

To	From
1. BO. OF HARBOR COMMISSIONERS	
2. CLERK OF SECRETARY	
3. EXECUTIVE DIRECTOR	
4. CHIEF OPERATING OFFICER	
5. CHIEF FINANCIAL OFFICER	
6. DIR. OF BUSINESS DEVELOPMENT	
7. DIR. OF ENGINEERING DEVELOPMENT	
8. DIR. OF MARITIME SERVICES	
9. DIR. OF OPS & EMERG. MGMT	
10. DIR. OF PLAN. & ENV. AFFAIRS	
11. DIR. OF PUBLIC AFFAIRS	
12. ACCOUNTING	
13. CITY ATTORNEY/AD	
14. COMMUNICATIONS SERVICES	
15. CONSTRUCTION	
16. CONSTRUCTION & MAINTENANCE	
17. CONTRACTS & PURCHASING	
18. EMERGENCY PREP. COORD.	
19. ENGINEERING	

CITY OF LOS ANGELES  
HARBOR DEPARTMENT

OFFICE MEMORANDUM

March 12, 2008

To	From
1. ENVIRONMENTAL MANAGEMENT	
2. FINANCIAL MANAGEMENT	
3. PROJECT AND SECURITY	
4. HUMAN RESOURCES	
5. INFORMATION SYSTEMS	
6. LEGISLATIVE REPRESENTATIVE	
7. MARKETING	
8. PLANNING AND RESEARCH	
9. PORT PLANS	
10. PORT TRAFFIC	
11. PROPERTY MANAGEMENT	
12. RISK MANAGEMENT	
13. LEGAL	
14. TREASURY MANAGEMENT	
15. GUARDIANS	
16.	
17.	
18.	
19.	

SUBJECT: ENVIRONMENTAL ASSESSMENT

The environmental assessment for the following:

Catalina Freight Line, Inc. - Catalina Freight Relocation to Berth 155

requested by Property Management, March 13, 2006, has been completed. We have determined that the proposed action is exempt from the requirements of the California Environmental Quality Act (CEQA) in accordance with Article III, Class I(24) & I(14) of the Los Angeles City CEQA Guidelines. A Categorical Exemption has been prepared and will be filed with the County and City Clerk's offices upon issuance of a Coastal Development Permit, Engineering Construction Permit, or any lease/entitlement. This CEQA determination is based upon the inclusion of the attached permit conditions.

If this project does not involve Board action, please notify this office upon issuance of any permit or entitlement so that we may file the Notice of Exemption.

  
RALPH J. JOSS  
Director of Environmental Management

RGA-PJ:SS  
ADP No. 060313-029  
CDP No.  
Attachment(s)

ECOPY

3-12-08

## **Permit Conditions: Construction**

### ***Construction Measures to be included in Construction Specifications***

**Construction Calculator:** Port construction contractor will use the Construction Emissions Calculator, and submit two weekly reports to the Port Construction Division and Environmental Management Division. One report will plan out the proposed work for the upcoming week and estimate construction emissions, demonstrating that emissions for the proposed equipment are below the daily threshold. The other report will document actual construction equipment emissions from the past week. The weekly reports will be monitored by the Environmental Management Division to ensure compliance with SCAQMD daily thresholds.

**Best Management Practices:** LAHD will implement additional best management practices (BMPs) to further reduce air emissions during construction. Such measures include the following:

- Using diesel oxidation catalysts and catalyzed diesel particulate traps
- Properly maintaining equipment according to manufacturers' specifications
- Restricting the idling of construction equipment to a maximum of 10 minutes when not in use

**Silt Curtain:** During construction, the LAHD contractor will deploy a floating silt curtain along the in-water work area to reduce impacts to fish and water quality. This would exclude most fish from the work area and would reduce the potential for acoustical impacts associated with pile driving by increasing the distance between the noise source and fish. The silt curtain would also contain turbidity associated with dredging and in-water construction.

