

## Section 3.8

**Land Use & Planning****SECTION SUMMARY**

The land use analysis evaluates the consistency of the Proposed Project and alternatives with Port of Los Angeles Master Plan designations, City of Los Angeles General Plan designations, Municipal Code zoning designations, and other applicable plans or policies adopted by agencies with jurisdiction over landside and waterside areas. Inconsistencies with land use policies are only considered significant impacts if the inconsistencies result in significant adverse effects on the *physical* environment. The analysis also addresses whether implementation of the Proposed Project or an alternative would divide or isolate surrounding communities.

Section 3.8, Land Use, provides the following:

- A description of existing land uses in the Port area;
- A description of existing land use regulations and policies including a description of both the San Pedro and Wilmington Community Plans;
- A discussion on the methodology used to determine whether the Proposed Project or alternatives result in a land use impact;
- An impact analysis of both the Proposed Project and alternatives; and
- A description of any mitigation measures proposed to reduce any potential impacts, as applicable.

**Key Points of Section 3.8:**

The Proposed Project would involve improvements to an existing container terminal, and its operations would be consistent with other container terminals and Port uses in the proposed project area.

Neither the Proposed Project nor either alternative would result in a significant impact in terms of land use under CEQA or NEPA. Specifically, the Proposed Project and both alternatives:

- Would be consistent with the Port Master Plan and the uses described for Planning Area 2;
- Would be consistent with the adopted land use/density designation in the Community Plan, redevelopment plan, or specific plan for the site;
- Would be consistent with the General Plan and adopted environmental goals or policies contained in other applicable plans;
- Would not cause secondary impacts to surrounding land uses; and
- Would remain consistent with the Port of Los Angeles Community Plan zone designation for the proposed project site, which allows Commercial and Industrial uses (that is, General/Bulk Cargo and Commercial/Industrial Uses/Nonhazardous Uses).

## 3.8.1 Introduction

This land use analysis evaluates the consistency of the Proposed Project with City of Los Angeles General Plan designations, Municipal Code zoning designations, and other applicable plans or policies adopted by agencies with jurisdiction over landside and waterside areas. Inconsistencies with land use policies are only considered significant impacts if the inconsistencies result in significant adverse environmental impacts on the *physical* environment. This analysis also addresses whether implementation of the Proposed Project or alternative would divide or isolate surrounding communities.

## 3.8.2 Environmental Setting

The Project site, as shown in Figure 2-2 (Chapter 2, Project Description), includes the existing 186-acre Berths 121-131 Terminal, which includes two wharfs, a container yard, the WBICTF on-dock rail, gate and maintenance areas, and a small amount of unused land. The Project site is at 2001 John S. Gibson Boulevard in the West Basin/Wilmington planning area (Planning Area 2) of the Port of Los Angeles, which is bounded by the community of San Pedro to the west and south and the community of Wilmington to the north. The Project site is bordered by the West Basin to the east, local roads (John S Gibson Boulevard and Pacific Avenue), warehouses and tank farms to the west, and container terminals to the south and north.

The Project site was constructed in the 1920s by filling marshland and grading dry land, and was used for shipbuilding, warehousing, and cargo terminals, including oil and lumber. Much of the site was converted to a container terminal around 1970, and by the 1980s container operations occupied the entire site.

### 3.8.2.1 Existing Land Uses

#### Port of Los Angeles

The LAHD administers the Port of Los Angeles, which includes 28 miles of waterfront and 7,500 acres of land and water area. The LAHD administers automobile, container, omni, lumber, cruise ship, liquid and dry bulk terminals, and commercial fishing facilities. Port facilities include slips for 6,000 pleasure craft, sport fishing boats, and charter vessels, as well as community facilities, which include a waterfront youth center, Cabrillo Aquarium, and the Maritime Museum. Major Port activities include commercial shipping and transfer of containerized cargo, liquid bulk cargo, break-bulk and dry bulk cargo, commercial fishing, recreation, and tourism.

#### Land Uses in the Project Area

The principal land use in the West Basin/Wilmington Planning Area is container cargo handling, but other major uses in the project vicinity include liquid bulk, dry bulk, and breakbulk cargo, and institutional uses (LAHD 2018). The Project site is largely surrounded by industrial activities. Land uses immediately adjacent to the Project site include warehouses and a tank farm immediately west of John S. Gibson Boulevard, the China Shipping container terminal and a small former tank farm to the south, and the TraPac Container Terminal to the east and north. Transportation infrastructure uses in the vicinity include John S. Gibson Boulevard, Harry Bridges Boulevard, SR 47 and the Vincent Thomas Bridge over the Main Channel, and I-110 (the Harbor Freeway).

1 Land uses in the vicinity support a variety of cargo handling operations. The Trapac  
2 Container Terminal occupies Berths 136-147 immediately east and north of the Proposed  
3 Project area, with residential and commercial uses farther north and additional port uses  
4 farther east; warehouses, tank farms, and institutional uses are immediately west of the  
5 project site, with residential uses farther west; and the China Shipping Terminal occupies  
6 Berths 97-109, immediately south of the project site, with the Vincent Thomas Bridge,  
7 residential uses, and a passenger cruise terminal farther south.

8 The nearest residences are on Knoll Hill and in the Summerland Avenue area, each  
9 approximately ¼ mile south of the Project site, and in an area of north San Pedro just  
10 west of I-110, also approximately ¼ mile from the south end of the Project site. All other  
11 residential areas, including liveaboard boaters in the East Basin marinas and residences in  
12 the community of Wilmington, are at least a half mile from the Project site.

