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

October 2023

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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 11, 2023

BY: DIRECTOR OF ENVIRONMENTAL PLANNING:

_____

Matthew Arms

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

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

This Application Summary Report has been prepared in conjunction with the draft environmental impact report (EIR) for the proposed Project pursuant to the California Environmental Quality Act. The Draft 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 Draft EIR for the proposed Project is hereby incorporated by reference:

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

3. Summary of the Proposed Project

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 -13 foot 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's Pier C Terminal 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.

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

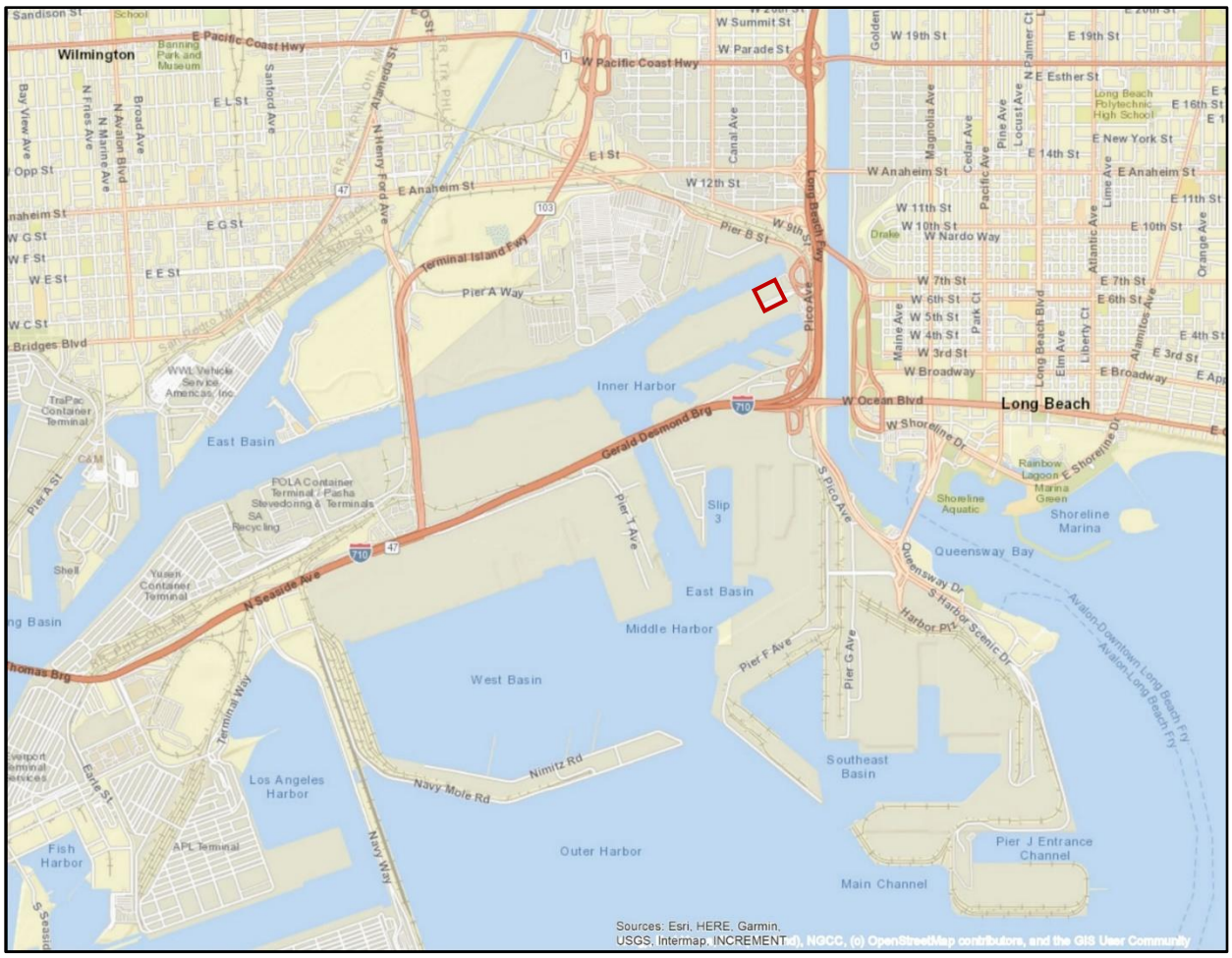
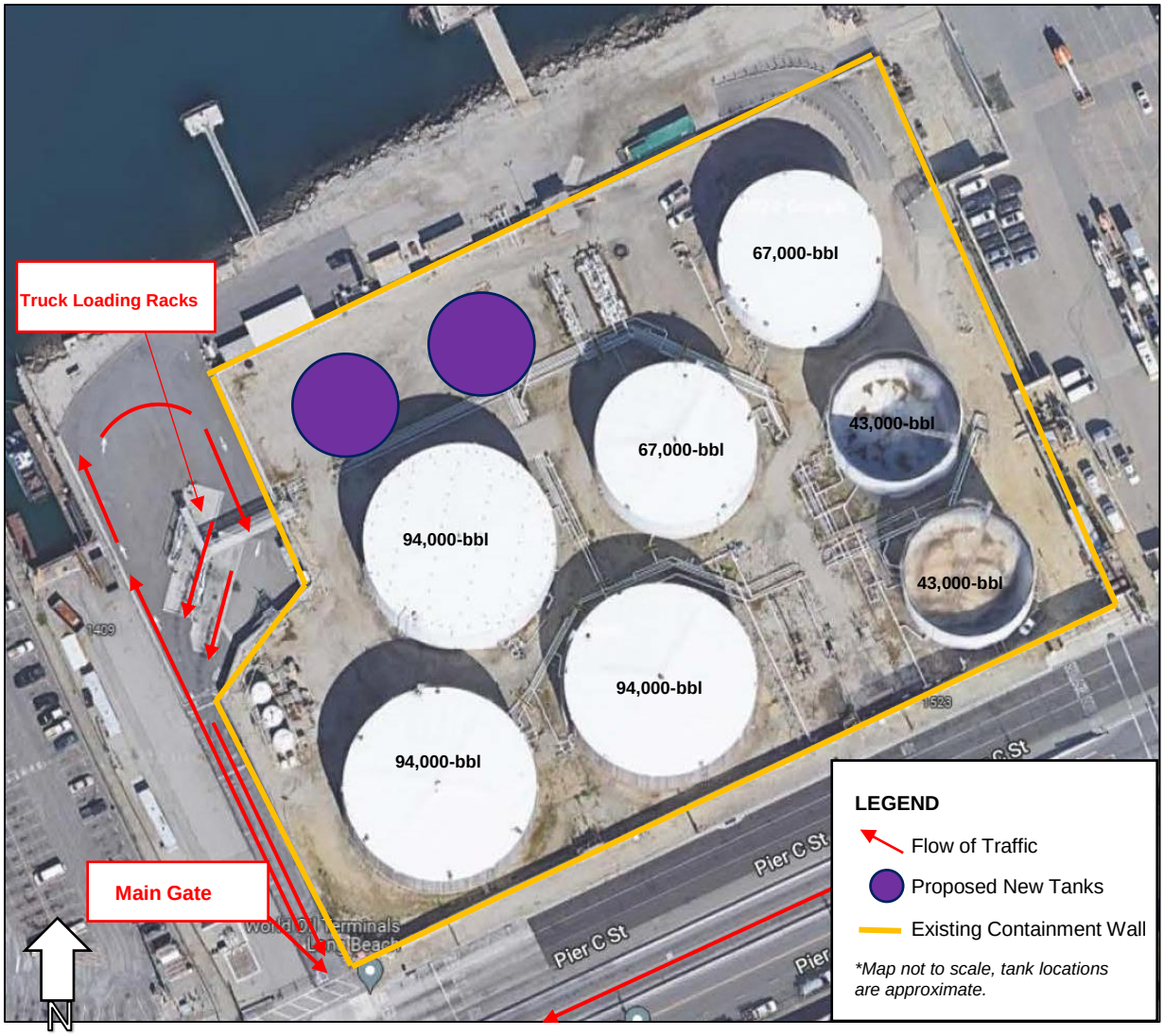


