deep Draft Navigation Project by the U.S. Army Corps of Engineers (Corps) is not likely to adversely affect (NLAA) species listed as threatened or endangered or critical habitats designated under the Endangered Species Act (ESA). Following a series of subsequent electronic and verbal communications between the Corps and NMFS, the Corps submitted a revised request for concurrence on August 9, 2021. This response to your request was prepared by NMFS pursuant to section 7(a)(2) of the ESA, implementing regulations at 50 CFR 402, and agency template for preparation of letters of concurrence.

Thank you also for your request for consultation pursuant to the essential fish habitat (EFH) provisions in Section 305(b) of the Magnuson-Stevens Fishery Conservation and Management Act (MSA) (16 U.S.C. 1855(b)) for this action. We acknowledge that the EFH consultation was completed in December 2019, and no further consideration of impacts to EFH will be provided in this response.

Because marine mammals may be present in the action area at any time, we provide comments related to compliance with the Marine Mammal Protection Act (MMPA).

This letter underwent pre-dissemination review using standards for utility, integrity, and objectivity in compliance with applicable guidelines issued under the Data Quality Act (section 515 of the Treasury and General Government Appropriations Act for Fiscal Year 2001, Public Law 106-554). The document will be available within two weeks at NMFS' Environmental Consultation Organizer (ECO) [<https://www.fisheries.noaa.gov/resource/tool-app/environmental-consultation-organizer-eco>]. A complete record of this consultation is on file at the NMFS West Coast Region Long Beach Office.





## **Proposed Action and Action Area**

The proposed project involves several activities in the Port of Long Beach (POLB) to facilitate operations for container and liquid bulk vessels operating in the POLB, for both the current and future fleet, and to improve conditions for vessel operations and safety in the event of vessel malfunction or weather-related events. The proposed project includes constructing an approach channel to Pier J South and deepening the West Basin Channel to a new depth of -55 feet MLLW, deepening of the Approach Channel to -80 feet MLLW, and widening portions of the Main Channel to match the currently authorized depth in the Main Channel of -76 feet MLLW.

Sediments dredged by a hopper dredge from deepening of the Approach Channel will be placed in the Surfside Borrow Site Nearshore Placement Area, and sediments dredged by an electric clamshell dredge from the remaining dredge areas would be disposed at LA-2 and LA-3. In total, the proposed project includes dredging approximately 7.4 million cubic yards (mcy) of material; with placement of the dredged material in the Surfside Borrow Site Nearshore Placement Area and LA-2 and LA-3 ocean dredge material disposal sites (ODMDS). Overall project duration is estimated at 39 months. To support dredging at the Pier J berth, the Approach Channel, and turning basin, a new dredge electric substation is required to be constructed to mitigate for air quality impacts.

The POLB encompasses the eastern part of the San Pedro Bay, located in the southwestern portion of the city of Long Beach, in southern Los Angeles County, approximately 20 miles south of downtown Los Angeles. The action area includes the waters in the immediate vicinity (and shoreward) of the breakwaters through the entire port and includes the LA-2 and LA-3 ODMDS, the Surfside Borrow Site Nearshore Placement Area, and the transit lanes to and from the disposal/placement sites.

## **Background and Action Agency's Effects Determination**

The Corps determined the proposed project may affect East Pacific Distinct Population Segment (DPS) green sea turtles (*Chelonia mydas*) that occur in the action area surrounding Long Beach, which are currently listed as threatened under the ESA (81 FR 20057). Specifically, the Corps acknowledged that multiple scientific studies (e.g., Crear et al. 2016; Bredvik et al. 2019; Hanna et al. 2020) illustrate that green sea turtles may occur in the action area during the proposed project. The Corps identified potential effects of the proposed action that include risks of injury and/or mortality, general disturbance, and loss/avoidance of habitat, to sea turtles through the use of dredges and construction equipment needed to complete project activities. In order to avoid potential impacts to green sea turtles during the proposed project, the Corps has proposed to implement a suite of measures described in the August 9, 2021 consultation request and Final Integrated Feasibility Report (USACE 2021) for the proposed project that include monitoring of dredging and disposal activities along with mandatory avoidance procedures to be employed if any green sea turtles are present during dredging and sediment disposal to limit the potential for adverse effects activities.

The Corps concludes that adverse effects to ESA-listed green sea turtles as a result from the proposed project are unlikely. The Corps concludes that the monitoring and avoidance measures proposed will ensure that placement activities do not adversely affect green sea turtles. If any

green sea turtles are in the project areas, they expect that those turtles will detect the commencement of project activities as they move into the area and will have an opportunity to move away. The Corps concludes the lack of important foraging habitat features near project areas where dredging and disposal will occur minimizes the risk of any effects or disturbance resulting from exposure to project activities, given the low probability that turtles are expected to be within project areas for extended periods of time and the lack of any expected impact on health and fitness that avoidance of these areas would have on green sea turtles.

In total, the Corps concluded that the proposed project may affect, but is not likely to adversely affect, the East Pacific DPS of green sea turtles.

## **Endangered Species Act**

### **Effects of the Action**

Under the ESA, “effects of the action” are all consequences to listed species or critical habitat that are caused by the proposed action, including the consequences of other activities that are caused by the proposed action. A consequence is caused by the proposed action if it would not occur but for the proposed action and it is reasonably certain to occur. Effects of the action may occur later in time and may include consequences occurring outside the immediate area involved in the action (50 CFR 402.02). In our analysis, which describes the effects of the proposed action, we considered 50 CFR 402.17(a) and (b). When evaluating whether the proposed action is not likely to adversely affect listed species or critical habitat, NMFS considers whether the effects are expected to be completely beneficial, insignificant, or discountable. Completely beneficial effects are contemporaneous positive effects without any adverse effects to the species or critical habitat. Insignificant effects relate to the size of the impact and should never reach the scale where take occurs. Effects are considered discountable if they are extremely unlikely to occur.

The Corps accurately described the potential effects of the action, including exposure to direct contact injuries, disturbance, and foraging habitat impacts. In addition to the studies cited by the Corps, the best available information including sightings and strandings of green sea turtles in Southern California (specifically in the Long Beach area), have been increasing, likely representing increasing abundance of these individuals in the area (NMFS 2019). Although studies of green sea turtles in the Long Beach area have been focused on estuarine complexes such as the San Gabriel River and Anaheim Bay, movements of green turtles outside of the estuaries have been recorded during all of the studies. In addition, sightings/strandings of green turtles have become common throughout the coastal area surrounding Long Beach (NMFS unpublished data). Based on the available information, we assume that green turtles are periodically or frequently transiting through the action area, including where dredging and sediment disposal is slated to occur. We also assume they may occur in the action area at any time during the year although they are most likely to be found moving around in the action area from spring through fall, depending in part on coastal water temperatures.

The Corps acknowledges the potential for collisions with green sea turtles and vessels, equipment, and debris that are associated with proposed action activities. We agree with the Corps that implementation of the proposed monitoring and avoidance procedures will be

effective at minimizing the risk of direct contact injuries making them extremely unlikely to occur. During research operations, NMFS staff repeatedly have observed the detection and avoidance reactions of sea turtles to slow moving vessels, even upon detecting them at very close proximity while surfacing, and concluded that the risk of a collision with slower moving vessels in project areas that are monitoring for the presence of green turtles is discountable (D. Lawson, NMFS, personal observations 2015). Although turtles may occur anywhere at any time in the project area, project activities including dredging and disposal are not occurring in areas known to be regularly used for foraging by green sea turtles. As such, we agree with the Corps that alterations of these habitats by project activities in these areas will not significantly impact the foraging or movement activities of green sea turtles in the area. We also agree with the Corps that project activities may create general disturbance that is likely to lead to avoidance of project areas when detected. As a result, we agree with the Corps that any disturbance or disruption of green sea turtle presence in this area will not significantly impact the foraging and movement activities of green sea turtles which are typically concentrated in other areas that will not be affected by the proposed action.

The project description includes that the purpose of the project is to support safe and efficient operations of the current and future fleet of container and liquid bulk vessels in the POLB. The main problem identified by the POLB that is addressed by the proposed project is that existing channel depths and widths that create limitations of the harbor, resulting in the inefficient operation of deep draft vessels in the Federal (Main) and secondary channels in the Port of Long Beach complex, which increases the Nation's transportation costs. What the project will do is potentially affect the amount and type of vessel activity that could occur within and near the project area, as efficiency operations of large vessels within the POLB are improved. Within the POLB, vessel speeds are restricted to accommodate the needs for safe navigation within confined waterways with significant other private and commercial traffic. As described before, vessel operations at restricted speeds within the POLB are generally not expected to lead to vessel collisions with green sea turtles. As a result, we would not anticipate any additional risk of interactions between the operations of container and liquid bulk vessels within the POLB and green sea turtles as a result of the proposed project.

## **Conclusion**

Based on our knowledge, expertise, and your action agency's materials, we concur with the Corp's conclusions that the proposed action may affect, but is not likely to adversely affect, the East Pacific DPS of green sea turtles.

## **Reinitiation of Consultation**

Reinitiation of consultation is required and shall be requested by the Corps or by NMFS, where discretionary Federal involvement or control over the action has been retained or is authorized by law and (1) the proposed action causes take because no incidental take is anticipated; (2) new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not previously considered; (3) the identified action is subsequently modified in a manner that causes an effect to the listed species or critical habitat that was not considered in the written concurrence; or (4) a new species is listed or critical habitat designated that may be affected by the identified action (50 CFR 402.16). This concludes the ESA portion of this consultation.

## Marine Mammal Protection Act Comments

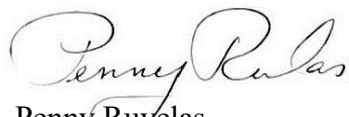
Numerous species of marine mammals may be found in the project area, including areas within the POLB where dredging will occur, as well as coastal areas where disposal will occur. These include species of pinnipeds such as California sea lions (*Zalophus californianus*) and Pacific harbor seals (*Phoca vitulina*), as well as cetaceans such as common dolphins (*Delphinus spp.*), gray whales (*Eschrichtius robustus*), and blue whales (*Balaenoptera musculus*). Marine mammals are protected under the Marine Mammal Protection Act (MMPA) (16 U.S.C. § 1361 et. seq.). Under the MMPA, it is generally illegal to "take" a marine mammal without prior authorization from NMFS. "Take" is defined as harassing, hunting, capturing, or killing, or attempting to harass, hunt, capture, or kill any marine mammal. Except with respect to military readiness activities and certain scientific research conducted by, or on behalf of, the Federal Government, "harassment" is defined as any act of pursuit, torment, or annoyance, which has the potential to injure a marine mammal in the wild, or has the potential to disturb a marine mammal in the wild by causing disruption of behavioral patterns, including, but not limited to, migration, breathing, nursing, breeding, feeding, or sheltering.

During the monitoring associated with this proposed project, the Corps should note marine mammal presence and any behaviors indicative of potential harassment under the MMPA. These behaviors could include startled response, irregular diving, or flushing from haul-out positions in the vicinity of the project area. Implementation of the proposed monitoring and avoidance measures for marine mammals should help minimize the potential for marine mammal harassment or injury resulting from this proposed activity. NMFS requests that the Corps carefully record the behavior of any marine mammals that do occur within the proposed project area. If the proposed project disturbs marine mammals, the Corps should cease activity and contact NMFS before proceeding further. If the incidental take of marine mammals is expected to occur as a result of any proposed action, the Corps should apply for an Incidental Harassment Authorization (IHA) or Letter of Authorization (LOA) from NMFS well in advance of the proposed action. Please note that this letter does not provide Incidental Harassment Authorization for any marine mammals; any authorization would have to come from NMFS Office of Protected Resources, in Silver Spring, Maryland.

In the unlikely event of an injury or mortality of a marine mammal or sea turtle due to this project, immediately contact our regional stranding coordinator, Justin Viezbicke, at (562) 980-3230.

Please direct questions regarding this letter to Dan Lawson, Long Beach Protected Resources Division, at 206-526-4740 or [Dan.Lawson@noaa.gov](mailto:Dan.Lawson@noaa.gov).

Sincerely,



Penny Ruyelas  
Long Beach Branch Chief  
Protected Resources Division

cc: Administrative File: 151422WCR2021PR00151

## References

- Bredvik, J.J.; S.E. Graham, and B.P. Saunders. 2019. Green Sea Turtle Satellite Tagging in Support of Naval Weapons Station Ammunition Pier and Turning Basin. Prepared for Naval Facilities Engineering Command (NAVFAC) Southwest. Submitted to National Marine Fisheries Service, California, December 2019.
- Crear, D.P., D.D. Lawson, J.A. Seminoff, T. Eguchi, R.A. LeRoux, and C.G. Lowe. 2016. Seasonal shifts in the movement and distribution of green sea turtles *Chelonia mydas* in response to anthropogenically altered water temperatures. *Marine Ecology Progress Series* 548:219-232.
- Hanna, M.E., J. Bredvik, S.E. Graham, B. Saunders, J.A. Seminoff, T. Eguchi and C. Turner Tomaszewicz. 2020. Movements and habitat use of green sea turtles at the Seal Beach National Wildlife Refuge, CA. Prepared for Naval Weapons Station Seal Beach, California, September 2020.
- NMFS. 2019. Endangered Species Act Section 7(a)(2) Biological Opinion, Magnuson-Stevens Fishery Conservation and Management Act Essential Fish Habitat Response, and Fish and Wildlife Coordination Act Recommendations, for the Ammunition Pier and Turning Basin Construction Project at Naval Weapons Station Seal Beach. NMFS West Coast Region Protected Resources Division, Long Beach CA. April 30, 2019.
- USACE. 2021. Port of Long Beach Deep Draft Navigation Feasibility Study. Final Integrated Feasibility Report with Environmental Impact Statement/Environmental Impact Report. U.S. Army Corps of Engineers. August, 2021.

## **4.2 U.S. Fish and Wildlife Service**



DEPARTMENT OF THE ARMY  
LOS ANGELES DISTRICT, U.S. ARMY CORPS OF ENGINEERS  
915 WILSHIRE BOULEVARD, SUITE 930  
LOS ANGELES, CALIFORNIA 90017

July 31, 2014

Office of the Chief  
Planning Division

Mr. Jon Avery  
Federal Projects Coordinator  
U.S. Fish & Wildlife Service  
2177 Salk Avenue, Suite 250  
Carlsbad, California 92008

Dear Mr. Avery:

The U.S. Army Corps of Engineers (Corps) is initiating the Port of Long Beach Deep Draft Navigation Reconnaissance Study in order to improve navigation efficiencies. The study area is located in the city of Long Beach, Los Angeles County, California. A project vicinity map is enclosed.

To aid the planning process, the Corps requests a current list of any endangered, threatened, proposed or candidate species, pursuant to the Endangered Species Act of 1973, that may be within the vicinity of the study area. Please also include species of concern.

Also enclosed for your review is a draft plan formulation document identifying preliminary problems, opportunities, objectives, and measures. Your review of the draft document and initial comments concerning resource constraints as well as avoidance and minimization measures that could further aid the planning process are also solicited.

Please forward your comments and the species list by September 1, 2014, to:

Josephine R. Axt, Ph.D.  
Chief, Planning Division  
U.S. Army Corps of Engineers  
Los Angeles District  
915 Wilshire Boulevard, Suite 930  
Attention: Mr. Larry Smith  
Los Angeles, California 90017-3401

Should you require additional information or have any questions, please contact Mr. Larry Smith, Project Environmental Coordinator, at (213) 452-3846.

Sincerely,

A handwritten signature in black ink, appearing to read "Josephine R. Axt", is written over the typed name and title.

Josephine R. Axt, Ph.D.  
Chief, Planning Division

Enclosure



## Port of Long Beach Deep Draft Navigation Reconnaissance Study.

- 1) Problems: The primary problem is the inefficient operation of deep draft vessels—liquid bulk and container—in the Federal channel and secondary channels, which increases the Nation's transportation costs
  - a. Existing container vessels cannot draft more than 43 feet, which causes lightering and delays to an increasing number of containerships.
  - b. Delays and lightering from container vessel draft limits will increase as new, larger vessels are added to the fleet.
  - c. Existing vessels drafting 55 feet or more with LOA of 900 feet cannot enter the Federal Approach Channel during periods of dynamic (high) wave events causing delays.
  - iv. The severity of delays from dynamic wave effects will increase as liquid bulk (crude oil) traffic increases.
  - d. Liquid bulk vessels drafting over 61 feet must enter and exit the 2-mile long Entrance Channel one-at-a-time increasing costs due to delays arriving at berths.
  - e. Oil tankers in VLCC or ULCC classes (+200,000 DWT) drafting over 61 feet have no anchorage within the Inner Harbor due to the lack of deep anchorages creating safety concerns in the event of propulsion or equipment failure, weather conditions, emergency repairs, or other possible berthing issues.
  - f. Oil tankers are lightering offshore.
- 2) Opportunities: A number of opportunities were identified in the initial and subsequent steps and iterations of the planning process.
  - a. Reduce the transportation cost of import and export trade through the Port of Long Beach and contribute to increases in national net income
  - b. Provide a more accessible channel and increased opportunities for vessel transit
  - c. Provide improved conditions for vessel operation
  - d. Reduce constraints of harbor pilot operating practices
  - e. Provide beneficial placement of sediment (e.g., beach nourishment)
- 3) Planning Objectives:
  - a. Contribute to National Economic Development by reducing the cost of transporting cargo volumes to and from the Port of Long Beach by examining improvements to channel dimensions and vessel operations
  - b. Reduce expected future vessel re-routings from the Port of Long Beach to alternate facilities by examining improvements to channel dimensions and vessel operations
  - c. Utilize dredged sediment for beneficial means when possible
- 4) Measures
  - a. Deepen the secondary access channel to Pier J
  - b. Deepen the secondary access channel to Pier T West Basin
  - c. Construct a turning basin in the secondary access channel to Pier J
  - d. Construct a turning basin in the secondary access channel to Pier T West Basin
  - e. Deepen the approach channel
  - f. Deepen Cerritos Channel
  - g. Construct a turning basin in Cerritos Channel

- h. Deepen the Back Channel
- i. Construct an inner harbor waiting area or deepen the anchorage along main channel

5) Preliminary Alternatives

- a. Improvement to Container & Liquid Bulk Efficiency: Deepen the secondary access channels and construct turning basins to Pier J, Pier T West Basin, and Cerritos Channel. Deepen the approach channel. Construct an inner harbor waiting area and widen the main channel turning basin.
- b. Improvement to Container Efficiency: Deepen the secondary access channels and construct turning basins to Pier J, Pier T West Basin, and Cerritos Channel.
- c. Improvement to Container Efficiency at Pier J and Pier T West Basin: Deepen the secondary access channels and construct turning basins to Pier J and Pier T West Basin.



Cerritos Channel

Pier T - West Basin

Pier J

Anchorage

Approach Channel

POLB Navigation Improvements  
Reconnaissance Study

**From:** [Roberts, Carol](#)  
**To:** [Smith, Lawrence J SPL](#)  
**Subject:** [EXTERNAL] Port of Long Beach Deep Draft Navigation Reconnaissance Study  
**Date:** Wednesday, September 03, 2014 1:05:45 PM

---

14B0006-14EC3007

Hey Larry,

I apologize that the request for a species list has been sitting on my desk for a while. We generally don't provide species lists except through our ECOS portal to reduce the overall workload. You can get a species list (which includes species of concern as well as listed species) by following the step by step instructions at the following link:

<http://ecos.fws.gov/ipac/>

In regards to the plan formulation document, it provides some helpful organization of concepts for working through the process. Given our concerns for fish and wildlife that may use the larger Port of Long Beach area, I encourage the Corps to take advantage of the expertise within the Southern California Dredged Materials Management Team (SC-DMMT) to assist in providing for the appropriate beneficial use of the dredged materials. Given the volume of material, phasing would be appropriate, and the phases should be scheduled to avoid fish and wildlife impacts to species foraging in the dredge area and/or using potential receiving areas as nesting or wintering sites. I look forward to future discussions with the SC-DMMT on making the most of these materials while concurrently improving the Port facilities without adverse effects to fish and wildlife resources.

-Carol

\*+\*

Carol A Roberts, Division Chief  
Environmental Contaminants/Federal Projects  
Carlsbad Fish and Wildlife Office  
2177 Salk Avenue, Suite 250  
Carlsbad, CA 92008

(760) 431-9440, ext. 271/ fax (760) 431-5901  
24-hr spill phone number is 760-607-9768

carol\_a\_roberts@fws.gov <[mailto:carol\\_a\\_roberts@fws.gov](mailto:carol_a_roberts@fws.gov)>

"The significant problems we have cannot be solved with the same level of thinking with which we created them." -Albert Einstein





# United States Department of the Interior



## FISH AND WILDLIFE SERVICE

Carlsbad Fish and Wildlife Office  
2177 SALK AVENUE - SUITE 250  
CARLSBAD, CA 92008

PHONE: (760)431-9440 FAX: (760)431-5901

URL: [www.fws.gov/carlsbad/](http://www.fws.gov/carlsbad/)

Consultation Code: 08ECAR00-2015-SLI-0209

February 18, 2015

Event Code: 08ECAR00-2015-E-00451

Project Name: Port of Long Beach Deep Draft Navigation Reconnaissance

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

### To Whom It May Concern:

The enclosed species list identifies threatened, endangered, and proposed species, designated critical habitat, and candidate species that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

New information based on updated surveys, changes in the abundance and distribution of species, changed habitat conditions, or other factors could change this list. Please feel free to contact us if you need more current information or assistance regarding the potential impacts to federally proposed, listed, and candidate species and federally designated and proposed critical habitat. Please note that under 50 CFR 402.12(e) of the regulations implementing section 7 of the Act, the accuracy of this species list should be verified after 90 days. This verification can be completed formally or informally as desired. The Service recommends that verification be completed by visiting the ECOS-IPaC website at regular intervals during project planning and implementation for updates to species lists and information. An updated list may be requested through the ECOS-IPaC system by completing the same process used to receive the enclosed list.

The purpose of the Act is to provide a means whereby threatened and endangered species and the ecosystems upon which they depend may be conserved. Under sections 7(a)(1) and 7(a)(2) of the Act and its implementing regulations (50 CFR 402 *et seq.*), Federal agencies are required to utilize their authorities to carry out programs for the conservation of threatened and endangered species and to determine whether projects may affect threatened and endangered species and/or designated critical habitat.

A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

Please be aware that bald and golden eagles are protected under the Bald and Golden Eagle Protection Act (16 U.S.C. 668 *et seq.*), and projects affecting these species may require development of an eagle conservation plan ([http://www.fws.gov/windenergy/eagle\\_guidance.html](http://www.fws.gov/windenergy/eagle_guidance.html)). Additionally, wind energy projects should follow the wind energy guidelines (<http://www.fws.gov/windenergy/>) for minimizing impacts to migratory birds and bats.

Guidance for minimizing impacts to migratory birds for projects including communications towers (e.g., cellular, digital television, radio, and emergency broadcast) can be found at: <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/towers.htm>; <http://www.towerkill.com>; and <http://www.fws.gov/migratorybirds/CurrentBirdIssues/Hazards/towers/comtow.html>.

We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment



United States Department of Interior  
Fish and Wildlife Service

Project name: Port of Long Beach Deep Draft Navigation Reconnaissance

## Official Species List

**Provided by:**

Carlsbad Fish and Wildlife Office  
2177 SALK AVENUE - SUITE 250  
CARLSBAD, CA 92008  
(760) 431-9440  
<http://www.fws.gov/carlsbad/>

**Consultation Code:** 08ECAR00-2015-SLI-0209

**Event Code:** 08ECAR00-2015-E-00451

**Project Type:** Dredge / Excavation

**Project Name:** Port of Long Beach Deep Draft Navigation Reconnaissance

**Project Description:** Port of Long Beach Deep Draft Navigation Reconnaissance Study

**Please Note:** The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.





United States Department of Interior  
Fish and Wildlife Service

Project name: Port of Long Beach Deep Draft Navigation Reconnaissance

## Project Location Map:



**Project Coordinates:** MULTIPOLYGON (((-118.2446426 33.7503824, -118.2252448 33.7566624, -118.2230132 33.7520952, -118.2182067 33.7533797, -118.2178634 33.7545215, -118.2199233 33.7575187, -118.2192367 33.7593811, -118.2216399 33.7635127, -118.2252448 33.7679365, -118.2207816 33.7705051, -118.220095 33.7660814, -118.21958 33.7636554, -118.2156318 33.7566624, -118.2151168 33.7566624, -118.2147735 33.7625137, -118.2142585 33.7625137, -118.2137435 33.761372, -118.2134002 33.7563769, -118.2134002 33.7553779, -118.2113402 33.7560915, -118.2103103 33.7566624, -118.208422 33.758375, -118.2087653 33.7596594, -118.2087653 33.762371, -118.2080787 33.7626564, -118.2067054 33.7562342, -118.2149451 33.7519525, -118.2151168 33.7456722, -118.2065337 33.7403907, -118.2051604 33.7419609, -118.2127135 33.7469568, -118.2063621 33.7509534, -118.2060187 33.7442448, -118.1986373 33.7442448, -118.1986373 33.7509534, -118.1974357 33.7508106, -118.1969207 33.7431029, -118.1929725 33.7436738, -118.1921142 33.7431029, -118.1950324 33.7398197, -118.2010406 33.7398197, -118.2034438 33.739106, -118.2031005 33.7381067, -118.2018989 33.7363937, -118.196749 33.7359654, -118.187816 33.732682, -118.1848977 33.7336813, -



United States Department of Interior  
Fish and Wildlife Service

Project name: Port of Long Beach Deep Draft Navigation Reconnaissance

118.1850694 33.7361082, -118.1938241 33.7361082, -118.1943391 33.737964, -118.1860994  
33.738535, -118.1648477 33.7376785, -118.1617233 33.7156959, -118.2315895 33.7128401, -  
118.2424041 33.7421077, -118.2305595 33.7395382, -118.2169982 33.7443916, -118.2186805  
33.7449625, -118.2310745 33.7411085, -118.2412025 33.7429641, -118.2417175 33.7432496, -  
118.2446426 33.7503824)))

**Project Counties:** Los Angeles, CA



United States Department of Interior  
Fish and Wildlife Service

Project name: Port of Long Beach Deep Draft Navigation Reconnaissance

## Endangered Species Act Species List

There are a total of 6 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Birds	Status	Has Critical Habitat	Condition(s)
California Least tern ( <i>Sterna antillarum browni</i> )	Endangered		
Coastal California gnatcatcher ( <i>Polioptila californica californica</i> ) Population: Entire	Threatened	Final designated	
Least Bell's vireo ( <i>Vireo bellii pusillus</i> ) Population: Entire	Endangered	Final designated	
Light-Footed Clapper rail ( <i>Rallus longirostris levipes</i> ) Population: U.S.A. only	Endangered		
western snowy plover ( <i>Charadrius nivosus ssp. nivosus</i> ) Population: Pacific coastal pop.	Threatened	Final designated	
<b>Mammals</b>			
Pacific Pocket mouse ( <i>Perognathus longimembris pacificus</i> ) Population: Entire	Endangered		



United States Department of Interior  
Fish and Wildlife Service

Project name: Port of Long Beach Deep Draft Navigation Reconnaissance

## Critical habitats that lie within your project area

There are no critical habitats within your project area.

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# United States Department of the Interior



## FISH AND WILDLIFE SERVICE

Carlsbad Fish and Wildlife Office  
2177 SALK AVENUE - SUITE 250  
CARLSBAD, CA 92008

PHONE: (760)431-9440 FAX: (760)431-5901

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Consultation Code: 08ECAR00-2015-SLI-0253

March 10, 2015

Event Code: 08ECAR00-2015-E-00516

Project Name: POLB Navigation Improvements

Subject: List of threatened and endangered species that may occur in your proposed project location, and/or may be affected by your proposed project

### To Whom It May Concern:

The enclosed species list identifies threatened, endangered, and proposed species, designated critical habitat, and candidate species that may occur within the boundary of your proposed project and/or may be affected by your proposed project. The species list fulfills the requirements of the U.S. Fish and Wildlife Service (Service) under section 7(c) of the Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*).

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A Biological Assessment is required for construction projects (or other undertakings having similar physical impacts) that are major Federal actions significantly affecting the quality of the human environment as defined in the National Environmental Policy Act (42 U.S.C. 4332(2)(c)). For projects other than major construction activities, the Service suggests that a biological evaluation similar to a Biological Assessment be prepared to determine whether the project may affect listed or proposed species and/or designated or proposed critical habitat. Recommended contents of a Biological Assessment are described at 50 CFR 402.12.

If a Federal agency determines, based on the Biological Assessment or biological evaluation, that listed species and/or designated critical habitat may be affected by the proposed project, the agency is required to consult with the Service pursuant to 50 CFR 402. In addition, the Service recommends that candidate species, proposed species and proposed critical habitat be addressed within the consultation. More information on the regulations and procedures for section 7 consultation, including the role of permit or license applicants, can be found in the "Endangered Species Consultation Handbook" at:

<http://www.fws.gov/endangered/esa-library/pdf/TOC-GLOS.PDF>

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We appreciate your concern for threatened and endangered species. The Service encourages Federal agencies to include conservation of threatened and endangered species into their project planning to further the purposes of the Act. Please include the Consultation Tracking Number in the header of this letter with any request for consultation or correspondence about your project that you submit to our office.

Attachment





United States Department of Interior  
Fish and Wildlife Service

Project name: POLB Navigation Improvements

## Official Species List

**Provided by:**

Carlsbad Fish and Wildlife Office  
2177 SALK AVENUE - SUITE 250  
CARLSBAD, CA 92008  
(760) 431-9440  
<http://www.fws.gov/carlsbad/>

**Consultation Code:** 08ECAR00-2015-SLI-0253

**Event Code:** 08ECAR00-2015-E-00516

**Project Type:** Dredge / Excavation

**Project Name:** POLB Navigation Improvements

**Project Description:** Dredge channels and turning basins to improve efficiency at the POLB.

**Please Note:** The FWS office may have modified the Project Name and/or Project Description, so it may be different from what was submitted in your previous request. If the Consultation Code matches, the FWS considers this to be the same project. Contact the office in the 'Provided by' section of your previous Official Species list if you have any questions or concerns.



United States Department of Interior  
Fish and Wildlife Service

Project name: POLB Navigation Improvements

### Project Location Map:



**Project Coordinates:** MULTIPOLYGON (((-118.21717 33.7443975, -118.2211096 33.7505351, -118.2168095 33.7533968, -118.2186978 33.7579567, -118.2183545 33.7592412, -118.2204144 33.7630944, -118.2238648 33.7685172, -118.2346795 33.766234, -118.2370741 33.7653778, -118.2374175 33.7670902, -118.2228177 33.7709431, -118.2197278 33.7728053, -118.2211011 33.7705221, -118.2207577 33.768239, -118.2205861 33.7659557, -118.2174962 33.7588202, -118.2166379 33.7572503, -118.2156079 33.7525404, -118.2156079 33.7462602, -118.2054799 33.7388375, -118.1994717 33.7339839, -118.1974118 33.7352687, -118.1965535 33.7322708, -118.1938069 33.7308432, -118.1905453 33.7268457, -118.1826489 33.7307004, -118.181104 33.7361253, -118.1848805 33.736839, -118.1841939 33.7384093, -118.1770013 33.7382594, -118.1754391 33.7312715, -118.1756108 33.7271313, -118.1860821 33.7204208, -118.1852238 33.705856, -118.1908887 33.7054276, -118.21717 33.7443975)))

**Project Counties:** Los Angeles, CA



United States Department of Interior  
Fish and Wildlife Service

Project name: POLB Navigation Improvements

## Endangered Species Act Species List

There are a total of 6 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fish may appear on the species list because a project could affect downstream species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section further below for critical habitat that lies within your project. Please contact the designated FWS office if you have questions.