### 13 **3.8.2.2 Redevelopment Areas in the Proposed Project** 14 **Vicinity**

15 Two redevelopment areas existed in the community of San Pedro: the Pacific Corridor  
16 Redevelopment Project area and the Beacon Street Redevelopment Project area. One  
17 redevelopment area was in the community of Wilmington: the Los Angeles Harbor  
18 Industrial Center Redevelopment Project.

19 The 693-acre Pacific Corridor Redevelopment Project Area, established in 2002,  
20 extended from the south side of Knoll Hill and is bordered by Capital Drive on the north,  
21 Gaffey Drive on the west, 22<sup>nd</sup> Street on the south, and Harbor Boulevard on the east.  
22 That project provided business incentives and other strategies and included  
23 development/rehabilitation of commercial/retail uses, a “welcome park,” a transit center,  
24 improvements to pedestrian facilities, decorative street light replacements, additional  
25 parking, residential uses, and formation of an Arts District (City of LA 2021a).

26 The LAHD is also in the process of implementing several development projects in the  
27 San Pedro and Wilmington communities, including the San Pedro Waterfront Master  
28 Plan, Wilmington Waterfront Master Plan, and future redevelopment of the Westway  
29 Terminal to develop the AltaSea Project. These development programs are aimed at  
30 strengthening economic development and enhancing community amenities. Specifically,  
31 objectives of the San Pedro Waterfront Master Plan include increasing public waterfront  
32 access, enhancing commercial opportunities, improving transportation and non-vehicular  
33 mobility around the waterfront, and growing the Port in a sustainable manner. Project  
34 elements include the creation of the San Pedro Downtown Harbor to include a public pier  
35 at 7<sup>th</sup> Street, improvements to John S. Gibson Park, a municipal fountain, enhancements  
36 to downtown San Pedro linkages, new harbors, new commercial development,  
37 enhancement of visitor attractions, development of a waterfront promenade and open  
38 space, and a variety of transportation improvements. The EIS/EIR for the San Pedro  
39 Waterfront Master Plan was certified in September 2009.

40 Objectives of the Wilmington Waterfront Development Project include connecting the  
41 community with the waterfront, creating open space, enhancing the livability and  
42 economic viability of the Los Angeles Harbor area by promoting sustainable economic  
43 development, and developing an environmentally responsible project. Project elements  
44 include commercial and industrial development and creation of visitor amenities such as  
45 open space, plazas, a waterfront promenade, and a Waterfront Red Car Museum. The EIR  
46 for the Wilmington Waterfront Development Project was certified in June 2009.

1 A number of the San Pedro and Wilmington development projects have been completed,  
2 including, most recently, the Wilmington Waterfront Promenade, Trani’s Dockside  
3 Station, Electrical Updates to the Wilmington Youth Sailing Center, Phase I of the Town  
4 Square and Promenade, the Ferry Building Public Landing, and Harbor Boulevard  
5 Roadway Improvements.

### 6 **3.8.3 Applicable Regulations**

7 Land use and development within the Port and its vicinity are governed by several state  
8 and local plans and policies, as described in this section.

#### 9 **3.8.3.1 State Lands Commission**

10 The State Lands Commission has oversight responsibility for tidal and submerged lands  
11 and administers the Tidelands Trust Act, the state law that governs how Port properties  
12 can be used. Legislative authority is granted in trust to local jurisdictions. In 1911, the  
13 City of Los Angeles was granted the tidal and submerged lands within its boundaries to  
14 hold them in the public trust to be used for the public benefit, including the promotion of  
15 commerce, navigation, and fisheries. In 2003, Assembly Bill 2769 amended the City of  
16 Los Angeles Tidelands Trust to provide the City with greater flexibility for both  
17 development and the protection of wildlife and open space at and near the Port.

#### 18 **3.8.3.2 California Coastal Commission**

19 The California Coastal Act (Coastal Act) of 1976 (PRC Section 30000 *et seq.*) was  
20 enacted to establish policies and guidelines that provide direction for the conservation  
21 and development of the California coastline. The Coastal Act established the California  
22 Coastal Commission and created a state and local government partnership to ensure that  
23 public concerns regarding coastal development are addressed. The following are the  
24 policies of the Coastal Act that guide specific regulations pertaining to coastal zone  
25 conservation and development decisions.

- 26 • Provide for maximum public access to and recreational use of the coast,  
27 consistent with private rights and environmental protection;
- 28 • Protect marine and land resources—including wetlands, rare and endangered  
29 habitat areas, environmentally sensitive areas, tide pools, and stream channels;
- 30 • Maintain productive coastal agricultural lands;
- 31 • Direct new housing and other development to urbanized areas with adequate  
32 services rather than allowing a scattered, sprawling, wasteful pattern of  
33 subdivision;
- 34 • Protect the scenic beauty of the coastal landscape; and
- 35 • Locate any needed coastal energy and industrial facilities where such facilities  
36 will have the least adverse impact.

37 The Coastal Act also influences Port operations: it established the California Coastal  
38 Commission as the coastal management and regulatory agency over the Coastal Zone  
39 (PRC Section 30103), within which the Port of Los Angeles is included. The California  
40 Coastal Commission is responsible for assisting in the preparation, review, and  
41 certification of Local Coastal Programs/Local Coastal Plans (LCPs), which are developed  
42 by municipalities for that portion of their jurisdiction that falls within the coastal zone.  
43 Following certification of the LCP, regulatory responsibility is then delegated to the local

1 jurisdiction, although the Coastal Commission retains jurisdiction over the immediate  
2 shoreline. The Port Master Plan (PMP) acts as the LCP for the Port of Los Angeles, as  
3 described below in Section 3.8.3.3.

