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# **FINAL APPLICATION SUMMARY REPORT**

## **World Oil Terminals Tank Installation Project**

Applicant: Ribost Terminals, LLC dba World Oil Terminals  
Harbor Development Permit Application 19-066



Port of Long Beach  
415 West Ocean Boulevard  
Long Beach, California 90802

**September 2024**

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## **APPLICATION SUMMARY REPORT**

### **PREPARED IN ACCORDANCE WITH THE CERTIFIED PORT MASTER PLAN AND CALIFORNIA COASTAL ACT OF 1976**

This Application Summary Report is prepared in accordance with the certified Port of Long Beach Master Plan (Port Master Plan) as amended, and the California Coastal Act of 1976. Based on the analysis contained herein, the proposed World Oil Tank Installation Project conforms to the stated policies and goals of the Port Master Plan.

This document was circulated for public review and the staff recommendations provided in this Application Summary Report are subject to adoption by the Long Beach Board of Harbor Commissioners.

ISSUED FOR PUBLIC REVIEW: October 25, 2023 – December 15, 2023

BY: DIRECTOR OF ENVIRONMENTAL PLANNING:

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Renee Moilanen

APPLICATION SUMMARY REPORT ADOPTED ON: \_\_\_\_\_

BY: CITY OF LONG BEACH BOARD OF HARBOR COMMISSIONERS

Harbor Development Permit Application 19-066

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# 1. Introduction

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This Application Summary Report is prepared pursuant to the Port of Long Beach Guidelines for Implementation of the certified Port Master Plan (Ordinance HD-1701) (POLB, 1996) (Implementation Guidelines), which provides the necessary procedures, objectives, and criteria for the implementation of the certified Port Master Plan in accordance with the provisions of the California Coastal Act (Coastal Act).

Pursuant to the requirements established by the Coastal Act, the California Coastal Commission (CCC) granted coastal permitting authority for the issuance of Coastal Development Permits (CDP) within the Long Beach Harbor District to the Port's Board of Harbor Commissioners (BHC).

In addition to the CDP requirement, Long Beach City Charter Section 1215 provides that:

*No person or persons shall construct, extend, alter, improve, erect, remodel or repair any pier, slip, basin, wharf, dock or other harbor structure, or any building or structure within the Harbor District without first applying for and securing from the Commission a permit so to do, in accordance with the rules and regulations adopted by it. In approving or denying the right to said permit, the Commission shall consider the application therefor, the character, nature, size and location of the proposed improvement and exercise a reasonable and sound discretion during said consideration.*

In implementing the Long Beach City Charter and CCC requirements, the BHC adopted Resolution HD-1234 on October 12, 1982, amending the Implementation Guidelines establishing a consolidated building permit under Section 1215 of the Long Beach City Charter and CDP, termed a Harbor Development Permit (HDP or permit).

In accordance with Section 30715.5 of the Coastal Act, and Section 3 of the Implementation Guidelines, the Long Beach BHC shall not approve or grant an application for a permit for any public or private development within the Harbor District unless a determination has been made by the BHC or, where authorized by the Implementation Guidelines of the Certified Port Master Plan, by the Director of Planning that either (1) the development conforms with the certified Port Master Plan or (2) the development is exempt from the provisions of the Coastal Act and the applicant is otherwise required to obtain a permit from the BHC pursuant to Section 1215 of the Long Beach City Charter.

As discussed in this Application Summary Report, the proposed Project conforms to the stated policies of the certified Port Master Plan, as amended and the Coastal Act. This Application Summary Report is circulated for public review; the staff recommendations, including the special conditions for issuance of the HDP are subject to approval by the Board of Harbor Commissioners.

## 2. Incorporated by Reference

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This Application Summary Report has been prepared in conjunction with the Environmental Impact Report (EIR) for the proposed Project pursuant to the California Environmental Quality Act. The EIR includes detailed discussion of the significant features of the proposed development, maps, photographs, and analysis of the potential environmental impacts associated with construction and operation of the proposed Project. The EIR for the proposed Project is hereby incorporated by reference:

POLB, 2024. Environmental Impact Report. World Oil Tank Installation Project. Port of Long Beach. Available at: <https://www.polb.com/cega>.



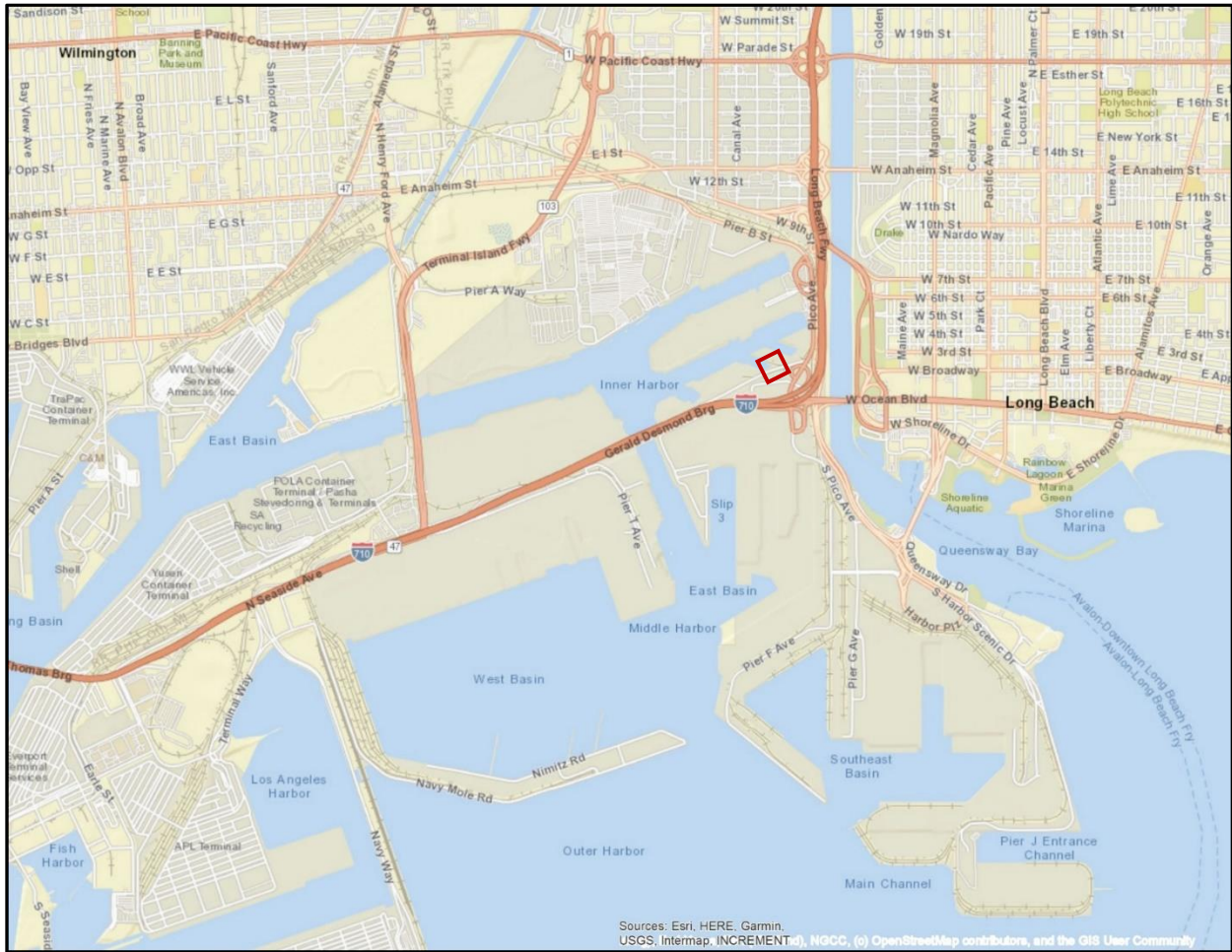
### 3. Summary of the Proposed Project

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Ribost Terminal LLC, doing business as (dba) World Oil Terminals (Ribost) submitted an Application for a Harbor Development Permit with the Port of Long Beach (POLB) on August 14, 2019, to construct and operate the World Oil Tank Installation Project (proposed Project). The proposed Project is located within the existing Ribost Terminal at 1405 Pier C Street, Long Beach, California, which is privately owned and operated by Ribost. Figure 3-1 depicts a map of the Project site within the regional context of the vicinity.

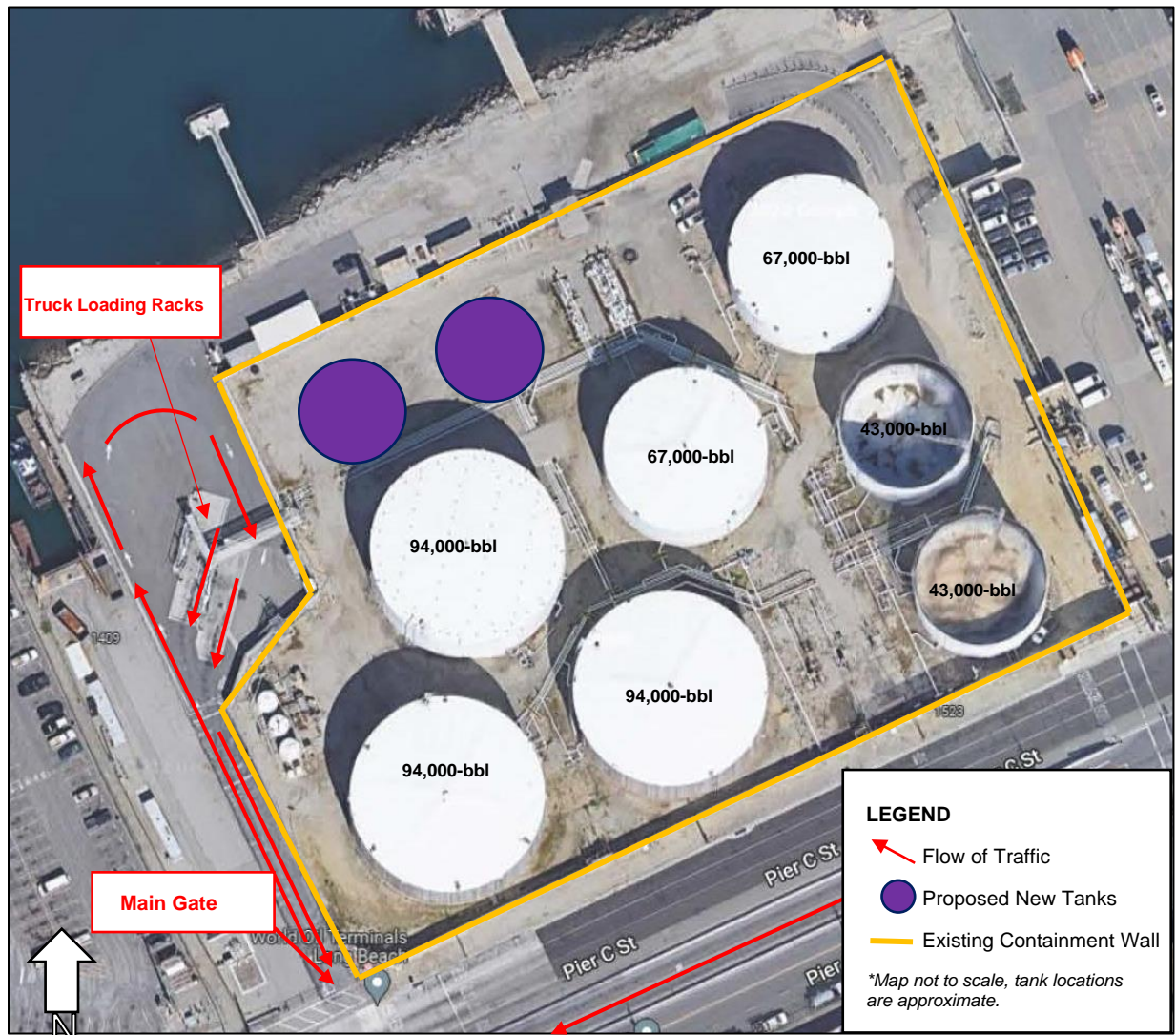
Ribost proposes to construct and operate two new 25,000-barrel (bbl) internal floating roof petroleum storage tanks in the northwest corner of the existing approximately 12.5 to 13-feet high containment wall. The Ribost Terminal contains seven existing petroleum tanks within the containment wall; two tanks have a capacity of approximately 43,000 bbl each, two have a capacity of approximately 67,000 bbl each, and three have a capacity of approximately 94,000 bbl each, for a total storage capacity of 502,000 bbl. Currently, four of the seven tanks are available for lease to Ribost's customers for storage of marine fuels and marine fuel blending components. Three of the seven existing tanks are dedicated to Ribost Terminal operations and contain crude oil. The two new smaller tanks would replace two currently underutilized, larger tanks that store crude that is transported to and from World Oil Refining in South Gate. World Oil Refining purchases crude from Ribost Terminal. The two existing underutilized tanks would then be available for lease by customers for storage of marine fuels and marine fuel blending components, as is currently done at the facility. The new tanks would be connected to existing utilities, such as electrical lines and petroleum piping. No new pipelines, truck loading racks, or other facility modifications are proposed at Ribost Terminal at Pier C or at other facilities as part of the proposed Project. Figure 3-2 depicts the Project site with the proposed tank locations, access routes, and construction staging area.