Birds	Status	Has Critical Habitat	Condition(s)
California Least tern ( <i>Sterna antillarum browni</i> )	Endangered		
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Least Bell's vireo ( <i>Vireo bellii pusillus</i> ) Population: Entire	Endangered	Final designated	
Light-Footed Clapper rail ( <i>Rallus longirostris levipes</i> ) Population: U.S.A. only	Endangered		
western snowy plover ( <i>Charadrius nivosus ssp. nivosus</i> ) Population: Pacific coastal pop.	Threatened	Final designated	
<b>Mammals</b>			
Pacific Pocket mouse ( <i>Perognathus longimembris pacificus</i> ) Population: Entire	Endangered		



United States Department of Interior  
Fish and Wildlife Service

Project name: POLB Navigation Improvements

## Critical habitats that lie within your project area

There are no critical habitats within your project area.



## United States Department of the Interior

### U.S. FISH AND WILDLIFE SERVICE

Ecological Services  
Carlsbad Fish and Wildlife Office  
2177 Salk Avenue, Suite 250  
Carlsbad, California 92008



In Reply Refer to:  
FWS-LA-15B0128-21CPA0060

April 14, 2021  
*Sent Electronically*

Colonel Julie A. Balten  
U.S. Army Corps of Engineers – Los Angeles District  
915 Wilshire Boulevard, Suite 930  
Los Angeles, California 90017-3409

Attention: Larry Smith

Subject: Final Coordination Act Report for the Proposed Long Beach Project, Los Angeles County, California

Dear Colonel Balten:

The U.S. Fish and Wildlife Service (Service) has prepared this Final Coordination Act Report (Final CAR) for the U.S. Army Corps of Engineers (Corps) on the proposed Port of Long Beach Deep Draft Navigation Project (project) to describe ecological components and processes, identify opportunities to protect and improve biological resources, and provide recommendations related to the conservation and enhancement of fish and wildlife species in the project area. The Corps' Los Angeles District and the Port of Long Beach (POLB), have completed a Draft Integrated Feasibility Report and Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Port of Long Beach Deep Draft Navigation Feasibility Study (feasibility study) located in the City of Long Beach, Los Angeles County, California. The feasibility study was published in October 2019 and provided to fulfill both federal National Environmental Policy Act (NEPA) and state California Environmental Quality Act (CEQA) environmental documentation requirements as the combined EIS/EIR (Corps 2019a).

The purpose of the proposed project is to evaluate and improve existing navigation channels within the Port of Long Beach to improve conditions for current and future container and liquid bulk vessel operations and safety (Corps 2019c). The proposed project would be located mainly at the Port of Long Beach Federal channels and berths serving Pier J and Pier T/West Basin (see Figures 1 and 2). The proposed project would deepen existing channels and construct a new Federal channel and turning basin by dredging and disposing of sediment. The total proposed dredge area is approximately 880 acres, and the project would expand the size of existing navigation channels and turning basin areas by approximately 345 acres (NOAA 2019). As proposed, dredged sediments would be placed in a nearshore disposal site off the coast of the City of Seal Beach, in Orange County, California (see the "Nearshore" site in Figure 3) and at two Environmental Protection Agency-designated offshore dredged material disposal sites (see sites LA-2 and LA-3 in Figure 3) in Los Angeles and Orange counties. The disturbance area of

new dredging (areas that have not been dredged previously) from the proposed project would be approximately 241 acres (NOAA 2019).

The overall project region (the general area including and surrounding all proposed project activities) consists of nearshore and offshore areas of a portion of San Pedro Bay in Los Angeles and Orange counties within 10 miles of the coast. The main project area (the area of all proposed project activities, excluding locations for dredge materials placement and associated transit zones between dredging and dredge materials placement) encompasses portions of the Los Angeles County coast of the eastern Pacific Ocean, predominantly within about 5 miles seaward of the historical coastline near the mouth of the Los Angeles River and the coast of the City of Long Beach in San Pedro Bay. The shoreline, marine, and former estuarine areas of the main project region (Figure 1) and main project area (Figure 2) have been heavily modified over the last century, associated with port development, oil extraction, and coastal commercial/urban development. Before the 20<sup>th</sup> century, the areas that are now the ports of Los Angeles and Long Beach were predominantly estuaries of the Los Angeles and San Gabriel rivers (Port of Long Beach 2011). The formerly extensive natural mudflats and marshlands of the main project area historically provided expansive habitats for birds, fish, and invertebrates, and the former barrier beaches, river mouths, and sand spits of the area served as nesting and foraging habitats for a variety of seabirds and shorebirds (Arnold 1903; POLB 2011). Very small remnants of these natural communities/habitats remain intact in the main project area.

This Final CAR is provided in accordance with the Fish and Wildlife Coordination Act (FWCA) of 1958, as amended (48 Stat. 401; 16 U.S.C. 661 *et seq.*), and the Endangered Species Act (ESA) of 1973, as amended (87 Stat. 884; 16 U.S.C. 1531 *et seq.*). The Final CAR is a report per section 2(b) of the FWCA; it does not constitute a biological opinion under section 7 of the ESA. The purpose of this Final CAR is to deliver information and recommendations for use by the Corps' design-planning team in developing goals, objectives, and alternatives/modifications to the project.

## INTRODUCTION

Nearshore<sup>1</sup> ecosystems include many biological resources that are of high ecological, recreational, subsistence, and economic value. California's nearshore ecosystems are some of the most productive ocean areas in the world (CDFG 2001). These systems are home to a wide variety of fishes, kelp, marine invertebrates, and marine mammals, as well as a large number of sea and shorebird species (CDFG 2001). These systems also are subject to influences from natural and human-caused perturbations, which can originate in terrestrial or oceanic environments. Nearshore marine habitats are productive, while also vulnerable, owing to their connections to pelagic and terrestrial landscapes. About 450 species of fish occupy California's nearshore ecosystem within the limits of the continental shelf (CDFG 2001).

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<sup>1</sup> The nearshore is defined as the area from the coastal high tide line offshore to a water depth of 120 feet.



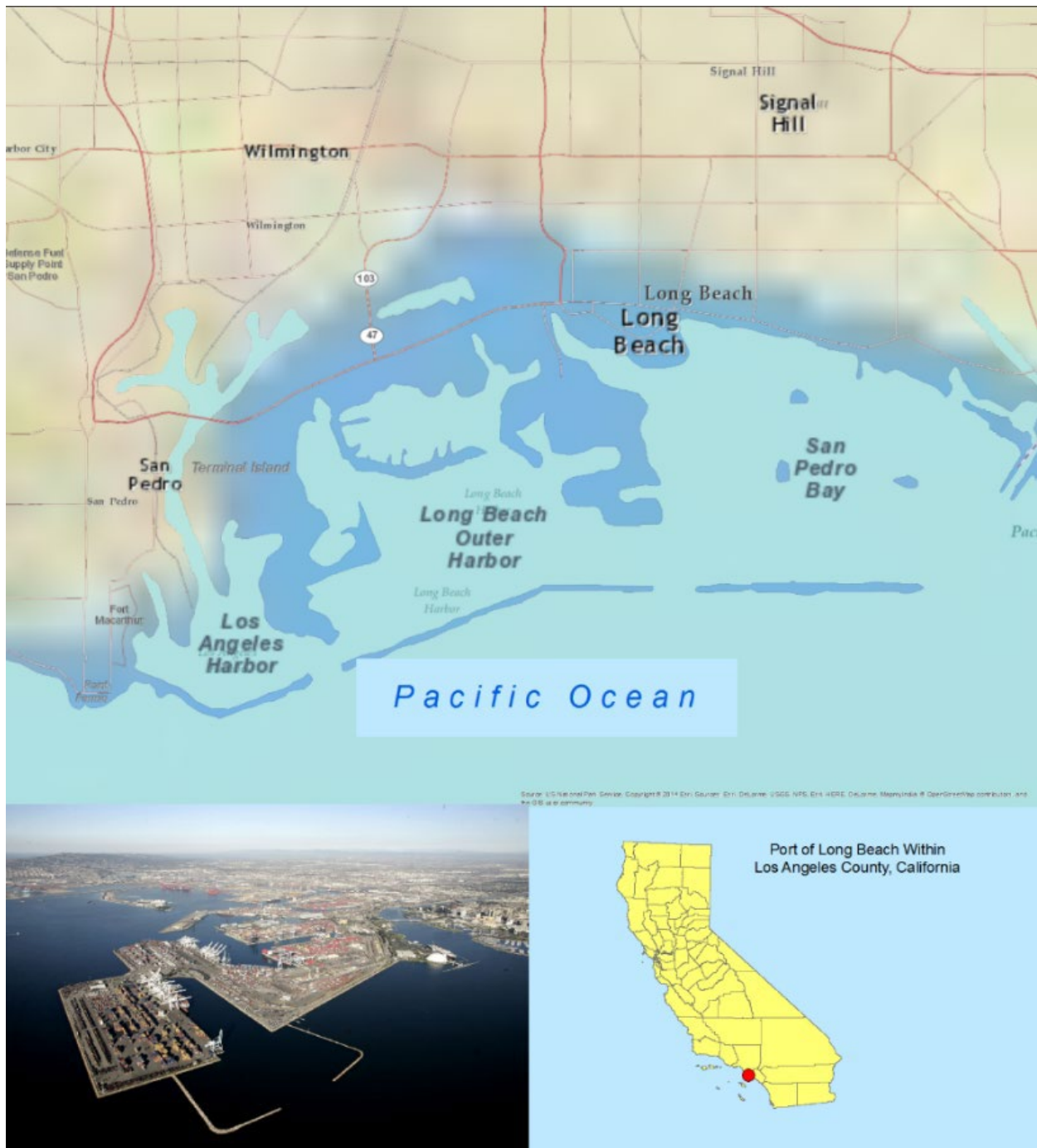


Figure 1. Main Project Region (Corps 2019a).





Figure 2. Main Project Area (Corps 2019a).<sup>2</sup>

<sup>2</sup> The white solid line boundary shown in the Corps' figure above denotes the "Existing Federal Project" main channel and approach channel for the Port of Long Beach – which are both currently dredged to 76 feet below mean lower low water. The "C" represents the proposed project "General Navigation Features" that would be constructed for container ships. The "LB" represents the proposed project "General Navigation Features" that would be constructed for liquid bulk vessels. The hashed and solid light blue areas represent proposed project dredging. The dotted line denotes the Port of Long Beach boundary.



**Figure 3.** Full Project Region and Dredge Material Placement Portion of Project Area (Corps 2019a).

San Pedro Bay is a large inlet of the eastern Pacific Ocean along the southwestern continental United States coast, within the Southern California Bight. The Southern California Bight encompasses the marine waters from Point Conception at the northwest end of the Santa Barbara Channel, to a point just south of the border between the United States and Mexico. The Southern California Bight is notable for complex bathymetry, offshore islands, and for being adjacent to a highly developed coastal region with substantial anthropogenic inputs into the coastal ocean (Todd *et al.* 2009). More than 22 million people live along southern California's coast (Brothers 2015).

The San Pedro Bay region includes the Port of Los Angeles and the Port of Long Beach, which together form the fifth-busiest port facility in the world and the busiest port in the Americas. San Pedro Bay is bounded by the City of Los Angeles communities of San Pedro on the west, Wilmington on the north, and by the cities of Long Beach and Seal Beach on the north and east.

Coastal development of Long Beach and a century of harbor dredging and filling associated with development of the ports of Los Angeles and Long Beach eliminated thousands of acres of Los Angeles River estuary. In its place, behind manmade breakwaters, remains an open-water marine embayment of relatively high biological diversity and productivity.

## **Fish and Wildlife Coordination Act**

The Fish and Wildlife Coordination Act of 1934 (the predecessor to the FWCA of 1958 noted above) included requirements that were the first formal expressions in U.S. law of a duty to minimize the negative environmental impacts of major water resource development projects and to compensate for those impacts that remained (Bean 2016).

The Fish and Wildlife Coordination Act of 1934 was a response to a U.S. era of big dam building and reflected a concern for the impact of those dams, particularly on anadromous fish (Bean 2016). As originally enacted, it required consultation with the Bureau of Fisheries (as the Service was then known) prior to the construction of any dam to determine if fish ladders or other aids to migration were necessary and economically practical to minimize impacts on fish populations. It required, as well, the opportunity to use the impounded waters for hatcheries to offset impacts that could not otherwise be avoided. The duties imposed by the FWCA were reinforced and expanded by the National Environmental Policy Act (NEPA) of 1969 (Bean 2016). Under NEPA and its implementing regulations, all federal agencies have a duty to assess the impacts of the major actions they propose to undertake and to consider reasonable alternatives to reduce or eliminate those impacts (Bean 2016). The Service, as the federal agency charged by Congress in the Fish and Wildlife Act of 1956 with the responsibility for management, conservation, and protection of fish and wildlife resources, routinely recommends mitigation measures to other federal agencies through the NEPA and FWCA processes (Bean 2016).

The FWCA directs and authorizes consultation, reporting, consideration, and installation/implementation of fish and wildlife conservation features. The authorities of the FWCA are considered to be “supplementary legislation” to the various Federal project authorizations, such as the Corps public works authorizations (Smalley and Mueller 2004). The FWCA conditions or supplements other water development statutes to require consideration of recommendations generated under the FWCA procedures, including portions of the Clean Water Act [*Zabel v. Tabb*, 430 F2d 199 (5th Cir. 1970) cert. denied 401 U.S. 910 (1972)]. For Federal water resources development projects, the FWCA requires that fish and wildlife conservation receive equal consideration by Federal agencies with other project purposes, and that such conservation be coordinated with other project features. Notably, the FWCA authorizes the Federal project implementation of these noted means and measures for both mitigating losses of fish and wildlife resources and for enhancing these resources beyond the scope of offsetting of project effects (Smalley and Mueller 2004).

## **PROJECT REGION HISTORY**

The project region history was substantially covered in our Planning Aid Report on the subject project dated June 2016. This document is enclosed and incorporated herein by reference.

## **PROPOSED PROJECT**

### **Recommended Plan – “Alternative 3”**

The proposed project is termed Alternative 3 within the feasibility study. It was also the Corps’ Tentatively Selected Plan (TSP) for the feasibility study, from the several project alternatives analyzed (Corps 2019a). Alternative 3 from the feasibility study is now officially the Corps’ Recommended Plan (Corps 2021).

The Recommended Plan, which would be undertaken jointly by the Corps and the POLB, would deepen the entrance to the Main Channel (the Approach Channel through Queens Gate) in the POLB to a depth of -80 feet (ft) mean lower low water (MLLW), widen portions of the Main Channel (bend easing) to a depth of -76 ft MLLW, construct an approach channel and turning basin to Pier J South to a depth of -55 ft MLLW, and deepen portions of the West Basin and West Basin Approach to a depth of -55 ft MLLW. The POLB would also deepen two additional locations within the harbor to a depth of -55 ft MLLW: the Pier J Slip, including berths J266-J270, and berth T140 on Pier T. Structural improvements would also be performed on the Pier J breakwaters at the entrance of the Pier J Slip to accommodate deepening of the Pier J Slip and Approach Channel to -55 ft MLLW; these activities are considered “Local Service Facilities” and would be undertaken solely by POLB.

The total proposed dredging volume is approximately 7.4 million cubic yards (mcy) of sediment, and total dredge area is approximately 880 acres (NOAA 2019). The project would expand the size of existing navigation channels and turning basin areas in the POLB area by approximately 345 acres (NOAA 2019). Proposed construction would begin in 2024 and is anticipated to take approximately 39 months to complete (Corps 2019c).

As proposed, only project sediments dredged from the deepening of the POLB Approach Channel would be placed in a nearshore disposal site off the coast of the City of Seal Beach (see the “Nearshore” site in Figure 3). This Nearshore site is also otherwise known as the Sunset/Surfside Borrow Site for other projects in the area (e.g., Corps 2019b), and is herein termed the “Nearshore/Sunset/Surfside site.” Sediments dredged from the balance of project dredging areas would be placed at two designated offshore dredged material disposal sites (see sites LA-2 and LA-3 in Figure 3) in Los Angeles and Orange counties.

The Nearshore/Sunset/Surfside placement site, approximately 5 miles from the main project area at the POLB, can accommodate about 2.5 mcy of dredged material in total (NOAA 2019). The dredge material placement sites LA-2 and LA-3 are approximately 9 miles and 22 miles, respectively, from the main project area in the POLB. Sites LA-2 and LA-3 have an allowed annual disposal volume limit of 1.0 and 2.5 mcy, respectively, from all sources (NOAA 2019). It is assumed that 0.9 mcy for LA-2 and 2.2 mcy for LA-3 would be available for use by this project each year (NOAA 2019). Vessel transit routes between the dredging locations and disposal sites are not mapped or identified in the feasibility study but are assumed to involve routes predominantly in direct lines from proposed dredging areas to noted disposal areas.

Dredging would be performed using a hopper dredge as well as an electric clamshell dredge. Disposal of material from the hopper dredge would maximize use of the Nearshore/Sunset/Surfside site, while a clamshell dredge would be utilized for sediment disposal at the disposal sites LA-2 and LA-3. The Approach Channel portion of the project would be completed in about 5 months of project-year one, utilizing the Nearshore/Sunset/Surfside placement site and LA-2 (Corps 2019a). The rest of the project activities, to be completed by the clamshell dredge, would take the remainder of the project's estimated total of 39 months (Corps 2019c). The total proposed dredging volume is approximately 7.4 mcy and total dredge area is approximately 880 acres (NOAA 2019).

The feasibility study indicates that the POLB would implement structural improvements to the Pier J breakwaters to address the need for increased structural stability associated with the deepened adjacent channels resulting from the project. As proposed, the types of structural improvements could consist of a series of project options: placing additional rock at the base of the existing breakwater structures, placing rock on the dredge slope using ground improvement methods, or submerged bulkhead walls of steel sheet pile structures. The most likely ground improvement method to be utilized would be injection of concrete grout at the base of the existing breakwater structures.<sup>3</sup> However, the feasibility study does not specify the location, amount, and/or type of fill associated with these improvements.

### **Project Dredge Equipment**

The proposed project would utilize the following two types of dredges:

1. **Hopper Dredge:** A hopper dredge is a self-contained vessel that loads sediment from dredge sites then moves to a receiver site for placement. Approximately 17,500 cubic yards of sediment can be removed and transported to the placement site per day using a hopper dredge; although this can vary depending on the transit trip length to the placement/disposal site. The hopper dredge contains two large arms that drag along the ocean floor and collect sediment. The hopper dredge moves along the ocean surface with its arms extended, passing back and forth in the designated dredge site until the hull is fully loaded with sediment. The hopper dredge can generally reach within approximately 0.5 mile of shore to offload to a nearshore site. A single hopper dredge would be used for the project, and it would place all of its dredged material at the Nearshore/Sunset/Surfside placement site; this would involve a total of about 2.5 mcy of sediment to be removed and placed using this equipment.
2. **Clamshell Dredge:** The clamshell dredge consists of a derrick mounted on a barge outfitted with a clamshell bucket. Dredged materials are placed on a separate barge for transport to the placement site. Approximately 6,000 cubic yards of sediment can be removed and transported to the placement site per day using a clamshell dredge. Additional construction equipment typically required to support dredging activities

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<sup>3</sup> The proposed ground improvement option would consist of injecting cement grout at high pressures into the soils behind a proposed sheet pile wall. The intent of the grout is to strengthen the soil behind the wall, relieving pressure on the bulk head. The injection of the grout as proposed would be accomplished by land-based equipment working on the adjacent wharf (Corps 2019a).

using a clamshell dredge include three support boats (two tugboats to move the barge and/or reposition the dredge, and a crew boat). Clamshell dredges are generally diesel-powered; however, all-electric clamshell dredges are available. An electric clamshell would be used for the proposed project as mitigation for air quality impacts. A single clamshell dredge would be used for the project, and a total of about 4.9 mcv of sediments would be removed and transported to the offshore disposal sites LA-2 and/or LA-3 using this equipment (Corps 2019a).

## **DESCRIPTION OF THE PROJECT REGION, PROJECT FOOTPRINT, AND PROJECT AREA**

The project region, project footprint, and project area were substantially analyzed in our Planning Aid Report on the subject project in June 2016 (Enclosure).

## **DESCRIPTION OF BIOLOGICAL RESOURCES**

The fish and wildlife resources of the POLB are reported in detail in a 2016 report entitled: *2013-2014 Biological Surveys of Long Beach and Los Angeles Harbors* (MBC 2016). The biological resources of most of the project region were analyzed within the 2019 feasibility study for the project noted above. Additionally, the biological resources of the main project area were substantially covered in our Planning Aid Report on the subject project dated June 2016 (Enclosure). Please refer to these resources.

The northern portion of San Pedro Bay is dominated by the ports of Los Angeles and Long Beach. These ports are large harbor complexes typified by extensive areas of hardened shoreline (riprap and quay wall) and dredge-maintained channels (SAIC 2010). The benthic hard substrates in the port areas are mostly artificial breakwaters and constructed walls and pilings in shallow water areas in the ports (LA/LBHSC 2016).

The physical habitats of the bottom of San Pedro Bay, with the exception of the artificial structures, is mostly natural soft bottom substrates (Allen 1985; Anchor Environmental 2001). Maximum water depths in the bay typically do not exceed 53 ft (Robbins 2006).

The main project area within POLB where dredging is proposed consists primarily of deep water soft bottom habitats. Specific to zones adjacent to the main project footprint, MBC Applied Environmental Sciences (MBC) observed kelp on both faces of the Long Beach and Middle breakwaters; both faces of Pier F and the Navy Mole; the west-, south-, and east-facing outer faces of Pier J; and both faces of the breakwaters protecting the Pier J slip (MBC 2016).

Harbor seal (*Phoca vitulina*) and California sea lion (*Zalophus californianus californianus*) are commonly observed within the port complex and surrounding areas. Cetaceans known to occur within the POLB complex area include bottlenose dolphin (*Tursiops* spp.) and common dolphin (*Delphinus* spp.). Both pinnipeds and cetaceans utilize the waters of the project region primarily to rest and forage (MBC 2016).

## Sea Turtles

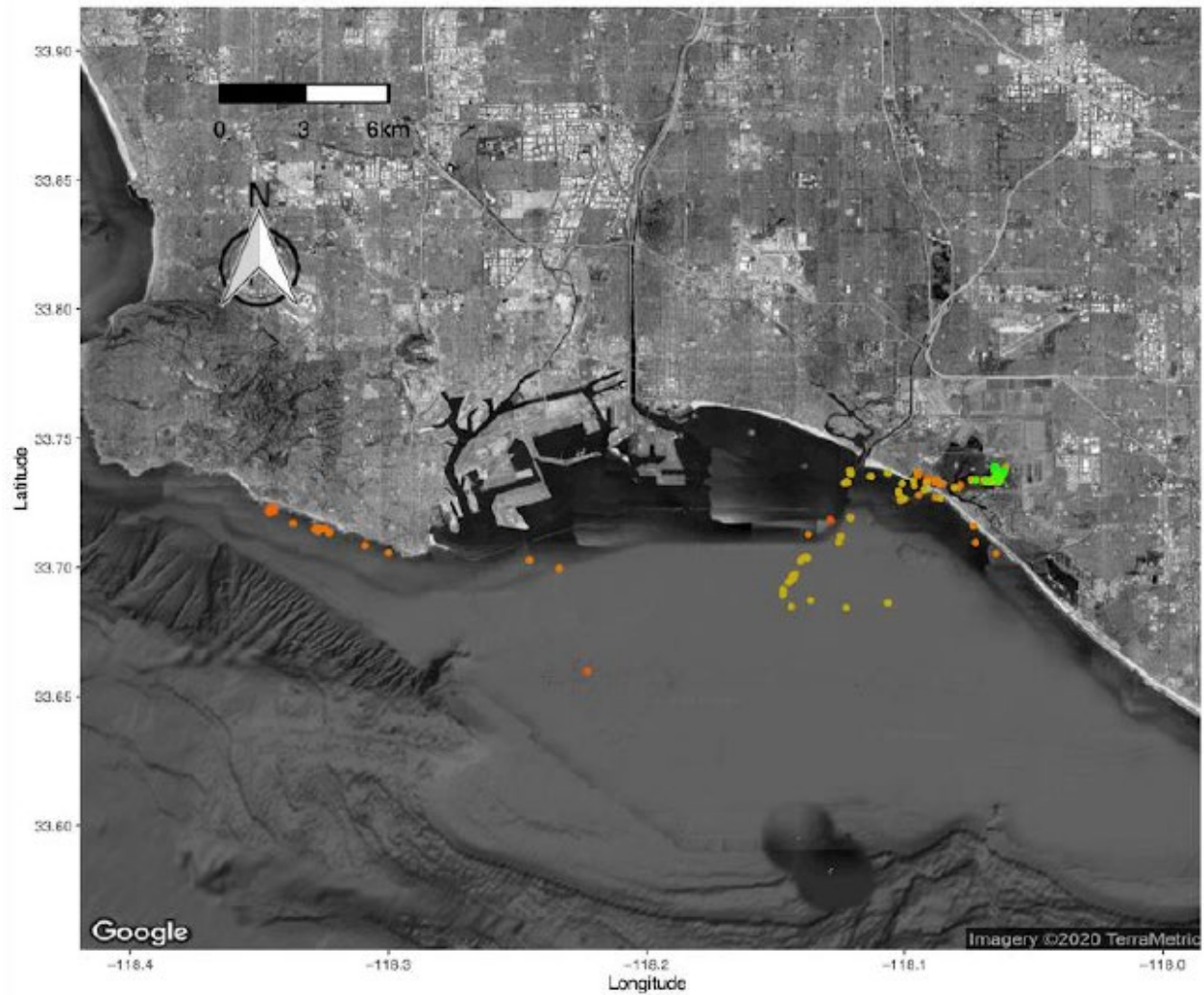
Pacific green sea turtles (*Chelonia mydas*; green sea turtles) have been reported from the project region about 2 miles northwest of the proposed Nearshore/Sunset/Surfside placement site since at least 2008, most frequently from the mouth of the San Gabriel River. They are the only sea turtle species likely to occur in the project region. The San Gabriel River and its associated wetland/estuarine areas comprise the northernmost known year-round habitats for the green sea turtle (Aquarium of the Pacific 2019). The green sea turtles using this area and environs are federally-listed as threatened. Green sea turtles are generally found inside reefs, bays, and inlets (except when migrating or transiting). They are attracted to lagoons and shoals with an abundance of marine grass and algae. Nesting of green sea turtles is not considered likely in the project region with the high level of human disturbance on almost all beaches. The green sea turtles observed in the project region over the last decade are reportedly predominantly of the teenage age class, with no reports of small juveniles in the area (Goldman 2016); although, a few reports of breeding-age green sea turtles have come from the San Gabriel River (Propes 2017).

The small and growing population of green sea turtles in the project region mainly persists in and around the San Gabriel River mouth (likely associated with the warm water outfall of the Haynes Generating Station) and within Anaheim Bay/Seal Beach National Wildlife Refuge (SBNWR) estuarine complex (about 1 mile north of the Nearshore/Sunset/Surfside site) (CaliforniaHerps 2018; Crear *et al.* 2016). The available information suggests that while green turtles are present in the estuarine reach of the San Gabriel River year round, their presence may be more seasonal (summer and fall) in other locations in the region when water temperatures are warmer including: Anaheim Bay and other waters in the SBNWR, Sunset/Huntington Harbor, and Alamitos Bay. Crear *et al.* (2016) showed that tagged juvenile sea turtles left SBNWR/Anaheim Bay and moved through the ocean off Seal Beach into the San Gabriel River during winter months, when ocean water temperatures dropped below 59°F/15°C. Conversely, sea turtles moved through Anaheim Bay to get to the 7th Street Basin in the SBNWR during summer and fall months. In the project region, the bay and estuarine habitat areas in which green sea turtles appear to most frequently occur are primarily adjacent and inshore of the project area (NOAA 2020). The expansion or re-expansion of the green sea turtle range and population numbers in southern California in recent years has presented additional conservation challenges for the species, including exposure to marine pollution (Barraza *et al.* 2020), vessel strikes, and potential interactions with marine development (Hanna *et al.* 2020).