4 Chapter 8 of the Coastal Act establishes specific planning and regulatory procedures for  
5 California “commercial ports” (defined as the ports of San Diego, Los Angeles,  
6 Long Beach, and Hueneme). The Coastal Act requires that a coastal development permit  
7 be obtained from the Coastal Commission for certain development within these ports.  
8 However, a commercial port is granted the authority to issue its own coastal development  
9 permits once it completes a master plan certified by the Coastal Commission.

10 The standards for master plans, contained in Chapter 8 of the Coastal Act, require  
11 environmental protection while expressing a preference for port-dependent projects.  
12 Additionally, Section 30701 establishes the number and locations of California ports that  
13 fall at least partially within the Coastal Zone. This section of the Coastal Act encourages  
14 existing ports to modernize and construct necessary facilities within their boundaries to  
15 minimize the need to build new ports in the state. It is environmentally and economically  
16 preferable to locate major shipping terminals and other existing maritime facilities in the  
17 major ports rather than creating new ports in new areas of the state. Each commercial port  
18 in California has a certified PMP that identifies acceptable development uses. If a port  
19 desires to conduct or permit developments that are not included in the approved PMP,  
20 that port must apply to the Coastal Commission for either a coastal permit or an  
21 amendment to its master plan.

### 22 **3.8.3.3 Port Master Plan**

23 The Proposed Project is within in the Coastal Zone, which was established pursuant to  
24 the federal Coastal Zone Management Act of 1972 and the Coastal Act. These acts  
25 require that planning and development within the Coastal Zone be compatible with  
26 coastal resources. Chapter 8 of the Coastal Act contains policies applicable to the  
27 portions of California ports within the Coastal Zone. Chapter 8, Article 3, of the Coastal  
28 Act stipulates that ports shall prepare and adopt master plans containing provisions within  
29 that chapter (PRC Sections 30710–30721). Port master plans are then certified by the  
30 Coastal Commission, and development projects authorized or approved pursuant to an  
31 adopted and certified master plan are deemed to be in conformity with the Coastal Zone  
32 Management Program.

33 The Port of Los Angeles Master Plan, originally adopted in 1980 and most recently  
34 updated in 2018, establishes policies and guidelines to direct the future development of  
35 the Port and to promote and safely accommodate foreign and domestic waterborne  
36 commerce, navigation, and fisheries in the national, state, and local interests (LAHD  
37 2018). The PMP divides the Port into a series of five planning areas, for which it  
38 identifies short-term plans and preferred long-range uses. The Project site is in Planning  
39 Area 2, West Basin/Wilmington; the PMP designates the site for Container land use. The  
40 Container land use category is defined by the PMP as “water-dependent uses focused on  
41 container cargo handling and movement,” and provides development examples including  
42 container terminals, chassis storage, on-dock rail yard, and omni-terminal.

43 The PMP states that Planning Area 2 focuses on container operations in the West Basin  
44 and a variety of cargo-related, open space, and recreational uses in the remainder of the  
45 area. Future projects will provide additional space for expanding container and liquid  
46 bulk cargoes by clearing underutilized and vacant facilities, reconfiguring existing  
47 operations, and expanding land.

### 3.8.3.4 City of Los Angeles General Plan

The City of Los Angeles General Plan is a comprehensive, long-term plan for the physical development of the City. The City’s General Plan includes the following citywide elements: Framework, Transportation, Infrastructure Systems, Housing, Noise, Air Quality, Conservation, Open Space, Historic Preservation and Cultural Resources, Safety, Public Facilities and Services, and Land Use. The General Plan Land Use Element includes 35 local area plans, known as Community Plans, as well as plans for the Port of Los Angeles (the Port Master Plan, see above) and Los Angeles International Airport.

### 3.8.3.5 Zoning Designations

The zoning classification for the Berths 121–131 Terminal is [Q] M3-1 (Heavy Industrial Zone). The site’s primary Heavy Industrial (M-3) designation has been qualified, as indicated by the bracketed [Q] symbol. The “qualified” designation indicates that a property so designated might be restricted or prohibited from some uses ordinarily permitted in the underlying zone classification, and/or that development on such designated sites may be required to conform to certain additional use standards. The [Q] in this zone restricts uses to General Cargo and limited Port-related commercial, industrial, and support uses. The zone limits the storage of hazardous materials, liquid, or solid bulk that is flammable, explosive, or produces a flammable, toxic, or suffocating gas (City of Los Angeles 2021). The industrial zoning designation allows a building floor-area ratio of 1.5 times the buildable area of the lot.

### 3.8.3.6 San Pedro Community Plan

The proposed project site is entirely within the Port of Los Angeles Plan area; however, the San Pedro Community Plan area is immediately adjacent to the Port Plan’s boundary. Accordingly, goals, objectives, policies, and associated implementing programs of the Community Plan addressing Port land uses and operations are considered in the San Pedro Community Plan (City of Los Angeles 2017).

Relevant goals in the San Pedro Community Plan include LU13 (A safer, greener port neighbor for San Pedro that provides jobs, commerce, and coastal recreational access for residents, and together with Downtown San Pedro, provides a regional destination) and LU14 (Industrial uses that provide job opportunities, particularly for residents, and minimize environmental and visual impacts to the community). These goals include a number of implementing policies:

**LU13.1 Governmental coordination.** Strengthen governmental inter-agency coordination in the planning and implementation of Port projects in order to better serve the interests of the San Pedro Community, including recreation, quality of life and jobs. In particular, coordinate with POLA’s Waterfront development planning to create more waterfront-oriented recreational amenities and improve the community’s access to them.