1 **Figure 3-1. Project Vicinity – World Oil Tank Installation Project**



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1 **Figure 3-2. Project Site Plan – World Oil Tank Installation Project**



## 2 3.1 Site History

4 The existing 6-acre site at 1405 Pier C Street has been privately owned and operated as a petrol-  
 5 eum storage facility since 1964. The property was originally owned and operated by Powerine Oil  
 6 Company from 1964 to 1983. From 1964 to 1983, Powerine also leased approximately 2.5 acres  
 7 of Port-owned property immediately to east of the Powerine-owned property, which contained two  
 8 additional 35,000-barrel (bbl) tanks. In 1983, Ribost purchased the 6-acres of land from Powerine  
 9 and leased it back to Powerine from February 1983 to December 1996, at which point Ribost  
 10 assumed operational control. The two 35,000 bbl tanks to the east of the site located on Port-  
 11 owned land were removed in 1995. The 2.5 acres of Port-owned property adjacent to the existing  
 12 6-acre site is currently leased by SSA Terminal, LLC and is not part of the proposed Project nor  
 13 is Ribost seeking to utilize or develop the Port-owned land.

## **3.2 Related Previous Applications and Approvals**

On August 14, 2019, HDP Application 19-066 was submitted by Ribost for the Project on Pier C; the application was deemed complete by the POLB on October 23, 2019. The POLB prepared and issued a Draft Initial Study/Negative Declaration (IS/ND) and Application Summary Report for the proposed World Oil Tank Installation Project for public review and comment from October 7, 2020 through November 20, 2020 (State Clearinghouse #2020100119). The Draft IS/ND concluded that the proposed Project would not have any significant effects on the environment and that no mitigation measures are required. Substantial public comments were received on the Draft IS/ND. A Notice of Intent to Adopt the Final IS/ND, including responses to comments received on the Draft IS/ND, was issued in September 2021. Pursuant to State CEQA Guidelines 15074(b) and Section 6.7 of the Guidelines for Implementation of the Certified Port of Long Beach Master Plan, the Board of Harbor Commissioners held a public hearing and adopted the Final IS/ND and approved issuance of HDP 19-066. The Board of Harbor Commissioners' determination was appealed to the Long Beach City Council pursuant to Long Beach Municipal Code Section 21.21.507. Prior to the Long Beach City Council's appeal hearing in January 2022, Ribost stipulated that an EIR be prepared by the Port for the proposed Project. The City Council dismissed the appeal hearing.

## 4. Summary of Staff Recommendation

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Staff recommends that the Board of Harbor Commissioners approve Level III HDP 19-066 in accordance with Section 1215 of the Long Beach City Charter and the certified 1990 Port of Long Beach Port Master Plan, as amended, and conditioned pursuant to the staff recommendation. Chapter 8, Section 30715 of the CCA and Section 13.1 of the Guidelines for Implementation of the Certified Port of Long Beach Master Plan identify categories of projects that may be appealed to the CA Coastal Commission, among which include developments for the storage, transmission, and processing of liquefied natural gas and crude oil in such quantities that would have a significant impact upon the oil and gas supply of the state or nation or both the state and nation. The proposed Project would not increase storage capacity of petroleum fuel in such quantities to have a significant impact upon the oil and gas supply of the state or nation; therefore, the proposed Project is not appealable to the Coastal Commission. (See Section 5.1.2, Coastal Act Chapter 8 Policies (Ports), Section 30715).

# 5. HDP Conditions

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## 5.1 Standard Conditions

The Level III Harbor Development Permit would be subject all Standard Conditions:

1. **Effective Date:** This permit shall not become effective until the ORIGINAL has been returned to the Environmental Planning Division, fully signed by the permittee or agent(s) authorized in the permit application. Failure to return the original within thirty (30) days of approval shall render the permit invalid. Other conditions notwithstanding, if the project is appealable, the permit shall not become effective until after the tenth (10th) working day following notification of approval, unless an appeal has been filed with the California Coastal Commission within that time. By executing this permit, permittee or its agent(s) acknowledge that they have received a copy of the fully-signed permit for its use and post said copy conspicuously at the project site.
2. **Non-Waiver Condition and Assignment:** Nothing in this permit shall be deemed or construed as a waiver of any term or condition contained in permittee lease, preferential assignment, permit, or other agreement with the Long Beach Harbor Commission. This permit shall not be assigned except as provided in the Board of Harbor Commissioners Port Master Plan Implementation Guidelines and in Section 13170 of Title 14 of the California Administrative Code, to the extent applicable.
3. **Permit Expiration:** Work authorized by this permit must commence within two years of the effective date of this permit unless otherwise specified. If work has not commenced, this permit will expire two (2) years from its effective date. Any application for an extension of said commencement date must be made at least thirty (30) days prior to the expiration of this permit.
4. **Compliance with Laws and Regulations:** Permittee shall comply with all laws, statutes, rules, regulations, and orders of all governmental agencies having jurisdiction over the permittee's project. Permittee, at its own expense, shall obtain all requisite permits, approvals, and consents from the appropriate agencies, including but not limited to the City of Long Beach (COLB) Harbor Department, the COLB Development Services, COLB Fire Department, the South Coast Air Quality Management District, the California Department of Health Services, and the Regional Water Quality Control Board, and shall comply with any such permit, approval or consent. Copies of all requisite permits shall be available for inspection at the project site.
5. **Construction Drawings:** Final plans and specifications for construction (hard copies and CADD files in Bentley MicroStation format), incorporating any modifications made by the Harbor Department, shall be submitted to the Environmental Planning Division for review and approval prior to commencement of any portion of the development.
6. **Notification:** Permittee shall notify the Chief Harbor Engineer, in writing, of the anticipated start date of any construction at least ten (10) days in advance.



- 1       7. **Permission from Property Owner:** Permittee shall coordinate with all facilities which may  
2       be affected by the permitted project. Permittee shall not interfere with any facility operations.  
3       Permittee shall contact the Harbor Department Terminal Services Section at 562-283-  
4       7760, or tenantservices@polb.com, for assistance with notifications.
- 5       8. **Subsurface Construction Activities:** Permittee shall contact Underground Service Alert  
6       of Southern California (dig-alert at 811) before any excavation begins, a minimum of two  
7       (2) working days NOT including the date of notification prior to digging. Permittee shall  
8       conduct all subsurface work in accordance with Section 306 – Underground Conduit  
9       Construction of the latest edition of Standard Specifications for Public Works Construc-  
10      tions (The “Green Book”) unless otherwise noted herein. Permittee shall be responsible  
11      for all damage to underground structures and utility lines occurring as a result of project  
12      construction and shall restore all ground surfaces disturbed by excavation to original  
13      conditions per POLB Standard U-4. This includes, but is not limited to, irrigation lines,  
14      water main lines, underground conduit, and surface landscaping. The alignment of any  
15      underground utilities that must be relocated as a result of the permitted project must be  
16      approved by the Director of Environmental Planning and the utility owner. Permittee,  
17      except as otherwise provided for or agreed to, is responsible for any costs associated with  
18      repairing, replacing, or relocating underground or surface utilities or landscaping disturbed  
19      or destroyed during the permitted project.
- 20      9. **Conduct of Work:** Permittee shall perform all work in strict accordance with the plans and  
21      specifications approved by the Harbor Department Environmental Planning Division. For  
22      project site preparation and construction activities the permittee shall utilize appropriate  
23      best management practices to minimize dust without release of pollutants into harbor  
24      waters. Distribution and/or removal of surplus materials (fills, dirt, broken asphalt, etc.)  
25      generated by the construction on property under the jurisdiction of the Harbor Commission  
26      must have prior approval of the Chief Harbor Engineer, or his/her designee.
- 27      10. **As-Built Drawings and Specifications:** As-built drawings and specifications for con-  
28      struction within the Harbor District (hard copies and CADD files in digital format) shall be  
29      submitted to Port of Long Beach Inspection at (562) 283-7218 or inspection@polb.com  
30      within thirty (30) days of the completion of work. Except in the case of underground work,  
31      final construction drawings may serve as as-built provided (i) a set of such drawings are  
32      submitted and stamped "as-built", (ii) such drawing clearly identify the item by accurate  
33      note such as “electrical duct bank”, “water”, etc. and (iii) such drawings show by symbol  
34      or note, the vertical location of the item. For underground work, permittee shall submit to  
35      the Port of Long Beach Inspection, within thirty (30) days of completion of the work, two  
36      (2) sets of as-built drawings and survey notes, signed and stamped by a licensed surveyor  
37      who shall certify to the accuracy of the horizontal and vertical positions of underground  
38      alignments and structures in California Coordinate System of 1983 (CCS’83) Zone 5  
39      coordinates, 2007.00 epoch, in feet and elevations in NGVD’29 Mean Lower Low Water  
40      (MLLW) in feet. For horizontal and vertical control within the Harbor District contact the  
41      Port Survey Division (562) 283-7203. Digital data shall be in CADD format along with an  
42      .ascii file including pt. number, northing, easting, elevation, and description with comma  
43      delimiters.

11. **Traffic Management:** For all projects that impact Harbor Department roads, permittee shall submit for approval a Traffic Control Plan. Permittee shall comply with all traffic warning and control devices, signs, and plans described in the Work Area Traffic Control Handbook or the Manual on Uniform Traffic Control Devices (MUTCD) 2003 California Supplement. At least 10 business days in advance of implementing traffic control measures the permittee shall contact TrafficControl@polb.com and 562-283-7850 to coordinate lane closure dates and hours of work. Permittee shall indicate the Harbor Development Permit number in the subject and body of your email.
12. **Non-Compliance Penalties:** Violation of any provision or condition in this permit shall constitute grounds for revocation of this permit and shall render the permittee liable for civil penalties of up to \$10,000.00. Any person who willfully and knowingly conducts work in the Harbor District in violation of the Port Master Plan Guidelines shall be liable for civil penalties of \$5,000.00 per violation per day.
13. **Regulated Substance:** If during the course of the permitted project permittee shall discover or have reason to believe that regulated substances, including but not limited to hazardous wastes or extremely hazardous wastes as those terms are or have been defined by the administrator of the Environmental Protection Agency, the California Department of Toxic Substances Control, or any other person or agency having jurisdiction over such materials, permittee, at permittee's sole cost and expense, shall: (i) promptly notify the Director of Environmental Planning of the permittees discovery or belief; (ii) at the request of the Director of Environmental Planning, initiate chemical and or physical characterization of the regulated substance, (iii) upon request, provide access to authorized representatives of the Director of Environmental Planning for independent characterization of the regulated substance; (iv) upon receipt of all characterization results, provide copies of all such characterization results to the Director of Environmental Planning; (v) develop and submit for approval to the Director of Environmental Planning a plan for the appropriate management of the regulated substances; (vi) implement that management plan in accordance with the regulations and orders of the governmental agencies having jurisdiction; (vii) if removed, replace the regulated substances with appropriate material approved by the Director of Environmental Planning; and (viii) promptly submit copies of records documenting the appropriate management of the regulated substance to the Director of Environmental Planning consistent with the applicable management plan.
14. **Indemnity:** Permittee shall indemnify, defend (with counsel acceptable to the Harbor Department), and hold harmless, the Harbor Department from and against any and all actions, suits, proceedings, claims, demands, damages, losses, liens, costs, expenses, or liabilities of any kind and nature whatsoever which may be brought, made, filed against, imposed upon, or sustained by the Harbor Department, arising from, attributable to, caused by, in connection with, or pertaining to the activities described in this permit, except to the extent such claims are caused by the negligence or willful misconduct of the Harbor Department.



- 1 15. **Commencement of Work:** Permittee shall notify Port of Long Beach Inspection at (562)  
2 283-7218 or [inspection@polb.com](mailto:inspection@polb.com) a minimum 48 hours in advance of commencement of  
3 work or continuation after stoppage of work for 48 hours or more.