**Sampling:** Before and after dredging, the LAHD contractor will sample and test sediment from the project site for contamination before and after dredging. If sediments are contaminated, they will be disposed of at a site approved for contaminated sediment disposal. A portion of the dredged area will be covered with rock after dredging; if sediment contamination is present following dredging, capping the entire dredged area with larger grain sized clean sediment or rock may be used to improve benthic habitat and reduce contamination of water and biota from sediment.

**Caulerpa Survey:** Between 30 and 90 days prior to beginning in-water work, the Port, or its designated consultant, will survey the project area for invasive algae according to the methods of the *Caulerpa* survey protocol (NMFS and CDFG 2006, or as updated). In the event that *Caulerpa* is discovered at the site, an eradication plan would be prepared and submitted to NMFS and DFG for approval, and implemented prior to project construction. The plan would include BMPs for *Caulerpa* containment and removal, which could include measures such as surrounding the site with a floating silt curtain, killing existing algae on site, and disposal of all dredged material at an approved upland location with no potential for spreading the algae to other marine habitats.

**Disposal Management Plan:** LAHD or its designated contractor will prepare a disposal management plan to prevent disposal of large debris at all disposal locations which will include sources and expected types of debris, debris separation and retrieval methods, and debris disposal methods.

**Inspector:** The permittee will have a dredging operation inspector present on the dredging vessel at all times during dredging operations. The dredging operations inspector will ensure that all relevant permit conditions are obeyed during the dredging operations.

**Site Remediation:** Unless otherwise authorized by the lead regulatory agency for any given site, the LAHD shall remediate all contaminated soils within proposed Project boundaries prior to or during demolition and grading activities. Remediation shall occur in compliance with local, state, and federal

regulations, as described in Section 3.6.3, and as directed by the Los Angeles Fire Department, DTSC, and/or RWQCB.

**Contamination Contingency Plan:** The following contingency plan shall be implemented to address previously unknown contamination during demolition, grading, and construction:

- a) All trench excavation and filling operations shall be observed for the presence of free petroleum products, chemicals, or contaminated soil. Deeply discolored soil or suspected contaminated soil shall be segregated from light colored soil. In the event unexpected suspected chemically impacted material (soil or water) is encountered during construction, the contractor shall notify the Los Angeles Harbor Department's Chief Harbor Engineer, Director of Environmental Management, and Risk Management's Industrial Hygienist. The Port shall confirm the presence of the suspect material and direct the contractor to remove, stockpile or contain, and characterize the suspect material(s) identified within the boundaries of the construction area. Continued work at a contaminated site shall require the approval of the Chief Harbor Engineer.
- b) A photoionization detector (or other similar devices) shall be present during grading and excavation of suspected chemically impacted soil.
- c) Excavation of VOC-impacted soil will require obtaining and complying with a South Coast Air Quality Management District Rule 1166 permit.
- d) The remedial option(s) selected shall be dependent upon a number of criteria (including but not limited to types of chemical constituents, concentration of the chemicals, health and safety issues, time constraints, cost, etc.) and shall be determined on a site-specific basis. Both off-site and on-site remedial options shall be evaluated.
- e) The extent of removal actions shall be determined on a site-specific basis. At a minimum, the chemically impacted area(s) within the boundaries of the construction area shall be remediated to the satisfaction of the lead regulatory agency for the site. The Port Project Manager overseeing removal actions shall inform the contractor when the removal action is complete.
- f) Copies of hazardous waste manifests or other documents indicating the amount, nature, and disposition of such materials shall be submitted to the Chief Harbor Engineer within 30 days of project completion.
- g) In the event that contaminated soil is encountered, all on-site personnel handling or working in the vicinity of the contaminated material shall be trained in accordance with Occupational Safety and Health and Administration (OSHA) regulations for hazardous waste operations. These regulations are based on CFR 1910.120 (e) and 8 CCR 5192, which states that "general site workers" shall receive a minimum of 40 hours of classroom training and a minimum of three days of field training. This training provides precautions and protective measures to reduce or eliminate hazardous materials/waste hazards at the work place.
- h) In cases where potential chemically impacted soil is encountered, a real-time aerosol monitor shall be placed on the prevailing downwind side of the impacted soil area to monitor for airborne particulate emissions during soil excavation and handling activities.
- i) All excavations shall be filled with structurally suitable fill material which is free from contamination.