**LU13.2 Capitalize on synergies.** Capitalize on Port improvements to the waterfront promenade and Ports O’Call to develop Downtown San Pedro and the Port waterfront into a desirable center of commerce, recreation and tourism.

- 1 LU13.3 **Green the Port.** Support efforts to “Green the Ports,” including measures that  
 2 improve air and water quality, reduce vehicle emissions, and enhance coastal  
 3 resources.
- 4 LU13.4 **Reduce impacts.** Utilize Port of Los Angeles resources to reduce local impacts  
 5 where appropriate.
- 6 LU14.1 **Preserve employment base.** Retain Industrial land use designations to maintain  
 7 the industrial employment base for existing and new businesses that provide  
 8 higher-skilled and high wage manufacturing and research/development jobs,  
 9 particularly those in port-related and maritime industries.
- 10 LU14.2 **Retain industrial land.** Large Industrial designated parcels located in  
 11 predominantly industrial areas shall not be developed with other uses that do not  
 12 support the industrial base of the City and community.
- 13 LU14.3 **Sustain the arts.** Encourage artisan, artisanal and craft industries in light  
 14 industrial zones, particularly in adaptive reuse of obsolete industrial buildings.
- 15 LU14.4 **Improve safety and jobs.** Ensure that Industrial land uses are safe for human  
 16 health and the environment and that they provide a robust source of employment.
- 17 LU14.5 **Encourage sustainable industry.** Incentivize development opportunities for  
 18 businesses that are oriented towards green or clean technologies, and employ  
 19 green building practices and processes.
- 20 LU14.6 **Build green.** Developments should be sustainable, attractive and incorporate  
 21 green building design and materials to the greatest extent feasible.

### 22 3.8.3.7 Harbor LA Community Plans

23 The Harbor LA Community Plans includes the Wilmington-Harbor City Community Plan  
 24 and the Harbor Gateway Community Plan. The Wilmington-Harbor City planning area is  
 25 generally bounded by Sepulveda Boulevard, Normandie Avenue, Lomita Boulevard, the  
 26 Los Angeles City boundary, Los Angeles Harbor, Harry Bridges Boulevard, John S.  
 27 Gibson Boulevard, Taper Avenue, and Western Avenue. The Harbor Gateway planning  
 28 area is the narrow corridor of city land that connects the Wilmington-San Pedro-Harbor  
 29 City area to the main body of the City of Los Angeles, running more or less parallel  
 30 to the Harbor Freeway (I-110).

31 The Wilmington-Harbor City Community Plan, adopted in 1999, sets forth goals to  
 32 maintain the individuality of the community (City of Los Angeles 1999). The mobility  
 33 element of the plan was updated in 2016, and the entire plan has been updated to  
 34 incorporate updated zoning and land use designations; adoption of the updated plan is  
 35 pending as of 2024.

36 The relevant goal in the 1999 Wilmington-Harbor City Community Plan, Goal 18, states:  
 37 *Coordinate the development of the Port of Los Angeles with surrounding communities to*  
 38 *improve the efficiency and operational capabilities of the Port to better serve the*  
 39 *economic needs of Los Angeles and the region, while minimizing adverse environmental*  
 40 *impacts to neighboring communities from Port-related activities.* Within that goal,  
 41 specific objectives are:

- 42 • **Objective 18-1:** To coordinate the future development of the Port with all  
 43 adopted City Plans, the Wilmington Industrial Park Redevelopment Project, and  
 44 the Enterprise Zone;

- 1 • **Objective 18-1:** To continue to develop and operate the Port to provide  
2 economic, employment, and recreational benefits to neighboring communities;  
3 and
- 4 • **Objective 18-3:** To assure that Port programs for land acquisition and circulation  
5 improvements will be compatible with and beneficial in reducing environmental  
6 impacts to surrounding communities caused by Port-related activities, as well as  
7 beneficial to the Port.

8 The proposed updated plan (City of Los Angeles 2024a) has a similar goal (designated  
9 LU 19) related to the Port of Los Angeles, but instead of three objectives it promulgates  
10 12 detailed objectives to achieve that goal. These include promoting the “greening” of the  
11 Port, fostering closer inter-governmental planning ties, encouraging more community  
12 involvement by the Port, and encouraging increased use of buffers and relocations to  
13 separate residential uses from Port-related uses. The draft update also includes a new  
14 chapter discussing environmental justice and establishing environmental justice goals and  
15 objectives that, among other issues, would promote community participation in land use  
16 planning and development decisions.

17 The Harbor Gateway Plan’s last comprehensive update was completed in 1979, and a  
18 partial update was adopted in 1997. Neither the existing plan nor the proposed update  
19 (City of Los Angeles 2024b) references the Port of Los Angeles, but the policy document  
20 contains an environmental justice discussion very similar to that in the draft Wilmington-  
21 Harbor City plan update.

### 22 **3.8.3.8 Southern California Association of Governments** 23 **Connect SoCal Plan**

24 The Southern California Association of Governments (SCAG) 2020/2045 Connect SoCal  
25 Regional Transportation Plan/Sustainable Communities Strategy, adopted in 2020,  
26 integrates four major elements of planning for the region: Economy; Mobility;  
27 Environment; and Healthy Communities (SCAG 2020). The plan establishes a  
28 comprehensive set of policies, strategies, and tools to improve mobility and  
29 sustainability, identifies sources of funding for implementing plan elements, and  
30 establishes performance metrics for tracking progress. As part of its vision for a more  
31 liveable region, the plan identifies a number of land use tools, including center-focused  
32 development, transit-focused priority growth areas, and increased greenbelt/green region  
33 planning, that local and regional governments should employ in their planning efforts.