## 4 **5.2 Special Conditions**

5 Issuance of the HDP for the proposed Project is subject to the following special conditions:

### 6 **SC-AQ-1. Air Quality Best Management Practices:**

- 7 1. **Fuels Used in Construction Equipment.** Any on-road or off-road diesel engines used in  
8 construction activities must use fuels that comply with the California Air Resources Board  
9 (CARB) regulation for ultra-low sulfur diesel fuel (15 parts per million or less) (Title 13,  
10 California Code of Regulations, Section 2281) and/or the CARB Low Carbon Fuel  
11 Standard Regulation (Title 17, California Code of Regulations, Sections 95480-95503).
- 12 2. **Off-Road Construction Equipment.** All off-road construction equipment shall meet the  
13 United States Environmental Protection Agency (EPA) Tier 4 Final off-road engine  
14 emission standards. At least 10 days prior to equipment use on-site, Permittee shall  
15 submit to the Port of Long Beach Director of Environmental Planning via electronic mail  
16 to: [HDPDesk@polb.com](mailto:HDPDesk@polb.com), documentation showing the following:
- 17 a) Engine horsepower, make, and model, and serial number;
- 18 b) Current EPA/CARB engine certification or manufacturer specifications showing the  
19 certified engine emission/tier level;
- 20 c) Any emission control devices installed, including, but not limited to diesel oxidation  
21 catalysts and/or diesel particulate filters/traps.
- 22 3. **On-Road Heavy Duty Trucks.** All on-road, heavy-duty trucks used to transport con-  
23 struction materials to and from the Project site shall meet EPA 2010 on-road, heavy-duty  
24 diesel engine emission standards. Diesel-fueled commercial vehicles licensed for opera-  
25 tion on highways with a gross vehicle weight rating greater than 10,000 pounds that  
26 access the Project site shall not idle for more than five (5) minutes at any location (Title  
27 13, California Code of Regulations, Section 2485). Prior to arriving on-site, Permittee shall  
28 submit to the Port of Long Beach Director of Environmental Planning via electronic mail  
29 to: [HDPDesk@polb.com](mailto:HDPDesk@polb.com), documentation showing the following:
- 30 a) Truck company name; make, model of truck, and vehicle identification number;
- 31 b) EPA/CARB truck engine certification indicating truck meets or exceeds 2010 EPA  
32 on- road, heavy-duty diesel engine emission standards;
- 33 c) Any emission control devices installed, including, but not limited to diesel oxidation  
34 catalysts and/or diesel particulate filters/traps; and

d) Proof of compliance that the truck fleet of the companies, including subcontractors, from which on-road trucks are hired or dispatched for the Project are in compliance with the CARB Truck and Bus Regulation by providing one of the following documents:

a. Truck and Bus Regulation Reporting Certificate printed from CARB website - see <https://ww3.arb.ca.gov/msprog/onrdiesel/documents/printcert.pdf>.

b. Written statement from the truck fleet owner that verifies that they are aware of the CARB Truck and Bus regulation (Title 3, California Code of Regulations, Section 2025) and their fleet is in compliance with the engine model year schedule specified in the Truck and Bus Regulation.

4. **Portable Diesel-Fueled Engines and Equipment.** Permittee shall obtain the appropriate permits to operate from the South Coast Air Quality Management District or Portable Equipment Registration Program (PERP) from for any portable diesel-fueled equipment with engines with 50 horsepower or more and plasma arc-cutting or laser cutting equipment rated more than 400 watts used to cut stainless steel and batch mixers with a brimful capacity of more than 55 gallons (7.35 cubic feet) (SCAQMD Rule 219, Sections e (8) and k(1)). Permittee shall post said copy conspicuously at the project site.

5. **Fugitive Dust Control During Construction Activities.** The generation of airborne dust particles shall be prevented in accordance with SCAQMD Rule 403 – Fugitive Dust. Track-out of bulk material onto public or paved roadways shall be prevented; such material shall be removed any time track-out occurs. All visible roadway dust tracked-out upon public paved roadways shall be removed at the conclusion of each work day.

#### **SC-WQ-1. Stormwater Best Management Practices:**

1. At least 10 days prior to the commencement of construction activities, permittee shall complete and submit the Port of Long Beach Stormwater Best Management Practices (BMP) Checklist to the Director of Environmental Planning via electronic mail at [HDPdesk@polb.com](mailto:HDPdesk@polb.com). The Stormwater BMP Checklist is available on the Port of Long Beach website at [www.polb.com/hdp](http://www.polb.com/hdp).

2. To control runoff during construction activities, permittee shall implement stormwater BMPs, as appropriate, as described in the Stormwater BMPs Handbook developed by the California Stormwater Quality Association (CASQA).

3. During construction activities, if trash cans and portable toilets are used on-site, permittee shall ensure all trash cans and/or dumpsters have lids and remain covered and that containment pans shall be installed below all portable toilets.

**SC-BR-1. Nesting Bird Surveys:**

1. To prevent taking active bird nests during the nesting season (approximately February 1 through August 31), the following measures shall be implemented by the Permittee as appropriate:
  - Prior to the onset of construction activities (i.e., mobilization, staging, demolition, or heavy plant trimming) during the nesting season, the Applicant shall retain a qualified avian biologist to conduct pre-construction surveys in all areas located within 300 feet of the Project area. The required survey dates may be modified based on local conditions, as determined by the qualified avian biologist.
  - If breeding birds with active nests are found prior to or during construction, the qualified avian biologist will establish a species-appropriate non-disturbance buffer and will periodically monitor the nest during construction activity.
  - During construction within the nesting season, activities will be periodically monitored to ensure that no new nest building occurs within work areas.

**SC-GEO-1. Geotechnical Report and Structural Calculations.**

1. To ensure impacts from ground shaking, liquefaction, unstable soils, and expansive soils would be reduced to the extent feasible, the final Project design shall implement the geotechnical recommendations provided in the Albus-Keefe & Associates Geotechnical Update Report, 2018. The final Project design shall be reviewed for consistency by a qualified geotechnical engineer prior to Project implementation. At least 30 days prior to the start of construction, permittee shall prepare a letter signed by a qualified geotechnical engineer stating that the final Project construction plans correctly incorporate the geotechnical recommendations in the Albus-Keefe & Associated Geotechnical Update Report, 2018. The signed letter shall be submitted to the Director of Environmental Planning, Port of Long Beach Environmental Planning Division, 415 W, Ocean Blvd. Long Beach, CA 90802. The letter may be submitted via electronic mail to: [HDPDesk@polb.com](mailto:HDPDesk@polb.com).

**SC-CalGEM-1. Oil and Gas Wells.**

1. If any wells are damaged or discovered during construction or operation activity permittee shall contact the California Geologic Energy Management Division (CalGEM) Southern District to obtain requirements and approval to perform remedial operations. The CalGEM Southern District may be reached at (562) 637-4400 or via email [CalGEMSouthern@conservation.ca.gov](mailto:CalGEMSouthern@conservation.ca.gov).

## 6. Applicable Policies

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This Application Summary Report provides an analysis of the proposed Project's conformance with and applicability to the policies and goals in the CCA and the certified PMP.

### 6.1 Consistency with California Coastal Act Policies

Pursuant to the Coastal Act, the Coastal Zone includes all areas within 3 miles seaward and approximately 1,000 yards inland, depending upon the level of existing inland development. Chapter 3 of the Coastal Act provides the standards by which the adequacy of local coastal programs is determined, while Chapter 8 of the Coastal Act governs California ports, including the POLB, and recognizes the ports as primary economic and coastal resources that are essential elements of the national maritime industry (Section 30701[a]). The following is a discussion of applicable Coastal Act policies and appropriate Project-related information.

#### 6.1.1 Coastal Act Chapter 3 (Coastal Resources Planning and Management Policies)

Chapter 3 of the CCA applies to any projects in a port master plan listed in Section 30715 (appealable projects). The specific policies of Chapter 3 would not apply because the proposed Project at the existing Ribost Terminal on Pier C is not among the appealable project categories in Section 30715 of Chapter 8 of the CCA, as further discussed in Section 5.1.2.

#### 6.1.2 Coastal Act Chapter 8 Policies (Ports)

Chapter 8 of the Coastal Act recognizes California ports, including the POLB, as primary economic and coastal resources that are essential elements of the national maritime industry (Section 30701[a]). The Coastal Act policies governing ports in Chapter 8 sections of the Coastal Act are listed below and their relationship to the proposed Project are discussed.

##### **Section 30702. Port-Related Developments.**

Port-related developments consistent with coastal protection in the port areas to which Chapter 8 applies, which require no CCC permit after certification of a port master plan and which, except as provided in Section 30715 of Chapter 8 of the CCA, are not appealable to the California Coastal Commission after certification of a master plan.

The proposed Project would construct two new 25,000-bbl petroleum storage tanks to support existing operations at the Ribost Terminal located in the Northeast Planning District of the Long Beach Harbor District. Section 30702 of the CCA would not apply to the proposed Project because the proposed improvements at the existing terminal are not among the appealable project categories in Section 30715 of Chapter 8 of the CCA (See discussion of Section 30715 that follows).

**Section 30703. California Commercial Fishing Industry.**

Section 30703 of the CCA states that ports shall not eliminate or reduce existing commercial fishing harbor space, unless the demand for commercial fishing facilities no longer exists or adequate space has been provided. Proposed recreational boating facilities within port areas shall, to the extent feasible, be designed and located in such fashion as not to interfere with the needs of the commercial fishing industry. The proposed Project would not involve the elimination, reduction, or use of existing commercial fishing space, nor would the proposed Project involve the development of recreational boating facilities. Therefore, Section 30703 of the Coastal Act is not applicable to the proposed Project.

**Section 30705. Diking, Filling, or Dredging of Water Areas.**

The proposed Project would not involve any diking, filling, or dredging of water areas; therefore Section 30705 of the CCA does not apply to the proposed Project.

**Section 30706. Filling Seaward of Mean High Tide Line.**

The proposed Project would not involve any filling seaward of the mean high tide; therefore Section 30706 of the CCA does not apply to the proposed Project.

**Section 30707. Design and Construction of New or Expanded Tanker Terminals.**

The proposed Project would not involve the development of a new or expansion of a tanker terminal; therefore Section 30707 of the CCA does not apply to the proposed Project.

**Section 30708. Location, Design and Construction of Port-related Developments.**

All port-related developments shall be located, designed, and constructed so as to:

***a) Minimize substantial adverse environmental impacts.***

The EIR prepared pursuant to CEQA finds that the proposed Project would result in less than significant impacts to the environment (POLB, 2024); it would avoid substantial adverse effects on the environment and would therefore be consistent with CCA Section 30708(a).

This Application Summary Report is prepared in conjunction with the EIR prepared in accordance with CEQA for the proposed Project. CEQA requires the Port, as the Lead Agency responsible for issuance of the HDP, to evaluate and disclose the potential environmental impacts of the proposed Project and propose feasible alternatives or mitigation measures that avoid, eliminate, or reduce project-related environmental impacts. EIR Chapter 1 (*Introduction and Project Description*) describes in detail, the history of the site, the physical features of the facility as it exists, and how it is operated. A detailed discussion of the Project's characteristics is provided in Section 1.5, including a description of the Project's construction activities, equipment, schedule, and design. A detailed discussion of the Project's operation and maintenance is provided in EIR Section 1.5.2. EIR Chapter 3 (*Environmental Setting and Project Impacts*) provides detailed discussion of the environmental analyses and significance impacts for each environmental resource area evaluated for the Project.

1                   **b) Minimize potential traffic conflicts between vessels.**

2     Vessel trips are not associated with existing or proposed operations of the Ribost Terminal, nor  
3     would they be associated with construction of the proposed Project. Construction materials would  
4     be transported via regional and local roadways. After implementation of the proposed Project,  
5     crude oil and fuel oils would continue to be shipped through existing pipeline and/or truck loading  
6     racks to and from onsite tanks. No marine transport would be needed. As such, construction and  
7     operational activities would have no effect on marine transport. The proposed Project would be  
8     consistent with CCA Section 30708(b).

9                   **c) Give highest priority to the use of existing land space within harbors for**  
10                   **port purposes, including, but not limited to, navigational facilities, shipping**  
11                   **industries, and necessary support and access facilities.**

12     The proposed two new smaller tanks would be constructed within the vacant northwest corner of  
13     the existing approximately 12.5 to 13-foot tall containment wall at Ribost's petroleum bulk station  
14     and terminal at Pier C. Currently four of the seven tanks are available for lease to customers.  
15     Three existing tanks currently used to store crude oil are dedicated to Ribost Terminal operations.

16     The proposed new smaller tanks would provide more adequate storage capacity for Ribost's  
17     operations and improve the efficiency of terminal operations by allowing the larger underutilized  
18     existing crude tanks to be available for lease by customers. As the proposed Project would  
19     improve existing terminal operations, it would be consistent with CCA Section 30708(c).

20                   **d) Provide for other beneficial uses consistent with the public trust, including,**  
21                   **but not limited to, recreation and wildlife habitat uses, to the extent feasible.**

22     The Project site is located within Harbor Planning District 2 (Northeast Harbor). As described in  
23     the PMP, the primary goals for Planning District 2 are to improve efficiency in cargo movements  
24     and provide better allocation of available primary Port facilities by expansion through acquiring  
25     privately held property (POLB, 1990). Recreational uses are considered inconsistent with the  
26     primary Port development goals of Planning District 2 and therefore are not encouraged in this  
27     district (POLB, 1990). Currently the Project site consists of a gravel area within an existing petrol-  
28     eum bulk station and terminal and does not contain any riparian habitat or other sensitive natural  
29     communities. As the proposed Project would not affect an area that could provide beneficial uses  
30     for the public or suitable wildlife habitat, the proposed Project would be consistent with CCA  
31     Section 30708(d).