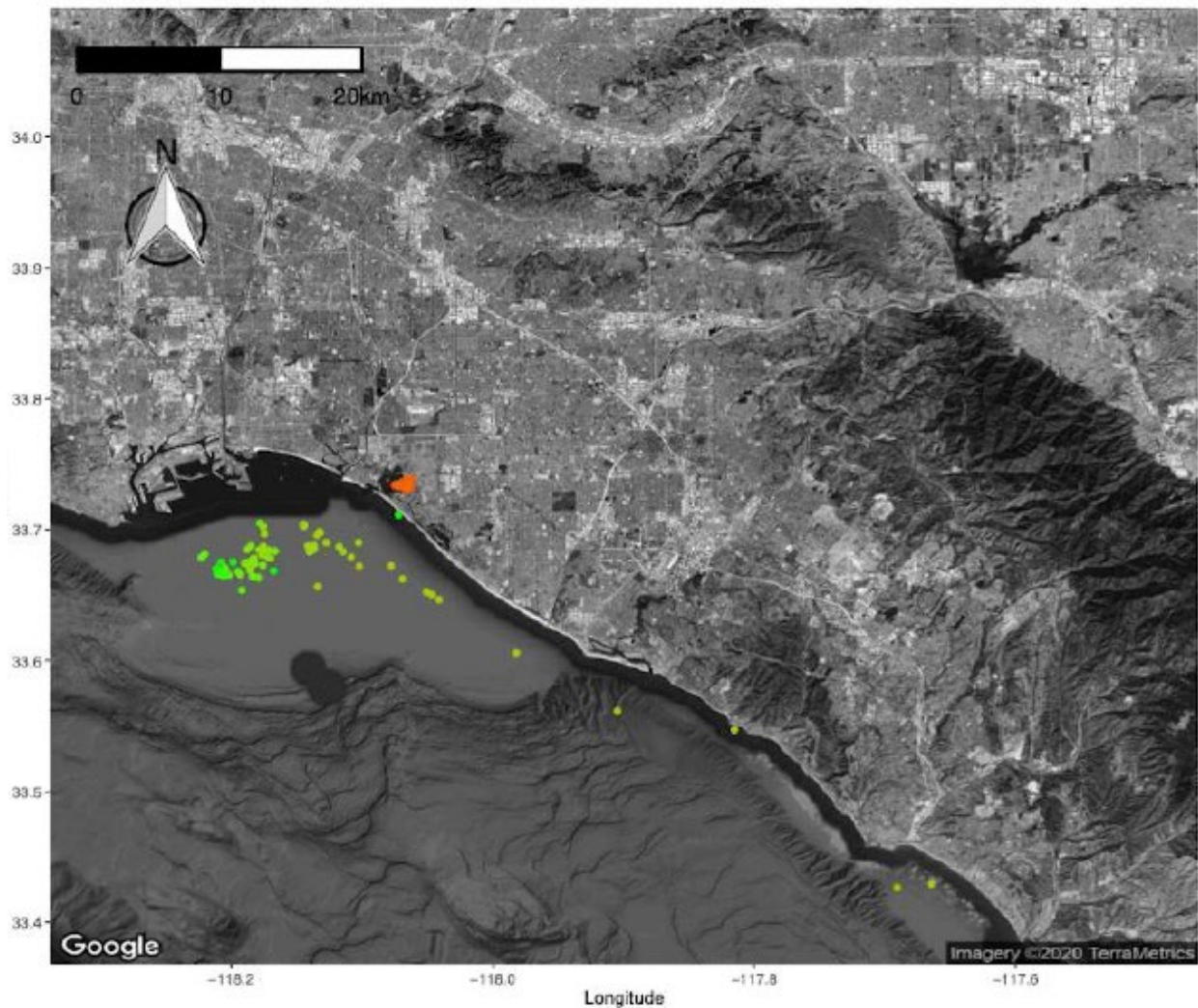
Radio tracking data from green sea turtles in the project region indicate that most tagged turtles of the region spent their time in the mouth of the San Gabriel River, with a few turtles swimming into the ocean during the day and returning to the San Gabriel River mouth at night (Goldman 2016), likely crossing portions of the project footprint. The Navy, in collaboration with the National Marine Fisheries Service (NMFS), has been implementing a green sea turtle satellite tagging study to help monitor green sea turtles within the Anaheim Bay region. Preliminary results from this effort indicate that habitat utilization is highest within the SBNWR, but a number of forays have occurred in the adjacent nearshore area of the ocean (Bredvik *et al.* 2019). Of 16 green sea turtles satellite-tagged, two of the turtles went into the ocean after visiting Anaheim Bay (Hanna *et al.* 2020). One individual travelled west from Anaheim Bay along the coast, as far



as Rancho Palos Verdes, while another travelled south-east to Dana Point (see Figures 4 and 5; Hanna *et al.* 2020). Both sea turtles then travelled back into Anaheim Bay (Hanna *et al.* 2020). Overall tagging study results indicate use of nearshore habitat in East San Pedro Bay including limited movements in the project footprint, within and adjacent to the Nearshore Surfside/Sunset disposal site (NOAA 2020, 2021) and likely transit zones. We conclude that green sea turtles have considerable potential to occur in the project footprint during the 39 months of proposed project activities.



**Figure 4.** Locations of an individual satellite-tagged green sea turtle (#PTT 152310) in San Pedro Bay and environs during the period of November 2018 to February 2019, from a study of sea turtle use of Anaheim Bay, California (Hanna *et al.* 2020).



**Figure 5.** Locations of an individual satellite-tagged green sea turtle (#PTT 182986) in San Pedro Bay and environs during the period of July 2019 to March 2020, from a study of sea turtle use of Anaheim Bay, California (Hanna *et al.* 2020).

### **Potential Impacts of the Proposed Project on Biological Resources**

Many of the potential impacts within the main project area were substantially analyzed in our Planning Aid Report (Enclosure). Please refer to that document.

The proposed project activities would occur predominantly within soft bottom areas within San Pedro Bay. Marine soft-bottom habitats are naturally common within the project area, including proposed dredge placement/disposal areas. The project would likely result in short term increases in turbidity and noise compared to existing levels in the immediate areas around proposed project activities.

The direct footprint of the proposed project activities would occur in areas that are predominantly unvegetated bottom habitats, likely of existing low to moderate biological productivity, depending on the history of past dredging activities at each location and ongoing ship-related propeller turbulence. Adverse impacts to adjacent soft bottom habitats from indirect effects (e.g., turbidity) from project activities would likely be short-term.

According to the feasibility study, some areas within the proposed Pier J approach channel project footprint have not previously been dredged (Corps 2019a; NOAA 2019). This area was naturally deep enough in the past to accommodate container vessels going to Pier J in the POLB without dredging. Proposed dredging of these sediments are expected to result in sediments suitable for open ocean disposal, due to their high sand content. Based upon updated information provided by the Corps subsequent to the feasibility study, the proposed dredging would include 241 acres of new dredging (NOAA 2019); these areas are likely ecologically intact soft-bottom areas of moderate function that are currently partially disturbed by ongoing vessel activities, as noted above.

The feasibility study indicated that the proposed activities related to deepening of project channels would affect some fish species/habitats in the following ways: (1) temporary disturbance and displacement of fish species, (2) increased sediment loads and turbidity in the water column, (3) temporary loss of food items to fisheries (vis-a-vis temporary loss of soft bottom habitats and associated benthic invertebrates), (4) limited sediment transport and re-deposition, and (5) temporary degradation of the water quality due to dredging and construction activities.

The Pacific Fishery Management Council (1998, 2019) has identified broad types of potential adverse effects and recommendations to consider when evaluating coastal marine dredging and disposal projects. In general, the potential adverse effects on fish from dredging and disposal include: (1) loss and alteration of habitat; (2) altered hydrology and geomorphology; (3) sedimentation, siltation, and turbidity; (4) release of contaminants; (5) direct impact to organisms; and (6) noise. Of particular concern are benthic impacts associated with dredging of new areas and potential fill impacts associated with proposed structural work, noted above for Pier J breakwaters (NOAA 2019).

Many fish species of the project area forage on infaunal and bottom-dwelling organisms, such as polychaete worms, crustaceans, and other prey types. Proposed dredging may adversely affect these prey species at the site by directly removing or burying these organisms (Pacific States Marine Fisheries Commission 2005). Recolonization studies suggest that ecological recovery<sup>4</sup> may not be straightforward, and the process can be regulated by physical factors including ocean-bottom matrix particle size distribution, currents, and compaction/stabilization processes following disturbance (Dernie *et al.* 2003; Kaiser *et al.* 2006). Rates of recovery for these areas range from several months to several years for estuarine muds and up to 2 to 3 years for sands

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<sup>4</sup> In this context, recovery here generally means the later (or mature) phase of benthic community development following disturbance. Early phases of benthic community development following disturbance often predominantly involve pioneering species different from the original species. Later phases of community development involve initial re-establishment of species that inhabited the area prior to disturbance. The latter phase is what is considered the initial recovery of the community that naturally existed on the site (Rosenberg *et al.* 2002; Dernie *et al.* 2003).

and gravels (Dernie *et al.* 2003; NOAA 2019). Recolonization can take up to 1 to 3 years in areas of strong current, and up to 5 to 10 years in areas of low current (Kenny and Rees 1996; Boyd *et al.* 2005; Pacific States Marine Fisheries Commission 2005; Kaiser *et al.* 2006). Given the large dredging footprint (i.e., 880 acres) and expansion into previously undredged areas (i.e., 241 acres), the adverse effects to benthic foraging habitats (e.g., for some fish species and their predators) from project dredging are likely more than temporary and minimal (NOAA 2019) as concluded by the feasibility study (Corps 2019a).

As a result of southern California's large human population and intense economic and recreational activity, very little coastal space exists that has not been subject to construction, mineral extraction, or other form of habitat alteration. Dredge and fill activities, shoreline armoring, and overwater structures are the primary causes of habitat alteration within southern California coastal marine ecosystems. At the ports of Long Beach and Los Angeles, increasing global economic trade have resulted in the need for larger, deeper draft ships to transport cargo. This has led to a demand for new construction and dredging to widen and deepen channels, turning basins, and slips to accommodate these larger vessels. The Corps' East San Pedro Bay Ecological Restoration Project feasibility study (Corps 2019b) specifically identified habitat loss and declines in abundance and biodiversity of marine populations as the primary problems in the region, which includes the majority of the project area.

The proposed disposal of dredged material offshore may adversely affect some fish habitats by: (1) impacting or destroying benthic communities, (2) affecting adjacent habitats, (3) creating turbidity plumes, and (4) introducing contaminants and/or nutrients (NOAA 2019). Sediment disposal at the ocean disposal sites LA-2 and LA-3 has previously undergone significant environmental review during their designation as offshore disposal sites. In addition, dredged materials proposed for disposal at these areas are evaluated through the Southern California Dredged Material Management Team approval process. We expect that these environmental review processes will adequately address anticipated or potential adverse impacts to marine habitats at these two offshore disposal sites.

Another project concern is the potential project-related spread of the invasive alga *Caulerpa taxifolia*, which has been introduced to the California coastline (NOAA 2019). It is one of two algae on the list of the 100 worst invasive species compiled by the International Union for Conservation of Nature Invasive Species Specialist Group (Lowe *et al.* 2000). Evidence of the harm that can ensue as a result of an uncontrolled spread of the alga has already been seen in the Mediterranean Sea where it has largely destroyed local ecosystems and adversely affected commercial fishing, coastal navigation, and recreational opportunities (NOAA 2019). Although it is not known to be present within the project area, it had been detected in two locations in southern California; one location in Agua Hedionda Lagoon in San Diego County and another (about 7 miles south of the Port of Long Beach) in Huntington Harbour in Orange County (NOAA 2019). If the invasive alga is present within the project area, the proposed dredging-disposal activities could adversely affect local marine ecosystems by promoting its spread and increasing its negative ecosystem impacts. The feasibility study indicates that pre-construction surveys for *Caulerpa taxifolia* would be conducted in the Main Channel, proposed Pier J Channel and Turning Basin, and the Nearshore/Sunset/Surfside disposal site. In addition, project construction

would not begin if *Caulerpa taxifolia* is found within the project activity footprint, until cleared to do so by the NMFS (NOAA 2019). The noted proposed environmental commitments, including to survey appropriate locations for *Caulerpa taxifolia*, adequately addresses our concerns.

The feasibility study does not fully describe or analyze the proposed structural improvements to the Pier J breakwater. It does indicate that the placement of a submerged sheet pile structure with associated rock protection to stabilize the Pier J breakwaters, if implemented, would have localized effects on marine biota, including to marine mammals. Sheet pile installation would be by either a hammer or vibratory method, to be determined during design based on sediment characteristics at the site. Likewise, other motile organisms are expected to leave the main project area during such construction activities (NOAA 2019). Proposed rock placement as part of this activity would bury extant soft bottom habitats, likely replacing them over time with rocky reef type of habitats, after eventual colonization by reef species within and on the placed stone.

Riprap supports a unique biological community associated with the rock substrate in the POLB complex (MBC 2016). In addition, it supports canopy kelp habitats (NOAA 2019). If kelp is currently present in the footprint of areas proposed for the noted structural improvements, the use of concrete grouting in such locations would likely adversely affect canopy kelp habitats via direct disturbances to the macroalgal and associated communities and may ultimately reduce habitat complexity in these areas. This riprap and canopy kelp are currently important as settlement substrate, foraging, and refuge, for various living marine resources (NOAA 2019). Given the information provided regarding the type, location, and effects of the proposed Pier J structural improvements in the feasibility study is rather general, additional information would be necessary to fully assess the effects of these proposed structural improvements and identify appropriate specific conservation recommendations. However, we offer a preliminary conservation recommendation addressing these structural improvements below.

The feasibility study and subsequent correspondence from the Corps indicate that sea turtles do not occur in the study area for the project, and thus they would not be affected by the project.<sup>5,6</sup> Various sightings and strandings of green sea turtles have been documented in the POLB surrounding the main project area, and preliminary green sea turtle tagging results also indicate they are present in the project area (Bredvik *et al.* 2019; NOAA 2019; NOAA 2021).<sup>7</sup> Green sea

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<sup>5</sup> This issue may have been partially caused by the Corps' apparent analysis of a study area and project area that do not include project dredge disposal areas and the associated dredge-disposal transit zones.

<sup>6</sup> In a March 30, 2021, letter to the Service on the project, the Corps stated: "The USACE has evaluated information provided to us by the NMFS on green sea turtles in the area. We have also consulted with the POLB, which monitors for green sea turtles during its in-water construction projects. Green sea turtles have been documented in Alamitos and Anaheim Bays. However, no green sea turtles have been documented in the project area, including the Surfside Borrow Site Nearshore Placement Area... We are confident in our position that the project would not effect this species and are maintaining the no effect determination." We note the Corps' conclusion but continue to maintain that there is a high likelihood that green sea turtles are likely to occur in the project area, as described herein.

<sup>7</sup> In a 2014 letter to the Corps identifying the threatened or endangered species that may be found in the project area, NMFS indicated that green sea turtles are known to reside and forage year-round in the Long Beach area, including areas within the vicinity of POLB (main project area), through observations of free-swimming and stranded animals, as well as through directed scientific research (NOAA 2019). In contrast, the Corps subsequently determined that federally-listed marine turtles do not occur in the study area, but are occasionally sighted in warm-water areas of

turtles are also known to occur in and near the Nearshore/Sunset/Surfside site portion of the project footprint, and potentially occur within what are likely the associated transit zones between project dredge locations and the Nearshore/Sunset/Surfside site (NOAA 2021). Sea turtles appear to be at risk of being harmed by the proposed activities. In 2012, a dead green sea turtle was found in Encinitas, California, with injuries reportedly consistent with contact from a hydraulic hopper dredge, similar to the dredge proposed for use in the subject project (Harris 2014; NOAA 2019, 2021). Dredging and sand placement activities for the Regional Beach Sand Project-II (RSBP-II) in 2012 were occurring in the Encinitas area before and at the time the turtle was found (SANDAG 2013).<sup>8</sup> The Corps recently consulted with NMFS on green sea turtles for the proposed East San Pedro Bay Ecosystem Restoration project in a portion of the same project region, including the Nearshore Sunset/Seaside disposal site as a borrow site (NOAA 2020). Based on the above, we conclude that green sea turtles likely occur in the project area/footprint and have substantial potential to be adversely affected by boat, barge, and dredge use and transit associated with the project, including vessel strikes.

## Recommendations

The FWCA states that “...wildlife conservation shall receive equal consideration and be coordinated with other features of water-resource development projects through the effectual and harmonious planning, development, maintenance, and coordination of wildlife conservation...” (16 U.S.C. 661). The FWCA establishes a consultation requirement for Federal agencies that undertake any action that proposes to modify any stream or other body of water for any purpose, including navigation and drainage. The FWCA provides for the opportunity for us to offer recommendations for the conservation of species and habitats beyond those currently managed under the ESA.

The proposed project (Recommended Plan) contains a number of standard operating procedures, conservation measures, and mitigation measures to reduce the effects of the project on biological resources. Except where noted in our recommendations below, we expect the noted project mitigation and conservation measures within the feasibility study are integral components of the proposed project action and expect that all proposed activities will be completed consistent with those measures. Consistent with FWCA, should the project be implemented, we suggest incorporation of the following recommendations in order to improve project planning and avoid, minimize, and compensate for potential impacts to fish and wildlife resources; as well, we suggest the incorporation of the project elements outlined below that would improve or enhance fish and wildlife resources beyond the enhancements that could be achieved by offsetting measures alone:

1. As part of the proposed project, the Corps should create a least tern/snowy plover nesting island in the project region with rock and dredged materials. We suggest a location in San

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estuaries and bays in the region (NOAA 2019). In 2021 NMFS indicated that the agency “...disagrees with the USACE's assertion that green sea turtles are not in the project area” (NOAA 2021).”

<sup>8</sup> RBSP-II beach sand replenishment occurred at the Moonlight Beach receiver site from October 20 to 25, 2012, and at the Batiquitos receiver site (3 miles to the north of Moonlight Beach) from October 28 to November 24, 2012. The noted dead sea turtle was found on Moonlight Beach in Encinitas on November 4, 2012.



Pedro Bay shoreward of the existing Middle or Long Beach breakwaters.<sup>9</sup> Some potential sandy island locations in this area were evaluated within the Corps' East San Pedro Bay Ecosystem Restoration project. Other functional locations away from shore likely exist in the project region. This island should be at least 9 acres in size and relatively flat with the main surface of the island constructed of typical least tern nesting soil matrix materials (e.g., light-colored sand). To accommodate snowy plovers and the haul-out of some pinniped marine mammals, a portion of the island should have a zone of low gradient shoreline sloped down to the water within a protected cove, likely adjacent to and facing the existing breakwater for swell/wave energy protection. Other features such as subaquatic reefs constructed of rock are also suggested around the island, to provide shallow rocky reef habitats and to additionally help prevent erosion of the island cove shoreline surface materials (sand and gravel) through dissipation of wave energy. The configuration and slope surface of the noted island cove shore should be constructed of surface sand and gravel (possibly partially cemented or grouted in place for erosion control) or other compatible materials for snowy plover chick foraging; the configuration should be such that the cove areas remain open to tide-borne deposition of natural beach wrack and would otherwise support (e.g., shore slope angle) snowy plover chick and adult foraging. The remainder of the island (outside of the sand/gravel shore portion) would likely need to be edged by riprap or similar materials to avoid erosion of the island by wave and wind energy; similar to the four artificial THUMS islands<sup>10</sup> currently found off Long Beach within the project region. Dredged materials could be used for this purpose, at least in part. It is preferred that the surface/shore of this island not be utilized for human recreation and be protected from unauthorized entry.<sup>11</sup>

2. Consistent with the general recommendations provided by Pacific Fisheries Management Council (2019), the Corps should, to the extent feasible, offset all likely adverse effects to important marine fish habitats from new dredging. Specifically, the dredged material may provide a beneficial re-use opportunity to restore aquatic ecosystem structures and functions in East San Pedro Bay. The Corps should evaluate the feasibility of re-using the dredged material that would be provided by the project (as contaminant levels in the

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<sup>9</sup> We suggest these locations to minimize conflict with existing shipping traffic routes in the ports. These Outer Harbor areas would likely provide high ecological function for the fish and wildlife species targeted by this measure.

<sup>10</sup> The THUMS Islands are a set of four artificial islands in San Pedro Bay built in 1965 to tap into the East Wilmington Oil Field. THUMS stands for a consortium named after the parent companies who bid for the island contract: Texaco, Humble (now Exxon), Union Oil, Mobil, and Shell. The outside rim of the islands are made of 640,000 tons of boulders from Catalina Island, and the islands are filled with 3.2 mcy of dredged material from the bay (Sidel 1994).

<sup>11</sup> In a letter to the Service dated March 30, 2021, the Corps (2021) indicated that "Generally, the USACE would not propose to develop such an island for species as part of the navigation project unless it is justified as mitigation or offsets for adverse effects. The USACE has determined that the proposed project would not affect either California least tern or western snowy plover. In addition, there is no feasible location for such an island." We note that the FWCA directs the Service to make appropriate recommendations to action agencies such as the Corps that include measures beyond mitigation or project offsets, and it provides associated authorizations to implement those measures. Past development of the ports of Los Angeles and Long Beach, as well as urban and commercial development of the surrounding coastal communities, has eliminated almost all least tern and snowy plover nesting habitats that formerly occurred in the region. This recommendation is directed at partially replacing those historical losses, consistent with the mandates of the FWCA. The East San Pedro Bay Ecosystem Restoration project evaluated potentially feasible locations for such islands in the project region.



dredge materials allow) to support various restoration measures (e.g., to create: areas of shallow water habitats at depths less than -20 feet MLLW, nearshore wetlands, a sandy island as noted above) that would require fill material, as described in the Corps' East San Pedro Bay Ecological Restoration Project feasibility study.

3. We recommend that the Corps re-consider the risks of potential injury and disturbance impacts to green sea turtles in its determination of whether this species may be adversely affected by proposed project activities (NOAA 2019; NOAA 2021). In particular, we recommend that the Corps consider the risks of injury associated with hopper dredge activities, including transit between dredging and the Nearshore/Sunset/Surfside location outside the entrance to Anaheim Bay. Hopper dredge encounters with sea turtles known to occur in the southeastern U.S. have been formally consulted upon numerous times by Corps and NMFS (NOAA 2019). We recommend that the Corps engage in consultation pursuant to the ESA with NMFS Protected Resources Division in Long Beach, California. Appropriate project monitoring for sea turtles by qualified individuals should be incorporated into the project, including monitoring for avoidance of project vessel strikes, as well as improved understanding of sea turtle use of the project area/region and potential effects associated with temporarily increased turbidity, with guidance developed in consultation with NMFS.
4. The Corps should analyze in greater detail the potential ecological impacts associated with Pier J breakwater structural improvements. Compensatory mitigation should be developed and implemented as appropriate for any permanent loss of fish or reef habitats, such as from fill placement associated with proposed Pier J breakwater structural improvements.

If you have any questions regarding this letter, please contact [Jon Avery](#),<sup>12</sup> Federal Projects Coordinator, at 760-431-9440, extension 309.

Sincerely,

KRISTINE  
PETERSEN

Digitally signed by  
KRISTINE PETERSEN  
Date: 2021.04.14  
12:58:03 -07'00'

for Scott A. Sobiech  
Field Supervisor

Enclosure

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<sup>12</sup> Jon\_Avery@fws.gov

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## ENCLOSURE



# United States Department of the Interior

## FISH AND WILDLIFE SERVICE

Ecological Services  
Carlsbad Fish and Wildlife Office  
2177 Salk Avenue, Suite 250  
Carlsbad, California 92008



In Reply Refer To:  
FWS-LA-15B0128-16CPA0091-E00880

June 30, 2016

Colonel Kirk Gibbs  
U.S. Army Corps of Engineers, Los Angeles District  
915 Wilshire Boulevard, Suite 930  
Los Angeles, California 90017-3409

Attention: Lawrence Smith

Subject: Final Planning Aid Report for the Proposed Port of Long Beach Deep Draft Navigation Project, Los Angeles County, California

Dear Colonel Gibbs:

The U.S. Fish and Wildlife Service (Service) has prepared this Final Planning Aid Report (PAR) for the U.S. Army Corps of Engineers (Corps) on the proposed Port of Long Beach Deep Draft Navigation Project (project) to describe issues and opportunities related to the conservation and enhancement of fish and wildlife resources. The project, as proposed, would involve dredging and deepening portions of the Port of Long Beach (Port), Los Angeles County, California. The purpose of the proposed project is to improve transportation efficiency and safety at the Port for large ships.

The proposed project area would involve portions of the Los Angeles County coast of the eastern Pacific Ocean, within about 3 miles seaward of the historic coastline near the mouth of the Los Angeles River. These existing marine and estuarine areas have been heavily modified over the last century associated with development of Long Beach Harbor/Port of Long Beach and nearby civil engineering and commercial/urban development. Most of the direct project footprint would occur within the boundaries of the Port; exceptions include proposed modifications to portions of the Pier J ship approach area (Corps 2016) and potential (currently undetermined) dredge material disposal areas, both of which are outside the Port harbor district area. The project area is located south of the City of Long Beach and east of the community of San Pedro and the Port of Los Angeles. The depths, widths, and volumes of dredge and disposal material associated with the proposed project are currently undetermined.

This PAR is provided in accordance with the Fish and Wildlife Coordination Act (FWCA) of 1958, as amended (48 Stat. 401; 16 U.S.C. 661 *et seq.*), the Endangered Species Act (ESA) of 1973, as amended (87 Stat. 884; 16 U.S.C. 1531 *et seq.*), and the scope of work agreed upon by the Corps and the Service. This PAR does not constitute the report of the Secretary of the Interior as required by section 2(b) of the FWCA, nor does it constitute a biological opinion under section 7 of the ESA.

The purpose of this PAR is to deliver recommendations for use by the Corps design team in developing goals, objectives, and alternatives for the project.

In October 2015, the Council on Environmental Quality released Memorandum M-16-01 for Executive Departments and Agencies entitled Incorporating Ecosystem Services into Federal Decision Making. The memorandum recognizes that nature provides vital contributions to human economic and social well-being that are often not traded in markets or fully considered in decisions. It directs Federal agencies to incorporate ecosystem services into Federal planning and decision making,<sup>1</sup> and to develop, institutionalize, and implement policies to promote consideration of ecosystem services in planning, investments, and regulatory contexts. Additionally, it calls for integration of assessments of ecosystem services into relevant programs and projects, in accordance with the agency's statutory authority.

In November 2015 the White House released a Presidential Memorandum entitled Mitigating Impacts on Natural Resources from Development and Encouraging Related Private Investment. This memorandum underscores the importance of effectively mitigating adverse impacts to land, water, wildlife, and other ecological resources (EPA 2016). It orders five federal agencies, including the Departments of the Interior and Defense, to streamline regulations for offsetting environmental harm and to promote mitigation efforts. The memorandum establishes a national policy "net benefit goal" for natural resource use from projects. The memo seeks to unify natural resource mitigation goals across agencies; at a minimum, the memorandum calls for "no net loss" of land, water, wildlife and other ecological resources from federal actions including permitting; this extends the no-net-loss national policy standard for wetlands established by the President in 1989. The memorandum also directs that compensatory mitigation is now national policy (White House 2015); the memorandum was designed to ensure consistency and transparency as agencies across the Federal government develop mitigation measures (Bean 2016). Concurrent with the release of the November 2015 Presidential Memorandum, the Department of the Interior issued formal policy and guidance to its bureaus and offices to best implement mitigation measures associated with legal and regulatory responsibilities and the management of Federal lands, waters, and other natural and cultural resources under its jurisdiction, using the best available science (Bean 2016). When assessing appropriate mitigation options, the Service relies upon a long established general mitigation hierarchy – first seeking to avoid impacts, then minimizing them, and then compensating for unavoidable impacts that could impair resource functions or values (Bean 2016).

As of March 2016, the Corps is preparing the Port of Long Beach Deep Draft Navigation Project Feasibility Study. The Corps is currently scoping project alternatives and will likely prepare an Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the project. This feasibility study phase of the project would likely conclude with the distribution of the Draft EIS/EIR for public review, reportedly scheduled by the Corps for 2018 (Corps 2015).

Repeated dredging is often necessary to maintain operations of many marine harbors. The dredging proposed herein would be implemented to increase the design water depths within the Port for ship

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<sup>1</sup> Broadly defined, ecosystem services are the benefits that flow from nature to people, e.g., nature's contributions to the production of food and timber; life-support processes, such as water purification and coastal protection; and life-fulfilling benefits, such as places to recreate.



navigation purposes for very large ships (as compared to regular maintenance dredging). Harbor dredging often has effects on the marine environment, and dredged material disposal may affect water quality, mobilize contaminants, and bury or alter habitats, bathymetry, and physical processes (NOAA 2014).

## Introduction

Vessels of increasingly larger size and deeper drafts<sup>2</sup> have been entering U.S. ports over the last decade-plus (NOAA 2015). The proposed project would be another increment in a series of dredge-and-fill projects over the last several decades that have modernized and reshaped the Port. This project would deepen water depths for access and navigation of very large ships within the Port. The latest generation of large cargo ships being built is twice the size of those that entered the global fleet only 15 years ago; these ships are now calling at the Port (Port 2016). These larger ships are reportedly more cost effective for ocean carriers and decrease transportation diesel consumption (Port 2016). These massive vessels, some with capacity of 14,000 Twenty-foot Equivalent Units (TEUs),<sup>3</sup> can be up to 1,200 feet long (Port 2016). Long Beach is one of only a handful of ports in North America capable of accommodating these larger ships, per the following features (Port 2016):

1. Deep-water main channel;
2. Deep-water terminals;
3. Berths designed to handle vessels that can exceed 156,000 tons fully loaded; and
4. Cranes that can move containers stacked 180 feet high and 24 boxes wide.

A century of harbor dredging and filling associated with development of the Port of Los Angeles and the Port of Long Beach has eliminated thousands of acres of the historic Wilmington Lagoon/Los Angeles River Estuary. In its place, behind manmade breakwaters, remains an open-water marine embayment of relatively high biological diversity and productivity.

Pacific Rim trade is increasing, along with the size of some of the associated ships entering U.S. ports. The 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 1900s. It is the second-busiest container port in the United States, after the adjacent Port of Los Angeles. The Corps, in conjunction with the Port, are now examining options to provide additional channel depths to allow very large ships (with greater drafts than those that can currently be effectively accommodated) into the Port.

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<sup>2</sup> The draft of a ship's hull is the vertical distance between the waterline and the bottom of the hull or keel.

<sup>3</sup> TEU or Twenty-Foot Equivalent Unit can be used to measure a ship's cargo carrying capacity. The dimensions of one TEU are equal to that of a standard 20-foot shipping container (20 feet long, 8.5 feet tall and 8 feet wide).

### **Fish and Wildlife Coordination Act**

The Fish and Wildlife Coordination Act of 1934 included requirements that were the first formal expressions in U.S. law of a duty to minimize the negative environmental impacts of major water resource development projects and to compensate for those impacts that remained (Bean 2016).

The FWCA was a response to a U.S. era of big dam building and reflected a concern for the impact of those dams, particularly on anadromous fish (Bean 2016). As originally enacted in 1934, it required consultation with the Bureau of Fisheries (as the Service was then known) prior to the construction of any dam to determine if fish ladders or other aids to migration were necessary and economically practical to minimize impacts on fish populations. It required, as well, the opportunity to use the impounded waters for hatcheries to offset impacts that could not otherwise be avoided. The duties imposed by the FWCA were reinforced and expanded by the National Environmental Policy Act of 1969 (NEPA) (Bean 2016). Under NEPA and its implementing regulations, all federal agencies have a duty to assess the impacts of the major actions they propose to undertake and to consider reasonable alternatives to reduce or eliminate those impacts (Bean 2016). The Service, as the federal agency charged by Congress in the Fish and Wildlife Act of 1956 with the responsibility for management, conservation, and protection of fish and wildlife resources, routinely recommends mitigation measures to other federal agencies through the NEPA and FWCA processes (Bean 2016).

The FWCA directs and authorizes consultation, reporting, consideration, and installation/implementation of fish and wildlife conservation features. The authorities of the FWCA are considered to be “supplementary legislation” to the various Federal project authorizations, such as the Corps public works authorizations (Smalley and Mueller 2004). The FWCA conditions or supplements other water development statutes to require consideration of recommendations generated under the FWCA procedures, including portions of the Clean Water Act [*Zabel v. Tabb*, 430 F2d 199 (5th Cir. 1970) cert. denied 401 U.S. 910 (1972)]. For Federal water resources development projects, the FWCA requires that fish and wildlife conservation receive equal consideration by Federal agencies with other project purposes, and that such conservation be coordinated with other project features. The FWCA authorizes the project implementation of means and measures for both mitigating losses of fish and wildlife resources, and for enhancing these resources beyond the offsetting of project effects (Smalley and Mueller 2004).

### **Project Area History**

In 1542, Juan Rodriquez Cabrillo “discovered” the “Bay of Smokes” that is now called San Pedro Bay, describing it from offshore aboard ship. The smoke he described above the bay may have originated from the several Native American villages that existed near the bay along the Los Angeles River at the time. Much of the south-facing San Pedro Bay along the coast was originally a shallow estuary and mudflat (see Figures 1 – 3).