Figure 3-2. Project Site Plan – World Oil Tank Installation Project



3.1 Site History

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

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 require an amendment to the existing PMP because it is not a new development but rather an infill development. 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

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.

7. **Permission from Property Owner:** Permittee shall coordinate with all facilities which may be affected by the permitted project. Permittee shall not interfere with any facility operations. Permittee shall contact the Harbor Department Terminal Services Section at 562-283-7760, or tenantservices@polb.com, for assistance with notifications.

8. **Subsurface Construction Activities:** Permittee shall contact Underground Service Alert of Southern California (dig-alert at 811) before any excavation begins, a minimum of two (2) working days NOT including the date of notification prior to digging. Permittee shall conduct all subsurface work in accordance with Section 306 – Underground Conduit Construction of the latest edition of Standard Specifications for Public Works Constructions (The "Green Book") unless otherwise noted herein. Permittee shall be responsible for all damage to underground structures and utility lines occurring as a result of project construction and shall restore all ground surfaces disturbed by excavation to original conditions per POLB Standard U-4. This includes, but is not limited to, irrigation lines, water main lines, underground conduit, and surface landscaping. The alignment of any underground utilities that must be relocated as a result of the permitted project must be approved by the Director of Environmental Planning and the utility owner. Permittee, except as otherwise provided for or agreed to, is responsible for any costs associated with repairing, replacing, or relocating underground or surface utilities or landscaping disturbed or destroyed during the permitted project.

9. **Conduct of Work:** Permittee shall perform all work in strict accordance with the plans and specifications approved by the Harbor Department Environmental Planning Division. For project site preparation and construction activities the permittee shall utilize appropriate best management practices to minimize dust without release of pollutants into harbor waters. Distribution and/or removal of surplus materials (fills, dirt, broken asphalt, etc.) generated by the construction on property under the jurisdiction of the Harbor Commission must have prior approval of the Chief Harbor Engineer, or his/her designee.

10. **As-Built Drawings and Specifications:** As-built drawings and specifications for construction within the Harbor District (hard copies and CADD files in digital format) shall be submitted to Port of Long Beach Inspection at (562) 283-7218 or inspection@polb.com within thirty (30) days of the completion of work. Except in the case of underground work, final construction drawings may serve as as-built provided (i) a set of such drawings are submitted and stamped "as-built", (ii) such drawing clearly identify the item by accurate note such as "electrical duct bank", "water", etc. and (iii) such drawings show by symbol or note, the vertical location of the item. For underground work, permittee shall submit to the Port of Long Beach Inspection, within thirty (30) days of completion of the work, two (2) sets of as-built drawings and survey notes, signed and stamped by a licensed surveyor

who shall certify to the accuracy of the horizontal and vertical positions of underground alignments and structures in California Coordinate System of 1983 (CCS'83) Zone 5 coordinates, 2007.00 epoch, in feet and elevations in NGVD'29 Mean Lower Low Water (MLLW) in feet. For horizontal and vertical control within the Harbor District contact the Port Survey Division (562) 283-7203. Digital data shall be in CADD format along with an .ascii file including pt. number, northing, easting, elevation, and description with comma 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.

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

5.2 Special Conditions

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

SC-AQ-1. Air Quality Best Management Practices:

1. **Fuels Used in Construction Equipment.** Any on-road or off-road diesel engines used in construction activities must use fuels that comply with the California Air Resources Board (CARB) regulation for ultra-low sulfur diesel fuel (15 parts per million or less) (Title 13, California Code of Regulations, Section 2281) and/or the CARB Low Carbon Fuel Standard Regulation (Title 17, California Code of Regulations, Sections 95480-95503).

2. **Off-Road Construction Equipment.** All off-road construction equipment shall meet the United States Environmental Protection Agency (EPA) Tier 4 Final off-road engine emission standards. At least 10 days prior to equipment use on-site, Permittee shall submit to the Port of Long Beach Director of Environmental Planning via electronic mail to: HDPDesk@polb.com, documentation showing the following:

    a) Engine horsepower, make, and model, and serial number;

    b) Current EPA/CARB engine certification or manufacturer specifications showing the certified engine emission/tier level;

    c) Any emission control devices installed, including, but not limited to diesel oxidation catalysts and/or diesel particulate filters/traps.

3. **On-Road Heavy Duty Trucks.** All on-road, heavy-duty trucks used to transport construction materials to and from the Project site shall meet EPA 2010 on-road, heavy-duty diesel engine emission standards. Diesel-fueled commercial vehicles licensed for operation on highways with a gross vehicle weight rating greater than 10,000 pounds that access the Project site shall not idle for more than five (5) minutes at any location (Title 13, California Code of Regulations, Section 2485). Prior to arriving on-site, Permittee shall submit to the Port of Long Beach Director of Environmental Planning via electronic mail to: HDPDesk@polb.com, documentation showing the following:

    a) Truck company name; make, model of truck, and vehicle identification number;

b) EPA/CARB truck engine certification indicating truck meets or exceeds 2010 EPA on- road, heavy-duty diesel engine emission standards;

c) Any emission control devices installed, including, but not limited to diesel oxidation 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. The Stormwater BMP Checklist is available on the Port of Long Beach website at 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.