32                   **e) Encourage rail service to port areas and multi-company use of facilities.**

33     Rail service is not associated with existing or proposed operations of the Ribost Terminal, nor  
34     would rail service be associated with construction of the proposed Project. The proposed Project  
35     would increase multi-company use of the Ribost Terminal by enabling customers to import/export  
36     petroleum from the Project site via existing pipelines. Therefore, the proposed Project would be  
37     consistent with CCA Section 30708(e).

## Section 30715. Permit Authority; Appealable Approvals

Under the authority delegated by the Coastal Act, as discussed in Section 1, Introduction of this Application Summary Report, the Port issues a permit, termed a "Harbor Development Permit," which consolidates a coastal development permit under the certified PMP and a building permit under the Long Beach City Charter Section 1215.

Chapter 8, Section 30715(a) of the Coastal Act states that following certification of the PMP, the Board of Harbor Commissioners exercises permit authority over any new development contained in the certified PMP. The following categories of development may be appealable to the CCC:

**(1) *Developments for the storage, transmission, and processing of liquefied natural gas and crude oil in such quantities as would have a significant impact upon the oil and gas supply of the state or nation or both the state and nation.***

The Ribost Terminal provides services to store crude and fuel oils which are transmitted to and from the facility by truck and existing pipelines to refineries located at locations beyond the Port. The Ribost Terminal itself does not produce or refine crude oil is providing a service to the oil and gas industry as opposed to being a producer or refiner of crude oil or natural gas. The proposed Project would construct two new 25,000-bbl petroleum storage tanks to support existing operations at the Ribost Terminal, for a total storage capacity of 552,000 bbl. The relatively small size of the proposed storage tanks would not have a significant impact on State or national oil and gas supply. With the proposed Project the terminal would remain one of the smaller petroleum storage facilities in the vicinity. The Kinder Morgan in Carson, CA has a total storage capacity of 5.7 million bbl. Chemoil's terminal in Carson, CA has a total storage capacity of 1.2 million bbl while their Long Beach terminal has a capacity of 502,000 bbl. Marathon Petroleum Terminal on Pier B, Berth B76-B80, in the Long Beach Harbor District has a capacity of 1.8 million bbl. The Phillips 66 Marine Oil Terminal located in the Port of Los Angeles has a total storage capacity of 850,000 bbl.

In addition, World Oil Corp., the parent company to Ribost and Lunday-Thagard Company dba World Oil Refining (World Oil Refining), primarily recycles oil-based waste including used motor oil, antifreeze, and oily wastewater. The waste is recycled into motor oil, marine diesel fuel, new antifreeze, and paving and roofing asphalt blending components. The asphalt blending components are used at World Oil Refining in South Gate, California. World Oil Refining purchases crude from the Ribost Terminal.

The proposed Project would provide additional petroleum storage capacity that would not affect local refinery operations. Refinery processing capacities are constrained by many factors including equipment design capacity, permit conditions, firing rates for combustion sources, and maintenance schedules of the various operating units within a refinery. Refinery processes are not influenced by storage capacity. As such, the proposed Project would have little to no impact on the oil and gas supply of the state or nation and is not appealable under Coastal Act Section 30715(a)(1).

1       **(2)     Waste water treatment facilities, except for those facilities which process waste**  
2       **water discharged incidental to normal port activities or by vessels.**

3     The proposed Project would not involve the development of a new waste water treatment facility.  
4     The Ribost Terminal processes wastewater discharged from normal tank maintenance activities  
5     (tank dewatering and hydrotesting). The wastewater is piped to existing wastewater treatment  
6     storage tanks onsite, treated, sampled, and then discharged to the Los Angeles County Sanitation  
7     District (LACSD) sanitary sewer system in compliance with the facility's LACSD permit. Therefore,  
8     the proposed Project is not appealable under Coastal Act Section 30715(a)(2).

9       **(3)     Roads or highways which are not principally for internal circulation within the**  
10      **port boundaries.**

11    The proposed Project does not involve the construction or modification of roads or highways  
12    which are not principally for internal circulation within port boundaries. Therefore, the proposed  
13    Project is not appealable under Coastal Act Section 30715(a)(3).

14      **(4)     Office and residential buildings not principally devoted to the administration of**  
15      **activities within the port; hotels, motels, and shopping facilities not principally**  
16      **devoted to the sale of commercial goods utilized for water-oriented purposes;**  
17      **commercial fishing facilities; and recreational small craft marina related facilities.**

18    The proposed Project does not involve the construction of office and residential buildings not  
19    principally devoted to the administration of activities within the port; hotels, motels, and shopping  
20    facilities not principally devoted to the sale of commercial goods utilized for water-oriented pur-  
21    poses; commercial fishing facilities; and recreational small craft marina related facilities. Therefore,  
22    the proposed Project is not appealable under Coastal Act Section 30715(a)(4).

23      **(5)     Oil refineries.**

24    The Ribost Terminal is a crude and petroleum product storage site, not a refinery. The proposed  
25    Project does not include the construction and operation of a new oil refinery. Therefore, the  
26    proposed Project is not appealable under Coastal Act Section 30715(a)(5).

27      **(6)     Petrochemical production plants.**

28    The Ribost Terminal is a crude oil and petroleum product storage site, not a petrochemical  
29    production plant. The proposed Project does not include the construction and operation of a new  
30    petrochemical plant. Therefore, the proposed Project is not appealable under Coastal Act Section  
31    30715(a)(6).

## 32    **6.2 Consistency with Port Master Plan**

33    The proposed Project would be located in the Northeast Planning District (District 2) within the  
34    existing Ribost petroleum bulk station and terminal on Pier C. The PMP describes the Northeast  
35    Harbor as the oldest part of the Harbor containing a substantial amount of privately-owned land  
36    and is also where most petroleum storage facilities are concentrated. Permitted uses in District 2  
37    include primary Port facilities, Port related industries and facilities, hazardous cargo facilities,  
38    ancillary Port facilities, oil production, and navigation (POLB, 1990). The proposed Project would  
39    operate under the hazardous cargo facility category which is defined in the PMP as those involving  
40    operations and terminals engaged in the loading/unloading, storage and transfer of crude, and



bulk refined petroleum products and chemicals. As described below, the proposed construction and operation of two new petroleum storage tanks within the existing terminal would be consistent with the overall goals and objectives of the 1990 PMP as well as the Northeast Harbor District.

## **6.2.1 Port Development Goals**

The 1990 Certified Port Master Plan identifies six long-range planning goals and objectives for developing Port policies involving future Port development and expansion. The following is a discussion of the proposed Project's applicability to the goals.

### **Goal 1: Consolidate Similar and Compatible Land and Water Areas**

This goal seeks to consolidate Recreation/Tourist activities away from primary Port uses to maximize the efficiency of Port activities. The objectives of Port Development Goal 1 are to separate hazardous cargo from non-compatible vulnerable resources, augment and consolidate recreational and tourist activities in the Queensway Bay Planning District, and consolidate, as much as possible, land-based activities associated with Outer Continental Shelf (OCS) exploratory drilling, and/or supply operations. The Project site is located in the Northeast Planning District (District 2) which does not include recreational facilities as a permitted use. Therefore, the proposed Project would have no effect on, nor impede with, the Port development goal to consolidate similar and compatible land and water areas.

### **Goal 2: Encourage Maximum Utilization of Facilities**

The Port is faced with the scarcity of existing vacant land, requiring the Port to maximize the use of its terminal facilities with the goal of increasing cargo throughput. The objectives of Port Development Goal 2 are to promote multiple cargo uses at terminals, consistent with the PMP and Risk Management Plan (RMP), rehabilitate and modernize under-utilized terminal facilities, redevelop sites that are not dependent on access to water frontage to increase "primary" Port uses, and improve the efficiency of cargo handling facilities. The Project site is privately owned and operated by Ribost. The proposed Project would improve the efficiency of terminal operations by constructing and operating two new smaller tanks in the vacant northwest corner of the existing approximately 12.5 to 13-foot tall containment wall. The new smaller tanks would provide more adequate storage capacity for Ribost's operations by moving the crude oil currently stored for World Oil Refining, the paving/roofing asphalt refinery in South Gate, CA. Two of the three larger underutilized crude tanks would then be available to lease by customers for storage of marine fuels and marine fuel blending components, as is currently done for four of the existing tanks at the facility. As such, the objectives of Port Development Goal 2 to maximize underutilized terminal facilities and to improve the efficiency of cargo handling facilities would be met by the proposed Project.

### **Goal 3: Improve Internal Circulation Involving Roadways and Rail**

This goal seeks to improve internal roadways, major arterials, and rail movements serving the Port to accommodate the projected growth in container volumes. The objectives of Port Development Goal 3 are to actively pursue implementation of the Consolidated Transportation Corridor Plan (Alameda Corridor), pursue Port access demonstration projects, encourage on-dock double

stack trains, and provide additional rail and highway access to Terminal Island. The proposed Project would have no effect on, nor impede with, the Port development goal to improve internal circulation involving roadways and rails. Rail service is not associated with proposed construction or operation of the proposed Project and, as further discussed in the Transportation Element section, any increase in truck trips during construction or operation would have negligible effects on transportation. Therefore, the Project would not conflict with Port Development Goal 3.

#### **Goal 4: Provide for the Safe Cargo Handling and Movement of Vessels within the Port**

This Goal seeks to focus on “anticipated” projects and their relationship to future vessel activity, ship navigation, and accommodating larger vessel size by deepening channels and basins to accommodate supertanker and post-panamax vessels (>5,000 TEU capacity) and concentrate public small-craft marina facilities in the Queensway Bay Planning District to minimize vessel hazards. Vessel trips are not associated with existing or proposed operations of the proposed Project, nor would they be associated with construction of the proposed Project. Construction materials would be transported via regional and local roadways and terminal operations involve product transfer via on-road transport truck and existing pipeline. As such, construction and operation of the proposed Project would have no effect on the safe handling of cargo and/or movement of vessels within the Port and therefore, would not conflict with Port Development Goal 4.

#### **Goal 5: Develop Land for Primary Port Facilities and Port-Related Uses**

Goal 5 indicates the need to expand Port facilities to meet future cargo demands by maximizing the efficiency of existing land. The Goal’s objectives are to intensify existing development, create “minor” landfills when necessary, enhance areas outside the Harbor District that are entrusted to the Port for international trade, and evaluate and mitigate seismic and geologic hazards as necessary. The proposed Project would construct and operate two new tanks within the vacant northwest corner of the existing petroleum bulk station and terminal. The new smaller tanks would maximize the efficiency of terminal operations by providing the adequate storage capacity for World Oil Refining in South Gate, CA, while also making more tanks available for lease by Ribost’s customers. Therefore, the proposed Project would be consistent with the objectives to intensify existing development and to redevelop existing land within the Northeast Planning District, with the goal of maximizing the efficiency of existing land.

#### **Goal 6: Protect, Maintain, and Enhance the Overall Quality of the Coastal Environment**

Port Development Goal 6 aims to balance the Port’s service as an international port with the demands for a cleaner and visually aesthetic environment. The Goal’s objectives are to minimize view obstruction and improve the visual quality at the entry and within the boundaries of the Port, implement the Harbor Beautification Plan that aesthetically “unifies” the Port, provide an attractive landscaping buffer separating the recreational waterfront area from Port industrial areas, promote quality recreational and tourist activities in the Queensway Bay Planning District, and create a fish and wildlife habitat mitigation bank of credits for proposed landfill projects. The two new tanks would be constructed within the existing approximately 12.5 to 13-foot high containment wall and

would be smaller than the existing tanks, and therefore would blend in with the existing seven tanks on-site. As such, the proposed Project would be consistent with the objectives to minimize view obstruction within the boundaries of the Port, with the goal of balancing Port operations with a cleaner and visually aesthetic environment.

## **6.2.2 Port Master Plan Elements**

The certified Port Master Plan provides guidance and direction for policy and business decisions affecting the future growth and development of the Port. The six plan elements of the certified Port Master Plan are: (1) Public Access, Visual Quality, and Recreation/Tourist; (2) Navigation; (3) Environmental; (4) Transportation/Circulation; (5) Intermodal Rail Facilities; and (6) Oil Production and Operations. The proposed Project's consistency and/or applicability with each Element's goals is discussed in this section.

### **1. Public Access, Visual Quality, and Recreation/Tourist Element**

The Northeast Planning District is not among the Port planning districts where recreational uses are generally found or permitted. The majority of the Port's public and commercial recreational activities are located to the south of the proposed Project, by design, within the Queensway Bay Planning District. The Queensway Bay Planning District serves as a buffer between the higher-industrialized inner Port complex and the waterfront recreation activities of the Port and the City of Long Beach. As such, the planning goals of the Public Access, Visual Quality, and Recreation/Tourist Element of the Port Master Plan are not applicable to the proposed Project.

### **2. Navigation Element**

The Navigation Element of the certified Port Master Plan primarily focuses on navigational procedures and operational and physical constraints governing the maneuvering of vessels for existing and proposed vessel activities within the Port. The proposed Project does not involve any improvements or modifications to the existing physical configuration of channels, turning basins, and/or berths, nor is marine transport associated with the proposed Project. Therefore, the planning goals of the Navigation Element are not applicable to the proposed Project.