The area currently occupied by the ports of Los Angeles and Long Beach formerly included several undeveloped islands, and likely included barrier beaches and beach/river-mouth sand spits. These islands and spits likely included unvegetated beach and open areas that historically supported what

are now sensitive species, including California least terns [*Sternula antillarum browni* (*Sterna a. b.*);<sup>4</sup> least tern] and western snowy plovers [*Charadrius alexandrinus nivosus* (*C. alexandrinus n.*); snowy plover].<sup>5</sup> The area of the northern San Pedro Bay was originally largely a marsh, with the Los Angeles River and the Bay sharing a common opening into the ocean.

In 1899 construction of the San Pedro Bay breakwater began near the project area. In 1906, the Los Angeles Dock and Terminal Company started development of Long Beach Harbor by purchasing 800 acres of sloughs and salt marshes associated with the Los Angeles River mouth estuary — an area that later became the inner portion (Inner Harbor) of Long Beach Harbor. In 1907, construction began on the Craig Shipyard in the Inner Harbor; the Craig Shipyard Company was also awarded a contract to dredge a channel from the open ocean to the new Inner Harbor. In 1911, the State of California (State) granted the tidelands areas of what is now the Port of Long Beach to the City of Long Beach (City) for port operations.<sup>6</sup> These tidelands were granted to the City in trust for the people of the State. This tidelands trust not only restricts the use of the tidelands, but the tidelands and tidelands-related revenues of the Port must be used for purposes related to harbor commerce, navigation, marine recreation, and fisheries. The Port currently includes more than 7,600 acres of wharves, cargo terminals, roadways, rail yards, and shipping channels, and is one of the world's busiest seaports (see Figure 3).

An 8.5 mile-long breakwater made of three rock segments stretches across most of San Pedro Bay, with two openings to allow ships to enter the harbor areas of the Ports of Los Angeles and Long Beach behind it. The initial western section of the breakwater, called the San Pedro Breakwater, was constructed between 1899 and 1911 at San Pedro; the Middle Breakwater was completed from 1911 to 1936, and the Long Beach Breakwater was completed after World War II. The San Pedro and Middle Breakwaters protect the Ports of Los Angeles and Long Beach, respectively (Long Beach 2009).

The Los Angeles River is a major river and flood management waterway for the Los Angeles watershed basin. In the 1930s, the Army Corps began channelizing the river for flood damage reduction and by 1954, the entire length of the river was channelized (Long Beach 2009). The river is now maintained by the Corps and the Los Angeles County Department of Public Works (Long Beach 2009). The Los Angeles River continues to discharge into San Pedro Bay at the northeastern edge of the proposed Project Area.

Considerable changes have occurred in the two ports since the 1970s. Some of these changes included deepening of navigational channels and basins; construction of substantial landfills at Piers 300 and 400 in the Port of Los Angeles; construction of a transportation corridor out to Pier 400; expansion of Pier J in the Port of Long Beach; and construction the west basin of the Cabrillo Marina

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<sup>4</sup> The California least tern was originally and remains federally- and California State-listed under the generic name of *Sterna antillarum browni*; this original name is now otherwise invalid. The American Ornithologists Union in 2006 changed the valid generic name of the least tern to *Sternula*, with the California least tern then becoming *Sternula a. b.*) (Service 2016).

<sup>5</sup> California least terns typically nest in colonies on relatively open beach areas that are free of vegetation and are near fish prey (Service 2006). Sand spits, dune-backed beaches, beaches at creek and river mouths, and salt pans at lagoons and estuaries are the main coastal habitats for nesting western snowy plovers (Service 2007).

<sup>6</sup> Tidelands in California are defined as those lands and water areas along the coast of the Pacific Ocean seaward of the ordinary high tide line to a distance of three miles.

complex. As part of mitigation for construction and channel deepening, shallow water habitats were created in formerly deepwater areas near Pier 300, near the San Pedro Breakwater, and on the east side of Pier 400. Thus, several areas that were previously aquatic natural communities are now developed land areas, some former deep water areas are now shallow, and water circulation patterns within the Ports have been substantially altered.

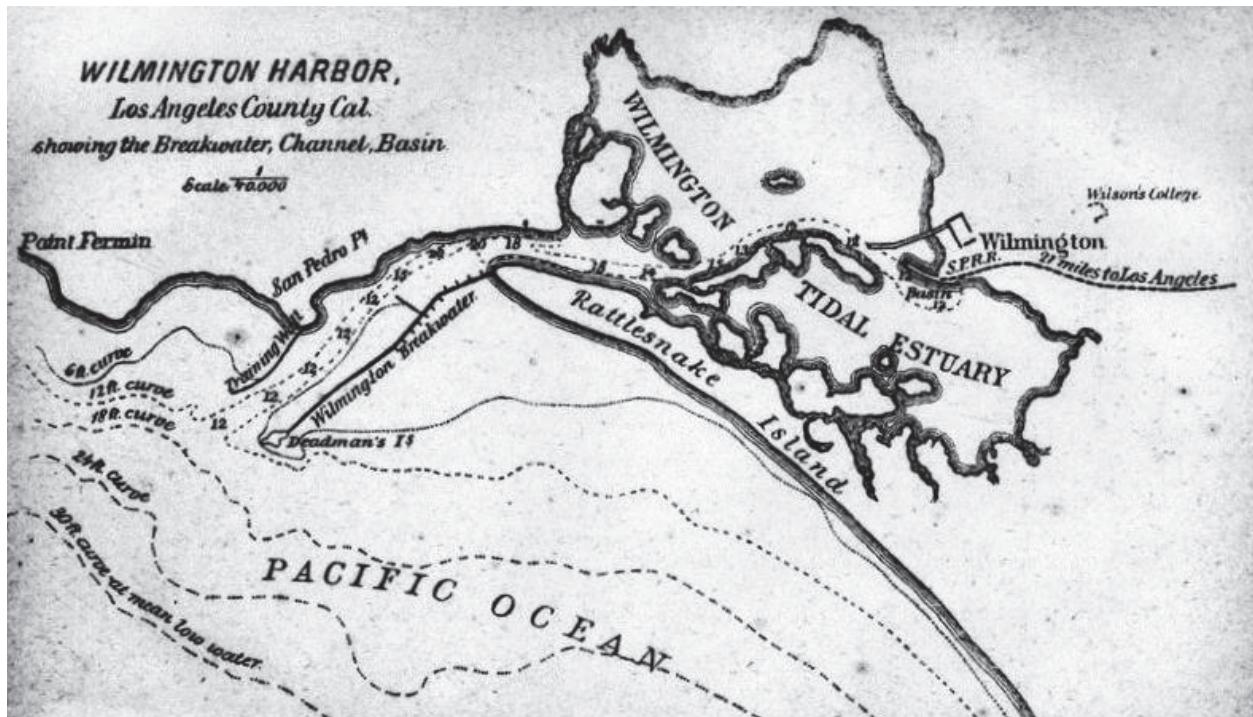


Figure 1. Circa 1880 drawing of Wilmington Harbor. The Future Port of Long Beach is on the east (right) side of the "Wilmington Tidal Estuary." "Rattlesnake Island" would later be expanded to become Terminal Island within the ports of Los Angeles and Long Beach. Wilmington Harbor would later become the Port of Los Angeles. Note the water depths indicated. (Water Power and Associates 2014)



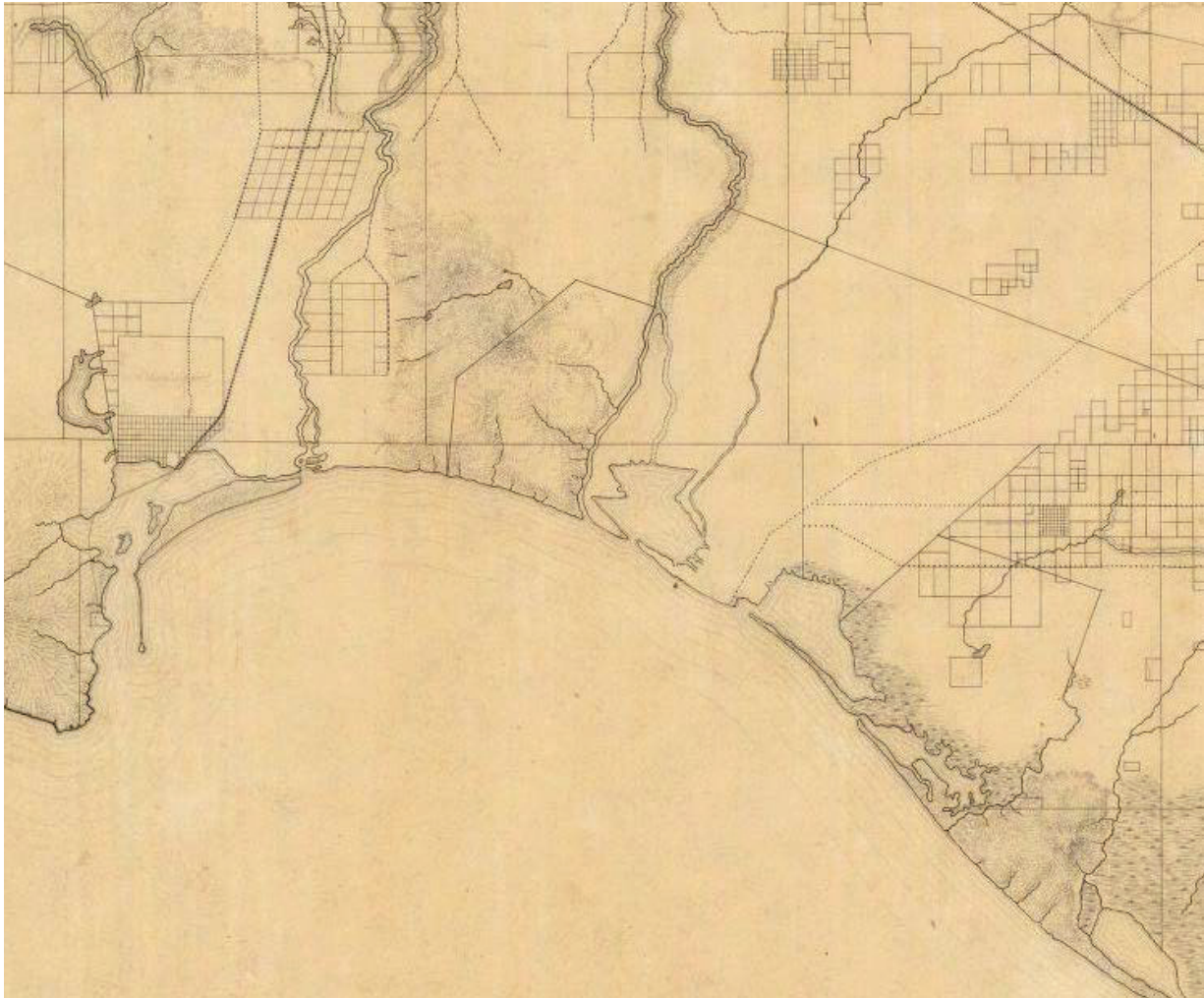


Figure 2. Portion of a circa 1880 drawing by William H. Hall of Los Angeles showing the San Pedro Bay coastline, estuaries, and ocean contours (Hall 1880). The future Port of Long Beach is in the center-left of the drawing.

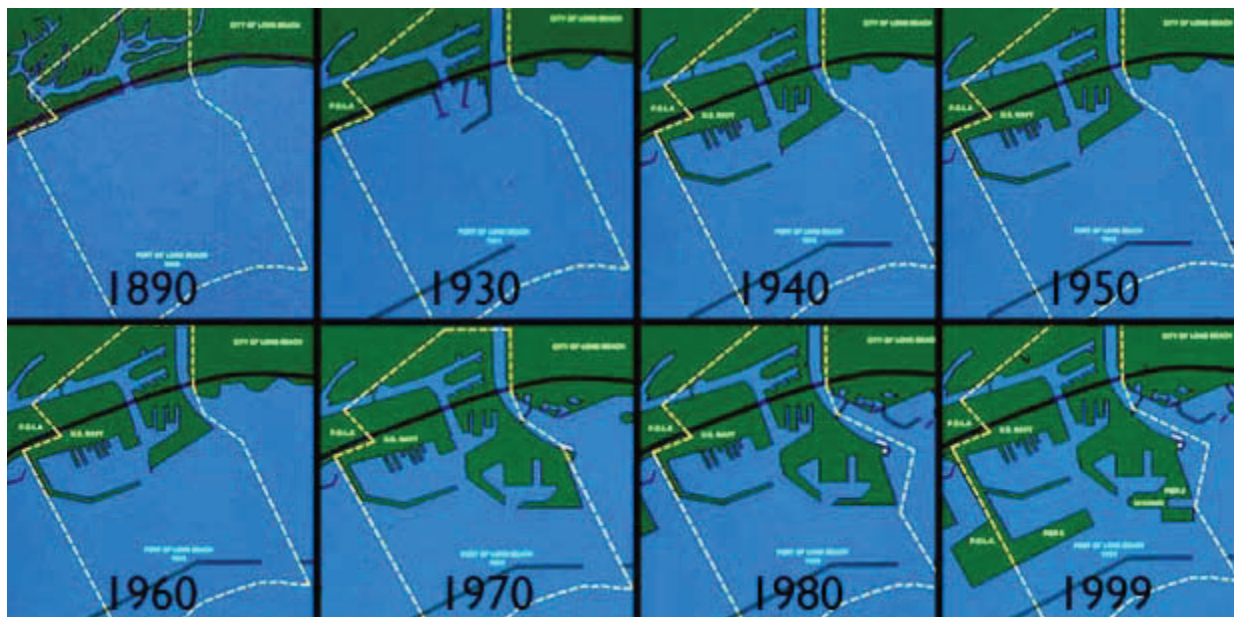


Figure 3. Drawings showing development progression of the Port since 1890 (Port 2014).

### Description of the Project Area

The main project site is the Port of Long Beach and is located on the Pacific coast of southern California in western San Pedro Bay, at the southern end of the City, in southern Los Angeles County. The Port is less than 2 miles southwest of downtown Long Beach and about 25 miles south of downtown Los Angeles. To the west and northwest of San Pedro Bay are the communities of San Pedro and Wilmington, respectively, and to the east is the community of Seal Beach. Other areas that could be included in the Project area are local beaches or the open ocean for dredge disposal; the project dredge disposal areas are currently undetermined.

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 over a century of dredging and filling of the former 3,450-acre Wilmington Lagoon and surrounding areas. The Port of Los Angeles and Port of Long Beach encompass 7,500 acres and 7,600 acres of land and water, respectively. The Port consists of: 3,000 acres of land, 4,600 acres of water, 10 piers, and 80 berths. Uses within both ports are largely industrial, although a variety of other uses (e.g., recreation, commercial fishing) are also supported.

The Port of Los Angeles and Port of Long Beach are both considered deep-water constructed ports, and do not have siltation problems like ports located in natural rivers (natural river ports) (LA/LBHSC 2016). The vast majority of sediments deposited in the ports are carried by the Los Angeles River, Dominguez Channel, and several smaller local creek/storm drains (LA/LBHSC 2016). Due to the region's Mediterranean climate, these channels carry significant quantities of storm water on rare occasions during the winter, and most of the silt settles out near the inlet mouths (LA/LBHSC 2016). As such, the ports need only to be dredged occasionally to maintain berth side design water depths (LA/LBHSC 2016).

The Port has 65 deep-water berths; all of these berths lay within three miles of the open sea, and are reached via the Port's Main Channel which has depths of minus 76 feet at Mean-Lower-Low-Water (MLLW) (LA/LBHSC 2016). The maximum ship draft in the Main Channel is currently limited to 65 feet (LA/LBHSC 2016). Dredging outside the Long Beach Breakwater Entrance Channel has deepened that area to minus 76 feet at MLLW (LA/LBHSC 2016). The Port is currently engaged in a capital development program (CDP) that includes but is not limited to dredging, terminal redevelopment, transportation, and public safety projects (LA/LBHSC 2016). Major components of the CDP include capital dredging in the West Basin and Inner Harbor Turning Basin, and in-water fill within the East Basin (LA/LBHSC 2016). The CDP includes the Middle Harbor Redevelopment Program, the replacement of the Gerald Desmond Bridge spanning the Back Channel, several rail infrastructure projects, and proposed security operations and support facilities (LA/LBHSC 2016). Though not a Port project, Caltrans is currently engaged in the replacement of the Commodore Schuyler Heim Bridge (SR-47) spanning the Cerritos Channel; it will be converted from a lift bridge to a fixed bridge (LA/LBHSC 2016).

Port of Long Beach Water Depths (LA/LBHSC 2016):

<u>Federal Channels in the Port</u>	<u>Current Depth</u>	<u>Current Width</u>
Main Channel	-76 feet	360 – 1500 feet
Back Channel	-52 feet	220 feet
Inner Harbor (Turning Basin)	-52 feet	960 feet
Cerritos Channel	-50 feet	325 feet
Channel 2	-37 to -55 feet	150 – 250 feet
Channel 3	-36 to -45 feet	150 – 200 feet

The outer limit of the Port 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 currently range in water depth from 30 to 60 feet (MEC 2002) with navigation channels dredged to depths of 45 feet and greater (Service 2000). The adjacent Port of Los Angeles contains several hundred acres of waters currently shallower than 20 feet, primarily constructed by sub-aquatic fill of deeper areas performed to increase marine biological functions. The relative bathymetry<sup>7</sup> of the areas within and around the ports of Long Beach and Los Angeles can be seen in Figure 4.

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<sup>7</sup> Bathymetry: the measurement of the depths of oceans, seas, or other large bodies of water, and the data derived from such measurement.



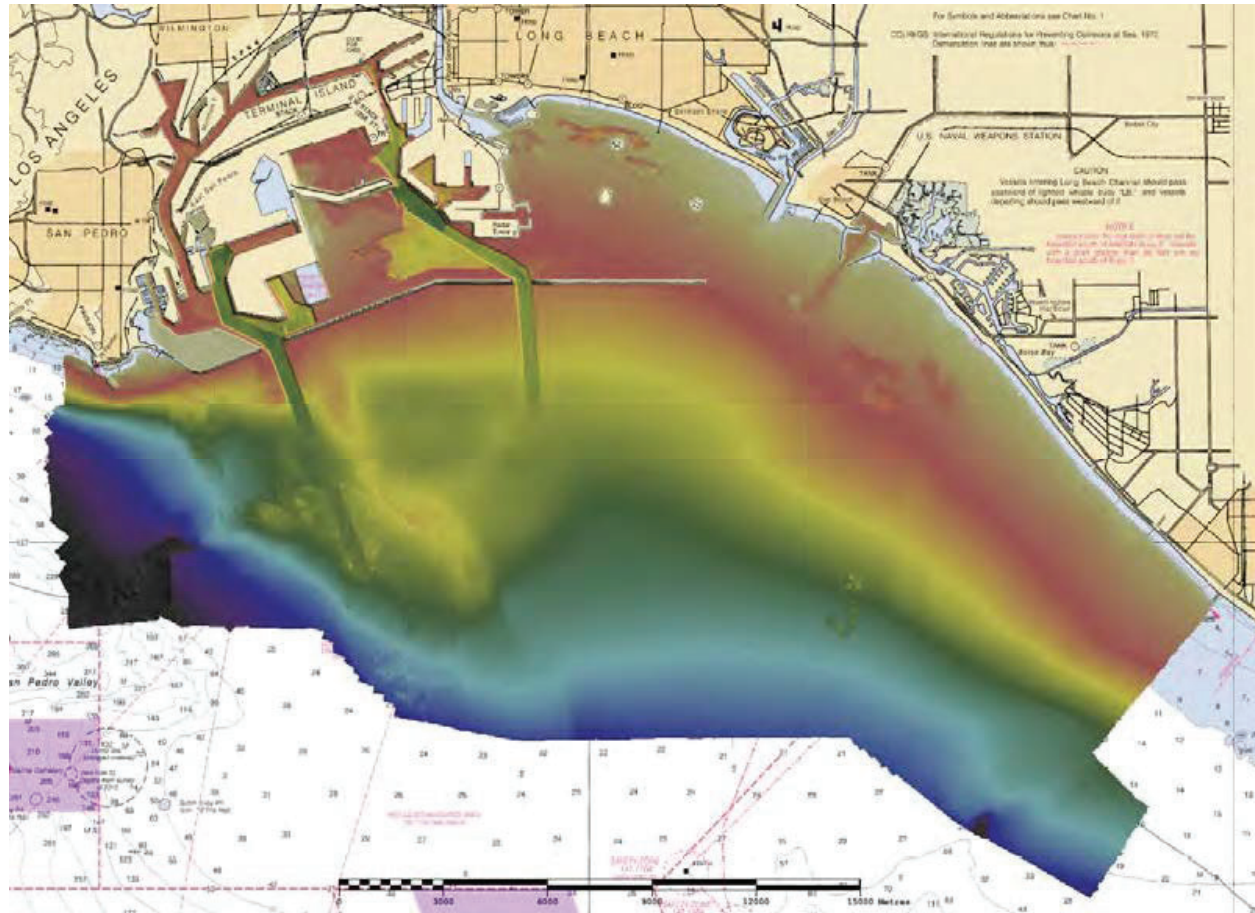


Figure 4. Relative bathymetry of the ports of Long Beach and Los Angeles and environs to highlight the deeper waters in the ports. (NOAA 2015)

### Corps Study/Project Area

The Corps' study area for the proposed project includes the waters in the immediate vicinity (and shoreward) of the Port breakwaters throughout most of the Port, and the upstream reaches of the Los Angeles River that have direct impact on the San Pedro Bay, as well as the entire Port facility, including Outer Harbor, Inner Harbor, Cerritos Channel, West Basin, and the Back Channel (Corps 2015). The Corps' current Project Area is shown in Figure 5 (Corps 2016).

### Project Description

The Corps, with the Port as the local sponsor, is considering the feasibility of deepening navigation channels within the harbor to increase water depths necessary to accommodate deeper draft ships in the Port. The proposed channel depths and methods to accomplish this are currently undetermined. The proposed project's proposed footprint areas are shown in Figure 5. Additional details regarding work areas have not been provided to the Service. Other project footprint areas could include areas within and/or outside the Port for dredge material disposal.



Figure 5. Corps Draft Project Area and Areas of Interest (Corps 2016)

The proposed project would require disposal site(s) for dredge materials. These sites are currently undetermined, but are expected to potentially include sites within the Port area, open-ocean, and/or nearby beach areas, depending in-part on sediment qualities and contaminant constituents in dredge materials (as determined through the testing requirements in 40 CFR §230). Re-use of dredge materials for sand replenishment on beaches near the Port is often desired by the Corps and locals where sediments are appropriate.

## Background

The Port has undergone significant development and expansion in the past century (Corps 2015). In the last three decades, the ports of Los Angeles and Long Beach have undertaken accelerated long-range development efforts to increase the shipping and commercial capacity of the ports; both of the ports have become major transportation and trade centers. International commerce is almost 20 percent of the U.S. gross domestic product, and about 95 percent of these products arrive or leave the country in ships (Gray 2001). The Port provides the shipping terminals for nearly one-third of the waterborne trade moving through the west coast of the United States (Corps 2015).

The Port of Long Beach and the Port of Los Angeles are ranked sixth and eighth in tonnage in the United States respectively, moving a combined 139.2 million metric tons (DOT 2012). Trade currently valued annually at more than \$155 billion moves through the Port, making financially it the

second-busiest seaport in the United States (Corps 2015). To handle this high volume of trade, Port facilities include 10 piers, 80 berths, and 66 post-Panamax gantry cranes (Corps 2015). The Port has 22 shipping terminals to process break bulk (e.g., lumber, steel), bulk (e.g., salt, cement, and gypsum), containers, and liquid bulk (e.g., petroleum) (Corps 2015). Each year the Port handles more than 6 million Twenty-foot Equivalent Units (TEUs)<sup>8</sup> and 75 million tons of cargo, and has over 2,000 vessels call (Corps 2015). Items from clothing and shoes to toys, furniture and consumer electronics arrive at the Port before making their way to stores throughout the country (Corps 2015). Specialized terminals also move petroleum, automobiles, cement, lumber, steel and other products (Corps 2015). The Port's top trading partners are China, South Korea, Hong Kong, and Japan. East Asian trade accounts for about 90 percent of the shipments through the Port (Corps 2015). Top imports are crude oil (16 million metric tons annually), electronics, plastics, and furniture (with inbound container tonnage on the order of 22 million tons annually), while top exports are petroleum products, chemicals, and agricultural commodities (Corps 2015). Currently, about one-third of liquid bulk and container cargo by weight is transported on vessels that could potentially experience operating constraints associated with the current channel depths in the Port (Corps 2015).

Under keel clearance for larger ships in the Port is important in terms of the depth of the seafloor and the static draft of the vessel transiting above it (NOAA 2015). This takes into play many elements: water level is the most obvious and important contributor to this equation. The term "tide" captures the astronomic contribution of the rise and fall of the sea's surface, whereas water level takes into account weather effects and riverine runoff contributions (NOAA 2015). In addition to the water levels, the other factors that must be considered include meteorological conditions, the vessel's motion induced by the prevailing sea state, the static draft of the vessel, the variation in this draft due to the vessel's motion through the water (dynamic draft), and the chemical composition of the water the vessel is sailing in, primarily salinity (NOAA 2015).

The large sizes of the many new trade ships are outsizing some of our waterways. Some Ultra Large Crude Carriers (ULCCs) entering the Port of Long Beach are carrying more than a million gallons of crude oil and are loading to drafts of 65 feet (NOAA 2015). Depending on the sea state in the approach channels of the Port, the ship's pitching may bring the hull close to the Port channel floor (NOAA 2015).

The channel leading into the Port of Long Beach currently has an authorized depth of 76 feet and local regulations allow drafts of 69 feet for ships with a displacement of up to 420,000 tons (NOAA 2015). In late 2012, at a Harbor Safety Committee meeting for the ports of Los Angeles and Long Beach, the Jacobsen Pilots<sup>9</sup> noted that during storms and long period swell conditions outside of the breakwater, ULCCs demonstrated significant levels of pitch<sup>10</sup> in high wave situations (NOAA 2015).<sup>11</sup> As a result, the Captain of the Port froze the maximum draft at 65 feet until they understood the effects of the swells on the ULCCs and could better predict their behavior (NOAA 2015). The effect

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<sup>8</sup> TEU or Twenty-Foot Equivalent Unit can be used to measure a ship's cargo carrying capacity. The dimensions of one TEU are equal to that of a standard 20-foot shipping container (20 feet long, 8.5 feet tall and 8 feet wide).

<sup>9</sup> Jacobsen Pilots is the sole ship piloting company for the Port of Long Beach.

<sup>10</sup> Pitch is the up/down rotation of a vessel about its lateral/Y (side-to-side or port-starboard) axis.

<sup>11</sup> As a point of reference, a 1,000-foot vessel pitching just 1 degree will experience an increase in draft of more than 10 feet (NOAA 2015).



of reducing the allowed under keel clearance means that ULCCs must wait outside of the sea buoy until conditions are favorable to make the transit into the Port of Long Beach, or lighter to another vessel in order to reduce their draft; both are expensive delays (NOAA 2015).

Presently the largest containerships dock primarily at one of two piers—Pier J or Pier T West Basin (Corps 2015). Access to south berthing area of Pier J is through a secondary channel connected to the Long Beach main access channel; that secondary access channel limits drafts to about 43 feet (Corps 2016). Access to the northern berthing area of Pier J is off the Southeast Basin and does not have this depth limitation (Corps 2016). About 20 years ago a small share of container vessels had to restrict drafts, utilize tides, or both (Corps 2015). However, the impact to operations has increased in the past few years due to the increasing share of larger containerships calling on the port (Corps 2015). Today containerships docking at south berthing area of Pier J have maximum operating drafts of 52 feet and over 7.5 million of the 36.6 million tons of container cargo in 2012 was handled by vessels at or near the 43-foot limit of the secondary access channel (Corps 2016).

Currently, light loading, and tidal delays increase transportation costs for goods transported on containers, and in the future the impact is expected to worsen (Corps 2015; Corps 2016). If sufficiently dredged, containerships with capacities of over 18,000 TEUs (e.g., 1300 feet long, 176 feet beam,<sup>12</sup> drafts approximately 52 feet) would be capable of operating fully loaded in the Port (Corps 2016). Thus, addressing operating constraints to containerships has the potential to significantly lower transportation costs (Corps 2015).

Through agreements with the Service and other resource agencies, the Port has restored some coastal wetlands in southern California in exchange for development approvals of various Port areas. The Port has participated in substantial wetlands restoration projects, including one at the National Wildlife Refuge in Seal Beach. In addition, the Port contributed \$39 million toward acquisition of 267 acres of degraded wetlands in Bolsa Chica Lagoon (Bolsa Chica Lowlands Restoration Project) in Huntington Beach (Port 2015).

## **Project Goals and Objectives**

The proposed channel deepening project would allow large, deeper draft ships access to terminals within the Port. The Corps' stated planning goal is to provide safe, reliable, and efficient waterborne transportation improvements to the Port that address problems and opportunities as outlined herein. The Corps' planning objectives are specified as follows:

1. Reduce the cost of transporting cargo to and from the Port by improving channel dimensions, vessel operations, and other navigation features such as turning basins, waiting areas, and anchorages; and
2. Reduce expected future vessel re-routings from the Port to alternate facilities by improving channel dimensions, vessel operations, and other navigation features such as turning basins, waiting areas, and anchorages.

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<sup>12</sup> The beam of a ship is its width at the widest point as measured at the ship's nominal waterline.

## Description of Biological Resources

The Port of Long Beach represents a large harbor complex typified by extensive areas of hardened shoreline (riprap and quay wall) and dredge maintained shipping channels (SAIC 2010). The fish and wildlife resources of the Port and San Pedro Bay are reported in substantial detail in a 2000 biological baseline report entitled “Ports of Los Angeles and Long Beach Year 2000 Biological Baseline Study of San Pedro Bay” (MEC 2002). This information was updated with additional survey efforts in 2008 in a report entitled “Final 2008 Biological Surveys of Los Angeles and Long Beach Harbors” (SAIC 2010). A brief summary of the available information is provided herein, based primarily on these two baseline reports. The biological resource groups of San Pedro Bay that are typically considered the most important are the marine fishes and water-associated birds.

The benthic hard substrates in the ports are mostly artificial breakwaters and barriers of riprap (boulders and concrete rubble), and constructed shallow water areas in the ports (LA/LBHSC 2016). Kelp beds typically dominate the hard substrates, with surfgrass natural community potentially existing in waters less than 10 feet deep (LA/LBHSC 2016). Soft bottom substrates comprise the majority of acreage in the two ports (LA/LBHSC 2016). No eelgrass beds were identified within the Port of Long Beach (SAIC 2010). One area just outside the Port’s boundary line northeast of Island Grissom<sup>13</sup> was identified as supporting a sizeable eelgrass bed (SAIC 2010). The water column within the ports provides important habitats for many fish, larvae, and plankton, seals, and sea lions (LA/LBHSC 2016).

### *Fish*

Fish populations of San Pedro Bay (including the ports of Los Angeles and Long Beach and environs) are diverse and relatively abundant (SAIC 2010). During surveys conducted in 2000, a total of 74 species were recorded and an estimated 44 million fish occupied the 2 ports. Surveys of the 2 ports in 2008 identified total of 62 fish taxa representing 59 unique species of fish (SAIC 2010). Generally, schooling fishes were the most abundant species recorded.

