

PORT OF LOS ANGELES COMMUNITY ADVISORY COMMITTEE
SAN PEDRO COORDINATED PLAN SUBCOMMITTEE

Wednesday, February 9, 2011

Port of Los Angeles
425 S. Palos Verdes Street
San Pedro, CA 90731

LOCATION OF MEETING

POLA Charter High School
250 W. 5th Street,
San Pedro, CA

5:00 PM
NOTICE AND AGENDA

- A. Call to Order: Richard Pavlick, Chair
- B. Sign-In / Introductions
- C. Approval of Agenda
- D. Approval of the Minutes for the January 12, 2011 Coordinated Plan Subcommittee Meeting
- E. Public Comment
- F. Discussion of EIR Options for USS Iowa Project - Possible Action Item (See Attached)
- G. Staff Reports:
 - USS Iowa
 - Cabrillo Marina Phase II
 - Timeline for Future Community Meetings
- H. Review of San Pedro Waterfront Implementation Guidelines & Input to POLA
- I. Agenda Items for Next Meeting: March 9, 2011
- J. Adjournment

January 23, 2011

Port of Los Angeles Community Advisory Committee
EIR Sub-Committee

To: Ms. Cindy Miscikowski
Chair, Los Angeles Board of Harbor Commissioners

Re: Environmental Documentation for USS Iowa to be berthed at Berth 87

Dear Cindy,

The EIR Sub-Committee met January 13, 2011. Among the topics discussed was possible environmental documentation for the Iowa project by the Pacific Battleship Center (PBC). The group requested I write you this letter.

I reported to the Sub-Committee that I had attended a meeting January 10, 2011 between PBC and Port Environmental Division staff at the request of PBC. At that meeting, Port staff stated that they were certain that a full EIR would be needed to berth the Iowa at POLA. They repeated this claim to our subcommittee January 13. Additionally they stated that they had already gotten an estimate or quote of more than one million dollars to do this "full EIR" from ICF Jones and Stokes.

Briefly, we have a number of problems with Port staff's position on this. Based on what we know about the project so far, we disagree that a full EIR or a Supplemental EIR will be needed. At present we think an "Addendum to a Previously Certified EIR" (the San Pedro Waterfront Project EIR) is all that will be required. Additionally, it should not have been possible to have any estimate on the cost from Jones and Stokes.

First, at present *there is no formal Project Description available*. As you know, the Project Description must be prepared and available for study before the multiple steps required to determine if an EIR is needed can be carried out. Without a formal Project Description, the determination that an EIR is needed cannot be made. Staff is at best premature on this.

The PBC project as we understand it so far is basically to *berth a ship where ships have historically been berthed and cars have been parked landside*. Berth 87 is used intermittently for cruise ship berthing and has been used for other types of ships as the former Omni Terminal in the past. The battleship would be entirely cold ironed ("AMPed in POLA parlance) with no use of main propulsion engines or auxiliary generators in contrast to cruise ships. Thus the battleship use would be less polluting. The ship is to be used as a historical museum and tourist attraction. PBC representatives indicated at the Jan. 10 meeting that they were willing to forego any landside buildings if necessary.

The condition of having a third cruise ship in the inner harbor with use of Berth 87-90 for this was analyzed fully and coequally in three of the six project alternatives in the San Pedro Waterfront EIR with Alternative Number 4 most closely resembling the Iowa proposal with continuation of "current use as a cruise berth". This analysis included all of the "downstream effects" of not having the North Harbor development.

Full analysis of the impacts of having a large ship docked at that location has been done in the recently certified Waterfront EIR. The idea of berthing the battleship there does not represent a change in existing conditions or something not anticipated in the EIR.

And yet at the Jan 10 meeting with PBC, POLA staff insisted that all the downstream effects be analyzed in a new EIR. Why is Staff insisting the wheel needs to be re-invented here? Additionally, staff suggested that the environmental impacts of towing the Iowa from *San Francisco to here* would have to be “analyzed and mitigated”! We note that this sort of analysis is not done for cruise ship trips or container ship trips. POLAs meeting minutes have been sanitized of this strange assertion, but I was at the meeting.

The EIR Subcommittee notes the following section of the California Public Resources Code pertinent to when an EIR is needed:

“21166. When an environmental impact report has been prepared for a project pursuant to this division, no subsequent or supplemental environmental impact report shall be required by the lead agency or by any responsible agency, unless one or more of the following events occurs:

- (a) Substantial changes are proposed in the project which will require major revisions of the environmental impact report.
- (b) Substantial changes occur with respect to the circumstances under which the project is being undertaken which will require major revisions in the environmental impact report.
- (c) New information, which was not known and could not have been known at the time the environmental impact report was certified as complete, becomes available.”

Based on our present knowledge of the Iowa project the EIR Subcommittee does not see that any of the conditions a. through c. above would occur due to the Iowa project.

Thus at present we do not see the need for the expense and delay of a “new EIR” or Supplemental EIR. Indeed “expense and delay” would appear to be the only purpose served by this. We wonder why?

It is pertinent that in the process of adopting and certifying the S.P. Waterfront EIR the BOHC accepted Staff’s recommendation for “deferring constructing the North Harbor Cut for economic reasons and staging construction of this element at the end of the overall project construction period.” This sounds to the Subcommittee like North Harbor might never be built. The Staff recommended interim use for the area at Berth 87 would be for “landscaped cruise passenger parking.” This sounds very much like this could be parking for visitors to the Iowa with no significant change in anticipated conditions.

As community members, we perceive that the Iowa project has more diverse and broad community support than any project at the Port within our collective recall.

Respectfully,

John G. Miller, M.D. FACEP
Chair PCAC EIR Subcommittee