### **3. Environmental Element**

The Environmental Element identifies specific issues of concern regarding Port development and operations, which include air quality, habitat preservation/marine mitigation, hazardous waste, and permit processing. Below lists the specific issue of concern, the planning goal, and describes recommendations/implementation program to achieve each goal.

#### **Issue of Concern: Air Quality**

##### **Goal 1: Minimize pollutant levels from existing and future sources**

Goal 1 of the Environmental Element recommends that, whenever feasible, mitigation measures should be imposed as permit conditions to ensure that excessive air pollution resulting from construction/demolition projects be minimized. To achieve Goal 1, it is recommended that idling of construction equipment and vehicles be limited, utilize electric dredges whenever possible,

1 implement a watering program to minimize fugitive dust, use low sulfur fuel, and implement air  
2 monitoring programs when hazardous air emissions may be encountered.

3 The Draft EIR, Section 3.1 Air Quality and Health, starting at page 3.1-1 provides discussion and  
4 analysis of the potential impacts to air quality and health risk associated with construction and  
5 operation of the proposed Project. Maximum daily criteria pollutant emissions associated with  
6 significance thresholds (POLB, 2023, Table 3.1-7 at page 3.1-14 and Table 3.1-10 at page 3.1-20).  
7 In addition, the maximum incremental health risks associated with the proposed Project would be  
8 below significance thresholds (POLB, 2023, Table 3.1-9 at page 3.1-16). The new tanks would be  
9 required to obtain SCAQMD permits to operate (PTO) and comply with all applicable SCAQMD  
10 rules and regulations, including, but not limited to Reducing VOC emissions from storage tanks  
11 and fugitive components (Rule 463 (Organic Liquid Storage), Rule 1149 (Storage Tank Cleaning  
12 and Degassing), and Rule 1173 (Control of VOC Leaks and Releases from Components at  
13 Petroleum Facilities and Chemical Plants)). Construction activities would be required to comply  
14 with SCAQMD Rule 403 (Fugitive Dust) to minimize daily construction emissions. Construction  
15 and operation activities would also comply with California Air Resources Board (CARB) regula-  
16 tions limiting the idling time to five minutes for diesel-fueled trucks. Special conditions would be  
17 applied to the HDP which would require construction equipment operating at the site to comply  
18 with the United States Environmental Protection Agency Tier 4 non-road engine standards. In  
19 addition, during operation of the Project, heavy-duty trucks calling at the facility would be required  
20 to comply with the Port's Clean Trucks Program (CTP), which currently requires any new drayage  
21 trucks registered in the Port Drayage Truck Registry (PDTR) to be model year 2014 or newer.  
22 Currently, all trucks dedicated to Ribost operations comply with the CTP and are registered in the  
23 PDTR. All new trucks registering in the PDTR would be required to comply with all current, new,  
24 or updated, requirements of the CTP. Therefore, the proposed Project does not conflict with Goal  
25 1 of the Environmental Element.

## 26 **Issue of Concern: Habitat Preservation/Marine Mitigation**

### 27 **Goal 2: Minimize habitat loss within Port boundaries**

28 The Port seeks to minimize habitat losses within its boundaries whenever possible. Since there  
29 are no natural terrestrial habitats which are of significant value, most efforts in this area are  
30 focused on marine habitat. Goal 2 of the Environmental Element recommends obtaining mitigation  
31 credits prior to or concurrent with the development of the minor landfill projects and continue to  
32 investigate suitable mitigation projects for anticipated "minor" and long-term landfill projects.

33  
34 The proposed Project does not involve landfill development and there would be no in-water or  
35 over-water construction activity. In addition, normal operations of the terminal do not involve  
36 vessel activity to which marine habitat would be impacted. The Project site is a privately owned  
37 and operated active petroleum bulk station and terminal. The proposed Project involves con-  
38 structing and operating two new petroleum storage tanks in the northwestern corner of the existing  
39 12.5 to 13-foot high containment wall. A site visit of the Ribost Terminal was conducted in 2020,  
40 and again in 2022 to confirm the assessment remained the same as observed in 2020. The  
41 Project area is covered by gravel or paved with concrete with patches of invasive grasses and  
42 herbaceous weeds and lacks suitable habitat for wildlife. Therefore, the proposed Project does  
43 not conflict with Goal 2 of the Environmental Element.

**Issue of Concern: Hazardous Waste**

**Goal 3: Identify and remediate soil and groundwater contamination within the Harbor District**

In anticipation of projects, the Port conducts soil and groundwater assessments in order to determine the types and amounts of hazardous wastes, if any, which exist throughout the Harbor District. Goal 3 of the Environmental Element recommends the development of a Hazardous Material Auditing Program to identify possible hazardous wastes throughout the Harbor District and monitoring MARPOL regulations to determine their impacts on the Port of Long Beach.

The Ribost Terminal is a privately owned and operated petroleum bulk station and terminal and is not listed on the Department of Toxic Substances Control (DTSC) Hazardous Waste and Substances Site (Cortese) List (DTSC, 2023). The proposed Project would not impede on the Port's efforts to conduct soil and groundwater assessments, develop a Hazardous Material Auditing Program, or monitor MARPOL regulations. Therefore, the proposed Project does not conflict with Goal 3 of the Environmental Element.

**Issue of Concern: Permit Processing**

**Goal 4: "Streamline" Harbor Development Permit processing procedures**

As discussed in the introduction of this Application Summary Report, in December 1978, the Port of Long Beach adopted the Guidelines for Implementing the Port of Long Beach Master Plan (Guidelines). The purpose of the guidelines is to provide the Board of Harbor Commissioners (BHC) with the necessary procedures, objectives, and criteria for the implementation of the PMP in accordance with the provisions of the California Coastal Act of 1976.

As part of these guidelines, the Port's policy prohibits the BHC from approving coastal development projects within the Harbor District unless a determination has been made for issuing a Permit Level I, II, or III. Goal 4 of the Environmental Element recommends updating the Guidelines to remain current and integrate changes in permit policies, network into the City of Long Beach's computerized permit processing system to access information on the City and Port permits, and obtain the Board of Harbor Commissioners approval for allowing the Level I permits to be issued at the discretion of the Port's Planning Director. None of the proposed Project activities would impede with POLB goals of "streamlining" the permitting process. As such, Goal 4 to "streamline" the HDP processing procedure is not applicable.

The Level III HDP for the proposed Project would be issued in accordance with the Port's Guidelines for the Implementation of the Certified Port Master Plan.

**Goal 5: Develop additional mitigation banks**

Goal 5 of the Environmental Element recommends the development of additional mitigation banks. None of the proposed Project activities would impede with POLB goals of developing additional mitigation banks. The proposed Project does not involve landfill to accommodate the construction of two new 25,000-bbl storage tanks, therefore the planning goal to develop additional mitigation banks is not applicable.

#### 4. Transportation/Circulation Element

The Transportation/Circulation Element identifies existing transportation/circulation problems and future transportation needs of the Port and presents current plans and recommendations to address the POLB's transportation demands.

##### **Goal 1: Provide for efficient circulation of vehicular and rail traffic within the Port (with minimum disruption to Port activities)**

The proposed construction and operation of two petroleum storage tanks at the existing Ribost Terminal would not require the realignment of existing internal access roads, and the main public entrance to Ribost Terminal on Pier C Street would be unaffected by the proposed Project. The proposed Project does not include modifications to any public roadways or driveways. Furthermore, rail service is not associated with existing or proposed operations of the Ribost Terminal, nor would they be associated with construction of the proposed Project. Therefore, the proposed Project would not conflict with Goal 1 of the Transportation/ Circulation Element.

##### **Goal 2: Implement the Consolidated Transportation Corridor**

The Consolidated Transportation Corridor refers to the Alameda Corridor, a 20-mile route of railway along and adjacent to Alameda Street and extends through or borders the cities of Vernon, Huntington Park, South Gate, Lynwood, Compton, Carson, Los Angeles, and the County of Los Angeles. The Alameda Corridor includes a series of bridges, underpasses, overpasses, street improvements, and a 10-mile long Mid-Corridor Trench that separate freight trains from street traffic and passenger trains, facilitating a more efficient transportation network (ACTA, 2023). Rail service is not associated with existing or proposed operations of the Ribost Terminal, nor would they be associated with construction of the proposed Project. Therefore, the proposed Project would not conflict with Goal 2 of the Transportation/ Circulation Element.

##### **Goal 3: Ensure Port improvements are consistent with the regional transportation network**

Ribost is proposing to construct and operate two new 25,000-bbl petroleum tanks within their existing privately owned and operated petroleum bulk station on Pier C. Construction- and operational-related truck trips would utilize regional freeways (likely converging onto the I-710 freeway) to access Ocean Boulevard/Pico Avenue and the site. Therefore, the proposed Project would not conflict with Goal 3 of the Transportation/ Circulation Element and would be consistent with the regional transportation network.

##### **Goal 4: Provide safe and convenient parking for Port tenants and visitors while maximizing the amount of primary Port land devoted exclusively to parking**

The Ribost Terminal is located on approximately 6 acres and provides adequate parking for terminal staff, as well as the estimated eight workers associated with construction, on the north side of the property outside the existing containment wall. The terminal operator, supervisor and the terminal manager are in the facility during the day shift, and just one operator on-site for the night shift. After implementation of the proposed Project, operations would remain similar such

that there would be no increase in the number of permanent staff and thus no need for additional parking outside the existing facility. Therefore, the proposed Project would not conflict with Goal 4 of the Transportation/ Circulation Element.

**Goal 5: Encourage ridesharing activities within the Harbor District to reduce vehicle miles traveled (VMT) and parking space requirements in compliance with SCAQMD requirements**

The terminal operator, supervisor and the terminal manager are in the facility during the day shift, and just one operator on-site for the night shift. During construction of the new tanks an additional eight workers would be onsite. The project site would provide adequate parking for both terminal staff and the estimated eight workers associated with construction. After implementation of the proposed Project, operations would remain similar such that there would be no increase in the number of permanent staff and thus no need for additional parking outside the existing facility. Therefore, the proposed Project would not conflict with Goal 5 of the Transportation/ Circulation Element.

**5. Intermodal Rail Facilities Element**

The Intermodal Rail Facilities Element focuses on the development of on-dock “double-stacked train” facilities throughout the Port. The proposed Project does not involve the development of an on-dock rail facility at the Ribost Terminal. Further, rail service is not associated with existing or proposed operations of the terminal, nor would they be associated with construction of the proposed Project. Therefore, the Intermodal Rail Facilities Element is not applicable to the proposed Project.

**6. Oil Production and Operations Element**

The Oil Production and Operations Element focuses oil production activities. The Ribost Terminal is a crude oil and petroleum product storage site. Oil production and operation is not performed at the facility, nor has it been proposed. Therefore, the Oil Production and Operations Element is not applicable to the proposed Project.

**6.2.3 District Goals**

The certified 1990 PMP identifies the following one goal for the Northeast Planning District (District 3):

**Goal 1: Acquire private property and increase primary Port use**

The Northeast Harbor Planning District is the oldest part of the harbor and contains a substantial amount of privately-owned land. The goal seeks to purchase privately-owned property with the objectives to relocate existing coastal-dependent uses to other sites in the harbor, relocate petroleum terminals to less congested areas allowing for the redevelopment of land for other primary port uses, and reduce non-coastal dependent activities throughout this district. The 6-acre project site has been privately owned and operated as a petroleum storage facility since 1964. It was originally owned and operated by Powerine Oil Company (1964-1983). Ribost purchased the privately owned land in 1983 and leased it back to Powerine Oil Company from

February 1983 to December 1996, at which point World Oil assumed operational control. None of the proposed Project activities would impede with POLB goals of acquiring non-Port property to increase primary Port use. Therefore, the proposed Project would be consistent with the certified PMP's goal for the Northeast Harbor.

#### **6.2.4 Risk Management Plan**

In 1981, the California Coastal Commission certified the Port's Risk Management Plan (RMP) as Amendment No. 1 to the 1978 certified PMP, which provided the Long Beach Board of Harbor Commissioners the ability to issue coastal development permits for hazardous liquid bulk cargo facilities, as well as other developments in the Port that are in conformance with the Certified Port Master Plan (POLB, 1981). The RMP contains policies for the Port to apply in the permitting of new hazardous liquid bulk cargo developments or in the permitting of modifications or expansions to existing facilities involved with the transfer, handling, storage, and transport of hazardous liquid bulk cargoes. The approach taken is to define the casualties or accidents possible at the hazardous facility, in this case a spill from the largest container, and then calculate or derive from actual case data the extent of the hazard area produced, referred to as the "hazard footprint". The RMP states that if a development involves the storage or transfer in liquid bulk form of any hazardous material, or if the development may place a vulnerable resource within an existing hazard footprint as described in the RMP, then a risk analysis is required (POLB, 1981). The RMP defines vulnerable resources as residential populations, recreational and visitor serving areas, high density working populations, and facilities with high total value, including cargo and equipment (POLB, 1981). The RMP mandates that the resulting hazard footprint of a development must not overlap any vulnerable resources. The boundary of a hazard footprint represents the distance at which the impacts of the worst probable events will be reduced to levels which are not likely to cause injury or property damage, as calculated and mapped by the Port.