### 34 **3.8.3.9 Port of Los Angeles Strategic Plan 2018–2022**

35 The Port of Los Angeles Strategic Plan has seven objectives, each with metrics that will  
36 be implemented to accomplish the LAHD’s mission for the Port. The following  
37 objectives may be relevant to the Proposed Project or an alternative:

- 38 • Develop and Maintain World Class Infrastructure
- 39 • Retain and Grow Market Share
- 40 • Advance Technology and Sustainability
- 41 • Optimize Land Use
- 42 • Create a Positive Workplace Culture

- 1                   • Increase Stakeholder and Community Awareness and Support
- 2                   • Strengthen Financial Performance

### 3   **3.8.3.10 San Pedro Bay Ports Clean Air Action Plan**

4                   The LAHD, in conjunction with the Port of Long Beach and with guidance from  
5                   SCAQMD, CARB, and EPA, has developed the San Pedro Bay Ports Clean Air Action  
6                   Plan (CAAP). The original CAAP was approved by the Los Angeles and Long Beach  
7                   Boards of Harbor Commissioners in November 2006, and it has been updated twice since  
8                   then, in 2010 and 2017 (SPBP 2017). Although the CAAP addresses air quality issues  
9                   and is described in detail in Section 1.7, Environmental Initiatives, Section 3.2, Air  
10                  Quality, and Section 3.5, Greenhouse Gas Emissions, it is summarized here because it  
11                  relates to goals for the Port, as discussed in the San Pedro and Wilmington-Harbor City  
12                  community plans. The CAAP focuses on reducing diesel particulate matter, nitrogen  
13                  oxides (NO<sub>x</sub>), and sulfur oxides, with two main goals: (1) to reduce Port-related air  
14                  emissions in the interest of public health; and (2) to disconnect cargo growth from  
15                  emissions increases. The CAAP includes near-term measures for project-specific impacts  
16                  implemented largely through the NEPA/CEQA process, new leases at both ports, and  
17                  Port-wide measures implemented by Port-supported programs, lease measures, tariffs,  
18                  and Memoranda of Understanding. The updates include new, far-reaching goals for  
19                  reducing Port-related air pollution in the near future. The focus of the CAAP updates is  
20                  the same as the original CAAP, and includes updates based on changes in federal and  
21                  state regulations and local pollution reduction initiatives and policies.

### 22   **3.8.3.11 Water Resources Action Plan**

23                  The Water Resources Action Plan (WRAP) was prepared by the LAHD and the Port of  
24                  Long Beach, in coordination with each of the cities, the EPA, and the Los Angeles  
25                  RWQCB (POLB/POLA 2009). The WRAP was adopted by the Boards of both the  
26                  LAHD and the Port of Long Beach on August 8, 2009. The WRAP's purpose is to  
27                  provide the framework and mechanisms for the Ports to achieve the goals and targets that  
28                  will be established in the relevant Total Maximum Daily Loads discharge limits and to  
29                  comply with the Industrial Activities, Construction Activities, and Municipal permits  
30                  issued to each of the Ports and their respective cities and tenants through the National  
31                  Pollutant Discharge Elimination System program. The WRAP identifies multiple current  
32                  and potential control measures to minimize adverse effects to water and sediment quality.  
33                  These include Land Use Control Measures, On-Water Source Control Measures,  
34                  Sediment Control Measures, and Watershed Control Measures.

## 35   **3.8.4 Impacts and Mitigation Measures**

### 36   **3.8.4.1 Methodology**

37                  This analysis evaluates consistency or compliance of the Proposed Project and  
38                  alternatives with adopted plans and policies governing land use and development. Land  
39                  use plans with policies applicable to development under the Proposed Project and  
40                  alternatives were included in the evaluation, including the City of Los Angeles General  
41                  Plan and its Elements, the City of Los Angeles Planning and Zoning Code, the Port of  
42                  Los Angeles Master Plan, and plans prepared by other agencies with jurisdiction over  
43                  areas in which the Proposed Project might create a land use impact.

1 Inconsistency with a land use policy or objective is only considered a significant impact  
2 if the inconsistency would result in a significant adverse effect on the physical  
3 environment. Further, physical impacts on the environment that might result from an  
4 inconsistency with land use policies or objectives are addressed in the appropriate  
5 resource section, not in the analysis of land use.

6 This land use analysis also addresses the potential for the Proposed Project or an  
7 alternative to create physical incompatibilities between adjacent land uses or activities  
8 that would result in a significant adverse effect on the physical environment. This is  
9 accomplished through the evaluation of the extent to which off-site land uses could be  
10 affected by physical division, isolation, or other disruptions caused by the Proposed  
11 Project or an alternative.

## 12 **CEQA Baseline**

13 Section 15125 of the CEQA Guidelines requires EIRs to include a description of the  
14 physical environmental conditions in the vicinity of a project that exist at the time of the  
15 NOP. These environmental conditions normally would constitute the baseline physical  
16 conditions by which the CEQA lead agency determines if an impact is significant. As  
17 noted in Section 2.7, the baseline year for a container terminal project would normally be  
18 the first full calendar year preceding publication of the NOP. Because a significant  
19 amount of time has passed since publication of the NOP and taking into account the  
20 anomalous activity levels caused by the Covid-19 restrictions (see Section 2.5 for more  
21 detail on the selection of the baseline), calendar year 2019 was deemed a more  
22 appropriate baseline. Accordingly, the CEQA baseline for the Proposed Project consists  
23 of the conditions and activities at the Berths 121-131 Terminal in 2019 (Table 2-1). In  
24 2019, the terminal encompassed approximately 186 acres of container terminal use with  
25 eight wharf cranes (five operating) and handled approximately 354,000 TEUs and 153  
26 vessel calls.