Northern anchovy (*Engraulis mordax*) and white croaker (*Genyonemus lineatus*) were the most abundant species collected in 2000 surveys; white croaker was top ranked in terms of biomass (MEC 2002). From 2008 surveys in the two ports, pelagic fish from lampara<sup>14</sup> net collections were dominated by four species: northern anchovy, topsmelt (*Atherinops affinis*), California grunion (*Leuresthes tenuis*), and Pacific sardine (*Sardinops sagax*). These species accounted for 98 percent of the total lampara net catch in 2008. All of these species are schooling fishes that spend most of their lives in the harbor environment. From 2008 otter trawl<sup>15</sup> surveys, dominant species included northern anchovy, white croaker (*Genyonemus lineatus*), queenfish (*Seriphus politus*), shiner surfperch (*Cymatogaster aggregata*), and white surfperch (*Phanerodon furcatus*). Other species

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<sup>13</sup> One of a set of four artificial oil production islands in San Pedro Bay off the coast of Long Beach.

<sup>14</sup> A lampara net is a type of fishing net used for capturing certain pelagic fish, those swimming near the water's surface.

<sup>15</sup> In otter trawling, a large net is dragged along the bottom or up in the water column behind a towing vessel. The mouth of the net is held open by two large "doors" which are attached to either side of the net. For the noted surveys performed in 2000 and 2008, trawl surveys were performed to capture bottom-dwelling demersal fish.

caught in high abundance were specklefin midshipman (*Porichthys myriaster*), California tonguefish (*Symphurus atricauda*), and yellowchin sculpin (*Icelinus quadriseriatus*).

The five most abundant species accounted for 92 percent of the total fish populations in the ports (MEC 2002). These included northern anchovy, white croaker, queenfish, Pacific sardine, and topsmelt. Other relatively abundant species included shiner surfperch, salema (*Xenistius californiensis*), and jacksmelt (*Atherinopsis californiensis*). Less numerous but ecologically and/or recreationally important species recorded were California barracuda (*Sphyraena argentea*), California halibut (*Paralichthys californicus*), barred sand bass (*Paralabrax nebulifer*), California corbina (*Menticirrhus undulatus*), white seabass (*Atractoscion nobilis*), California grunion (*Leuresthes tenuis*), and several species of sharks and rays.

In 2000, generally fewer species were caught in the Inner Harbor than Outer Harbor (MEC 2002). Benthic invertebrates, which represent an important food source for demersal fish,<sup>16</sup> also exhibited a trend of decreasing function of habitats from Outer to Inner Harbor areas (MEC 2002). In 2008 surveys, few differences were observed for pelagic fish between Inner and Outer Harbor areas, with Inner Harbor stations having between 4 and 12 species and Outer Harbor stations typified by between 3 and 11 species (SAIC 2010). This likely indicates that pelagic schooling species move throughout the harbor complex (SAIC 2010). In contrast, Outer Harbor areas generally were typified by a greater number, biomass, and variety of trawl-caught (demersal) fish than Inner Harbor areas (SAIC 2010).

More species of fish were collected in the shallow waters of the ports of Los Angeles and Long Beach, including all three of the created shallow water mitigation sites within the Port of Los Angeles, than at deepwater survey stations in open water, channel, basin, and slip habitats (MEC 2002). The greater diversity is likely partially explained by the greater heterogeneity associated with the shallow water habitats, which were adjacent to rock riprap and/or vegetated areas (e.g., eelgrass beds, kelp bed); this likely results in higher fish nursery function, greater production, and generally higher abundance of fish in shallow waters. For instance, the Cabrillo Shallow Water Habitat area is located alongside the San Pedro Breakwater, which supports giant kelp and other macroalgae; the Long Beach Shallow Water Habitat area is located adjacent to the riprap shoreline along Pier 400 that supports giant kelp and other macroalgae, and extensive eelgrass beds occur within the Pier 300 Shallow Water Habitat. Studies conducted in the shallow areas of the Outer Harbor, including the Pier 300 Shallow Water Habitat (MEC 1988, 1999) created in 1984 and the Cabrillo Shallow Water Habitat (MEC 1999) constructed in 1997, have shown that these areas have both higher diversity and greater abundance of fish and invertebrates than the deeper soft bottom portions of the ports of Los Angeles and Long Beach (MEC 2002). A greater abundance of juvenile fish is also present in these shallow areas; they appear to enter these areas relatively soon after hatching/birth. Long Beach fishing experts often fish adjacent to the four manmade oil production islands located within the overall Port boundaries,<sup>17</sup> due to the abundance of recreational fish found there; the abundance of recreational fish in these areas is reportedly due to shallow water combined with high relief from the riprap placed around the created islands (Ballanti 2007).

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<sup>16</sup> Fish dwelling at or near the bottom of a body of water.

<sup>17</sup> The islands are controlled by the City of Long Beach and are not part of the Port's Harbor District.

Forty-four unique species of fish larvae and 13 categories of fish eggs were identified in the ports of Los Angeles and Long Beach during the 2000 surveys (MEC 2002). The most abundant fish larvae were gobies [arrow goby (*Clevelandia ios*), cheekspot goby (*Ilypnus gilberti*), shadow goby (*Acentrogobius nebulosus*), and bay goby (*Lepidogobius lepidus*)], northern anchovy, California clingfish, queenfish, blennies, and white croaker. With the exception of the Pier 300 Shallow Water Habitat (in the Port of Los Angeles) that had high larval abundance and the Long Beach West Basin with low larval abundance, the abundances of larvae were generally higher on the Long Beach side of the two-port complex. This bears some similarity to the abundance pattern indicated for adult fish caught by lampara net surveys, which generally showed higher abundance in the deepwater channel, basins, and slips in the Port of Long Beach (MEC 2002). The larval catch was dominated by benthic associated gobies, which inhabit burrows. The ichthyoplankton surveys provided a good measure of the importance of species inhabiting burrows or associated with rocky and/or vegetated habitats in the Long Beach-Los Angeles port complex (MEC 2002). These species (while poorly represented in the adult fish surveys), are an important part of the overall ecology of the diverse marine habitats in the two ports. The ichthyoplankton results also demonstrate that a wide variety of fish spawn and develop within the ports of Los Angeles and Long Beach. Similar to the previous baseline study (MEC 2002), the only exotic (non-indigenous) fish species collected in the 2008 sampling surveys was the yellowfin goby (*Acanthogobius flavimanus*), collected at three Port of Los Angeles stations and six Port of Long Beach Harbor stations (SAIC 2010).

### *Benthic Invertebrates*

Over 400 species of benthic infauna (small organisms that live on and within the sediment) and larger macroinvertebrates were collected during the Year 2000 Baseline Study; over 250 species of benthic infauna and larger macroinvertebrates were collected during the Year 2008 Baseline Study (MEC 2002; SAIC 2010). Small infaunal organisms (which tend to be less motile than larger macroinvertebrates) and larger macroinvertebrates both exhibited spatial variability in species composition that appeared to be tied to a combination of factors including water depth, years since dredging/disposal in the area, and ecological/habitats functions (MEC 2002). Studies in 2008 found little difference in species composition among deepwater stations located in basins, channels, or slips of the Inner and Outer Harbors (SAIC 2010).

Benthic invertebrate assemblages generally differed between shallow and deepwater habitats (SAIC 2010), and differences were apparent between assemblages from areas that have or have not experienced recent dredging (MEC 2002). Areas of recent dredging had fewer species and lower abundance than non-dredged areas, indicating that the recently dredged areas were still in the colonization phase (MEC 2002). Species assemblages of benthic invertebrates can be indicative of habitat function (SAIC 2010). Certain species are tolerant of adverse environmental conditions, such as low oxygen and high pollutant conditions, and others are found only in more pristine areas (SAIC 2010). In the 2008 study, species assemblages indicated that stations in the Outer Harbor had the highest habitat function as indicated by relatively greater abundance of species that typically characterize areas having background to low organic enrichment (i.e., low pollution) (SAIC 2010). The species assemblages found in the Inner Harbor, basins, and slips were indicative of low to moderate organic enrichment compared to the open-water Outer Harbor stations, suggesting that



benthic invertebrate species composition is influenced by tidal circulation in the harbors, with Outer Harbor areas having greater circulation and higher functional habitats (SAIC 2010).

Non-indigenous invertebrates comprise about 15 percent of the infauna and macroinvertebrate species occurring in the ports, with some of these species representing numerical dominants (SAIC 2010). The relative abundance of these species has increased in the harbors since the 1970s (SAIC 2010). A total of 10 non-indigenous (introduced) and 32 cryptogenic species (of unknown origin) were identified among the 313 species of infauna and macroinvertebrates collected during the 2008 study (SAIC 2010). The overall percentage of introduced and cryptogenic species identified in the present study (14 percent) is similar to the 15 percent reported by MEC (2002) in 2000 (SAIC 2010).

In general, ecological/habitats function was highest for benthic invertebrates at the created Cabrillo, Pier 300, and Long Beach Shallow Water Habitat areas and the deep open waters of both ports (MEC 2002). A gradient of decreasing ecological/habitats function was observed in basin and slip habitats and the back channels of the Inner Harbor. Similar to fish, catch abundance was higher in basin habitats in the Port than in the open waters of the Outer Harbor (SAIC 2010). The lowest catch of benthic invertebrates was obtained in the Inner Harbor (SAIC 2010).

A steady improvement in benthic ecological/habitats function within the ports of Los Angeles and Long Beach over time has occurred, as demonstrated by increased diversity and less dominance by pollution tolerant benthic infauna species over the past half century. Many areas in both ports were severely polluted in the 1950s with depauperate benthic faunal assemblages in these areas during that period (MEC 2002) (please see Contaminants below).

### *Birds*

Southern California's coastal areas, including its shorelines, estuaries, bays, and developed harbors, provide a variety of natural and artificial communities for large numbers of waterfowl, shorebirds, wading birds, and birds that forage from the air. The predominately open water and hardscape/landscape habitats within the ports of Long Beach and Los Angeles provide opportunities for nesting, foraging, and resting by a moderate diversity of bird species, including one species listed as endangered under the ESA, the California least tern.

Birds that occur in and near the ports of Los Angeles and Long Beach are primarily water-associated species; that is, they are dependent on the marine natural communities for food and other essentials. Over 100 avian species use the various habitats within the Ports seasonally, year-round, or during migration (SAIC 2010). The areas within and near the ports provide very limited areas of trees and/or shrubs for feeding, resting, and/or nesting; most of this small area of vegetation is made up of exotic landscaping. As a result of the high numbers of small fish in the shallow water areas of the ports, substantial numbers of fish-eating birds are found foraging in these areas. The ports provide high-function habitats for many foraging, resting, and breeding birds.

During the 2000-2001 monitoring year, a total of 99 bird species, representing 31 families, were observed within San Pedro Bay (MEC 2002). A total of 96 species representing 30 families were observed within the ports during the 2008 study (SAIC 2010). Of these species from both studies,

69 are considered to be dependent on marine habitats. Gulls comprised 44.5 percent of the birds observed in 2000, with aerial foragers (22.4 percent) and waterfowl (21.4 percent) also common. The remaining 21.7 percent of the birds were small and large shorebirds, wading/marsh birds, raptors, and upland birds. The most abundant birds included several gull species [e.g., Western (*Larus occidentalis*), Heermann's (*L. heermanni*), and California (*L. californicus*)], brown pelican (*Pelecanus occidentalis*), elegant tern (*Thalasseus elegans*), western grebe (*Aechmophorus occidentalis*), Brandt's cormorant (*Phalacrocorax penicillatus*), double-crested cormorant (*Phalacrocorax auritus*), surf scoter (*Melanitta perspicillata*), and rock pigeon (*Columba livia*).

The State and Federal endangered California least tern is a piscivorous (fish eating) sea bird that makes significant breeding use of San Pedro Bay (KBC 2005). The least tern has a long history of nesting on Terminal Island and Pier 400 in the Port of Los Angeles (Figure 4). Pier 400 is near the western portion of the proposed project footprint. This least tern nesting site is typical of those used by the species in highly developed coastal California; the site is a relatively flat, open, barren sandy area near the ocean where the least terns lay and incubate their eggs and chicks fledge. The least tern nesting period extends from April through August; along the California coast least terns typically begin to arrive (from wintering grounds) in the southern most colony breeding sites (e.g., San Diego) in early April and they continue to arrive through the later part of May. During the remainder of the year, the birds are gone from the area.

Least terns nest on sparsely vegetated substrates, including sandy beaches, salt flats, and dredge spoil, in colonies of a few to several hundred nesting pairs. This species relies on sight for foraging and usually requires relatively clear water to locate its preferred baitfish food sources, northern anchovy, topsmelt, and jacksmelt (LSA 2009). Although there is some field evidence to suggest that least terns will forage in turbid waters to which fish are attracted, the majority of foraging occurs in clearer waters (LSA 2009).

The location of the tern nesting site(s) in the ports of Los Angeles and Long Beach previously varied from year to year (KBC 1998) depending largely on development activities in the ports, with most nesting on Pier 400. The Los Angeles Harbor Department manages the Pier 400 nesting site pursuant to a Memorandum of Agreement with the Service, Corps, and California Department of Fish and Wildlife (Department) (LA 2006). A 15.7-acre fenced nesting site is located at the southern tip of Pier. 400, although some nesting by least terns also often occurs outside of this designated area.

Least terns have nested within the ports since the late 1800s and have been observed within the harbor almost every year since annual monitoring studies began in the ports in 1973 (SAIC 2010). Since 1973 the least tern has utilized nesting locations on and around Terminal Island, with nesting at Reeves Field and/or Pier 300 and Pier 400 areas (LAHD 2015). Zero least tern nesting pairs were recorded for the Terminal Island area in 1992 (LAHD 2015). The greatest documented nesting activity for the least tern in the area has occurred since the birds began utilizing the then newly-constructed Pier 400 as a nesting site in 1997. The number of recorded nests at Pier 400 peaked at 1,322 in 2005, then declined to 906 in 2006, and further declined to 710 in 2007 (KBC 2007) and 126 in 2014 (State 2015). The principal foraging areas for least tern in the ports and environs vary somewhat from year to year, but during the chick rearing period, the shallow water areas of the ports are used heavily, probably due to the relatively greater abundances of appropriate prey fish (size and

species) found there (see MEC 1988, 1999). Measures to protect the least tern during channel dredging and landfill construction projects have proven successful (Service 1992). Those measures have included nesting area and predator management, shallow water area conservation/creation, and protection of water quality in the shallow water areas during breeding season.

Least tern nest numbers at Pier 400 increased from approximately 565 during the 2000–2001 to 1,332 in 2005, and then declined to 521 in 2008 (SAIC 2010). The decrease in nest numbers is opined to be related to increases both in upland vegetation and predation at the Pier 400 nesting site (KBC 2008). The majority of least tern observations during 2007–2008 surveys were of individuals foraging or flying in the vicinity of the Pier 400 nesting site; least terns also were observed foraging along the outer breakwater and open-water areas of the Outer Harbor and within Inner Harbor basin and channel areas (SAIC 2010). Least terns foraged most frequently just off the Pier 400 nesting site, off Pier 300, and near Cabrillo Beach (SAIC 2010).

The brown pelican, formerly federally listed as endangered, is found in large numbers in San Pedro Bay (MEC 2002). This bird breeds on the offshore Channel Islands, and forages widely along the southern California coast on small fishes. Brown pelicans make heavy use of the Outer Harbor breakwaters for roosting. The brown pelican is present throughout the year. The peregrine falcon (*Falco peregrinus*), also formerly federally listed as endangered, nests on bridges within the area of the ports (SAIC 2010).

Several piscivorous seabirds began nesting in the adjacent Port of Los Angeles following construction of Pier 400. The royal tern (*Thalasseus maximus*), Caspian tern (*Hydroprogne caspia*), elegant tern, and black skimmer (*Rynchops niger*) had each been recorded nesting on Pier 400 up until 2005 (KBC 2005). No nesting by these species was recorded in 2006 or 2007 (KBC 2007). The landfill area of Pier 400 (constructed in 1996) initially provided a large expanse of suitable bare-dirt nesting habitat for terns adjacent to a well-developed forage base (consisting of small fish) in the Outer Harbor. However, development of Pier 400 is now complete and undeveloped areas in the ports of Los Angeles and Long Beach outside of the Pier 400 nesting site currently contain very little suitable seabird nesting habitats.

No snowy plovers were detected within either the ports of Long Beach or Los Angeles during the 2007–2008 surveys (SAIC 2010). Snowy plovers are occasionally observed during migration at the California least tern nesting site on Pier 400 (SAIC 2010). A few snowy plovers have been observed at nearby Point Fermin and Cabrillo Beach (outside of the breakwater), both south and outside of the Port of Los Angeles (SAIC 2010).

### *Mammals*

Most marine mammals are under the jurisdiction of the National Oceanic and Atmospheric Administration (NOAA Fisheries), including all those potentially occurring in or near the ports. All marine mammals are protected under the Marine Mammal Protection Act of 1972 (16 U.S.C. 1361 *et seq.*) and some are also protected by the ESA. Marine mammals that are known to occur sporadically in waters of the ports include pinnipeds [California sea lion (*Zalophus californianus*) and harbor seal (*Phoca vitulina*)] and cetaceans (SAIC 2010). Cetaceans that have been observed in

outer harbor locations in the ports include the gray whale (*Eschrichtius robustus*), Pacific bottlenose dolphin (*Tursiops truncatus*), short-beaked common dolphin (*Delphinus delphis*), and Pacific white-sided dolphin (*Lagenorhynchus obliquidens*) (SAIC 2010). None of these are species are known to breed in the ports (SAIC 2010).

### *Riprap-Associated Organisms*

A total of 334 species of invertebrates were identified from three tidal zones within the riprap community in the ports (SAIC 2010). Distinct tidal zonation was observed with increasing numbers of species with increasing depth. Mean total abundance was highest in the lower intertidal, lowest in the upper intertidal, and intermediate in the subtidal zone (SAIC 2010). Across all tidal zones, crustaceans were numerically dominant, followed by polychaetes, echinoderms, molluscs, and other phyla. Past studies have noted relatively greater community development in Outer Harbor compared to Inner Harbor areas (MEC 1988, 2002). However, the 2008 study noted general similarities in these communities throughout the two ports (SAIC 2010). Exceptions were for diversity, which was somewhat greater at Outer Harbor breakwater stations compared to Inner Harbor locations, but these differences were mainly associated with the upper intertidal zone (SAIC 2010). Community summary measures did not show distinct trends among Inner and Outer Harbor stations for the lower intertidal and subtidal zones, suggesting some improvement in ecological function at Inner Harbor stations since the 2000 study (SAIC 2010).

### *Kelp and Macroalgae*

Within the ports, the majority of kelp and macroalgae surface canopy is closely associated with the outer breakwaters and with riprap structures in the Outer Harbor and in locations facing the port entrances (SAIC 2010). While algal diversity in the ports is considered relatively low, there is a general pattern of decreasing algal diversity from Outer to Inner Harbor locations (SAIC 2010). During the 2008 study, *Macrocystis* canopy in the two ports totaled 77.8 acres in spring and decreased to 50.4 acres in the fall (35% decrease) (SAIC 2010). Seasonal declines in kelp canopy cover for both studies are likely due to natural die-offs between winter and fall. Dominant macroalgal communities included the genera *Sargassum*, *Ulva*, *Colpomenia*, *Chondracnathus*, and *Halymenia* (SAIC 2010).

Occurrences of invasive exotic algae within the ports include the brown algae *Sargassum muticum* and *Undaria pinnatifida*. While *Sargassum* has become a commonly observed component of the algal flora in southern California, including the ports, *Undaria* was first reported in the United States in spring 2000 during the previous baseline study of the ports (MEC 2002). Notably, *Undaria* was documented during the present study at all eight Inner Harbor sites studied and at 7 of 12 Outer Harbor locations, indicating an expanded distribution since 2000 (SAIC 2010).

### **Contaminants**

The marine biological environment of the ports of Los Angeles and Long Beach has been periodically studied since the 1950s. Early studies documented severe pollution in several of the basins in the harbors. As recently as the late 1960s, dissolved oxygen (DO) levels at some locations

in Los Angeles Harbor were so low that little or no marine life could survive (SAIC 2010). Since that time, regulations have reduced direct waste discharges into the ports, resulting in improved DO levels throughout the port areas (MEC 2002; SAIC 2010). Comprehensive studies in the 1970s reported a dramatic improvement in marine habitats function/quality relative to the 1950s, although areas of pollution are still evident in Inner Harbor and blind-end slip areas (MEC 2002).

Results from studies in 2000 and 2008 indicate a continued trend of water quality improvement since the 1970s, with most DO concentrations in excess of 5 milligrams/liter (MEC 2002; SAIC 2010). Episodic and localized changes in some parameters, such as low DO concentrations coinciding with low transmissivity, suggested minor effects possibly associated with sediment resuspension events (MEC 2002). Water clarity (transmissivity) decreased with increasing depth and was relatively lower in bottom waters at stations with fine sediments and/or in the vicinity of dredging and/or disposal (MEC 2002). Polluted and “semi-healthy” areas still exist in the ports; however, the spatial extent of these areas of relatively poorer ecological/habitats function is not as widespread today. The most polluted area is the Consolidated Slip of the Port of Los Angeles; “semi-healthy” areas exist in the Cerritos Channel of the Inner Harbor and in confined basins and slips in both ports (MEC 2002).

Water quality conditions measured during July 2008 generally were uniform throughout the environments of the ports, with only minor differences that appeared to be unrelated to natural community (SAIC 2010). Further, water quality conditions also were consistent with values reported previously for the ports (MEC 2002), and indicative of well-mixed and well-oxygenated waters (e.g., DO greater than 5 mg/L) for almost all stations (SAIC 2010). Some localized differences, associated with comparatively warmer surface water temperatures, lower surface water salinities, and lower DO concentrations in near-bottom water, were observed, but the magnitude of the differences were considered small (SAIC 2010).

The waters of ports of Los Angeles and Long Beach (including Inner and Outer Harbor, Main Channel, Consolidated Slip, Southwest Slip, Fish Harbor, Cabrillo Marina, Inner Cabrillo Beach), San Pedro Bay, Dominguez Channel, Dominguez Channel estuary, Torrance Lateral Channel (sometimes referred to as Torrance Carson Channel), and Los Angeles River Estuary are impaired by heavy metals and organic pollutants (CRWQCB 2011). More specifically, each of these water bodies are included on the 303(d) list for one or more of the following pollutants: cadmium, chromium, copper, mercury, lead, zinc, chlordane, dieldrin, toxaphene, DDT, PCBs, and certain PAH compounds (CRWQCB 2011). These impairments may exist in one or more environmental media — water, sediments, or tissue (CRWQCB 2011).

Some site specific data are available that suggest varying levels of contamination in the sediments to be dredged. Additional testing will be required to determine what materials from which areas may be re-used for habitat creation or beach replenishment, disposed of at an ocean dumping site, or disposed of at a confined disposal facility or appropriate upland site. The Service will provide additional input on these determinations as information regarding physical and chemical characteristics of the materials to be dredged becomes available.



### **San Pedro Bay Landfill Mitigation History**

The agency consensus mitigation goal for San Pedro Bay (ports of Los Angeles and Long Beach) landfill impacts to date has been no net loss of habitat value for in-kind resources, as near to the site of loss as feasible, and in advance of, but not later than concurrently with, the fill (Corps and LAHD 1992). For the last several years, the Service, Department, the National Marine Fisheries Service, the City of Los Angeles Harbor Department, and the Port have been designing and executing mitigation plans for development projects in the ports. The process employs a modified habitat evaluation procedure and involves evaluation of the habitat value in the affected port area and compares that to predicted habitat value increases at conceptual mitigation areas.

Following implementation of measures for avoiding and minimizing impacts to fish and wildlife resources, on-site mitigation has been conducted in the adjacent Port of Los Angeles consisting of creation of shallow water from deep areas. In 1985, as a condition of the Harbor Deepening Project in the Port of Los Angeles, the Corps created 190 acres of shallow water (i.e., water less than -20 feet MLLW) as mitigation for the filling of 190 acres of shallow water to make the land area now called Pier 300. The created shallow water area, now called the Pier 300 Shallow Water Habitat, has been the subject of several biological investigations (MEC 1988, 1999) and shown to provide highly productive habitats for fish. It is also an important foraging area for the California least tern (KBC and Aspen Environmental Group 2004).

### **Potential Impacts of the Proposed Project on Biological Resources**

The proposed project would involve deepening of portions of the Port to currently undetermined depths with the disposal of dredge material at currently undetermined locations. The project would involve dredging of only relatively deep (i.e., greater than 20 feet) water areas of San Pedro Bay. These deeper water impacts typically do not involve what is considered significant long-term loss of habitats warranting mitigation.<sup>18</sup> Anticipated potential effects associated with dredging and disposal of dredge materials would depend largely on disposal location; these potentially include: 1) the permanent elimination of fish and wildlife habitats associated with any in-bay landfills; 2) a temporary reduction in available foraging habitat for piscivorous bird species, including the least tern, due to dredging or disposal-associated turbidity generated by the project (depending on locations); 3) the reduction of deep water habitats and creation of shallow water fish habitats with any in-bay subaquatic fill of deeper waters; 4) the reduction of deepwater habitats and creation of island (nesting bird) habitats with any in-bay island fill of deeper waters; and 5) temporary impacts of burying of beach- and nearshore-associated invertebrates and nearshore turbidity associated with disposal of dredge materials through local beach/nearshore replenishment.

The dredging of deeper water areas within the project footprint would impact the invertebrate benthic fauna and demersal fish communities found in these areas. These dredging impacts would be largely temporary, although the resultant areas would then be deeper in the long-term. The replacement benthic fauna that would colonize these dredged areas in the years following project

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<sup>18</sup> Historically, mitigation has been required for dredging that deepens shallow water areas, 20 feet deep or less, because the deepening reduces or eliminates the fish nursery and bird foraging values. No such impacts to areas less than 20 feet deep are anticipated with this project.

implementation would likely be different; this fauna would include species combinations adapted to these new deeper areas. The vast majority (if not all) of these areas have been subject to dredging in the past century, with varying levels of recovery since the last dredging event. It is undetermined what areas of the project footprint would be subject to future maintenance dredging.

The dredging and disposal of dredge materials creates temporary turbidity impacts to surrounding waters. When dredge materials are used to create shallow water or island habitats this typically creates long-term benefits due to the typically higher functions and values for fish and wildlife attributable to shallow water and sensitive species nesting areas. The size and duration of the turbidity plume generated by dredging and disposal activities is dependent on grain size of the suspended material and current velocities at the time the activity is conducted (Corps and LAHD 2000). Project dredge material qualities, disposal locations, and associated current velocities are unknown; therefore, turbidity is not readily predictable for the project. The amount of turbidity is generally greater in the immediate vicinity of the filling/disposal operations than at the dredge site because the dredge typically operates with suction, while the filling operation is often by discharge from a pipe (Corps and LAHD 2000). However, based on past dredge disposal operations, the extent of the turbidity plume is not expected to be greater than several hundred feet from the discharge point. Because several hundred acres of high-function shallow water foraging habitat are available for piscivorous bird species within the Port region (e.g., 193-acre Pier 300 Shallow Water Habitat and 326-acre Cabrillo Shallow Water Habitat), the area of disturbance from the project would likely represent a small portion of available foraging habitats for such birds.

## Recommendations

The Fish and Wildlife Coordination Act states that "...wildlife conservation shall receive equal consideration and be coordinated with other features of water-resource development projects through the effectual and harmonious planning, development, maintenance, and coordination of wildlife conservation..." (16 U.S.C. 661). Consistent with Fish and Wildlife Coordination Act, should the project be implemented, we suggest incorporation of the following planning aid recommendations in order avoid, minimize, and compensate potential impacts to fish and wildlife resources, and suggest the Corps incorporate the project design elements outlined below that would improve fish and wildlife resources:

1. The Corps should use dredge materials, as contaminant levels in the dredge materials allow, to construct areas of shallow water fish habitats (areas of water less than -20 feet MLLW).
2. Within the center of the area of created shallow water fish habitats noted above, the Corps should create a least tern/snowy plover nesting island with dredge materials. We suggest that the Outer Harbor in areas of low shipping traffic would likely be a functional location for this purpose, particularly areas adjacent to (behind) the existing Middle or Long Beach breakwaters.<sup>19</sup> The middle of this island(s) should be at least several acres in size and relatively flat with the surface constructed of typical least tern nesting soil matrix materials.

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<sup>19</sup> We suggest these locations so as to minimize conflict with existing shipping traffic routes in the ports. These Outer Harbor areas would likely provide high ecological function for the fish and wildlife species targeted by these measures.



A portion of the island should have a zone of low gradient shoreline slope down to the water within a protected cove(s), likely adjacent to and facing the existing breakwater within the Port for swell protection. Other features such as subaquatic reefs constructed of rock are also suggested, in part to help prevent erosion of the island cove shoreline surface materials from swells. The configuration and slope surface of the noted cove should be constructed of sand and gravel or other compatible materials for snowy plover chick foraging; the configuration should be such that the cove areas remain open to tide-borne deposition of natural beach wrack<sup>20</sup> and would otherwise support snowy plover chick and adult foraging. The remainder of the island (outside of the cove portion) would likely need to be edged by riprap to avoid erosion of the island by swells. Possibly waste rock from other proposed projects in the area (e.g., partial or full removal of the Long Beach Breakwater) could be used/combined for this purpose. It is preferred that the surface of this island not be utilized for human recreation and be protected from unauthorized entry.

3. The Corps should implement a construction schedule for the project that avoids the least tern breeding season, if feasible.
4. Turbidity from dredge and fill activities in the vicinity of the shallow water habitats should not extend over an area greater than 5 acres of shallow waters (i.e., areas less than 20 feet deep) at any one time during the April-to-September breeding season of the California least tern. Monitoring of project-related turbidity, as provided for in measure 5 below, should be based on visually observed differences between ambient surface water conditions and any visible dredging turbidity plume.
5. The Corps should provide a qualified least tern biologist, acceptable to the Service and Department, and approved by the Corps, to help monitor and manage project activities. This program should be carried out during project activities. The biologist should coordinate with the Service and the Department and:
  - a. If the areas associated with project activities (such as staging areas) would occur within upland areas of the Port that are capable of supporting sensitive species, the Corps should provide an education program for construction crews, including the identity of the least tern and their nests, restricted areas and activities, and actions to be taken if least tern nesting sites are found outside the designated least tern nesting sites/within project activity areas.
  - b. Visually monitor and report to the dredging contractor or Corps contract manager and Service/Department any turbidity from project dredging which extends over an area greater than 5 acres of shallow waters.
6. If least tern or other protected species nests are found within the project's direct footprint in upland areas during construction, then all work in the immediate area should be halted, and the Corps biologist be notified immediately. An appropriate buffer zone around the nest for

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<sup>20</sup> Beach wrack consists of organic material such as kelp and sea grass that is cast up onto the beach by surf, tides, and wind. Beach wrack supports a wide variety and large quantity of beach invertebrates.

exclusion of project-related activities should be specified by the biologist in coordination with the Service and the Department.