In 2018, the POLB conducted a risk assessment of the Ribost Terminal, per the guidelines of the 2009 Application Document for Conducting Hazard Impact Assessments in Support of the Risk Management Plans of the Ports of Los Angeles and the Port of Long Beach (Risk Assessment Report). The Risk Assessment Report concluded that the largest hazard footprints and subsequent vulnerability zone can be defined by releasing the most volatile material stored in the Ribost Terminal (marine diesel) into the largest impoundment basin and performing the consequence analysis calculations under the POLB prescribed weather conditions. The Risk Assessment Report determined the potential hazard zones by considering wind directions during a fire event from both within the containment wall and at the truck loading rack. When all combinations of wind directions are considered, the distance away from the containment wall and truck loading rack is referred to as a vulnerability zone. The vulnerability zone simply identifies the area that could be affected by a specific radiant flux level but does not identify what area could be affected at one time. The vulnerability zone approach is used to identify the area that could affect a vulnerable resource. The Project site is not adjacent to a hazardous facility or vulnerable resources. The two additional 25,000 bbl storage tanks would be installed in the vacant northwest corner within an existing 12.5 to 13-feet high containment wall. After the implementation of the proposed Project, marine diesel oil would remain the most volatile material stored/handled at the terminal therefore the largest hazard footprint and subsequent vulnerability zone remains the same and would remain in conformance with the RMP (Quest, 2018).



## **7. Public Comments**

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### **7.1 CEQA Public Scoping Comments**

As part of the CEQA process, the POLB issued a Notice of Preparation of an Environmental Impact Report (EIR) and Notice of Public Scoping Meetings to seek input on the scope and content of the EIR for the proposed Project. The POLB conducted two public scoping meetings; one virtual meeting on February 8, 2023, and one in-person meeting on February 15, 2023, at the Port of Long Beach Administrative Building. Public comments received during the 30-day scoping period are incorporated by reference and provided as Appendix A in the Final EIR for the proposed Project.

POLB, 2023. Draft Environmental Impact Report. World Oil Tank Installation Project. Port of Long Beach. Available at: <https://www.polb.com/ceqa>.

### **7.2 CEQA Draft EIR Comments**

The Notice of Availability of the Draft EIR and Public Meetings was issued by the Port on October 25, 2023, initiating the 45-day public comment and review period (not including holidays). The original review and comment period was set to end on December 11, 2023 but was extended to December 15, 2023. Comments received on the Draft EIR and the Port's responses to each of the comments received are provided in Chapter 9 of the Final EIR for the proposed Project. The Final EIR is incorporated by reference.

POLB, 2024. Final Environmental Impact Report. World Oil Tank Installation Project. Port of Long Beach. Available at: <https://www.polb.com/ceqa>.

### **7.3 Coastal Act and Port Master Plan Consistency Comments**

During the public review and comment period (October 25, 2023 through December 15, 2023) for the Draft EIR, California Coastal Commission Staff submitted written comments dated December 27, 2023, specifically addressing Coastal Act and PMP Consistency Analysis in the Draft Application Summary Report. Responses to these comments are provided herein following the written comments.

**CALIFORNIA COASTAL COMMISSION**

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

**CCC-1**

December 27, 2023

Jennifer Blanchard  
Port of Long Beach  
415 W. Ocean Blvd.  
Long Beach CA, 90802

Delivered via electronic mail: jennifer.blanchard@polb.com

**Re: World Oil Tank Installation Project**  
**Coastal Commission Staff Comments on Draft Environmental Impact Report**  
State Clearinghouse No. 2020100119

Dear Jennifer Blanchard:

Coastal Commission staff appreciate the opportunity to review and provide comments on the Draft Environmental Impact Report (DEIR) for the World Oil tank installation project. We also would like to acknowledge the significant coordination that has taken place to date between Port and Commission staff relating to this project. The project site is located within the Port of Long Beach's permit jurisdiction area where new development, such as the subject project, must conform with the Chapter 8 policies of the Coastal Act and those of the certified Port Master Plan (PMP) to receive a Harbor Development Permit (HDP). The following comments address the Coastal Act and PMP Consistency Analyses included in the DEIR.

The following comments address the proposed development's consistency with Section 30708 of the California Coastal Act of 1976. This letter is an overview of the main issues Commission staff has identified at this time based on the information that has been presented, and it is not an exhaustive analysis. The comments contained herein are preliminary in nature, and those of Coastal Commission staff only, and should not be construed as representing the official opinion of the Coastal Commissioners.

Section 30708(a) requires new development to be located, designed, and constructed to minimize substantial adverse environmental impacts. If damaged or not appropriately designed to withstand natural coastal hazards, the proposed development could create hazardous conditions that could adversely affect water quality, coastal and marine habitats and wildlife, and human health. Of the existing seven tanks on site, there are four available for lease to potential customers, and two tanks that are currently underutilized. The DEIR states that there have not been any additional customers who have been identified in relation to the proposed expansion of storage facilities. Given these facts, the need for expanded storage capacity at this time is unclear. Therefore, to avoid adverse impacts, the Port should carefully consider the "No Project" alternative discussed in the DEIR. However, if the project is deemed necessary and appropriate, then impacts must be minimized and mitigated wherever feasible.

**CCC-2****CCC-3**

**CCC-4**

The Draft EIR concludes that the project would result in less than significant impacts to water quality and ground water contamination from hazardous materials within the proposed project site. However, the existing containment wall is designed to withstand failure of one full 90,000-barrel tank (the capacity of the largest existing tank) and a 100-year storm event given current sea-level rise projections. The DEIR does not address the potential impacts that could occur due to a failure with elevated sea levels and potential storms anticipated over the life of the development, nor does it demonstrate that the proposed new development is designed to withstand such circumstances without impacting coastal resources. This must be thoroughly assessed in order for Section 30708 to be fully analyzed.

**CCC-5**

While there are plans to use air-driven pumps to divert water during an overtopping event under current climate conditions, the current draft also does not clearly address the possibility of, or response to, a multi-tank failure with either the current maximum capacity of 502,000 barrels, nor with the proposed expanded capacity. Clear analyses and/or plans to address “worst case scenarios” (e.g., multi-tank failure, containment wall failure, high sea level with a 100-year storm) with considerations for the effects of climate change and sea-level rise on facility stability and function are needed for both the current and proposed facility capacities. Further, the existing emergency contingency plans (i.e., the Emergency Response Action Plan, Facility Response Plan, Illness and Injury Prevention Plan, Hazardous Materials Business Plan, and Spill Prevention Control and Countermeasure Plan), as proposed, would not be updated until after project is complete. Given that there isn’t a clear timeline for the proposed updates, it is not clear how the response would adapt to new circumstances that may not have been contemplated when preparing the proposed existing emergency plans. It would be beneficial to ensure that the response measures are developed with the capacity to adapt to changed conditions.

**CCC-6**

**CCC-7**

The proposed location of the new petroleum storage tanks is seaward of the existing fuel tanks in a low-lying part of the port where groundwater was encountered at as little as 5 to 6 feet below the ground surface in 2004 and 2008. As stated in the DEIR, the geological and soil characteristics of the area also make the existing sediment and the artificial fill proposed for use prone to “liquefaction and lateral spreading of the proposed artificial fill and marine sediments”. This paired with the need for the installation of a “ground improvement system” prior to tank construction to stabilize the sediment underneath the proposed tanks addressed by Albus-Keefe in 2018 highlight the need to consider the potential impacts to both the underlying groundwater and the soil in the proposed project area. As written in the DEIR, the lack of a ground improvement system would preclude construction of the development based on environmental (geological, groundwater) and safety concerns. Understanding these existing conditions would need to be remedied to allow for safe siting of new development and that emergent flooding could result from a 4-foot increase in groundwater levels due to the combination of shallow groundwater in the project area and sea level rise impacts to the local water table, updated groundwater studies should be conducted that provide current groundwater data and consider the potential effects of sea level rise’s impact on groundwater. The project, if needed, should be designed to withstand such hazards without impacting or with minimal, mitigated impacts to coastal resources. An expanded response beyond the proposed use of air-driven pumps to divert water during a flood event would be an important component to consider. Further, analysis of design alternatives to the long-term use of pumps would also be beneficial.

The Draft EIR concludes that the project would result in less than significant impacts regarding greenhouse gas emissions. While the DEIR states that the impacts to air quality via an increase in greenhouse gas emissions from construction and operation activities would be “Less than Significant” due to being less than the annual South Coast Air Quality Management District (SCAQMD) significance threshold, the proposed project will still result in an increase in greenhouse gas emissions. These emissions disproportionately affect communities that bear the burdens of environmental pollution caused by the Port’s operations. Restricting trucks accessing the site to be zero-emission vehicles is one possible avenue that would be in line with various clean air initiatives outlined in Section 3.3.2 beginning on page 3.3-2.

CCC-8

Finally, there is a significant amount of artificial fill proposed. We encourage meaningful consultation with the Gabrieleno/Tongva tribal entities whose Ancestral Tribal Territory include the region directly impacted by the proposed development and who have expressed interest in consultation as outlined in Attachment 3 *Scoping Comments Summary*. We also encourage the consideration of the source(s) of existing sediment that would be disturbed or modified for the proposed project as tribal cultural resources have been found in "artificial fill" and the proposed project area is located close to multiple village sites and was used by native peoples. As such, all tribes with ancestral ties to the area should be invited, and if the invitation is accepted, present, for all ground disturbing activities that may impact tribal cultural resources.

CCC-9

Please again note that the comments provided herein are preliminary in nature. More specific comments may be appropriate as the project develops and site-specific plans are assigned. Coastal Commission staff request notification of any future activity associated with this project or related projects. Thank you again for the opportunity to comment on the Draft Environmental Impact Report for the World Oil Tank Installation Project. We look forward to future collaboration on preservation of coastal resources within the South Coast region. If you have any questions or concerns, please do not hesitate to contact us at the Coastal Commission’s Long Beach office.

CCC-10

Sincerely,

*Elishebah Tate-Pulliam*  
Elishebah Tate-Pulliam  
Coastal Program Analyst

cc: Matt Arms, Director of Environmental Planning (EP)  
Theresa Dau-Ngo, Director of Port Planning  
Dani Ziff, California Coastal Commission  
Steve Hudson, California Coastal Commission  
Shannon Vaughn, California Coastal Commission

**Responses to Comments from California Coastal Commission (CCC)**  
**Ms. Elishebah Tate-Pulliam, Coastal Program Analyst**  
**December 27, 2023**

**CCC-1** CCC staff acknowledge the opportunity to review and provide comments on the Draft EIR. CCC staff note that their comments address the Coastal Act and PMP Consistency Analysis included in the EIR. CCC staff also acknowledge the significant coordination that has taken place between the Port and CCC staff relating to the proposed Project.

The comment states that the proposed Project is within the Port's permitting jurisdiction and therefore must conform with the Chapter 8 policies of the California Coastal Act of 1976 (Coastal Act) and of the certified Port Master Plan to receive a Harbor Development Permit. The comments provided in their letter address the proposed Project's consistency with Section 30708 of the Coastal Act. The commenter notes that their letter is an overview of the main issues identified at the time based on the information presented and is not an exhaustive analysis; the comments are preliminary in nature and are of the CCC staff only and should not be construed as representing the official opinion of the Coastal Commissioners.

The Port appreciates CCC staff's comments; the comments are before the Board of Harbor Commissioners for their consideration.

**CCC-2** The comment describes Section 30708(a) of the California Coastal Act, which requires new development to be located, designed, and constructed to minimize substantial adverse environmental impacts. The commenter goes on to state: "If damaged or not appropriately designed to withstand natural coastal hazards, the proposed development could create hazardous conditions that would adversely affect water quality, coastal and marine habitats and wildlife, and human health."

The Port has reviewed the Ribost Terminal's Harbor Development Permit (HDP) application for the proposed Project in accordance with CEQA and for conformity with both the certified Port Master Plan and the California Coastal Act, including Chapter 8, Section 30708(a), therein. The issuance of the HDP for the proposed Project is an action subject to the California Environmental Quality Act (CEQA). As the standard for environmental review, CEQA requires a public agency such as the Port to consider the potential, significant environmental effects of a proposed action (such as the issuance of a permit), identify ways that environmental damage can be avoided or significantly reduced, prevent significant, avoidable damage to the environment through the use of alternatives or mitigation measures, when feasible, and disclose to the public the reasons why it approved the project if significant environmental effects are involved.

The EIR at Section 1.5 (*Project Characteristics*) describes the proposed Project, including the associated construction activities, equipment, and schedule, as well as the operational and maintenance activities associated with the proposed Project. The commenter does not identify or describe how the proposed Project might be deficient

in design, or not appropriately designed, so that it would not withstand natural coastal hazards or would create hazardous conditions that would adversely affect water quality, coastal and marine habitats and wildlife, and human health.