27 The CEQA baseline represents the setting at a fixed point in time and differs from the No  
28 Project Alternative (Alternative 1) in that the No Project Alternative addresses what is  
29 likely to happen at the proposed project site over time, starting from the existing  
30 conditions. Therefore, the No Project Alternative allows for growth at the proposed  
31 project site that could be expected to occur without additional approvals, whereas the  
32 CEQA baseline does not.

## 33 **NEPA Baseline**

34 The evaluation of significance under NEPA (in an EIS) is defined by comparing the  
35 Proposed Project or project alternative to the NEPA baseline scenario in future years. The  
36 NEPA baseline is not bound by statute to a “flat” or “no-growth” scenario; rather, it is the  
37 set of actions, including both construction and operations, that would reasonably be  
38 expected to occur in the absence of federal action, in this case a USACE permit. The  
39 NEPA baseline conditions for this Draft EIS/EIR are described in Section 2.7.2 and  
40 summarized in Table 2-1.

41 The NEPA baseline, for purposes of this Draft EIS/EIR, is the same as the No Federal  
42 Action Alternative. Under the No Federal Action Alternative (Alternative 2), no  
43 dredging, dredged material disposal, in-water pile installation, or crane installation would  
44 occur. However, expansion of the WBICTF on-dock railyard in the terminal backlands  
45 and installation of new RMG cranes at the railyard would occur. Accordingly, the No  
46 Federal Action Alternative includes only the backlands improvements associated with the  
47 WBICTF expansion, which would not change the physical size or operational capacity of  
48 the existing terminal. Under the NEPA baseline, by 2062 the terminal would handle up to

1 approximately 1,332,000 TEUs annually and accommodate 208 annual ship calls at two  
2 berths.

### 3 **3.8.4.2 Thresholds of Significance**

4 The following criteria are based on the 2019 CEQA Appendix G Thresholds and are the  
5 basis for determining the significance of impacts associated with land use consistency  
6 and compatibility resulting from development of the Proposed Project or an alternative.  
7 There are no standard impact thresholds for evaluating potential impacts to land use or  
8 development under NEPA; therefore, the CEQA thresholds listed below are used in  
9 evaluating potential impacts. A significant land use impact would occur if the Proposed  
10 Project or an alternative is determined to be inconsistent with one of the standards listed,  
11 and the inconsistency results in a significant adverse effect to the environment. The  
12 Notice of Preparation for the Proposed Project released in April 2014, concluded that  
13 Appendix G issue X.c (“would the project conflict with any applicable habitat  
14 conservation plan or natural community conservation plan?”) would have no impacts and  
15 need not be considered in the Draft EIS/EIR. Accordingly, the Proposed Project or an  
16 alternative would have a significant impact related to land use if it would:

17 **LU-1: Physically divide an established community.**

18 **LU-2: Cause a significant environmental impact due to a conflict with any land use**  
19 **plan, policy, or regulation adopted for the purpose of avoiding or mitigating**  
20 **an environmental impact.**

### 21 **3.8.4.3 Impact Determination**

#### 22 **Proposed Project**

#### 23 **Impact LU-1: Would the Proposed Project physically divide an** 24 **established community?**

25 The Proposed Project would improve an existing marine container cargo terminal and  
26 would not include additional elements that could divide the surrounding Wilmington or  
27 San Pedro communities. All construction and operational activities would take place  
28 within the existing container terminal and along existing roadways and rail lines.

#### 29 **CEQA Impact Determination**

30 Because the Proposed Project would not include new physical features or operational  
31 activities that could divide existing communities, impacts would be less than significant.

#### 32 ***Mitigation Measures***

33 No mitigation is required.

#### 34 ***Residual Impacts***

35 Impacts would be less than significant.

#### 36 **NEPA Impact Determination**

37 Although the Proposed Project would result in improvements that are not included in the  
38 NEPA baseline, those improvements would not cause any community to be divided by

1 physical features or operational activities. Therefore, the impacts of the Proposed Project  
2 would be less than significant.

### 3 ***Mitigation Measures***

4 No mitigation is required.

### 5 ***Residual Impacts***

6 Impacts would be less than significant.

## 7 **Impact LU-2: Would the Proposed Project cause a significant** 8 **environmental impact due to a conflict with any land use plan, policy,** 9 **or regulation adopted for the purpose of avoiding or mitigating an** 10 **environmental effect?**

11 The Proposed Project would be consistent with the identified uses in the PMP, which  
12 serves as the LCP for the California Coastal Commission (see Section 3.8.3.3). The PMP  
13 listed this Proposed Project as a proposed project (designated as the Yang Ming Terminal  
14 Redevelopment) under the PMP (LAHD 2018). There it was described as:

15 “Yang Ming Terminal Redevelopment – This project includes the creation of  
16 approximately 6 acres of fill at Berths 120-121 and the creation of approximately  
17 3 acres of water area at Berths 121-127 to facilitate the redevelopment of the  
18 West Basin Container Terminal. The new landfill and water area, combined with  
19 wharf redevelopment, will create approximately 3,400 feet of new container  
20 wharf. The project also includes 20 acres for backland expansion near Berths  
21 118-120, the site of an existing liquid bulk facility.”.

22 Hence, the Proposed Project would be consistent with the overall intent of the PMP and  
23 also would be consistent with the preferred uses identified in the PMP for Planning Area  
24 2, which encompasses the Project site.