If you have any questions you have regarding this letter, please contact Jon Avery, Federal Projects Coordinator, at 760-431-9440, extension 309.

Sincerely,

CAROL  
ROBERTS



Digitally signed by  
CAROL ROBERTS  
Date: 2016.06.30  
15:09:09 -07'00'

Scott A. Sobiech  
Deputy Field Supervisor

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### **4.3 South Coast Air Quality Management District**





**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS  
LOS ANGELES DISTRICT  
915 WILSHIRE BOULEVARD, SUITE 930  
LOS ANGELES, CALIFORNIA 90017-3489**

April 9, 2021

Ms. Sang-Mi Lee  
Program Supervisor  
Air Quality Modeling/Emissions Inventory  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, California 91765

Dear Ms. Lee:

This letter concerns the United States Army Corps of Engineers (USACE), Port of Long Beach Deep Draft Navigation Project (proposed project) as it relates to the general conformity rule. Established under the Clean Air Act (CAA) section 176(c) [42 USC 7506(c)], the purpose of the general conformity rule is to ensure that actions taken by Federal agencies do not interfere with a state's plan to attain and maintain National Ambient Air Quality Standards (NAAQS). Under the general conformity rule, federal agencies must work with state and local governments, in nonattainment or maintenance areas, to ensure that federal actions conform to the established, applicable State Implementation Plan (SIP). To do so, the federal agency must either determine that the action is exempt from general conformity regulations or make a conformity determination consistent with the general conformity requirements.

The USACE, in conjunction with the Port of Long Beach (POLB), intends to dredge specific areas in the POLB as discussed in detail in the Integrated Feasibility Report and Draft Environmental Impact Statement and Environmental Impact Report (IFR). Per 40 CFR 93.152, USACE's federal authority would extend only to construction emissions associated with the proposed project. There would be no net changes in operational air emissions expected following completion of project construction activities. The only reasonably foreseeable activities extending beyond the construction period and subject to USACE authority would be maintenance dredging, which is exempt from conformity applicability per 40 CFR 93.153(c)(2)(ix). Hence, the USACE would have no continuing program responsibility for activities beyond construction.

Alternative 3<sup>1</sup> is the USACE's preferred project alternative. The USACE's federal actions include the General Navigation Features and Local Service Facilities within the USACE's regulatory purview. Based on the USACE's applicability analysis in the IFR, the total of direct and indirect emissions caused by the federal actions would exceed the applicability rates specified in 40 CFR 93.153(b) for nitrogen dioxide (NO<sub>2</sub>), ozone (nitrogen oxides (NO<sub>x</sub>) and volatile organic compounds (VOC) precursors), and carbon monoxide (CO), in construction years 2025, 2026, and 2027. Therefore, the USACE is required to have a general conformity determination for these three criteria pollutants.

The USACE can use one of several methods to show that the federal actions conform to the SIP. For actions where the direct and indirect emissions exceed the rates in 40 CFR 93.153(b), the federal action can include mitigation measures to offset the emission increases from the federal action or can show that the action will conform by meeting any of the following requirements:

- Showing that the net emission increases caused by an action are included in the SIP,
- documenting that the state agrees to include the emission increases in the SIP,
- offsetting the action's emissions in the same or nearby area of equal or greater classification, or
- providing an air quality modeling demonstration in some circumstances.

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<sup>1</sup> Alternative 3 is composed of measures for liquid bulk vessels, container vessels, and the local service facilities, as identified below:

- General Navigation Features for Liquid Bulk Vessels
  - o Deepen the entrance to the Main Channel (the Approach Channel through Queens Gate) from a project depth of -76 feet to -80 feet mean lower low water (MLLW)
  - o Widen portions of the Main Channel (bend easing) to a depth of -76 feet MLLW
- General Navigation Features for Container Ships
  - o Construct an approach channel and turning basin to Pier J South to a depth of -55 feet MLLW.
  - o Deepen portions of the West Basin and West Basin Approach to a depth of -55 feet MLLW.
- Local Service Facilities to be constructed by the POLB
  - o Deepen two additional locations within the harbor to a depth of -55 feet MLLW – the Pier J Slip, including berths J266-J270, and berth T140 on Pier T
  - o Perform structural improvements on Pier J breakwaters at the entrance of the Pier J Slip to accommodate deepening of the Pier J Slip and Approach Channel to -55 feet MLLW.

Approximately 7.4 million cubic yards (mcy) of material would be dredged. Dredged material would be placed either at a nearshore placement site, a USEPA-designated ocean disposal site (LA-2 and/or LA-3), or a combination of the two. The nearshore placement site, approximately five miles from the project site, can accommodate about 2.5 mcy of dredged material. LA-2 and LA-3, approximately nine and 22 miles, respectively, from the project site, have an annual disposal volume limit of 1.0 and 2.5 mcy, respectively, from all sources. It is assumed that 0.9 mcy for LA-2 and 2.2 mcy for LA-3 is available for use by this proposed project each year.

As part of the USACE's analysis in the IFR, the USACE considered the following mitigation measures to reduce construction-related emissions:

- *MM-AQ-1. Electric clamshell dredge.* The use of an electric clamshell dredge shall be required for project clamshell dredging activities during the entire construction period of the project.
- *MM-AQ-2. Construction-Related Harbor Craft.* Construction-related harbor craft (tugboats, crew boats, and survey boats) with Category 1 or Category 2 marine engines shall meet USEPA Tier 3 emission standards for marine engines. In addition, the construction contractor shall require all construction-related tugboats that home fleet in the San Pedro Bay Ports: 1) to shut down their main engines; and 2) to refrain from using auxiliary engines while at dock and instead use electrical shore power, if feasible.
- *MM-AQ-3: Off-Road Construction Equipment.* Self-propelled, diesel-fueled off-road construction equipment 25 horsepower or greater shall meet United States Environmental Protection Agency (USEPA)/California Air Resources Board (CARB) Tier 4 emission standards for non-road equipment.

Table 1 presents the mitigated annual construction emissions associated with Alternative 3 (this information can be found in Section 5.5.5 and Table 5-19 in the Draft IFR). The table shows that NO<sub>2</sub> and ozone (NO<sub>x</sub> precursor) emissions would be reduced but would remain above the applicability rates. All other pollutants would be reduced to below the applicability rates. All methods, input/output data and emissions before and after the application of above mitigation measures were made available to public as part of the Draft IFR distributed publicly on October 21, 2019, and still available for download at:

<https://www.spl.usace.army.mil/Missions/Civil-Works/Projects-Studies/Port-of-Long-Beach-Deep-Draft-Navigation-Study/>.

**Table 1. Alternative 3 Emissions After Mitigation**

Source Category	PM <sub>10</sub>	PM <sub>2.5</sub>	Ozone (NO <sub>x</sub> precursor)	NO <sub>2</sub>	CO	Ozone (VOC precursor)
2024						
Offroad Construction Equipment	0.0	0.0	0.1	0.1	0.2	0.0
Onroad Construction Vehicles	0.0	0.0	0.0	0.0	0.1	0.0
Fugitive Emissions	0.0	0.0	0.0	0.0	0.0	0.0
Marine Equipment	0.1	0.1	2.7	2.7	2.2	0.2
Total Construction Year 2024	0.2	0.1	2.8	2.8	2.4	0.2
Conformity Determination						
Applicability Rate	100	100	10	100	100	10
Equal or Exceed Applicability Rate?	No	No	No	No	No	No

<b>Source Category</b>	<b>PM<sub>10</sub></b>	<b>PM<sub>2.5</sub></b>	<b>Ozone (NO<sub>x</sub> precursor)</b>	<b>NO<sub>2</sub></b>	<b>CO</b>	<b>Ozone (VOC precursor)</b>
<b>2025</b>						
Offroad Construction Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Onroad Construction Vehicles	0.0	0.0	0.0	0.0	0.0	0.0
Fugitive Emissions	0.0	0.0	0.0	0.0	0.0	0.0
Marine Equipment	7.6	6.7	145.5	145.5	86.9	8.1
Total Construction Year 2025	7.6	6.7	145.5	145.5	86.9	8.1
Conformity Determination						
Applicability Rate	100	100	10	100	100	10
Equal or Exceed Applicability Rate?	No	No	Yes	Yes	No	No
<b>2026</b>						
Offroad Construction Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Onroad Construction Vehicles	0.0	0.0	0.0	0.0	0.0	0.0
Fugitive Emissions	0.0	0.0	0.0	0.0	0.0	0.0
Marine Equipment	1.7	1.5	35.8	35.8	27.4	2.0
Total Construction Year 2026	1.7	1.5	35.8	35.8	27.4	2.0
Conformity Determination						
Applicability Rate	100	100	10	100	100	10
Equal or Exceed Applicability Rate?	No	No	Yes	No	No	No
<b>2027</b>						
Offroad Construction Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Onroad Construction Vehicles	0.0	0.0	0.0	0.0	0.0	0.0
Fugitive Emissions	0.0	0.0	0.0	0.0	0.0	0.0
Marine Equipment	0.6	0.5	11.9	11.9	9.1	0.7
Total Construction Year 2027	0.6	0.5	11.9	11.9	9.1	0.7
Conformity Determination						
Applicability Rate	100	100	10	100	100	10
Equal or Exceed Applicability Rate?	No	No	Yes	No	No	No

**Notes:**

Tons per day for each year are based on the number of construction days in each year of the proposed project (i.e., 365 days in each year 2024 through 2026, and 113 days in year 2027), per Table 5-19 of IFR.

During a December 1, 2020, conference call, the South Coast Air Quality Management District (SCAQMD) raised a concern that the NO<sub>x</sub> and NO<sub>2</sub> emissions in Table 1 were the same and suggested that the USACE consider recalculating NO<sub>2</sub> emissions to account for the fraction of NO<sub>2</sub> in NO<sub>x</sub> exhaust. Although the USACE recognizes NO<sub>x</sub> consists of both NO and NO<sub>2</sub>, and that NO<sub>2</sub> emissions are initially low in exhaust at the tailpipe, it is conservative and common industry practice to assume that most NO in NO<sub>x</sub> exhaust is rapidly converted to NO<sub>2</sub>. The SCAQMD's Localized

Significance Threshold methodology assumes that although initially only 5 percent of the emitted NO<sub>x</sub> is NO<sub>2</sub>, within 500 meters downwind all NO is converted to NO<sub>2</sub>. During a December 15, 2020, conference call between the SCAQMD and iLanco Environmental, LLC, the POLB's air quality contractor, it is the USACE's understanding that the SCAQMD discussed amongst their groups whether it was appropriate to assume that NO<sub>x</sub> and NO<sub>2</sub> emissions are equal and decided that this approach is appropriate.

The USACE recognizes that the SCAQMD's NO<sub>x</sub> set-aside conformity budget was primarily established to streamline determinations for ozone conformity. Notwithstanding, NO<sub>2</sub> is the only component of NO<sub>x</sub> that directly drives tropospheric ozone formation. If the SCAQMD can find that a certain NO<sub>x</sub> budget would not interfere with reaching ozone attainment, it seems reasonable to assume that the same NO<sub>x</sub> budget would also not interfere with maintaining NO<sub>2</sub> attainment.

Additionally, the South Coast Air Basin (SCAB) has been in attainment of the NO<sub>2</sub> standard for many years and has been designated as "maintenance" since 1998. It is possible that the SCAB may be moved to "attainment" since it has been in maintenance status for over ten years. It is our understanding that USEPA's clarification is needed for this determination in which case there would be no need for a NO<sub>2</sub> demonstration of conformity. We respectfully request that the SCAQMD advise us on the SCAB's "maintenance" vs "attainment" designation for purposes of determining conformity.

During the December 1, 2020, conference call, the SCAQMD raised concerns regarding future operational emissions in the POLB and emissions levels associated with Tier 2 hopper dredges. Regarding future operational emissions, alternatives evaluated in the IFR would result only in construction activities (i.e., both land-based construction and dredging) that would affect air quality within the POLB and surrounding region. While the action alternatives may accommodate changes in the vessel fleet calling at the POLB, they would not increase cargo or liquid bulk throughput. Therefore, operational emissions have not been assessed in the IFR.

Reducing inefficiencies would allow current fleet vessels to arrive fully loaded and to avoid delays associated with tide riding, lightering, or traffic conflicts (for liquid bulk vessels). Throughput at the POLB is limited by backland storage areas, which are constrained and at capacity. While the proposed project would not result in larger vessels calling at the POLB beyond those that currently call at the POLB and those that have previously been forecasted, the efficiencies afforded by accommodating these larger vessels fully loaded with no operational restrictions would in turn reduce the total number of vessels calling at the POLB over time. The objective of the proposed project is to improve conditions for vessel operations and safety, and to accommodate the existing large vessels that call at the POLB with fewer restrictions as they come online. Appendix E of the IFR includes projected fleet forecasts for the POLB for all alternatives, including the no action alternative that were used for the economic evaluation of project benefits. Ship sizes and expected numbers calling on the POLB

are discussed in this appendix. Attention is called to Tables 4-8 and 4-9 for details. A summary table (Table 2) is provided here to illustrate the expected decrease in ship calls for the proposed project.

**Table 2. Expected Decrease in Ship Calls for the Proposed Project**

Year	Alternative	Container Vessel Calls	Tanker Calls
2021	Current	1,278	932
2030	No Action	1,494	916
2030	Proposed Project	1,444	908
2040	No Action	1,724	912
2040	Proposed Project	1,643	903

Container vessel calls are expected to go up for all alternatives from 2021 to 2030 and from 2030 to 2040. Tanker calls are expected to decrease slightly over the same time period, although there is a slight increase from 2030 to 2040. However, fewer container vessel calls are projected for the years 2030 and 2040 with the proposed project for the same years as the no action alternative. There are 50 fewer container vessels and 8 fewer tanker vessels projected to call at the POLB for the proposed project as compared to future without project conditions (no action alternative) for 2030. Furthermore, there are 81 fewer container vessels and 9 fewer tanker vessels projected to call at the POLB for the proposed project as compared to future without project conditions (no action alternative) for 2040.

Regarding hopper dredge emissions, the areas that are proposed for hopper dredges are unsuitable for dredging by the electric clamshell for two reasons. First, is the distance between the on-land transformer and the dredge location. The distance is impracticable for efficient operations and safety as this would require placing the electric power cable through the busy ship traffic lane at Queen's Gate. The tether to the shoreline would need to be at least 1 mile long at the closest point all the way up to 4 plus miles to dredge at the "daylight" location of the entrance channel, and this would be crossing the major thoroughfare through the Queen's Gate. The second reason is the depth of the dredge cut. Dredging from -70 feet MLLW to -80 feet MLLW is inefficient for a clamshell dredge due to the depth of water. A hopper dredge keeps its drag head continuously on the ocean floor while dredging while a clamshell must repeatedly go up and down through the water column leading to extended time for each cycle and increased loss of sediments from the clamshell while transiting the water column. The clamshell would also have a significantly lower production rate to the hopper due to the proposed dredging depths. It is about 1/3 of the hopper daily production rate in optimal conditions, and with the proposed depths, this would decrease even more. This would increase the proposed project timeline by 1-2 years.

Sediments in the Approach Channel (where the hopper dredge would operate) are sandy and thus suitable for nearshore placement. This allows the hopper dredge to

operate more efficiently by using a shortened transit from dredge site to the nearshore placement site, as opposed to a transit from the dredge site to the ocean disposal site. Reduced transit times results in a longer dredging period per day for the hopper dredge.

POLB staff reached out to their contacts in the U.S. dredging industry as well as conducted an on-line search to find information on hopper dredges with Tier 3 or better engines. There are only two USACE-owned dredges stationed on the west coast of the U.S. Both are Tier 2 equipped. The *Yaquina* is unable to reach the depths needed for the proposed project and is unsuitable. The *Essayons* could reach the required depths, if modified. There currently are no privately-owned hopper dredges stationed on the west coast. Regarding the international market, these are not available for operation in the U.S. market. There has not been any indication that changes will be made to the Jones Act, Public Law 66-261, to allow non-U.S. constructed, owned and crewed vessels to operate in U.S. waters.

We appreciate the SCAQMD staff's recommendation during our conference call on December 1, 2020, for the USACE to include a requirement for the hopper dredge to be equipped with Tier 3/4 engines as a mitigation measure for the proposed project. The use of Tier 3/4 engines is not a regulatory requirement in effect for the SCAB now or at the estimated time of construction. We are unable to accommodate such a mitigation measure under our current contracting standards. We may consider it in the future if available, feasible, and consistent with competition in contracting.

According to 40 CFR 93.161, the state or local agency responsible for implementing and enforcing the SIP can develop and adopt an emissions budget to be used for demonstrating conformity under 40 CFR 93.158(a)(1). The SCAQMD's 2016 Air Quality Management Plan (AQMP) addresses general conformity budgets beginning on page VI-D-1 of Appendix VI and on pages 111-2-85 through 11-2-88 of Appendix III. To streamline the general conformity process for federal projects and to facilitate general conformity determinations, the 2016 AQMP establishes VOC and NOx general conformity budgets of 2.0 tons per day (tpd) of NOx and 0.5 tpd of VOC on an annual basis from 2017 to 2030, and budgets of 0.5 tpd of NOx and 0.2 tpd VOC in 2031. These general conformity budgets are included in the "set-aside" account added to baseline emissions in tables 9, 10 and 11 in section 111.D.2.c of this document. The general conformity budgets in the 2016 AQMP are not set aside for specific facilities per se but were developed in the anticipation of the construction and operation of certain development projects in the South Coast Air Basin that are expected over the next decade. Under the 2016 AQMP, emissions from general conformity projects are tracked by the SCAQMD's tracking system and debited from this set-aside budget on a first-come-first-served basis until the budget has been exhausted. The USEPA approved the general conformity budgets in the 2016 AQMP on October 1, 2019.

Federal agencies can use these budgets to demonstrate that their federal actions conform to the SIP through a letter from the State and SCAQMD confirming that the federal actions emissions are accounted for in the SIP's general conformity



budgets. The USACE requests the SCAQMD provide written confirmation that the federal actions emissions of 146 tons NO<sub>x</sub>, 36 tons NO<sub>x</sub> and 12 tons NO<sub>x</sub> in years 2025, 2026, and 2027, respectively, are accounted for in the SIPs general conformity budget, which would be used by the USACE to demonstrate conformity under 40 CFR 93.158(a)(1).

If you have questions, please contact Mr. Larry Smith, Project Environmental Coordinator, at (213) 452-3846 or by email at [lawrence.j.smith@usace.army.mil](mailto:lawrence.j.smith@usace.army.mil).

Sincerely,

DEMESA.EDUARDO  
.T [REDACTED]

Digitally signed by  
DEMESA.EDUARDO.T.1 [REDACTED]  
Date: 2021.04.07 14:32:18 -07'00'

Eduardo T. De Mesa  
Chief, Planning Division

April 12, 2021

Eduardo T. De Mesa  
Chief, Planning Division  
U.S. Army Corps of Engineers  
Los Angeles District  
915 Wilshire boulevard, Suite 930  
Los Angeles, CA 90017-3489

Dear Mr. De Mesa,

This letter is in response to your letter dated March 3, 2021 requesting South Coast AQMD to accommodate the anticipated emissions from the Port of Long Beach Deep Draft Navigation Project in the Air Quality Management Plan (AQMP)/State Implementation Plan (SIP) emissions budget for general conformity purposes.

The general conformity determination process is intended to demonstrate that a proposed Federal action will not: (1) cause or contribute to new violations of a national ambient air quality standard (NAAQS); (2) interfere with provisions in the applicable SIP for maintenance of any NAAQS; (3) increase the frequency or severity of existing violations of any standard; or (4) delay the timely attainment of any standard. As such, for general conformity determination, the proposed federal action needs to conform to the latest approved SIP/AQMP.

The South Coast Air Basin (Basin) is designated as an extreme non-attainment area for ozone, serious non-attainment for PM<sub>2.5</sub> and maintenance area for Carbon Monoxide. In order to accommodate projects subject to general conformity requirements and to streamline the review process, general conformity budgets for NO<sub>x</sub> and VOC emissions are established in the AQMP. The 2016 AQMP (<https://www.aqmd.gov/home/air-quality/clean-air-plans/air-quality-mgt-plan/final-2016-aqmp>), which is the latest plan approved by U.E. EPA, established set aside accounts to accommodate emissions subject to general conformity requirements. The set-aside accounts include 2 tons per day (tpd) or 730 tons per year (tpy) of NO<sub>x</sub> and 0.5 tpd or 182.5 tpy of VOC each year starting in 2017 through 2030, and 0.5 tpd (182.5 tpy) of NO<sub>x</sub> and 0.2 tpd (73 tpy) of VOC each year in 2031 and thereafter.

The anticipated emissions from the proposed project exceed the General Conformity de minimis thresholds of NO<sub>x</sub> in the years 2025, 2026 and 2027 as indicated in Table 1, “Alternative 3 Emissions After Mitigation”, in your letter. These emissions are associated with construction

activities of Alternative 3 scenario, which is the preferred alternative scenario by U.S. Corps of Army Engineers. After the completion of project construction activities, no changes in net operational emissions are anticipated. Emissions from potential maintenance dredging in the future, if any, will be exempt from conformity applicability if the action has no emissions increase or the emissions increase is below de minimis threshold per 40 CFR 93.153(c)(2)(ix). Detailed method to calculate emissions included in the general conformity determination can be found at the Port of Long Beach Deep Draft Navigation Project<sup>1</sup>.

South Coast AQMD staff has reviewed the proposed project emissions based on the information provided in your letter. Based on our review, we have determined that NOx emissions above de minimis thresholds can be accommodated within the general conformity budgets established in the 2016 AQMP. The emissions accommodated in the general conformity budgets for 2025, 2026 and 2027 are listed in Table 1 below.

Table 1. Proposed Project Emissions Accommodated in 2016 AQMP General Conformity Budgets (tons per year)

<b>Pollutants</b>	<b>Emission Phase</b>	<b>2025</b>	<b>2026</b>	<b>2027</b>
NOx	Construction	145.5	35.8	11.9

In addition to NOx emissions, NO2 emissions exceed the de minimis threshold in 2025. South Coast Air Basin was designated as a maintenance area for the 1971 annual NO2 NAAQS on July 24, 1998. However, twenty years after the effective date of redesignation to attainment, general conformity no longer applies unless a maintenance plan approved under CAA Section 175A specifies that conformity requirements apply for a longer time period. The approved maintenance plan for the Basin did not extend the maintenance plan period beyond 20 years from redesignation. Consequently, conformity requirements for NO2 ceased to apply after September 22, 2018. Therefore, no conformity requirement applies to the NO2 emissions from the proposed project.

In summary, based on our evaluation, the proposed project will conform to the latest EPA approved AQMP as the emissions from the project are accommodated within the AQMP's emissions budgets, and the proposed project is not expected to result in any new or additional violations of the NAAQS or impede the projected attainment of the NAAQS.

<sup>1</sup> Documents are available at <https://www.spl.usace.army.mil/Missions/Civil-Works/Projects-Studies/Port-of-Long-Beach-Deep-Draft-Navigation-Study>

Refer Table 5-19 for the amount of emissions subject to general conformity determination and Appendix for detailed methodology

If you have any questions, please contact me at (909) 396-2856 or [srees@aqmd.gov](mailto:srees@aqmd.gov) or Sang-Mi Lee, Program Supervisor at (909)-396-3169 or [slee@aqmd.gov](mailto:slee@aqmd.gov).

Sincerely,

*Sarah Rees*

Sarah L. Rees, Ph.D.  
Deputy Executive Officer  
Planning, Rule Development & Area Sources  
South Coast Air Quality Management District

Attachment:

Letter from U.S. Army Corps of Engineers dated March 3, 2021

cc: Tom Kelly, US EPA Region IX  
Barbara Baird, South Coast AQMD  
Zorik Pirveysian, South Coast AQMD  
Sang-Mi Lee, South Coast AQMD  
Jillian Wong, South Coast AQMD  
Lijin Sun, South Coast AQMD

ZP:SL



**DEPARTMENT OF THE ARMY  
U.S. ARMY CORPS OF ENGINEERS  
LOS ANGELES DISTRICT  
915 WILSHIRE BOULEVARD, SUITE 930  
LOS ANGELES, CALIFORNIA 90017-3489**

April 9, 2021

Ms. Sang-Mi Lee  
Program Supervisor  
Air Quality Modeling/Emissions Inventory  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, California 91765

Dear Ms. Lee:

This letter concerns the United States Army Corps of Engineers (USACE), Port of Long Beach Deep Draft Navigation Project (proposed project) as it relates to the general conformity rule. Established under the Clean Air Act (CAA) section 176(c) [42 USC 7506(c)], the purpose of the general conformity rule is to ensure that actions taken by Federal agencies do not interfere with a state's plan to attain and maintain National Ambient Air Quality Standards (NAAQS). Under the general conformity rule, federal agencies must work with state and local governments, in nonattainment or maintenance areas, to ensure that federal actions conform to the established, applicable State Implementation Plan (SIP). To do so, the federal agency must either determine that the action is exempt from general conformity regulations or make a conformity determination consistent with the general conformity requirements.

The USACE, in conjunction with the Port of Long Beach (POLB), intends to dredge specific areas in the POLB as discussed in detail in the Integrated Feasibility Report and Draft Environmental Impact Statement and Environmental Impact Report (IFR). Per 40 CFR 93.152, USACE's federal authority would extend only to construction emissions associated with the proposed project. There would be no net changes in operational air emissions expected following completion of project construction activities. The only reasonably foreseeable activities extending beyond the construction period and subject to USACE authority would be maintenance dredging, which is exempt from conformity applicability per 40 CFR 93.153(c)(2)(ix). Hence, the USACE would have no continuing program responsibility for activities beyond construction.

Alternative 3<sup>1</sup> is the USACE's preferred project alternative. The USACE's federal actions include the General Navigation Features and Local Service Facilities within the USACE's regulatory purview. Based on the USACE's applicability analysis in the IFR, the total of direct and indirect emissions caused by the federal actions would exceed the applicability rates specified in 40 CFR 93.153(b) for nitrogen dioxide (NO<sub>2</sub>), ozone (nitrogen oxides (NO<sub>x</sub>) and volatile organic compounds (VOC) precursors), and carbon monoxide (CO), in construction years 2025, 2026, and 2027. Therefore, the USACE is required to have a general conformity determination for these three criteria pollutants.

The USACE can use one of several methods to show that the federal actions conform to the SIP. For actions where the direct and indirect emissions exceed the rates in 40 CFR 93.153(b), the federal action can include mitigation measures to offset the emission increases from the federal action or can show that the action will conform by meeting any of the following requirements:

- Showing that the net emission increases caused by an action are included in the SIP,
- documenting that the state agrees to include the emission increases in the SIP,
- offsetting the action's emissions in the same or nearby area of equal or greater classification, or
- providing an air quality modeling demonstration in some circumstances.

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<sup>1</sup> Alternative 3 is composed of measures for liquid bulk vessels, container vessels, and the local service facilities, as identified below:

- General Navigation Features for Liquid Bulk Vessels
  - o Deepen the entrance to the Main Channel (the Approach Channel through Queens Gate) from a project depth of -76 feet to -80 feet mean lower low water (MLLW)
  - o Widen portions of the Main Channel (bend easing) to a depth of -76 feet MLLW
- General Navigation Features for Container Ships
  - o Construct an approach channel and turning basin to Pier J South to a depth of -55 feet MLLW.
  - o Deepen portions of the West Basin and West Basin Approach to a depth of -55 feet MLLW.
- Local Service Facilities to be constructed by the POLB
  - o Deepen two additional locations within the harbor to a depth of -55 feet MLLW – the Pier J Slip, including berths J266-J270, and berth T140 on Pier T
  - o Perform structural improvements on Pier J breakwaters at the entrance of the Pier J Slip to accommodate deepening of the Pier J Slip and Approach Channel to -55 feet MLLW.

Approximately 7.4 million cubic yards (mcy) of material would be dredged. Dredged material would be placed either at a nearshore placement site, a USEPA-designated ocean disposal site (LA-2 and/or LA-3), or a combination of the two. The nearshore placement site, approximately five miles from the project site, can accommodate about 2.5 mcy of dredged material. LA-2 and LA-3, approximately nine and 22 miles, respectively, from the project site, have an annual disposal volume limit of 1.0 and 2.5 mcy, respectively, from all sources. It is assumed that 0.9 mcy for LA-2 and 2.2 mcy for LA-3 is available for use by this proposed project each year.

As part of the USACE's analysis in the IFR, the USACE considered the following mitigation measures to reduce construction-related emissions:

- *MM-AQ-1. Electric clamshell dredge.* The use of an electric clamshell dredge shall be required for project clamshell dredging activities during the entire construction period of the project.
- *MM-AQ-2. Construction-Related Harbor Craft.* Construction-related harbor craft (tugboats, crew boats, and survey boats) with Category 1 or Category 2 marine engines shall meet USEPA Tier 3 emission standards for marine engines. In addition, the construction contractor shall require all construction-related tugboats that home fleet in the San Pedro Bay Ports: 1) to shut down their main engines; and 2) to refrain from using auxiliary engines while at dock and instead use electrical shore power, if feasible.
- *MM-AQ-3: Off-Road Construction Equipment.* Self-propelled, diesel-fueled off-road construction equipment 25 horsepower or greater shall meet United States Environmental Protection Agency (USEPA)/California Air Resources Board (CARB) Tier 4 emission standards for non-road equipment.

Table 1 presents the mitigated annual construction emissions associated with Alternative 3 (this information can be found in Section 5.5.5 and Table 5-19 in the Draft IFR). The table shows that NO<sub>2</sub> and ozone (NO<sub>x</sub> precursor) emissions would be reduced but would remain above the applicability rates. All other pollutants would be reduced to below the applicability rates. All methods, input/output data and emissions before and after the application of above mitigation measures were made available to public as part of the Draft IFR distributed publicly on October 21, 2019, and still available for download at:

<https://www.spl.usace.army.mil/Missions/Civil-Works/Projects-Studies/Port-of-Long-Beach-Deep-Draft-Navigation-Study/>.