#### Water Quality

EIR Section 3.5 (*Hydrology, Water Quality, and Sea-Level Rise*) discusses the potential impacts on hydrology and water quality associated with implementation of the proposed Project. As discussed in Draft EIR Section 3.5.6.1 (*Proposed Project*) at page 3.5-18, an existing containment wall varying between approximately 12.5 to 13 feet in height that tapers from approximately 1.5 feet wide at the base to 1 foot wide at the top, with a 12- to 12.5-foot wide footing that is buried to a depth that runs from 1.5 feet below grade at the outer edges to the wall to a depth of approximately 3 feet towards the center of the facility. The existing containment wall and its footings form a large “L” shape that is continuous surrounding the site, which is designed to hold the volume of the largest tank on site (90,000 barrels) plus a 100-year storm surge event, which would prevent the wall from falling over in the event of a spill. Following implementation of the proposed Project, the existing containment wall would provide the same level of protection as it does for the existing number of tanks in the event of flooding, a tsunami, or a seiche. As discussed in Section 3.5, the risks of tsunamis at the Project site are extremely low and risks are expected to be less than significant. While there would be a risk of inundation at the Project site during flood conditions in combination with potential future sea-level rise, the existing containment wall would protect assets from a projected sea-level rise up to 4-feet, as the containment wall is designed to protect from a 100-year storm event. In addition, the presence of air-driven pumps would divert water from the site should flooding occur during a potential high-end, medium-high risk sea-level rise scenario combined with a 100-year storm event. While it is predicted that minor, periodic flooding could occur at the site in the year 2080, the air-driven pumps would reduce potential risk of the flooding, depending on the storm level; it is expected that the flooding would not exceed the containment wall height to create flooding resulting in a risk of pollutant release. Therefore, impacts to hydrology and water quality would be less than significant. (See CEQA Impact Determination discussion starting at Draft EIR page 3.5-20).

#### Coastal and Marine Habitats and Wildlife

With regard to coastal and marine habitats and wildlife, the Initial Study prepared for the proposed Project (Appendix B of the EIR) indicates that construction and operation of the proposed Project would potentially have “No Impact” or “Less than Significant” impact to biological resources, which would include coastal and marine habitats and wildlife. Therefore, biological resources are not evaluated further in the EIR.

#### Human Health

Impacts to Human Health are addressed in the EIR Section 3.1 (*Air Quality and Health Risk*). The air quality analysis was prepared in accordance with published Air Quality Management District (AQMD) methods and guidelines that include assessment of regional impacts and localized impacts for criteria pollutants. The health risk

assessment (cancer, chronic, acute health impacts) for toxic air contaminants associated with tank operational emission and construction activity emissions were prepared in accordance with CARB, Office of Environmental Health Hazard Assessment (OEHHA), and AQMD recommended Localized Significance Thresholds (LST) for construction and operation emissions to address Project-level criteria pollutant health impacts. The air quality emissions and health risk impacts associated with construction and operation of the proposed Project are assessed against the AQMD significance criteria and shown in Table 3.1-5 at page 3.1-11 and Table 3.1-6 at page 3.1-12 of the Draft EIR, respectively. Construction and operational emissions associated with the proposed Project are all well below the significance thresholds, therefore would not expose sensitive receptors to substantial pollutant concentrations.

A health risk assessment was conducted using AQMD risk assessment methods, based on OEHHA guidance. Table 3.1-9 at page 3.1-16 of the Draft EIR summarizes the construction phase impacts associated with diesel particulate matter at the nearest sensitive receptors. The maximum incremental cancer risk to residential receptor is  $1.16 \times 10^{-6}$ , which is below the cancer risk significance threshold for maximum exposed residents of 10 in a million ( $10 \times 10^{-6}$ ). This threshold represents the probability 10 people in a population of 10 million will develop cancer in their lifetime.

Furthermore, Section 3.1.5.1 of the Draft EIR, starting at page 3.1-21, explains that as part of the preliminary engineering evaluation, AQMD staff performed a health risk screening evaluation for the new stationary sources (the two new tanks) conservatively using toxic air contaminant (TAC) emission rates from gasoline, rather than crude oil, as recommended by the AQMD. TACs are defined by the State of California as pollutants which may cause or contribute to an increase in mortality or an increase in serious illness, or which may pose a present or potential hazard to human health (California Health and Safety Code Section 39655(a)). According to AQMD, by assuming that gasoline is stored in the tanks, the use of the TAC profile of gasoline for the purposes of the health risk assessment, instead of the TAC profile of crude oil is a “worst case” conservative assumption, because the true vapor pressure of crude oil is less than that for gasoline. This means that there is more potential for the known TAC organic compounds that comprise gasoline to become volatile and emitted into the air. Because the new proposed tanks at the Ribost Terminal facility will not store gasoline, this is a “worst case scenario”. Therefore, even with the “worst case scenario” use of the TAC profile of gasoline, the analysis in the EIR indicates that there would be no significant impacts to air quality or health risk associated with construction or operation of the proposed Project.

- CCC-3** This comment states that since customers have not been selected for the currently underutilized tanks, the need for additional tanks is not clear. While the Applicant has not identified the potential customers in relation to the proposed use of the existing tanks, the Draft EIR at page 1-10 discusses that the existing tanks converted to leased tanks would continue to primarily store and ship the same or similar fuel oils through existing fuel oil lines. As further discussed in the Draft EIR at page 1-11 starting at line 15, the existing tanks would continue to operate as currently permitted,

and their use are evaluated in the EIR accordingly. As such, the proposed Project would not result in any significant changes to the existing tank operations in light of current and past uses of any of the existing tanks.

State CEQA Guidelines nor the Coastal Act or certified Port Master Plan require an EIR (or environmental analysis) to identify or demonstrate project need. State CEQA Guidelines requires the description of a proposed Project to include a statement of objectives sought by a proposed project. The objectives should include the underlying purpose of the project and may discuss project benefits. In accordance with CEQA, Section 1.4 (*Project Objectives*) of the Draft EIR identifies the objectives of the proposed Project to: (1) increase efficiency of terminal operations; (2) realign storage capacity needs; (3) and make more existing tanks available for lease by customers. The analyses in the EIR reasonably assume the continued use of the existing tanks, albeit leased to customers, for substantially the same use as they are used today.

The commenter goes on to state that “to avoid adverse impacts, the Port should carefully consider the “No Project” alternative discussed in the Draft EIR. However, if the project is deemed necessary and appropriate, then impacts must be minimized and mitigated wherever feasible.”

Under CEQA, the purpose for describing the “No Project” alternative is so the decision-makers can compare the impacts of approving the proposed Project with impacts of not approving the proposed Project. A fundamental mandate of CEQA is that “public agencies should not approve projects as proposed if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects of the project” (Public Resources Code [PRC] Section 21002).

The “No Project” alternative in the EIR considers the scenario of Ribost continuing existing operations without constructing the two new tanks, tank foundations, pumps, or connections to the existing pipeline system. The seven existing petroleum tanks would continue to store petroleum products as they currently do today. Loading rack truck traffic and barrels transported would remain the same as existing permitted conditions. No additional flexibility in operations would be achieved and no additional tanks would be available to lease to customers. In the Draft EIR, as shown in Table 5-1: Summary of Impacts and Ranking, and discussed in Chapter 5.2 (*Comparison of Alternatives*), no potential significant environmental impacts associated with the proposed Project or its alternatives, including the “No Project” alternative, are identified. As such, no mitigation measures are required.

Given that there are no potential significant impacts associated with the proposed Project identified in the Draft EIR, it should be noted that CCC staff’s recommendation that the Port “carefully consider the “No Project” alternative is converse to Coastal Act Section 30701 which encourages existing ports to modernize and construct necessary facilities in order to minimize or eliminate the need for the development of new ports in other coastal areas of the state. The Ribost Terminal site is privately-owned and has operated as a petroleum storage facility since 1964. The proposed Project to add two new storage tanks within the existing facility is consistent with



Coastal Act Section 30708(c), which requires highest priority be given to the use of existing land space within harbors for port purposes. Furthermore, CCC staff previously acknowledged the proposed Project in a letter to the Port dated August 21, 2021 on the proposed Draft Port Master Plan Update regarding the World Oil Project stating: ...[g]iven that this project, as described, appears to be an infill development that does not involve fuel storage at levels significant to the state and/or nation, is consistent with the fuel storage use of the site under the existing PMP (Port Master Plan), and is subject to additional review of consistency with the PMP policies through the HDP process, a PMP amendment is not required at this time.<sup>1</sup>

Sections 30701 and 30708(c) of the Coastal Act also support the California State Lands Commission Statute of 1911 (Statute) of 1911 which grants title to the City of Long Beach for tidelands and submerged lands in the Long Beach Harbor District for use by the city and its successors for the establishment, improvement, and conduct of a harbor, and for the construction, maintenance, and operation thereon of wharves, docks, piers, ships, quays, and other utilities, structures, and appliances, necessary or convenient for the promotion and accommodation of commerce and navigation. As previously discussed, the analyses in the Draft EIR does not identify any potential significant impacts associated with the proposed Project. The proposed Project is consistent with the State Land Commission Statute of 1911 as the improvement, and conduct of a harbor, and for the construction, maintenance and operation thereon of...structures necessary or convenient for the promotion of commerce and navigation...”

**CCC-4** The comment acknowledges that the Draft EIR concludes that the proposed Project would result in less than significant impacts to water quality and groundwater contamination within the proposed project site. The commenter contends that “the Draft EIR does not address the potential impacts that could occur due to a failure with elevated sea levels and potential storms anticipated over the life of the development, nor does it demonstrate that the proposed new development is designed to withstand such circumstances without impacting coastal resources”. However, the commenter does not provide any additional information as to the type of additional information requested or required pursuant to the Coastal Act that would further demonstrate how the new development would address the potential impacts due to failure associated with elevated sea levels and potential storms over the life of the development, or how [the Project] is designed to withstand such circumstances without impacting coastal resources in order for Section 30708 to be fully analyzed.

As discussed in Section 2, this Application Summary Report is prepared in conjunction with the EIR prepared in accordance with CEQA for the proposed Project. CEQA requires the Port, as the Lead Agency responsible for issuance of the HDP, to evaluate and disclose the potential environmental impacts of the proposed Project and propose feasible alternatives or mitigation measures that avoid, eliminate, or reduce

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<sup>1</sup> Letter from Dani Ziff, Coastal Program Analyst, California Coastal Commission to Tony Chan, Ph.D, Master Planning, Port of Long Beach. Subject: Draft Port Master Plan Update – CCC Staff Comments. Sent via electronic email. August 27, 2021.

project-related environmental impacts. EIR Chapter 1 (*Introduction and Project Description*) describes in detail, the history of the site, the physical features of the facility as it exists, and how it is operated. A detailed discussion of the Project's characteristics is provided in Draft EIR Section 1.5 starting at page 1-5, including a description of the Project's construction activities, equipment, schedule, and design. A detailed discussion of the Project's operation and maintenance is provided in EIR Section 1.5.2.

Ribost Terminal is situated within an existing containment wall surrounding the facility, which is 13-feet tall at its highest location. The containment wall is designed to withstand a reasonable worst-case scenario of the failure of the largest tank within the terminal (94,000-barrel capacity) plus a 100-year storm event in compliance with the U.S. Environmental Protection Agency's (USEPA) Worst Case Discharge scenario, under Title 40 Code of Federal Regulations Part 112 – Oil Pollution Protection, Appendix D (Determination of a Worst-Case Discharge Planning Volume) (see Response to Comment CCC-4). Under the proposed Project, the proposed new tanks with an additional combined volume of 50,000 barrels would be constructed and installed within the existing containment wall. As discussed in the Draft EIR Section 1.2.2 (Existing Project Site Conditions and Operations), the containment wall is an existing feature of the Ribost facility. The proposed Project would not change the design, configuration, or structure of the facility's existing containment wall and would provide the same level of protection to the Project site as it does under existing conditions. EIR Chapter 3.5 (*Hydrology, Water Quality, and Sea-Level Rise*) provides a detailed discussion of the potential effect of sea level rise and inundation, caused by climate change on the proposed Project, as well as how features of the facility and the proposed Project would withstand potential inundation scenarios at the proposed Project site. The containment wall at the Ribost Terminal is visually inspected four times daily to ensure the wall is sufficiently impervious, intact, and sized properly. In the event of a major earthquake or natural disaster, all operations would be halted. All operations would be halted during a major earthquake or other major natural disaster. Operations cannot restart until the entire facility is visually checked for evidence of damage or shifting to equipment, tanks, and containment, evidence of leaks or oil sloshing out of tanks, verification that floating roofs are not damaged or have sunken. Following a major disaster, Ribost management would be consulted and would be required to provide their approval before resuming any operations.