**Construction Limitations:**

3/13/2008

*Construction Hours.* Limit construction to the hours of 7:00 AM to 9:00 PM on weekdays, between 8:00 AM and 6:00 PM on Saturdays, and prohibit construction equipment noise anytime on Sundays and holidays as prescribed in the City of Los Angeles Noise Ordinance.

*Construction Days.* Do not conduct noise-generating construction activities on weekends or holidays unless critical to a particular activity (e.g., concrete work).

*Construction Equipment.* Properly muffle and maintain all construction equipment powered by internal combustion engines. When construction is occurring within 500 feet of a residence or park, temporary noise barriers (solid fences or curtains) shall be located between noise-generating construction activities and sensitive receptors.

*Idling Prohibitions.* Prohibit unnecessary idling of internal combustion engines near noise sensitive areas.

*Equipment Location.* Locate all stationary noise-generating construction equipment, such as air compressors and portable power generators, as far as practical from existing noise sensitive land uses.

*Quiet Equipment Selection.* Select quiet construction equipment whenever possible. Comply where feasible with noise limits established in the City of Los Angeles Noise Ordinance.

*Notification.* Notify residents adjacent to the proposed Project site of the construction schedule in writing.

*Reporting.* The Port shall clearly post the telephone number where complaints regarding construction related disturbances can be reported and proper steps taken to determine the source of the complaint and a remedy.

## **Permit Conditions: Lease Renewal**

### **Performance Standards for Cargo Handling Equipment (CHE):**

Beginning 2007, all CHE purchases will meet one of the following performance standards:

- Cleanest available NOx alternative-fueled engine, meeting 0.01 g/bhp-hr PM, available at time of purchase, or
- Cleanest available NOx diesel-fueled engine, meeting 0.01g/bhp-hr PM, available at time of purchase
- If there are no engines available that meet 0.01 g/bhp-hr PM, then must purchase cleanest available engine (either fuel type) and install cleanest VDEC available.

By the end of 2010, all yard tractors would meet at a minimum the USEPA Tier 4 non-road emission standards.

By the end of 2012, all non-yard tractor terminal equipment less than 750 Hp shall meet the USEPA Tier 4 non-road engine standards.

By the end of 2014, all terminal equipment shall meet USEPA Tier 4 non-road engine standards .

**Compact Fluorescent Light Bulbs:** All CFL interior building lighting shall use compact fluorescent light bulbs. Fluorescent light bulbs produce less waste heat and use substantially less electricity than incandescent light bulbs.

**Energy Audit:** Catalina Freight shall conduct a third party energy audit every 5 years and install innovative power saving technology where feasible, such as power factor correction system and lighting power regulators. Such systems help to maximize usable electric current and eliminate wasted electricity, thereby lowering overall electricity use.

### **Waste Management:**

#### **Waste Reduction**

- (i) Tenant shall reduce the amount of solid waste that its generates by [40% or such- rate to be established per Section (a) (3)] below the solid waste generation baseline established in Section (a) (3) during the 5 year period commencing on the date of execution of this lease.
- (ii) POLA shall meet with the tenant on each 5<sup>th</sup> anniversary of the date of execution of this lease to establish a new waste reduction requirement for the next 5 year period.

#### **Recycling**

- (i) Tenant shall increase the rate of its recycling by [50% or such- rate to be negotiated per section (a)(3)] above the recycling baseline established in Section (a)(3) during the 5 year period commencing on the date of execution of this lease.
- (ii) POLA shall meet with the tenant on each 5<sup>th</sup> anniversary of the date of execution of this lease to establish a new recycling requirement for the next 5 year period.

#### **Reporting**

Commencing on the first September 1<sup>st</sup> after the date of execution of this lease, and continuing on each September 1<sup>st</sup> there after during the term of this lease, tenant shall provide to POLA records of Solid waste disposed as well as records of recycling materials during the previous 365 days.

**Tree Planting:** Catalina Freight shall plant shade trees around the main building. All trees shall be maintained and replaced over the entire lease term. Trees shall be native trees with low watering requirements.