**Table 1. Alternative 3 Emissions After Mitigation**

Source Category	PM <sub>10</sub>	PM <sub>2.5</sub>	Ozone (NO <sub>x</sub> precursor)	NO <sub>2</sub>	CO	Ozone (VOC precursor)
2024						
Offroad Construction Equipment	0.0	0.0	0.1	0.1	0.2	0.0
Onroad Construction Vehicles	0.0	0.0	0.0	0.0	0.1	0.0
Fugitive Emissions	0.0	0.0	0.0	0.0	0.0	0.0
Marine Equipment	0.1	0.1	2.7	2.7	2.2	0.2
Total Construction Year 2024	0.2	0.1	2.8	2.8	2.4	0.2
Conformity Determination						
Applicability Rate	100	100	10	100	100	10
Equal or Exceed Applicability Rate?	No	No	No	No	No	No



Source Category	PM <sub>10</sub>	PM <sub>2.5</sub>	Ozone (NO <sub>x</sub> precursor)	NO <sub>2</sub>	CO	Ozone (VOC precursor)
<b>2025</b>						
Offroad Construction Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Onroad Construction Vehicles	0.0	0.0	0.0	0.0	0.0	0.0
Fugitive Emissions	0.0	0.0	0.0	0.0	0.0	0.0
Marine Equipment	7.6	6.7	145.5	145.5	86.9	8.1
Total Construction Year 2025	7.6	6.7	145.5	145.5	86.9	8.1
Conformity Determination						
Applicability Rate	100	100	10	100	100	10
Equal or Exceed Applicability Rate?	No	No	Yes	Yes	No	No
<b>2026</b>						
Offroad Construction Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Onroad Construction Vehicles	0.0	0.0	0.0	0.0	0.0	0.0
Fugitive Emissions	0.0	0.0	0.0	0.0	0.0	0.0
Marine Equipment	1.7	1.5	35.8	35.8	27.4	2.0
Total Construction Year 2026	1.7	1.5	35.8	35.8	27.4	2.0
Conformity Determination						
Applicability Rate	100	100	10	100	100	10
Equal or Exceed Applicability Rate?	No	No	Yes	No	No	No
<b>2027</b>						
Offroad Construction Equipment	0.0	0.0	0.0	0.0	0.0	0.0
Onroad Construction Vehicles	0.0	0.0	0.0	0.0	0.0	0.0
Fugitive Emissions	0.0	0.0	0.0	0.0	0.0	0.0
Marine Equipment	0.6	0.5	11.9	11.9	9.1	0.7
Total Construction Year 2027	0.6	0.5	11.9	11.9	9.1	0.7
Conformity Determination						
Applicability Rate	100	100	10	100	100	10
Equal or Exceed Applicability Rate?	No	No	Yes	No	No	No

**Notes:**

Tons per day for each year are based on the number of construction days in each year of the proposed project (i.e., 365 days in each year 2024 through 2026, and 113 days in year 2027), per Table 5-19 of IFR.

During a December 1, 2020, conference call, the South Coast Air Quality Management District (SCAQMD) raised a concern that the NO<sub>x</sub> and NO<sub>2</sub> emissions in Table 1 were the same and suggested that the USACE consider recalculating NO<sub>2</sub> emissions to account for the fraction of NO<sub>2</sub> in NO<sub>x</sub> exhaust. Although the USACE recognizes NO<sub>x</sub> consists of both NO and NO<sub>2</sub>, and that NO<sub>2</sub> emissions are initially low in exhaust at the tailpipe, it is conservative and common industry practice to assume that most NO in NO<sub>x</sub> exhaust is rapidly converted to NO<sub>2</sub>. The SCAQMD's Localized

Significance Threshold methodology assumes that although initially only 5 percent of the emitted NO<sub>x</sub> is NO<sub>2</sub>, within 500 meters downwind all NO is converted to NO<sub>2</sub>. During a December 15, 2020, conference call between the SCAQMD and iLanco Environmental, LLC, the POLB's air quality contractor, it is the USACE's understanding that the SCAQMD discussed amongst their groups whether it was appropriate to assume that NO<sub>x</sub> and NO<sub>2</sub> emissions are equal and decided that this approach is appropriate.

The USACE recognizes that the SCAQMD's NO<sub>x</sub> set-aside conformity budget was primarily established to streamline determinations for ozone conformity. Notwithstanding, NO<sub>2</sub> is the only component of NO<sub>x</sub> that directly drives tropospheric ozone formation. If the SCAQMD can find that a certain NO<sub>x</sub> budget would not interfere with reaching ozone attainment, it seems reasonable to assume that the same NO<sub>x</sub> budget would also not interfere with maintaining NO<sub>2</sub> attainment.

Additionally, the South Coast Air Basin (SCAB) has been in attainment of the NO<sub>2</sub> standard for many years and has been designated as "maintenance" since 1998. It is possible that the SCAB may be moved to "attainment" since it has been in maintenance status for over ten years. It is our understanding that USEPA's clarification is needed for this determination in which case there would be no need for a NO<sub>2</sub> demonstration of conformity. We respectfully request that the SCAQMD advise us on the SCAB's "maintenance" vs "attainment" designation for purposes of determining conformity.

During the December 1, 2020, conference call, the SCAQMD raised concerns regarding future operational emissions in the POLB and emissions levels associated with Tier 2 hopper dredges. Regarding future operational emissions, alternatives evaluated in the IFR would result only in construction activities (i.e., both land-based construction and dredging) that would affect air quality within the POLB and surrounding region. While the action alternatives may accommodate changes in the vessel fleet calling at the POLB, they would not increase cargo or liquid bulk throughput. Therefore, operational emissions have not been assessed in the IFR.

Reducing inefficiencies would allow current fleet vessels to arrive fully loaded and to avoid delays associated with tide riding, lightering, or traffic conflicts (for liquid bulk vessels). Throughput at the POLB is limited by backland storage areas, which are constrained and at capacity. While the proposed project would not result in larger vessels calling at the POLB beyond those that currently call at the POLB and those that have previously been forecasted, the efficiencies afforded by accommodating these larger vessels fully loaded with no operational restrictions would in turn reduce the total number of vessels calling at the POLB over time. The objective of the proposed project is to improve conditions for vessel operations and safety, and to accommodate the existing large vessels that call at the POLB with fewer restrictions as they come online. Appendix E of the IFR includes projected fleet forecasts for the POLB for all alternatives, including the no action alternative that were used for the economic evaluation of project benefits. Ship sizes and expected numbers calling on the POLB

are discussed in this appendix. Attention is called to Tables 4-8 and 4-9 for details. A summary table (Table 2) is provided here to illustrate the expected decrease in ship calls for the proposed project.

**Table 2. Expected Decrease in Ship Calls for the Proposed Project**

Year	Alternative	Container Vessel Calls	Tanker Calls
2021	Current	1,278	932
2030	No Action	1,494	916
2030	Proposed Project	1,444	908
2040	No Action	1,724	912
2040	Proposed Project	1,643	903

Container vessel calls are expected to go up for all alternatives from 2021 to 2030 and from 2030 to 2040. Tanker calls are expected to decrease slightly over the same time period, although there is a slight increase from 2030 to 2040. However, fewer container vessel calls are projected for the years 2030 and 2040 with the proposed project for the same years as the no action alternative. There are 50 fewer container vessels and 8 fewer tanker vessels projected to call at the POLB for the proposed project as compared to future without project conditions (no action alternative) for 2030. Furthermore, there are 81 fewer container vessels and 9 fewer tanker vessels projected to call at the POLB for the proposed project as compared to future without project conditions (no action alternative) for 2040.

Regarding hopper dredge emissions, the areas that are proposed for hopper dredges are unsuitable for dredging by the electric clamshell for two reasons. First, is the distance between the on-land transformer and the dredge location. The distance is impracticable for efficient operations and safety as this would require placing the electric power cable through the busy ship traffic lane at Queen's Gate. The tether to the shoreline would need to be at least 1 mile long at the closest point all the way up to 4 plus miles to dredge at the "daylight" location of the entrance channel, and this would be crossing the major thoroughfare through the Queen's Gate. The second reason is the depth of the dredge cut. Dredging from -70 feet MLLW to -80 feet MLLW is inefficient for a clamshell dredge due to the depth of water. A hopper dredge keeps its drag head continuously on the ocean floor while dredging while a clamshell must repeatedly go up and down through the water column leading to extended time for each cycle and increased loss of sediments from the clamshell while transiting the water column. The clamshell would also have a significantly lower production rate to the hopper due to the proposed dredging depths. It is about 1/3 of the hopper daily production rate in optimal conditions, and with the proposed depths, this would decrease even more. This would increase the proposed project timeline by 1-2 years.

Sediments in the Approach Channel (where the hopper dredge would operate) are sandy and thus suitable for nearshore placement. This allows the hopper dredge to

operate more efficiently by using a shortened transit from dredge site to the nearshore placement site, as opposed to a transit from the dredge site to the ocean disposal site. Reduced transit times results in a longer dredging period per day for the hopper dredge.

POLB staff reached out to their contacts in the U.S. dredging industry as well as conducted an on-line search to find information on hopper dredges with Tier 3 or better engines. There are only two USACE-owned dredges stationed on the west coast of the U.S. Both are Tier 2 equipped. The *Yaquina* is unable to reach the depths needed for the proposed project and is unsuitable. The *Essayons* could reach the required depths, if modified. There currently are no privately-owned hopper dredges stationed on the west coast. Regarding the international market, these are not available for operation in the U.S. market. There has not been any indication that changes will be made to the Jones Act, Public Law 66-261, to allow non-U.S. constructed, owned and crewed vessels to operate in U.S. waters.

We appreciate the SCAQMD staff's recommendation during our conference call on December 1, 2020, for the USACE to include a requirement for the hopper dredge to be equipped with Tier 3/4 engines as a mitigation measure for the proposed project. The use of Tier 3/4 engines is not a regulatory requirement in effect for the SCAB now or at the estimated time of construction. We are unable to accommodate such a mitigation measure under our current contracting standards. We may consider it in the future if available, feasible, and consistent with competition in contracting.

According to 40 CFR 93.161, the state or local agency responsible for implementing and enforcing the SIP can develop and adopt an emissions budget to be used for demonstrating conformity under 40 CFR 93.158(a)(1). The SCAQMD's 2016 Air Quality Management Plan (AQMP) addresses general conformity budgets beginning on page VI-D-1 of Appendix VI and on pages 111-2-85 through 11-2-88 of Appendix III. To streamline the general conformity process for federal projects and to facilitate general conformity determinations, the 2016 AQMP establishes VOC and NO<sub>x</sub> general conformity budgets of 2.0 tons per day (tpd) of NO<sub>x</sub> and 0.5 tpd of VOC on an annual basis from 2017 to 2030, and budgets of 0.5 tpd of NO<sub>x</sub> and 0.2 tpd VOC in 2031. These general conformity budgets are included in the "set-aside" account added to baseline emissions in tables 9, 10 and 11 in section 111.D.2.c of this document. The general conformity budgets in the 2016 AQMP are not set aside for specific facilities per se but were developed in the anticipation of the construction and operation of certain development projects in the South Coast Air Basin that are expected over the next decade. Under the 2016 AQMP, emissions from general conformity projects are tracked by the SCAQMD's tracking system and debited from this set-aside budget on a first-come-first-served basis until the budget has been exhausted. The USEPA approved the general conformity budgets in the 2016 AQMP on October 1, 2019.

Federal agencies can use these budgets to demonstrate that their federal actions conform to the SIP through a letter from the State and SCAQMD confirming that the federal actions emissions are accounted for in the SIP's general conformity

budgets. The USACE requests the SCAQMD provide written confirmation that the federal actions emissions of 146 tons NO<sub>x</sub>, 36 tons NO<sub>x</sub> and 12 tons NO<sub>x</sub> in years 2025, 2026, and 2027, respectively, are accounted for in the SIPs general conformity budget, which would be used by the USACE to demonstrate conformity under 40 CFR 93.158(a)(1).

If you have questions, please contact Mr. Larry Smith, Project Environmental Coordinator, at (213) 452-3846 or by email at [lawrence.j.smith@usace.army.mil](mailto:lawrence.j.smith@usace.army.mil).

Sincerely,

DEMESA.EDUARDO  
.T. [REDACTED]

Digitally signed by  
DEMESA.EDUARDO.T. [REDACTED]  
Date: 2021.04.07 14:32:18 -07'00'

Eduardo T. De Mesa  
Chief, Planning Division

#### **4.4 California Coastal Commission**



**DEPARTMENT OF THE ARMY**  
U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT  
915 WILSHIRE BOULEVARD, SUITE 930  
LOS ANGELES, CALIFORNIA 90017-3489

October 21, 2019

Jack Ainsworth  
Executive Director  
California Coastal Commission  
45 Fremont, Suite 2000  
Attention: Mr. Larry Simon  
San Francisco, California 94105-2219

Dear Mr. Ainsworth:

A copy of the Draft Integrated Feasibility Report (IFR) for the Port of Long Beach Deep Draft Navigation Feasibility Study located in Los Angeles County, California, is available for your review at:

<https://www.spl.usace.army.mil/Missions/Civil-Works/Projects-Studies/Port-of-Long-Beach-Deep-Draft-Navigation-Study/>

The purpose of the proposed project is to increase transportation efficiencies for both the current and future fleet of container and liquid bulk vessels operating in the Port of Long Beach, and to improve overall conditions for vessel operations and safety, in the event of vessel malfunction or weather-related events. The proposed project deepens existing and constructs new Federal channels and turning basins by dredging and disposing approximately 7.4 million cubic yards of sediment. Construction would begin in 2024 and take approximately three years to complete.

Please review the Draft IFR. This letter and the Draft IFR constitute the US Army Corps of Engineers' (USACE) Coastal Consistency Determination (CCD) for this project. The Los Angeles District has determined that the proposed project is consistent, to the maximum extent practicable with the Coastal Zone Management Act of 1972 and with enforceable policies of the California Coastal Management Plan. We are requesting concurrence with this CCD. Project construction is not anticipated to begin until approximately 2024, subsequent to authorization by Congress. Prior to construction, USACE will conduct a sediment sampling and analysis program to confirm the suitability of dredged material for nearshore placement/ocean disposal. Results of the program will be shared with the California Coastal Commission staff. If USACE determines that the project has changed or has new or different effects on coastal resources, USACE will, as provided for the consistency regulations, develop and submit a supplemental CCD to the Coastal Commission. This includes any changes to the preliminary suitability determination that all sediments are suitable for the proposed placement/disposal sites.



Public meetings will be held on Wednesday, November 13, 2019, in the Port of Long Beach Offices located at 415 W. Ocean Blvd, Long Beach, CA 90802 in their first floor multipurpose room. The first meeting will be 3:00 – 4:00 pm.. A second meeting will be from 6:00 – 7:00 pm..

Please respond with comments on the Draft IFR by December 9, 2019.  
Correspondence may be sent to:

Eduardo T. De Mesa  
Chief, Planning Division  
U.S. Army Corps of Engineers  
Los Angeles District  
ATTN: Mr. Larry Smith, CESPL-PDR-Q  
915 Wilshire Boulevard, Suite 930  
Los Angeles, California 90017-3849  
EMAIL: POLB@usace.army.mil

If you have any questions regarding the project, please contact Mr. Larry Smith, Project Environmental Coordinator, at (213) 452-3846, FAX: (213) 452-4204, and EMAIL: POLB@usace.army.mil.

Thank you for your attention to this document.

Sincerely

A handwritten signature in black ink, appearing to be 'Eduardo T. De Mesa', with a long horizontal stroke extending to the right.

Eduardo T. De Mesa  
Chief, Planning Division

**CALIFORNIA COASTAL COMMISSION**

455 MARKET STREET, SUITE 228  
SAN FRANCISCO, CA 94105-2219  
VOICE (415) 904-5200  
FAX (415) 904-5400



October 22, 2020

Eduardo De Mesa  
Chief of Planning  
U.S. Army Corps of Engineers  
Los Angeles District  
915 Wilshire Boulevard  
Suite 930  
Los Angeles, CA 90017-3401

**SUBJECT: California Coastal Commission Support for the Port of Long Beach Deep Draft Navigation Project**

Dear Mr. De Mesa:

Thank you for the Los Angeles District of the U.S. Army Corps of Engineers' (USACE) request that the California Coastal Commission (Commission) support the navigation project proposed by the USACE's Port of Long Beach Deep Draft Navigation Study (DDN). The project is described in the draft Integrated Feasibility Report (IFR) sent to us on October 22, 2019, which has been the center of detailed discussions between the project proponents, USACE, and our staff. For a number of reasons, primarily because the Port of Long Beach is currently working to obtain from the Commission certification of a port master plan amendment (PMPA), which addresses future development in the Port of Long Beach, including the DDN project, the USACE extended the statutory time limit for Commission action on consistency determination CD-0005-19 (CD) for the DDN project several times. The current deadline is now January 12, 2021.

This delay in bringing the CD for the DDN project to the Commission is not based on substantive inconsistencies with Coastal Act policies but rather the need to ensure that the Commission can make the required findings with the resource protection policies of the Coastal Act, and including the applicable Chapter 8 port policies. The port policies will be included in the PMPA, hence, the need for certification of the PMPA before Commission action on the CD. The USACE has acknowledged that its CD needs to be acted on by the Commission only after the Commission certifies the PMPA.


As the proposed project would be constructed by the federal government, with some local funding, the USACE is required to submit a CD to the Commission for review and concurrence under the federal Coastal Zone Management Act (CZMA) prior to commencing any work. Based on decades of past practice and experience, the staff and

Mr. Eduardo De Mesa

Commission believe that it would be most prudent for the USACE to submit its CD during the project's Pre-Construction Engineering & Design (PED) phase.

Although a draft CD was included with the draft IFR, the Commissioners look forward to Commission staff's formal review and action under the CZMA during the PED phase, during which more information will be available for the Commission to review as the USACE demonstrates compliance to the maximum extent practicable with the CZMA. The Commission staff supports the USACE's efforts to delay Commission action on a CD for the DDN project until the PED phase of the project. Based on our review of the materials submitted with CD-0005-19, the staff does not anticipate any difficulties in recommending the Commission concur with the CD for the DDN project. The Commission staff believes that withdrawal of CD-0005-19 prior to the current January 12, 2021, deadline and resubmittal of a CD during the PED phase for the project is the most appropriate and efficient pathway forward to eventually scheduling Commission action on the CD. If you have any further questions, please contact me by email at [Larry.Simon@coastal.ca.gov](mailto:Larry.Simon@coastal.ca.gov).

Sincerely,

A handwritten signature in black ink that reads "LARRY Simon". The signature is written in a cursive, slightly stylized font.

Larry Simon  
Manager, Federal Consistency Unit

#### **4.5 Regional Water Quality Control Board**



## Los Angeles Regional Water Quality Control Board

April 23, 2021

Eduardo T. De Mesa  
Chief, Planning Division  
U.S. Army Corps of Engineers, Los Angeles District  
915 Wilshire Boulevard, Suite 930  
Los Angeles, CA 90017-3489

### **REQUEST FOR CLEAN WATER ACT SECTION 401 PRE-APPLICATION REVIEW OF PROPOSED PORT OF LONG BEACH DEEP DRAFT NAVIGATION PROJECT**

Dear Mr. De Mesa:

The Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) is in receipt of your letter dated October 21, 2019 concerning the Draft Integrated Feasibility Report (IFR) for the Port of Long Beach Deep Draft Project (Project) located in Los Angeles County, California.

Relevant sediment testing in the Approach Channel, Main Channel and West Basin of the Port of Long Beach has been conducted for previous projects from 1994 and 2018. In the previous sampling efforts, all chemicals, including DDT and metals, have been detected at concentrations low enough to be approved for ocean disposal. Sediments in the proposed Pier J Approach Channel have not yet been dredged or tested. However, the Army Corps of Engineers anticipates that the material in the Pier J Approach will also be suitable for ocean disposal.

Based on review of the October 21, 2019 letter and the Draft Integrated Feasibility Report and Environmental Impact Statement/Environmental Impact Report (Draft Feasibility and EIS/EIR) for the Project, and contingent on a complete application for Water Quality Certification for the Project under the Clean Water Act Section 401 (Water Quality Certification), I anticipate that the Los Angeles Water Board will issue a Water Quality Certification for the Project.

Any Water Quality Certification issued will require Best Management Practices (BMPs) for the protection of water quality. However, I anticipate that because this Project's proposed impacts to Waters of the State or United States will not significantly alter habitat, and because the Project will include the mitigation measures included in the

Draft Feasibility and EIS/EIR, the Water Quality Certification will not include requirements beyond the water quality BMPs usually required of such projects.

The Los Angeles Water Board looks forward to receiving an application for Water Quality Certification for the Project and to working with you to determine the appropriate and effective BMPs to protect water quality during the Project. We also look forward to receiving the additional sediment testing results after the planning and design phase of the project has been completed.

Sincerely,

 Digitally signed  
by Hugh Marley  
Date: 2021.04.23  
15:06:19 -07'00' for  
**Hugh Marley**  
Water Boards  
Renee Purdy  
Executive Officer

#### **4.6 Assistant Secretary of the Army (Civil Works)**





DEPARTMENT OF THE ARMY  
OFFICE OF THE ASSISTANT SECRETARY  
CIVIL WORKS  
108 ARMY PENTAGON  
WASHINGTON DC 20310-0108

SACW

4 JUNE 2021

MEMORANDUM FOR COMMANDING GENERAL, U.S. ARMY CORPS OF  
ENGINEERS

SUBJECT: Port of Long Beach Deep Draft Navigation Study, Los Angeles County, California, Request for Policy Exception for Coastal Zone Management Compliance

1. References:

- a. HQ USACE, CECW-SPD memorandum (Port of Long Beach Deep Draft Navigation Study, Los Angeles County, California, Request for Policy Exception for Coastal Zone Management Compliance) 02 March 2021.
- b. USACE, CESPD-PD memorandum (CESPD Endorsement of the Port of Long Beach Deep Draft Navigation Study, Los Angeles County, California, Policy Waiver to Defer Formal Consultation with the California Coastal Commission to the Preconstruction Engineering and Design (PED) Phase) 17 December 2020.
- c. USACE, CESPL-ZA memorandum (Port of Long Beach Deep Draft Navigation Study, Los Angeles County, California, Request for Policy Waiver to Defer Formal Consultation with the California Coastal Commission to the Preconstruction Engineering and Design Phase) 9 November 2020.
- d. 22 October 2020 California Coastal Commission (CCC) support letter.

2. I am responding to your memorandum requesting an exception to the policy requirement to complete Coastal Zone Management Act (CZMA) compliance prior to completion of the feasibility study for the Port of Long Beach, California deep draft navigation project.

3. The CMA requires that actions are consistent with the State's Coastal Zone Plan prepared under the CZMA as overseen by Department of Commerce and NOAA has issued regulations implementing the CZMA requirement for Federal agencies. In accordance with these requirements, Corps policy requires that the Corps complete CZMA compliance prior to completion of a feasibility study. However, CZMA regulations allow both the Federal agency and the state agency to agree to an alternative schedule. The California Coastal Commission (CCC) supports the Corps request in their letter dated 22 October 2020, (Reference d). The Corps documents that the legal and policy risks are minimal since the Corps is proposing no new coastal navigation structures, the

SACW

SUBJECT: Port of Long Beach Deep Draft Navigation Study, Los Angeles County, California, Request for Policy Exception for Coastal Zone Management Compliance

CCC staff does not anticipate any difficulties in recommending the Commission concur with the CD for the DDN project, and the Corps does not anticipate that new information between now and PED would be significant or would substantially affect CCC concurrence.

4. I approve the requested policy exception for the Port of Long Beach navigation project. Completing the Port of Long Beach CZMA compliance in PED will allow the Corps to develop the necessary information to attain CZMA concurrence from the California Coastal Commission, without delay of the completion of the feasibility study. The NEPA document should clearly commit to this future completion of the CZMA process.

5. If there are any questions, your staff may contact Mr. Jeffrey L. Trulick, Project Planning and Review at 703-915-8995.



JAIME A. PINKHAM  
Acting Assistant Secretary of the Army  
(Civil Works)

CF:  
DCG-CEO, USACE  
DCW, USACE  
CECW-SPD

#### **4.7 Clean Air Act General Conformity Determination**

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**PETITION OF**  
**Maria Martinez**  
**FOR CHANGE OF NAME**  
**CASE NUMBER:**  
**21LBCP00137**  
Superior Court of California, County of Los Angeles  
275 Magnolia Ave  
Long Beach CA 90802  
Governor George Deukmejian Courthouse  
TO ALL INTERESTED PERSONS:  
1. Petitioner filed a petition with this court for a decree changing names as follows:  
Present name  
**a. Maria Martinez**  
to Proposed name  
**Nikole Martinez**  
2. THE COURT ORDERS that all persons interested in this matter shall appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted.  
**NOTICE OF HEARING**  
a. Date: 07-21 Time: 8:30 AM  
Dept: 27 Room: 51  
b. The address of the court is same as noted above.  
3. a. A copy of this Order to Show Cause shall be published at least once each week for four successive weeks prior to the day set for hearing on the petition in the following newspaper of general circulation, printed in this county:  
**PRESS TELEGRAM**  
DATED: May 17, 2021  
Mark C. Kim  
JUDGE OF THE SUPERIOR COURT  
**Pub. May 24, 31; June 7, 14, 2021 (41) PT (11464467)**

**Legal Notice**

**ORDER TO SHOW CAUSE FOR CHANGE OF NAME**  
**PETITION OF**  
**Staci Denise Pineda and Antonio Pineda**  
**FOR CHANGE OF NAME**  
**CASE NUMBER:**  
**21PSCP00209**  
Superior Court of California, County of Los Angeles  
400 Civic Center Plaza  
Pomona CA 91766  
Pomona Courthouse South  
TO ALL INTERESTED PERSONS:  
1. Petitioner filed a petition with this court for a decree changing names as follows:  
Present name  
**a. Patrick William Pineda Dabney**  
to Proposed name  
**Patrick William Pineda**  
2. THE COURT ORDERS that all persons interested in this matter shall appear before this court at the hearing indicated below to show cause, if any, why the petition for change of name should not be granted.  
**NOTICE OF HEARING**  
a. Date: 06-24-21 Time: 8:30 AM  
Dept: J Room: 4th Floor  
b. The address of the court is same as noted above.  
3. a. A copy of this Order to Show Cause shall be published at least once each week for four successive weeks prior to the day set for hearing on the petition in the following newspaper of general circulation, printed in this county:  
**PRESS TELEGRAM**  
DATED: 4/28/21  
Gloria White-Brown  
JUDGE OF THE SUPERIOR COURT  
**Pub May 10, 17, 24, 31, 2021 (41) PT (11460799)**

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♥ J 10 9 8 5  
♦ 7 5 2  
♣ 9 5

**EAST**  
♠ 6 5 4  
♥ A K 7 4  
♦ 9 8  
♣ Q 10 8 2

**SOUTH**  
♠ K 9 7  
♥ Q 2  
♦ A K J 3  
♣ A K 4 3

Vulnerable: Both  
Dealer: South

The bidding:  
South West North East  
2 NT Pass 3 ♦ Pass  
3 ♥ Pass 3 NT All pass

Opening Lead: Spade two

LEAD WITH THE ACES

South holds:  
♠ 6  
♥ Q 5 2  
♦ 9 6 5 2  
♣ A K 10 8 2

South West North East  
Pass 3 NT 1 NT All pass

ANSWER: Lead the club eight. You should look no further than your five-card suit, and while it could be necessary to lead a top card in order to drop a doubleton queen, that is not terribly likely after Stayman has been eschewed. More likely, partner has the doubleton or three small, in which case a low card will unblock the suit, or at least retain a link with partner.

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**NOTICE OF AVAILABILITY OF THE PORT OF LONG BEACH DEEP DRAFT NAVIGATION PROJECT**

**DRAFT GENERAL CONFORMITY DETERMINATION**

Interested parties are hereby notified of and provided an opportunity to comment on the Draft General Conformity Determination (DGCD). In accordance with Title 40 of the Code of Federal Regulations, Chapter I, Subchapter C, Part 93, Section 93.156(b), notice is hereby provided that the DGCD contains a description of the proposed Federal action and the Federal agency's draft conformity determination.

The DGCD is available for download at <https://www.spl.usace.army.mil/Missions/Civil-Works/Projects-Studies/Port-of-Long-Beach-Deep-Draft-Navigation-Study/> or at Port of Long Beach Administration Building (Lobby Security Desk), 415 West Ocean Boulevard, Long Beach, CA 90802.

Written comments on the DGCD must be received by June 22, 2021. Comments by mail or email will be accepted. Comments may be sent to:

U.S. Army Corps of Engineers, Los Angeles District  
ATTN: Mr. Larry Smith (CESPL-PDR-Q)  
915 Wilshire Boulevard  
Los Angeles, CALIFORNIA 90017  
Email: POLB@usace.army.mil

**Pub May 24, 2021 (11) PT (11464040)**

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**LOS ANGELES DISTRICT**  
**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

May 24, 2021

**TO INTERESTED PARTIES:**

The U.S. Army Corps of Engineers, Los Angeles District, has determined that the proposed Port of Long Beach Deep Draft Navigation Project (Project) is consistent with the State Implementation Plan (SIP) and conforms with the requirements of Section 176(c) of the Clean Air Act. A copy of the Draft General Conformity Determination for the proposed Project is available for your review at:

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The comment period will close June 22, 2021. Comments must be received by that date to be included in the Final Conformity Determination. Comments by mail or email will be accepted. Comments may be sent to:

U.S. Army Corps of Engineers, Los Angeles District  
ATTN: Mr. Larry Smith (CESPL-PDR-Q)  
915 Wilshire Boulevard  
Los Angeles, California 90017  
Email: [POLB@usace.army.mil](mailto:POLB@usace.army.mil)

If you have any questions regarding the project, please contact Mr. Larry Smith, Project Environmental Coordinator, at (213) 452-3846, and email: [POLB@usace.army.mil](mailto:POLB@usace.army.mil). Thank you for your attention to this document.