The EIR concludes that there would be no significant impacts associated with construction or operation of the proposed Project. Therefore, the proposed Project would be consistent with Section 30708(a). Section 30708(b) does not apply to the proposed Project, as no vessels operate at, or are proposed to operate as part of the proposed Project. The project is fully consistent with Section 30708(c); as discussed in Response to Comment CCC-3, the proposed Project is an in-fill development project that would add two additional 25,000 tanks to the existing privately-owned Ribost Terminal facility that has operated as a petroleum storage facility since 1964, thereby providing the highest priority of use of the existing land space within the harbor for the continued use. The proposed Project is also consistent with Section 30708(d) of the Coastal Act

in that it supports the California State Lands Commission Statute of 1911 which grants title to the City of Long Beach for tidelands and submerged lands in the Long Beach Harbor District for use by the city and its successors for the establishment, improvement, and conduct of a harbor, and for the construction, maintenance, and operation thereon of wharves, docks, piers, ships, quays, and other utilities, structures, and appliances, necessary or convenient for the promotion and accommodation of commerce and navigation. Lastly, Section 30708(e) does not apply to the proposed Project, because as discussed in Section 6.1.2 of this Application Summary Report, rail service is not associated with existing or proposed operations of the Ribost Terminal.

It should be noted that Chapter 8 (Ports) Section 30708(a) of the Coastal Act does not require that a project be designed to “withstand” certain environmental circumstances, including elevated sea-levels or storms. Rather, Section 30708(a) states: “All port-related developments shall be located, designed, and constructed so as to minimize substantial adverse environmental impacts” [emphasis added]. Similarly, CEQA does not require an evaluation of the potential localized environmental effects, such as sea level rise, on a project, but does require the evaluation of a project’s foreseeable incremental contribution of the project’s greenhouse gas emissions, which contribute to climate change and subsequent potential sea level rise and storms.

Furthermore, as acknowledged by the CCC staff in their August 2021 letter to the Port<sup>1</sup>, the project is an infill development project that is consistent with the existing use of the site. The proposed Project would add two additional petroleum storage tanks. As discussed in the EIR (Section ES. 1, *Introduction and Background*, and Section 1.2.1, *Site History*), the Ribost Terminal is located on the privately-owned property that has been operated as a petroleum storage facility since 1964.

**CCC-5** The comment states that the EIR does not address the possibility of a multi-tank failure (502,000-bbl or 552,000-bbl) and that the EIR should provide clear analysis to address “worst case scenario” with considerations for the effect of climate change and SLR on facility stability and that the existing emergency contingency plans, as proposed would not be updated until after [the] project is complete. Therefore, given that there isn’t a clear timeline for the proposed updates it is not clear how the response would adapt to new circumstances that may not have been contemplated when preparing the proposed existing emergency plans.

Adding two new tanks to the existing tank farm would not alter the emergency response strategies, which all assume a reasonable worst-case scenario of failure of one of the 94,000-bbl tanks plus the 100-year storm event. The commenter does not point to any reference in Chapter 8 of the Coastal Act or the certified Port Master Plan that requires environmental analysis to address a “worst case scenario” for the effect of climate change and sea level rise on a project. Nevertheless, the likelihood of a multi-tank failure releasing all the contents of the tanks located at the facility is extremely low. As discussed in Response to Comment CCC-3, the containment walls are visually inspected daily to ensure all areas are properly sealed.

The two existing air driven pumps are adjustable and can pump approximately 85 to 130 barrels per hour. In an unlikely extreme scenario, additional pumps can be provided by Ribost's Oil Spill Response Organization, Lunday-Thagard Refinery (World Oil Refining), or DeMenno-Kerdoon (World Oil Recycling) to sufficiently divert water. Section 400 of Ribost's Spill Contingency Plan identifies the U.S. Environmental Protection Agency's (USEPA) Worst Case Discharge scenario, as required by the USEPA under 40 Code of Federal Regulations 112, Appendix D. The facility's USEPA Worst Case Discharge is 89,884 bbl, which is based on the storage volume of the largest tank (94,000 bbl). The existing containment wall was designed to hold 90,000 bbl plus a 100-year storm event. Therefore, the existing containment wall is consistent with USEPA Worst Case Discharge regulations, as it would sufficiently contain the USEPA Worst Case Discharge volume.

**CCC-6** This comment states that given that existing emergency contingency plans (i.e., Emergency Response Plan, Facility Response Plan, Illness and Injury Prevention Plan, Hazardous Materials Business Plan, and Spill Prevention Control and Countermeasure Plan [SPCC]) would not be updated until after the project is complete and that there isn't a clear timeline for the proposed updates, it is not clear how the response would adapt to new circumstances that may not have been contemplated when preparing the proposed existing emergency plans, and that it would be beneficial to ensure that the response measures are developed with the capacity to adapt to changed conditions.

Precisely as the commenter states, it is following final engineering design and the implementation of a project that an operator can ensure that existing contingency plans are applicable and can develop applicable response measures to adapt to any new conditions. In fact, California and federal emergency contingency plans require updates within 30 and 60 days, respectively, of new tanks being put into service. World Oil's Spill Prevention, Control, and Countermeasure (SPCC) plan is required to be updated and re-certified by a registered Professional Engineer and approved by the U.S. EPA. Federal regulation under 40 CFR Part 112 requires facility SPCC Plans to be reviewed and certified every 5 years. As part of the SPCC recertification process, the existing emergency contingency plans would be updated during the later stages of construction to meet these deadlines.

**CCC-7** This comment describes the proposed location of the two new petroleum storage tanks as seaward of the existing fuel tanks in a low-lying part of the port where groundwater was encountered at as little as 5 to 6 feet below the ground surface in 2004 and 2008. Section 3.5 (*Hydrology, Water Quality, and Sea-Level Rise*) discusses construction and operation impacts relating to sea-level rise and groundwater. Impact HWQ-1 states that temporary dewatering during construction, if necessary, would generate small volumes of groundwater that would be contained in on-site water tanks and tested for contamination to determine appropriate treatment and disposal. Therefore, construction would not expose any contaminated groundwater with flood waters or impact water quality. During operations, the 4.3-foot sea-level rise scenario

was identified as a suitable scenario for future planning based on the lifespan of the proposed Project assets, as it would be representative of a medium-high risk sea-level rise projection for the year 2080. Because the proposed new tanks are rated to have a 50-year service life, the existing air-driven pumps would sufficiently reduce the risk of pollutant release in the event of overtopping during a 100-year storm event by 2080.

The commenter requests an “expanded response beyond the proposed use of air-driven pumps to divert water during a flood event as an important component to consider, and also requests further analysis of design alternatives to the long-term use of pumps, indicating that [analysis] “would also be beneficial”. However, the commenter does not indicate what type of information should be considered related to air-driven pumps, nor does the commenter provide reference to any requirements in either the certified Port Master Plan or Coastal Act requiring such analysis of design alternatives. As discussed previously, the new tanks would be constructed and installed within the existing 13-foot containment wall, which itself serves as a design feature designed to withstand a 100-year storm event, flooding, and spills. The proposed Project would have a less-than-significant impact associated with the risk of release pollutants due to inundation in flood hazard, tsunami, or seiche zones, therefore no mitigation measures are required.

**CCC-8** Greenhouse gas (GHG) emissions associated with construction and operation of the proposed Project would be less than significant, due to being less than the annual South Coast Air Quality Management District significance threshold; However, the commenter recommends that restricting trucks accessing the site to be zero-emission vehicles as one possible avenue that would be in line with various “clean air initiatives” outlined in the Air Quality Regulatory Setting discussed in EIR Section 3.3.2. As shown in Draft EIR Table 3.3-1 at page 3.3-5, operational Tanker Truck Traffic would comprise 195 MTCO<sub>2</sub>e of the overall 251.9 MTCO<sub>2</sub>e per year, which is significantly below the AQMD significance threshold of 10,000 metric tons of CO<sub>2</sub>e (MTCO<sub>2</sub>e) per year for industrial facilities. Pursuant to CEQA, no mitigation measures to reduce GHG emissions associated with the proposed project are required.

The commenter refers to EIR Section 3.3.2 (*Regulatory Setting*), which describes various federal and state programs designed to reduce fuel consumption and increase the use of renewable fuels to facilitate GHG emissions reductions. The Port’s 2017 CAAP Update also set a target towards use of zero-emission heavy-duty drayage trucks calling at the Port by 2035. Operational heavy-duty drayage trucks, including those that call at the Ribost Terminal are required to register in the Port’s Drayage Truck (PTDR) registry. Under the Port’s Clean Trucks Program, as of January 1, 2023, all drayage trucks at California ports and intermodal railyards must, at a minimum, meet 2010 U.S. Environmental Protection Agency engine emission standards for heavy-duty trucks. As of October 1, 2018, no drayage truck may be registered into the PTDR in association with any Licensed Motor Carrier(s) unless it is a model year 2014 or newer.

Among the State programs listed in Section 3.3.2 referenced by the commenter includes the California Global Warming Solutions Act of 2006, or AB 32 which established a GHG emissions reduction goal of 1990 levels by 2020, and Senate Bill 32 which extended the AB 32 GHG emissions reduction goal to 40 percent below 1990 levels by 2030.

Heavy-duty trucks calling at Ribost Terminal are subject to the CARB Advanced Clean Fleets (ACF) Regulation that requires that all drayage trucks intending to begin or continue operations at a California seaport or intermodal railyard be registered in the CARB TRUCRS database. Legacy (non-zero-emission drayage trucks must register in TRUCRS by no later than December 31, 2023. Beginning on January 1, 2024, only zero-emission drayage trucks are able to register in TRUCRS. Through participation in the Port's Clean Trucks Program and compliance with the State's ACF, trucks calling at the Ribost Terminal would contribute to GHG emission reductions to assist the state in achieving the goals outlined in AB 32 and SB 32 listed in EIR Section 3.3.2.

**CCC-9** The commenter states that because there is a significant amount of artificial fill proposed, meaningful consultation with the Gabrielino/Tongva tribal entities is encouraged due to their expressed interest in consultation. As discussed in the NOP/IS and in the EIR, no impacts to Tribal Cultural Resources were identified associated with the proposed Project and were therefore not evaluated further in the EIR.

Assembly Bill (AB) 52 (Gatto, 2015) requires lead agencies under CEQA to provide notice to those tribes that have formally requested that a lead agency notify them of proposed projects where a tribe is traditionally and culturally affiliated to the geographic area of the proposed project. To date, no tribes have submitted a formal written request to the Port to be notified of projects subject to AB 52. Nevertheless, following the determination that an EIR would be prepared for the proposed Project, the Port, on July 5, 2022, sent requests for consultations via United States Postal Service Certified Mail to a listing of all Native American Tribal contacts identified by the California Native American Heritage Commission (NAHC) as having traditional and cultural affiliation to the geographic area of the proposed Project, including the Gabrieleno Band of Mission Indians – Kizh Nation, Gabrielino/Tongva San Gabriel Band of Mission Indians, Gabrielino/Tongva Nation, Gabrielino Tongva Indians of California Tribal Council, Gabrielino-Tongva Tribe, and Juaneño Band of Mission Indians Acjachemen Nation – Belardes. No responses were received from any tribes in response to the Port's AB 52 request for consultation for the proposed Project.

Following the Port's issuance of the Notice of Preparation (NOP) of the EIR and revised Initial Study (IS) for the proposed Project on January 23, 2023, the Gabrieleno Band of Mission Indians – Kizh Nation requested consultation with the Port. Prior to the consultation meeting, Tribal representatives from the Gabrieleno Band of Mission Indians – Kizh Nation canceled the consultation meeting with Port staff, providing a

response to the Port via email, stating that after further review of the site and proposed activities [associated with the proposed Project], the Tribe's representatives have "reduced their concerns and do not request measures needed."

Amongst the other Native American tribes to whom the NOP/IS was sent, none requested consultation on the Project. The NOP/IS was sent to the list of tribes generated by the California Native American Heritage Commission as having traditional and cultural affiliation to the geographic area of the proposed Project, in addition to the Gabrieleno Band of Mission Indians – Kizh Nation, including the Gabrielino/Tongva San Gabriel Band of Mission Indians, Gabrielino/Tongva Nation, Gabrielino Tongva Indians of California Tribal Council, Gabrielino-Tongva Tribe, and Juaneño Band of Mission Indians Acjachemen Nation – Belardes.

As previously discussed, no impacts to Tribal Cultural Resources were identified in the CEQA NOP/IS. Notification of the proposed Project was provided to Tribes known to have traditional and cultural affiliation to the site via the AB 52 and CEQA process. Only one Tribe requested consultation with Port, subsequently canceling the consultation, indicating that no measures were needed. As such, it is not anticipated that any Tribes would participate in the ground disturbing activities associated with proposed Project.

- CCC-10** CCC staff states that the comments provided are preliminary in nature and more comments may be appropriate as the project develops, and requests notification of any future activity associated with this project or related projects. CCC staff will be notified of future activity related to approval of the proposed Project, including the Board of Harbor Commissioner's consideration of the Final EIR, and consideration of the approval and issuance of the Harbor Development Permit given their authority as the Port's governing body as provided in Coastal Act Section 30715(a). The Port appreciates CCC staff's comments; the comments are before the Board of Harbor Commissioners for their consideration.

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