25 The Proposed Project would be consistent with the adopted objectives, policies, and  
26 applicable plans contained in the City of Los Angeles General Plan by way of  
27 consistency with the PMP and the San Pedro and Wilmington-Harbor City Community  
28 Plans. The San Pedro Community Plan and Wilmington-Harbor City Community Plan  
29 both contain goals to coordinate Port development with surrounding communities that  
30 improve the efficiency and operational capabilities of the Port to better serve the  
31 economic needs of Los Angeles and the region, while minimizing adverse environmental  
32 impacts to neighboring communities from Port-related activities. The Proposed Project  
33 would be consistent with those goals, as it would implement environmental programs  
34 such as applicable CAAP measures (see Section 3.2, Air Quality and Meteorology) and  
35 WRAP measures (see Section 3.11, Water Quality, Sediment, and Oceanography). Other  
36 objectives in the San Pedro Community Plans apply to geographic areas that the  
37 Proposed Project would not affect; therefore, the Proposed Project would be consistent  
38 with the San Pedro Community Plan goals regarding Port development.

39 The Wilmington-Harbor City Community Plan contains objectives for the LAHD to  
40 coordinate development with the Wilmington Industrial Park Redevelopment Project and  
41 to provide economic and employment benefits to neighboring communities. The  
42 Proposed Project would improve the existing Berths 121-131 Terminal to increase its  
43 throughput capacity. These increases in throughput would contribute to increased  
44 economic benefits and employment opportunities for local businesses and residents, and  
45 would thus be consistent with those objectives. Consequently, the Proposed Project

1 would be consistent with goals and policies in the San Pedro and Wilmington-Harbor  
2 City Community Plans.

3 The Proposed Project is not expected to induce population migration into the area or  
4 create a demand for new housing units because new employment opportunities associated  
5 with the Proposed Project are expected to be largely filled by local labor. As a result, the  
6 Proposed Project would be consistent with SCAG's Connect SoCal plan (SCAG 2020).  
7 The Proposed Project would be consistent with all applicable SCAG policies.

8 The Proposed Project includes a 30-year lease, assumed to start in 2025 and extend  
9 through 2055. The lease is an implementing mechanism for CAAP measures applicable  
10 to the Berths 121-131 Terminal (see Section 3.2, Air Quality and Meteorology). Because  
11 applicable CAAP measures would either be considered a project component or a  
12 mitigation measure identified in this EIS/EIR, the CAAP would be implemented via the  
13 new permit. Implementation of these plan elements under the Proposed Project would be  
14 consistent with environmental goals for the Port as specified in the San Pedro and  
15 Wilmington-Harbor City Community Plans.

### 16 **CEQA Impact Determination**

17 As discussed above, the Proposed Project would be consistent with the uses identified in  
18 the PMP, the Coastal Act, SCAG policies including the goals of the Connect SoCal plan,  
19 the CAAP, and Port-related goals in the San Pedro and Wilmington-Harbor City  
20 Community Plans. Accordingly, impacts would be less than significant.

#### 21 ***Mitigation Measures***

22 No mitigation is required.

#### 23 ***Residual Impacts***

24 Impacts would be less than significant.

### 25 **NEPA Impact Determination**

26 As discussed above, the improvements and activities under the Proposed Project would  
27 be consistent with goals and policies in applicable plans, planning goals/policies, and  
28 environmental goals or policies of the Port. Therefore, impacts would be less than  
29 significant.

#### 30 ***Mitigation Measures***

31 No mitigation is required.

#### 32 ***Residual Impacts***

33 Impacts would be less than significant.

### 34 **Alternative 1 – No Project**

35 Under Alternative 1, no LAHD or federal action would occur. No dredging, wharf  
36 construction, crane installation, or railyard expansion would take place. The existing  
37 Berths 121-131 Terminal would continue to operate as an approximately 186-acre  
38 container terminal. Cargo throughput is expected to grow over time as demand increases;  
39 under Alternative 1, the existing terminal would handle approximately 1,332,000 TEUs  
40 and 208 vessel calls by 2062.

1 The No Project Alternative would not preclude future improvements to the Project site.  
2 However, any future changes in use or new improvements that could have significant  
3 impacts on the environment would be analyzed in a separate environmental document.

4 **Impact LU-1: Would Alternative 1 physically divide an established**  
5 **community?**

6 Under the No Project Alternative, the proposed project site's size and operations would  
7 be unchanged from the CEQA baseline conditions. Accordingly, this alternative would  
8 not include any new elements that could divide any of the surrounding communities.

9 **CEQA Impact Determination**

10 Because Alternative 1 would not divide an existing community, impacts would be less  
11 than significant.

12 ***Mitigation Measures***

13 No mitigation is required.

14 ***Residual Impacts***

15 Impacts would be less than significant.

16 **NEPA Impact Determination**

17 The No Project Alternative is not required to be analyzed under NEPA. NEPA requires  
18 the analysis of a No Federal Action Alternative (Alternative 2 in this document).

19 ***Mitigation Measures***

20 Mitigation measures are not applicable.

21 ***Residual Impacts***

22 An impact determination is not applicable.

23 **Impact LU-2: Would Alternative 1 cause a significant environmental**  
24 **impact due to a conflict with any land use plan, policy, or regulation**  
25 **adopted for the purpose of avoiding or mitigating an environmental**  
26 **effect?**

27 Alternative 1 would continue to operate the existing Berths 121-131 Terminal, a water-  
28 dependent activity that is consistent with the City of Los Angeles General Plan and the  
29 policies, programs, and goals described in Section 3.8.2.

30 **CEQA Impact Determination**

31 Because the Berths 121-131 Terminal would continue to operate as a water-dependent  
32 activity that is consistent with applicable land use plans, policies, and regulations,  
33 impacts of Alternative 1 would be less than significant.