Sincerely,

TABIJE.ROLAN  
D.RAMIREZ

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Date: 2021.05.21 13:41:51  
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Eduardo T. Demesa  
Chief, Planning Division



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**LOS ANGELES DISTRICT**  
**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

May 24, 2021

Terry Allen  
CA Air Resources Board  
9480 Telstar Avenue, No. 4  
El Monte, CA 91731  
[Terry.allen@arb.ca.gov](mailto:Terry.allen@arb.ca.gov)

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Sincerely,

TABIJE.ROLAND.R  
AMIREZ. [REDACTED]  
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Date: 2021.05.21 13:29:03  
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Eduardo T. Demesa  
Chief, Planning Division



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**LOS ANGELES DISTRICT**  
**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

May 24, 2021

Mr. Michael Benjamin  
CA Air Resources Board  
1001 "I" Street  
Sacramento, CA 95814  
[michael.benjamin@arb.ca.gov](mailto:michael.benjamin@arb.ca.gov)

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Sincerely,

DEMESA.EDUARDO  
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Date: 2021.05.21 13:19:41 -07'00'

Eduardo T. Demesa  
Chief, Planning Division





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915 WILSHIRE BOULEVARD, SUITE 930  
LOS ANGELES, CALIFORNIA 90017-3489

May 24, 2021

Morgan Capilla  
U.S. Environmental Protection Agency, Region IX  
75 Hawthorne Street  
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[capilla.morgan@epa.gov](mailto:capilla.morgan@epa.gov)

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Sincerely,

TABIJE.ROLAND.  
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Date: 2021.05.21 13:34:33  
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Eduardo T. Demesa  
Chief, Planning Division



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**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

May 24, 2021

Sang-Mi Lee  
Program Supervisor  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, CA 91765-4178  
[slee@aqmd.gov](mailto:slee@aqmd.gov)

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Sincerely,

TABIJE.ROLAND.  
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Date: 2021.05.21 13:40:15  
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Eduardo T. Demesa  
Chief, Planning Division



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**LOS ANGELES, CALIFORNIA 90017-3489**

May 24, 2021

Mr. Fred Collins  
Tribal Spokesperson  
Northern Chumash Tribal Counsel  
P.O. Box 6533  
Los Osos, CA 93412  
[fcollins@northernchumash.org](mailto:fcollins@northernchumash.org)

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Sincerely,

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Eduardo T. Demesa  
Chief, Planning Division



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**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

May 24, 2021

Ms. Donna Haro  
Tribal Headwoman  
Xolon-Salinan Tribe  
P.O. Box 7045  
Spreckles, CA 93962  
[dhxolonaakletse@gmail.com](mailto:dhxolonaakletse@gmail.com)

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Sincerely,

TABIJE.ROLAND.R  
AMIREZ [REDACTED]  
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Date: 2021.05.21 13:22:23  
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Eduardo T. Demesa  
Chief, Planning Division



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS**  
**LOS ANGELES DISTRICT**  
**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

May 24, 2021

Mr. Kenneth Kahn  
Chairman  
Santa Ynez Band of Chumash  
P.O. Box 517  
Santa Ynez, CA 93460  
[kkahn@santaynezchumash.org](mailto:kkahn@santaynezchumash.org)

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Sincerely,

TABIJE.ROLAND.R  
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Date: 2021.05.21 13:45:03  
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Eduardo T. Demesa  
Chief, Planning Division



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS**  
**LOS ANGELES DISTRICT**  
**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

May 24, 2021

Mr. Gary Pierce  
Contemporary Council Lead and Public Law Lead  
Salinan Tribe of Monterey and San Luis Obispo Counties  
7070 Morro Road, Suite A  
Atascadero, CA 93422  
[Morrerock40@gmail.com](mailto:Morrerock40@gmail.com)

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Sincerely,

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Eduardo T. Demesa  
Chief, Planning Division



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS**  
**LOS ANGELES DISTRICT**  
**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

May 24, 2021

Mr. Freddie Romero  
Santa Ynez Band of Chumash  
Cultural Resources Coordinator  
Santa Ynez Tribal Elders Council  
[fromero@santaynezchumash.org](mailto:fromero@santaynezchumash.org)

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TABIJE.ROLAND.RA  
MIREZ. [REDACTED]  
Digitally signed by  
TABIJE.ROLAND.RAMIREZ [REDACTED]  
2021.05.21 13:49:28 -07'00'

Eduardo T. Demesa  
Chief, Planning Division





**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS**  
**LOS ANGELES DISTRICT**  
**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

May 24, 2021

Ms. Mariza Sullivan  
Chair  
Coastal Band of the Chumash Nation  
P.O. Box 4464  
Santa Barbara, CA 93140  
[cbctribalchair@gmail.com](mailto:cbctribalchair@gmail.com)

The U.S. Army Corps of Engineers, Los Angeles District, has determined that the proposed Port of Long Beach Deep Draft Navigation Project (Project) is consistent with the State Implementation Plan (SIP) and conforms with the requirements of Section 176(c) of the Clean Air Act. A copy of the Draft General Conformity Determination for the proposed Project is available for your review at:

<https://www.spl.usace.army.mil/Missions/Civil-Works/Projects-Studies/Port-of-Long-Beach-Deep-Draft-Navigation-Study/>

The purpose of the proposed Project is to increase transportation efficiencies for both the current and future fleet of container and liquid bulk vessels operating in the Port of Long Beach, and to improve overall conditions for vessel operations and safety, in the event of vessel malfunction or weather-related events. The proposed Project deepens Federal channels by dredging and disposing approximately 7.4 million cubic yards of sediment as well as accommodating the construction of local service facilities to fully implement the federal project by the Port of Long Beach. Construction would begin in 2025 and take approximately two years to complete.

The comment period will close June 22, 2021. Comments must be received by that date to be included in the Final Conformity Determination. Comments by mail or email will be accepted. Comments may be sent to:

U.S. Army Corps of Engineers, Los Angeles District  
ATTN: Mr. Larry Smith (CESPL-PDR-Q)  
915 Wilshire Boulevard  
Los Angeles, California 90017  
Email: [POLB@usace.army.mil](mailto:POLB@usace.army.mil)

If you have any questions regarding the project, please contact Mr. Larry Smith, Project Environmental Coordinator, at (213) 452-3846, and email: [POLB@usace.army.mil](mailto:POLB@usace.army.mil). Thank you for your attention to this document.

Sincerely,

TABIJE.ROLAND.  
RAMIREZ  
Digitally signed by  
TABIJE.ROLAND.RAMIREZ  
Date: 2021.05.21 13:53:08  
-07'00'

Eduardo T. Demesa  
Chief, Planning Division



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS**  
**LOS ANGELES DISTRICT**  
**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

May 24, 2021

Ms. Mona Olivas Tucker  
Chairwoman  
yak tityu tityu yak tithini - Northern Chumash Tribe  
660 Camino Del Rey  
Orroyo Grande, CA 93420  
[Olivas.mona@gmail.com](mailto:Olivas.mona@gmail.com)

The U.S. Army Corps of Engineers, Los Angeles District, has determined that the proposed Port of Long Beach Deep Draft Navigation Project (Project) is consistent with the State Implementation Plan (SIP) and conforms with the requirements of Section 176(c) of the Clean Air Act. A copy of the Draft General Conformity Determination for the proposed Project is available for your review at:

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ATTN: Mr. Larry Smith (CESPL-PDR-Q)  
915 Wilshire Boulevard  
Los Angeles, California 90017  
Email: [POLB@usace.army.mil](mailto:POLB@usace.army.mil)

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Sincerely,

TABIJE.ROLAND.RA  
MIREZ  
Digitally signed by  
TABIJE.ROLAND.RAMIREZ  
021.05.21 14:15:49 -07'00'

Eduardo T. Demesa  
Chief, Planning Division



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS**  
**LOS ANGELES DISTRICT**  
**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

May 24, 2021

Ms. Julie Tumamait-Stenslie  
Chair  
Barbareno/Ventura Band of Mission Indians  
365 North Poli Avenue  
Ojai, California 93023  
[Jtumamait@hotmail.com](mailto:Jtumamait@hotmail.com)

The U.S. Army Corps of Engineers, Los Angeles District, has determined that the proposed Port of Long Beach Deep Draft Navigation Project (Project) is consistent with the State Implementation Plan (SIP) and conforms with the requirements of Section 176(c) of the Clean Air Act. A copy of the Draft General Conformity Determination for the proposed Project is available for your review at:

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ATTN: Mr. Larry Smith (CESPL-PDR-Q)  
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Los Angeles, California 90017  
Email: [POLB@usace.army.mil](mailto:POLB@usace.army.mil)

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Sincerely,

TABIJE.ROLAND.R  
AMIREZ. [REDACTED]  
[REDACTED]  
Digitally signed by  
TABIJE.ROLAND.RAMIREZ  
Date: 2021.05.21 14:18:55  
-07'00'

Eduardo T. Demesa  
Chief, Planning Division



**DEPARTMENT OF THE ARMY**  
U.S. ARMY CORPS OF ENGINEERS, LOS ANGELES DISTRICT  
915 WILSHIRE BOULEVARD, SUITE 930  
LOS ANGELES, CALIFORNIA 90017-3489

May 24, 2021

Ms. Karen R. White  
Council Chair/Tribal Roll Administrator  
Xolon Salinan Tribe  
P.O. Box 7046  
Spreckles, CA 93962  
[Xolon.salinan.heritage@gmail.com](mailto:Xolon.salinan.heritage@gmail.com)

The U.S. Army Corps of Engineers, Los Angeles District, has determined that the proposed Port of Long Beach Deep Draft Navigation Project (Project) is consistent with the State Implementation Plan (SIP) and conforms with the requirements of Section 176(c) of the Clean Air Act. A copy of the Draft General Conformity Determination for the proposed Project is available for your review at:

<https://www.spl.usace.army.mil/Missions/Civil-Works/Projects-Studies/Port-of-Long-Beach-Deep-Draft-Navigation-Study/>

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The comment period will close June 22, 2021. Comments must be received by that date to be included in the Final Conformity Determination. Comments by mail or email will be accepted. Comments may be sent to:

U.S. Army Corps of Engineers, Los Angeles District  
ATTN: Mr. Larry Smith (CESPL-PDR-Q)  
915 Wilshire Boulevard  
Los Angeles, California 90017  
Email: [POLB@usace.army.mil](mailto:POLB@usace.army.mil)

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Sincerely,

TABIJE.ROLAND.RA  
MIREZ  Digitally signed by  
TABIJE.ROLAND.RAMIREZ  
Date: 2021.05.21 14:21:30 -07'00'

Eduardo Demesa  
Chief, Planning Division

**NOTICE OF AVAILABILITY OF THE  
PORT OF LONG BEACH DEEP DRAFT NAVIGATION  
PROJECT**

**FINAL GENERAL CONFORMITY DETERMINATION**

The U.S. Army Corps of Engineers, Los Angeles District (USACE) announces issuance of the Final General Conformity Determination (FGCD) for the Port of Long Beach Deep Draft Navigation Project on June 24, 2021.

The USACE prepared a Draft General Conformity Determination (DGCD) pursuant to 40 CFR part 93, subpart B, which establishes the process for complying with the general conformity requirements of the Clean Air Act. Consistent with those regulations, on May 24, 2021, the USACE published a notice in the Long Beach Press Telegram newspaper announcing availability of the DGCD for a 30-day public review and comment period. Copies of the DGCD were made available at the Port of Long Beach Administrative Building and were also posted on the USACE's website. The comment period on the DGCD closed June 22, 2021. The USACE considered and responded to all comments received in making the FGCD.

The public can request copies of the FGCD from the USACE at the address listed below, or can view or download the FGCD from the USACE's website at <https://www.spl.usace.army.mil/Missions/Civil-Works/Projects-Studies/Port-of-Long-Beach-Deep-Draft-Navigation-Study/>. In addition, copies of the FGCD are available at Port of Long Beach Administration Building (Lobby Security Desk), 415 West Ocean Boulevard, Long Beach, CA 90802.

Questions concerning the FGCD should be directed to:

U.S. Army Corps of Engineers, Los Angeles District  
ATTN: Mr. Larry Smith (CESPL-PDR-Q)  
915 Wilshire Boulevard  
Los Angeles, CALIFORNIA 90017  
Email: POLB@usace.army.mil

**Pub June 24, 2021 (11)PT (11470614)**



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS**  
**LOS ANGELES DISTRICT**  
**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

June 24, 2021

TO INTRESTED PARTIES:

In accordance with 40 CFR part 93, subpart B, the U.S. Army Corps of Engineers, Los Angeles District (USACE) has prepared a Final General Conformity Determination for the proposed Port of Long Beach Deep Draft Navigation Project. A copy is available for viewing or download from the USACE's website at:

<https://www.spl.usace.army.mil/Missions/Civil-Works/Projects-Studies/Port-of-Long-Beach-Deep-Draft-Navigation-Study/>

If you have any questions regarding the Final General Conformity Determination, please contact Mr. Larry Smith, Project Environmental Coordinator, at (213) 452-3846, or via email at [POLB@usace.army.mil](mailto:POLB@usace.army.mil).

Sincerely,

DEMESA.EDUARD  
O.T. [REDACTED] Digitally signed by  
DEMESA.EDUARDO.T. [REDACTED]  
Date: 2021.06.22 11:11:29 -07'00'

Eduardo T. De Mesa  
Chief, Planning Division





**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS**  
**LOS ANGELES DISTRICT**  
**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

June 24, 2021

Mr. Terry Allen  
California Air Resources Board  
9480 Telstar Avenue, No. 4  
El Monte, California 91731  
Email: [Terry.Allen@arb.ca.gov](mailto:Terry.Allen@arb.ca.gov)

Dear Mr. Allen:

In accordance with 40 CFR part 93, subpart B, the U.S. Army Corps of Engineers, Los Angeles District (USACE) has prepared a Final General Conformity Determination for the proposed Port of Long Beach Deep Draft Navigation Project. A copy is available for viewing or download from the USACE's website at:

<https://www.spl.usace.army.mil/Missions/Civil-Works/Projects-Studies/Port-of-Long-Beach-Deep-Draft-Navigation-Study/>

If you have any questions regarding the Final General Conformity Determination, please contact Mr. Larry Smith, Project Environmental Coordinator, at (213) 452-3846 or via email at [POLB@usace.army.mil](mailto:POLB@usace.army.mil).

Sincerely,

DEMESA.EDUARD  
O.T. [REDACTED] Digitally signed by  
DEMESA.EDUARDO.T. [REDACTED]  
Date: 2021.06.22 11:23:14 -07'00'

Eduardo T. De Mesa  
Chief, Planning Division





**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS**  
**LOS ANGELES DISTRICT**  
**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

June 24, 2021

Mr. Michael Benjamin  
CA Air Resources Board  
1001 "I" Street  
Sacramento, California 95814  
Email: [Michael.Benjamin@arb.ca.gov](mailto:Michael.Benjamin@arb.ca.gov)

Dear Mr. Benjamin:

In accordance with 40 CFR part 93, subpart B, the U.S. Army Corps of Engineers, Los Angeles District (USACE) has prepared a Final General Conformity Determination for the proposed Port of Long Beach Deep Draft Navigation Project. A copy is available for viewing or download from the USACE's website at:

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If you have any questions regarding the Final General Conformity Determination, please contact Mr. Larry Smith, Project Environmental Coordinator, at (213) 452-3846, or via email at [POLB@usace.army.mil](mailto:POLB@usace.army.mil).

Sincerely,

DEMESA.EDUARDO  
O.T. [REDACTED]  
Eduardo T. De Mesa  
Chief, Planning Division

Digitally signed by  
DEMESA.EDUARDO.T. [REDACTED]  
Date: 2021.06.22 11:21:47 -07'00'



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS**  
**LOS ANGELES DISTRICT**  
**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

June 24, 2021

Mr. Morgan Capilla  
U.S. Environmental Protection Agency, Region IX  
75 Hawthorne Street  
San Francisco, California 94105-3901  
Email: [Capilla.Morgan@epa.gov](mailto:Capilla.Morgan@epa.gov)

Dear Mr. Capilla:

In accordance with 40 CFR part 93, subpart B, the U.S. Army Corps of Engineers, Los Angeles District (USACE) has prepared a Final General Conformity Determination for the proposed Port of Long Beach Deep Draft Navigation Project. A copy is available for viewing or download from the USACE's website at:

<https://www.spl.usace.army.mil/Missions/Civil-Works/Projects-Studies/Port-of-Long-Beach-Deep-Draft-Navigation-Study/>

If you have any questions regarding the Final General Conformity Determination, please contact Mr. Larry Smith, Project Environmental Coordinator, at (213) 452-3846, or via email at [POLB@usace.army.mil](mailto:POLB@usace.army.mil).

Sincerely,

**DEMESA.EDUARD**  
**O.T.**

Eduardo T. De Mesa  
Chief, Planning Division

Digitally signed by  
DEMESA.EDUARDO.T. [REDACTED]  
Date: 2021.06.22 11:19:17 -07'00'



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS**  
**LOS ANGELES DISTRICT**  
**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

June 24, 2021

Ms. Sang-Mi Lee  
Program Supervisor  
South Coast Air Quality Management District  
21865 Copley Drive  
Diamond Bar, California 91765-4178  
Email: [Slee@aqmd.gov](mailto:Slee@aqmd.gov)

Dear Ms. Lee:

In accordance with 40 CFR part 93, subpart B, the U.S. Army Corps of Engineers, Los Angeles District (USACE) has prepared a Final General Conformity Determination for the proposed Port of Long Beach Deep Draft Navigation Project. A copy is available for viewing or download from the USACE's website at:

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Sincerely,

DEMESA.EDUARD  
O.T. [REDACTED] Digitally signed by  
DEMESA.EDUARDO.T [REDACTED]  
Date: 2021.06.22 11:44:25 -07'00'

Eduardo T. De Mesa  
Chief, Planning Division



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS**  
**LOS ANGELES DISTRICT**  
**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

June 24, 2021

Mr. Sam Cohen  
Government Affairs and Legal Officer  
Santa Ynez Band of Chumash Indians  
P.O. Box 517  
Santa Ynez, California 93460  
Email: [Scohen@santaynezhumash.org](mailto:Scohen@santaynezhumash.org)

Dear Mr. Cohen:

In accordance with 40 CFR part 93, subpart B, the U.S. Army Corps of Engineers, Los Angeles District (USACE) has prepared a Final General Conformity Determination for the proposed Port of Long Beach Deep Draft Navigation Project. A copy is available for viewing or download from the USACE's website at:

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Sincerely,

DEMESA.EDUARDO.  
T. [REDACTED]  
Eduardo T. De Mesa  
Chief, Planning Division

Digitally signed by  
DEMESA.EDUARDO.T. [REDACTED]  
Date: 2021.06.22 11:16:59 -07'00'



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS**  
**LOS ANGELES DISTRICT**  
**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

June 24, 2021

Mr. Fred Collins  
Tribal Spokesperson  
Northern Chumash Tribal Counsel  
P.O. Box 6533  
Los Osos, California 93412  
Email: [Fcollins@northernchumash.org](mailto:Fcollins@northernchumash.org)

Dear Mr. Collins:

In accordance with 40 CFR part 93, subpart B, the U.S. Army Corps of Engineers, Los Angeles District (USACE) has prepared a Final General Conformity Determination for the proposed Port of Long Beach Deep Draft Navigation Project. A copy is available for viewing or download from the USACE's website at:

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Sincerely,

DEMESA.EDUARDO  
.T [REDACTED] Digitally signed by  
DEMESA.EDUARDO.T [REDACTED]  
Date: 2021.06.22 11:15:17 -07'00'

Eduardo T. De Mesa  
Chief, Planning Division



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS**  
**LOS ANGELES DISTRICT**  
**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

June 24, 2021

Ms. Donna Haro  
Tribal Headwoman  
Xolon-Salinan Tribe  
P.O. Box 7045  
Spreckles, California 93962  
Email: [dhxolonaakletse@gmail.com](mailto:dhxolonaakletse@gmail.com)

Dear Ms. Haro:

In accordance with 40 CFR part 93, subpart B, the U.S. Army Corps of Engineers, Los Angeles District (USACE) has prepared a Final General Conformity Determination for the proposed Port of Long Beach Deep Draft Navigation Project. A copy is available for viewing or download from the USACE's website at:

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Sincerely,

DEMESA.EDUARDO  
O.T. [REDACTED]

Digitally signed by  
DEMESA.EDUARDO.T [REDACTED]  
Date: 2021.06.22 11:48:46 -07'00'

Eduardo T. De Mesa  
Chief, Planning Division



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS**  
**LOS ANGELES DISTRICT**  
**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

June 24, 2021

Mr. Kenneth Kahn  
Chairman  
Santa Ynez Band of Chumash  
P.O. Box 517  
Santa Ynez, California 93460  
Email: [Kkahn@santaynezhumash.org](mailto:Kkahn@santaynezhumash.org)

Dear Mr. Kahn:

In accordance with 40 CFR part 93, subpart B, the U.S. Army Corps of Engineers, Los Angeles District (USACE) has prepared a Final General Conformity Determination for the proposed Port of Long Beach Deep Draft Navigation Project. A copy is available for viewing or download from the USACE's website at:

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Sincerely,

DEMESA.EDUARDO.T

Digitally signed by  
DEMESA.EDUARDO.T  
Date: 2021.06.22 11:12:48 -07'00'

Eduardo T. De Mesa  
Chief, Planning Division





**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS**  
**LOS ANGELES DISTRICT**  
**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

June 24, 2021

Mr. Gary Pierce  
Contemporary Council Lead and Public Law Lead  
Salinan Tribe of Monterey and San Luis Obispo Counties  
7070 Morro Road, Suite A  
Atascadero, California 93422  
Email: [Morrerock40@gmail.com](mailto:Morrerock40@gmail.com)

Dear Mr. Pierce:

In accordance with 40 CFR part 93, subpart B, the U.S. Army Corps of Engineers, Los Angeles District (USACE) has prepared a Final General Conformity Determination for the proposed Port of Long Beach Deep Draft Navigation Project. A copy is available for viewing or download from the USACE's website at:

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If you have any questions regarding the Final General Conformity Determination, please contact Mr. Larry Smith, Project Environmental Coordinator, at (213) 452-3846, or via email at [POLB@usace.army.mil](mailto:POLB@usace.army.mil).

Sincerely,

DEMESA.EDUARD  
O.T. [REDACTED]

Digitally signed by  
DEMESA.EDUARDO.T. [REDACTED]  
Date: 2021.06.22 11:42:16 -07'00'

Eduardo T. De Mesa  
Chief, Planning Division



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS**  
**LOS ANGELES DISTRICT**  
**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

June 24, 2021

Ms. Mariza Sullivan  
Chair  
Coastal Band of the Chumash Nation  
P.O. Box 4464  
Santa Barbara, California 93140  
Email: [cbctribalchair@gmail.com](mailto:cbctribalchair@gmail.com)

Dear Ms. Sullivan:

In accordance with 40 CFR part 93, subpart B, the U.S. Army Corps of Engineers, Los Angeles District (USACE) has prepared a Final General Conformity Determination for the proposed Port of Long Beach Deep Draft Navigation Project. A copy is available for viewing or download from the USACE's website at:

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Sincerely,

DEMESA.EDUARDO.T Digitally signed by  
DEMESA.EDUARDO.T  
Date: 2021.06.22 11:37:41 -07'00'

Eduardo T. De Mesa  
Chief, Planning Division



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS**  
**LOS ANGELES DISTRICT**  
**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

June 24, 2021

Ms. Mona Olivas Tucker  
Chairwoman  
Yak tityu tityu yak tithini - Northern Chumash Tribe  
660 Camino Del Rey  
Arroyo Grande, California 93420  
Email: [Olivas.Mona@gmail.com](mailto:Olivas.Mona@gmail.com)

Dear Ms. Tucker:

In accordance with 40 CFR part 93, subpart B, the U.S. Army Corps of Engineers, Los Angeles District (USACE) has prepared a Final General Conformity Determination for the proposed Port of Long Beach Deep Draft Navigation Project. A copy is available for viewing or download from the USACE's website at:

<https://www.spl.usace.army.mil/Missions/Civil-Works/Projects-Studies/Port-of-Long-Beach-Deep-Draft-Navigation-Study/>

If you have any questions regarding the Final General Conformity Determination, please contact Mr. Larry Smith, Project Environmental Coordinator, at (213) 452-3846, or via email at [POLB@usace.army.mil](mailto:POLB@usace.army.mil).

Sincerely,

**DEMESA.EDUARDO**

**O.T.**

Eduardo T. De Mesa  
Chief, Planning Division

Digitally signed by  
DEMESA.EDUARDO.T. [REDACTED]  
Date: 2021.06.22 11:32:31 -07'00'



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS**  
**LOS ANGELES DISTRICT**  
**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

June 24, 2021

Ms. Julie Tumamait-Stenslie  
Chair  
Barbareño/Ventureño Band of Mission Indians  
P.O. Box 364  
Ojai, California 93023  
Email: [Jtumamait@hotmail.com](mailto:Jtumamait@hotmail.com)

Dear Ms. Tumamait-Stenslie:

In accordance with 40 CFR part 93, subpart B, the U.S. Army Corps of Engineers, Los Angeles District (USACE) has prepared a Final General Conformity Determination for the proposed Port of Long Beach Deep Draft Navigation Project. A copy is available for viewing or download from the USACE's website at:

<https://www.spl.usace.army.mil/Missions/Civil-Works/Projects-Studies/Port-of-Long-Beach-Deep-Draft-Navigation-Study/>

If you have any questions regarding the Final General Conformity Determination, please contact Mr. Larry Smith, Project Environmental Coordinator, at (213) 452-3846, or via email at [POLB@usace.army.mil](mailto:POLB@usace.army.mil).

Sincerely,

DEMESA.EDUARDO.T. [Redacted]  
O.T. [Redacted]  
Digitally signed by  
DEMESA.EDUARDO.T. [Redacted]  
Date: 2021.06.22 11:29:50 -07'00'

Eduardo T. De Mesa  
Chief, Planning Division



**DEPARTMENT OF THE ARMY**  
**U.S. ARMY CORPS OF ENGINEERS**  
**LOS ANGELES DISTRICT**  
**915 WILSHIRE BOULEVARD, SUITE 930**  
**LOS ANGELES, CALIFORNIA 90017-3489**

June 24, 2021

Ms. Karen R. White  
Council Chair/Tribal Roll Administrator  
Xolon Salinan Tribe  
P.O. Box 7045  
Spreckles, California 93962  
Email: [Xolon.Salinan.heritage@gmail.com](mailto:Xolon.Salinan.heritage@gmail.com)

Dear Ms. White:

In accordance with 40 CFR part 93, subpart B, the U.S. Army Corps of Engineers, Los Angeles District (USACE) has prepared a Final General Conformity Determination for the proposed Port of Long Beach Deep Draft Navigation Project. A copy is available for viewing or download from the USACE's website at:

<https://www.spl.usace.army.mil/Missions/Civil-Works/Projects-Studies/Port-of-Long-Beach-Deep-Draft-Navigation-Study/>

If you have any questions regarding the Final General Conformity Determination, please contact Mr. Larry Smith, Project Environmental Coordinator, at (213) 452-3846, or via email at [POLB@usace.army.mil](mailto:POLB@usace.army.mil).

Sincerely,

DEMESA.EDUARDO.T. [Redacted]  
O.T. [Redacted]  
Digitally signed by  
DEMESA.EDUARDO.T. [Redacted]  
Date: 2021.06.22 11:26:42 -07'00'

Eduardo T. De Mesa  
Chief, Planning Division

**Lee, Maricris C (Chris) CIV USARMY CESPL (USA)**

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**From:** Kelly, ThomasP <Kelly.ThomasP@epa.gov>  
**Sent:** Thursday, June 3, 2021 12:22 PM  
**To:** Smith, Lawrence J Jr CIV USARMY CESPL (USA)  
**Cc:** Lee, Maricris C (Chris) CIV USARMY CESPL (USA); Capilla, Morgan; SPL, POLB  
**Subject:** [Non-DoD Source] POLB Deep Draft Navigation Project - Draft General Conformity Determination

I have no comments on the Draft General Conformity Determination for the Port of Long Beach Deep Draft Navigation Project.

---

Tom Kelly | U.S. EPA Region IX | Air Planning Office (AIR-2) | San Francisco, CA 94105 | (415) 972-3856

## Lee, Maricris C (Chris) CIV USARMY CESPL (USA)

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**From:** Fred Collins <fcollins@northernchumash.org>  
**Sent:** Tuesday, May 25, 2021 7:52 AM  
**To:** Lee, Maricris C (Chris) CIV USARMY CESPL (USA)  
**Cc:** SPL, POLB  
**Subject:** [Non-DoD Source] RE: POLB Deep Draft Navigation Project - Draft General Conformity Determination

Hello Larry,

NCTC supports the local Tribal Governments recommendations for this proposed project, thank you.

Fred Collins  
NCTC Chair  
San Luis Obispo County

---

**From:** Lee, Maricris C (Chris) CIV USARMY CESPL (USA) <Maricris.C.Lee@usace.army.mil>  
**Sent:** Monday, May 24, 2021 1:28 PM  
**To:** fcollins@northernchumash.org  
**Cc:** SPL, POLB <POLB@usace.army.mil>  
**Subject:** POLB Deep Draft Navigation Project - Draft General Conformity Determination

Dear Sir:

The U.S. Army Corps of Engineers, Los Angeles District, has determined that the proposed Port of Long Beach Deep Draft Navigation Project (Project) is consistent with the State Implementation Plan (SIP) and conforms with the requirements of Section 176(c) of the Clean Air Act.

A copy of the Draft General Conformity Determination for the proposed Project is attached for your review. It is also available at:

<https://www.spl.usace.army.mil/Missions/Civil-Works/Projects-Studies/Port-of-Long-Beach-Deep-Draft-Navigation-Study/>

Kindly confirm receipt of this email.

\*\*\*\*\*

U.S. Army Corps of Engineers, Los Angeles District  
ATTN: Larry Smith (CESPL-PDR-Q)  
915 Wilshire Boulevard  
Los Angeles, CA 90017  
Email: [POLB@usace.army.mil](mailto:POLB@usace.army.mil)



## Lee, Maricris C (Chris) CIV USARMY CESPL (USA)

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**From:** Sam Cohen <scohen@santaynezchumash.org>  
**Sent:** Wednesday, May 26, 2021 10:01 AM  
**To:** Lee, Maricris C (Chris) CIV USARMY CESPL (USA); SPL, POLB  
**Cc:** Sam Cohen; Nakia Zavalla; Kelsie Merrick; Allison McAdams; Teresa Romero  
**Subject:** [Non-DoD Source] RE: POLB Deep Draft Navigation Project - Draft General Conformity Determination

Dear Mr. Maricris (Lee):

The Santa Ynez Band of Chumash is in receipt of the POLB Deep Navigation Project documents and has no comments at this time.

Fred Romero no longer works with us so please contact me or Nakia Zavala, Culture Director and her assistant Kelsie Merrick for all future inquiries.

Best regards,  
Sam Cohen



**Sam Cohen**  
Government Affairs and Legal Officer  
Santa Ynez Band of Chumash Indians

**Office** (805) 688-7997  
**Mobile** (805) 245-9083

---

**From:** Teresa Romero <tromero@santaynezchumash.org>  
**Sent:** Wednesday, May 26, 2021 9:28 AM  
**To:** Sam Cohen <scohen@santaynezchumash.org>  
**Subject:** FW: POLB Deep Draft Navigation Project - Draft General Conformity Determination

Sam,

FYI-

kaq<sup>h</sup>inaš (Thank you)

Teresa Romero  
Environmental Director  
Santa Ynez Band of Chumash Indians  
Environmental Department  
805.303.7485 (Direct)  
805.206.0560 (Cell)

**Lee, Maricris C (Chris) CIV USARMY CESPL (USA)**

---

**From:** Karen White <xolon.salinan.heritage@gmail.com>  
**Sent:** Wednesday, May 26, 2021 9:13 PM  
**To:** SPL, POLB  
**Subject:** [Non-DoD Source] Re: POLB Deep Draft Navigation Project - Draft General Conformity Determination

Good Evening,  
This area is not apart of the Xolon Salinan Tribes ancient territory.  
Therefore we have no comments at this time.  
Thank you,  
Karen White  
Xolon Salinan Tribe

On Mon, May 24, 2021 at 1:52 PM Lee, Maricris C (Chris) CIV USARMY CESPL (USA) <[Maricris.C.Lee@usace.army.mil](mailto:Maricris.C.Lee@usace.army.mil)> wrote:

Dear Ms. White:

The U.S. Army Corps of Engineers, Los Angeles District, has determined that the proposed Port of Long Beach Deep Draft Navigation Project (Project) is consistent with the State Implementation Plan (SIP) and conforms with the requirements of Section 176(c) of the Clean Air Act.

A copy of the Draft General Conformity Determination for the proposed Project is attached for your review. It is also available at:

<https://www.spl.usace.army.mil/Missions/Civil-Works/Projects-Studies/Port-of-Long-Beach-Deep-Draft-Navigation-Study/>

Kindly confirm receipt of this email.

\*\*\*\*\*

U.S. Army Corps of Engineers, Los Angeles District

ATTN: Larry Smith (CESPL-PDR-Q)

[915 Wilshire Boulevard](#)