34 ***Mitigation Measures***

35 No mitigation is required.

1                   ***Residual Impacts***

2                   Impacts would be less than significant.

3                   **NEPA Impact Determination**

4                   The No Project Alternative is not required to be analyzed under NEPA. NEPA requires  
5                   the analysis of a No Federal Action Alternative (Alternative 2 in this document).

6                   ***Mitigation Measures***

7                   Mitigation measures are not applicable.

8                   ***Residual Impacts***

9                   An impact determination is not applicable.

10                  **Alternative 2 – No Federal Action**

11                  Alternative 2 is a NEPA-required no-action alternative for purposes of this Draft EIS/EIR  
12                  and consists of the activities that would occur absent a federal (i.e., USACE) permit. In  
13                  the No Federal Action Alternative, no dredging, dredged material disposal, wharf  
14                  construction, or wharf crane installation would occur, but the WBICTF railyard  
15                  expansion and installation of RMGs would occur.

16                  This alternative would not change the nature or capacity of the existing terminal (the  
17                  railyard expansion would improve the efficiency but not the capacity of the Berths 121-  
18                  131 Terminal). Accordingly, the site would continue to operate as an approximately 186-  
19                  acre container terminal and would reach its operating capacity of approximately  
20                  1,332,000 TEUs with 208 annual vessel calls, but this alternative differs from the No  
21                  Project Alternative in that it assumes the WBICTF railyard expansion, with RMGs,  
22                  would be constructed.

23                  Because the WBICTF railyard expansion would involve construction, this alternative  
24                  constitutes a project under CEQA. Accordingly, this analysis of the No Federal Action  
25                  Alternative includes an analysis of impacts under CEQA.

26                  **Impact LU-1: Would Alternative 2 physically divide an established  
27                  community?**

28                  Under the No Federal Action Alternative, the Berths 121-131 Terminal would continue to  
29                  operate as a container terminal. The expanded WBICTF would be constructed and  
30                  operated entirely within the existing terminal boundary and rail operations outside the  
31                  terminal would occur entirely on existing rail facilities. Accordingly, Alternative 2 would  
32                  not include any elements that could divide the surrounding communities.

33                  **CEQA Impact Determination**

34                  Because Alternative 2 would not include any elements that could divide the surrounding  
35                  communities, impacts would be less than significant.

36                  ***Mitigation Measures***

37                  No mitigation is required.

38                  ***Residual Impacts***

39                  Impacts would be less than significant.

## NEPA Impact Determination

Because Alternative 2 would be identical to the NEPA Baseline in terms of land use, it would result in no impact.

### *Mitigation Measures*

No mitigation is required.

### *Residual Impacts*

There would be no impacts.

## Impact LU-2: Would Alternative 2 cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Alternative 2 would continue to operate the existing Berths 121-131 Terminal, a water-dependent activity that is consistent with the City of Los Angeles General Plan and the policies, programs, and goals described in Section 3.8.2. The expansion of the WBICTF railyard (including RMGs), which would be the only new project element, would support that activity, and would therefore be consistent with all applicable land use plans, policies, and regulations.

## CEQA Impact Determination

Because Alternative 2 would not conflict with applicable land use plans, policies, and regulations, impacts would be less than significant.

### *Mitigation Measures*

No mitigation is required.

### *Residual Impacts*

Impacts would be less than significant.

## NEPA Impact Determination

Because Alternative 2 would be identical to the NEPA Baseline in terms of land use, it would result in no impact.

### *Mitigation Measures*

No mitigation is required.

### *Residual Impacts*

There would be no impacts.

### 3.8.4.4 Summary of Impact Determinations

Table 3.8-1 presents a summary of the CEQA and NEPA impact determinations of the Proposed Project and alternatives related Land Use and Planning, as described above. This table is meant to allow easy comparison between the potential impacts of the Project and alternatives with respect to this resource. Identified potential impacts may be based

1 on federal, state, or City significance criteria; LAHD criteria; and the scientific judgment  
2 of the report preparers.

3 For each impact threshold, the table describes the impact, notes the CEQA and NEPA  
4 impact determinations, describes any applicable mitigation measures, and notes the  
5 residual impacts (i.e., the impact remaining after mitigation). All impacts, whether  
6 significant or not, are included in this table.

#### 7 **3.8.4.5 Mitigation Monitoring**

8 In the absence of significant impacts associated with land use, mitigation measures are  
9 not required.

### 10 **3.8.5 Significant Unavoidable Impacts**

11 No significant unavoidable impacts to land use would occur as a result of construction or  
12 operation of the Proposed Project or any of the alternatives.

**Table 3.8-1: Summary Matrix of Potential Impacts and Mitigation Measures for Land Use Associated with the Proposed Project and Alternatives**

Alternative	Environmental Impacts	Impact Determination	Mitigation Measures	Impacts after Mitigation
Proposed Project	<b>LU-1:</b> Would the Proposed Project physically divide an established community?	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant		NEPA: Less than significant
	<b>LU-2:</b> Would the Proposed Project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental impact?	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant		NEPA: Less than significant
Alternative 1 – No Project	<b>LU-1:</b> Would Alternative 1 physically divide an established community?	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Not applicable		Mitigation not applicable
	<b>LU-2:</b> Would Alternative 1 cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental impact?	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Not applicable		Mitigation not applicable
Alternative 2 – No Federal Action	<b>LU-1:</b> Would Alternative 2 physically divide an established community?	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: No impact		No mitigation is required.
	<b>LU-2:</b> Would Alternative 2 cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental impact?	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: No impact		No mitigation is required.