6. Applicable Policies

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 Draft EIR prepared pursuant to CEQA finds that the proposed Project would result in less than significant impacts to the environment (POLB, 2023); it would avoid substantial adverse effects on the environment and would therefore be consistent with CCA Section 30708(a).

b) Minimize potential traffic conflicts between vessels.

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

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

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

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

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

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

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

Rail service is not associated with existing or proposed operations of the Ribost Terminal, nor would rail service be associated with construction of the proposed Project. The proposed Project would increase multi-company use of the Ribost Terminal by enabling customers to import/export petroleum from the Project site via existing pipelines. Therefore, the proposed Project would be 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).

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

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

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

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

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

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

(5) Oil refineries.

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

(6) Petrochemical production plants.

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

6.2 Consistency with Port Master Plan

The proposed Project would be located in the Northeast Planning District (District 2) within the existing Ribost petroleum bulk station and terminal on Pier C. The PMP describes the Northeast Harbor as the oldest part of the Harbor containing a substantial amount of privately-owned land and is also where most petroleum storage facilities are concentrated. Permitted uses in District 2 include primary Port facilities, Port related industries and facilities, hazardous cargo facilities, ancillary Port facilities, oil production, and navigation (POLB, 1990). The proposed Project would operate under the hazardous cargo facility category which is defined in the PMP as those involving 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 -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 -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, implement a watering program to minimize fugitive dust, use low sulfur fuel, and implement air monitoring programs when hazardous air emissions may be encountered.

The Draft EIR, Section 3.1 Air Quality and Health, starting at page 3.1-1 provides discussion and analysis of the potential impacts to air quality and health risk associated with construction and operation of the proposed Project. Maximum daily criteria pollutant emissions associated with significance thresholds (POLB, 2023, Table 3.1-7 at page 3.1-14 and Table 3.1-10 at page 3.1-20). In addition, the maximum incremental health risks associated with the proposed Project would be below significance thresholds (POLB, 2023, Table 3.1-9 at page 3.1-16).The new tanks would be required to obtain SCAQMD permits to operate (PTO) and comply with all applicable SCAQMD rules and regulations, including, but not limited to Reducing VOC emissions from storage tanks and fugitive components (Rule 463 (Organic Liquid Storage), Rule 1149 (Storage Tank Cleaning and Degassing), and Rule 1173 (Control of VOC Leaks and Releases from Components at Petroleum Facilities and Chemical Plants)). Construction activities would be

required to comply with SCAQMD Rule 403 (Fugitive Dust) to minimize daily construction emissions. Construction and operation activities would also comply with California Air Resources Board (CARB) regulations limiting the idling time to five minutes for diesel-fueled trucks. Special conditions would be applied to the HDP which would require construction equipment operating at the site to comply with the United States Environmental Protection Agency Tier 4 non-road engine standards. In addition, during operation of the Project, heavy-duty trucks calling at the facility would be required to comply with the Port's Clean Trucks Program (CTP), which currently requires any new drayage trucks registered in the Port Drayage Truck Registry (PDTR) to be model year 2014 or newer. Currently, all trucks dedicated to Ribost operations comply with the CTP and are registered in the PDTR. All new trucks registering in the PDTR would be required to comply with all current, new, or updated, requirements of the CTP. Therefore, the proposed Project does not conflict with Goal 1 of the Environmental Element.

Issue of Concern: Habitat Preservation/Marine Mitigation

Goal 2: Minimize habitat loss within Port boundaries.

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

The proposed Project does not involve landfill development and there would be no in-water or over-water construction activity. In addition, normal operations of the terminal do not involve vessel activity to which marine habitat would be impacted. The Project site is a privately owned and operated active petroleum bulk station and terminal. The proposed Project involves constructing and operating two new petroleum storage tanks in the northwestern corner of the existing 12.5 -13 foot high containment wall. A site visit of the Ribost Terminal was conducted in 2020, and again in 2022 to confirm the assessment remained the same as observed in 2020. The Project area is covered by gravel or paved with concrete with patches of invasive grasses and herbaceous weeds and lacks suitable habitat for wildlife. Therefore, the proposed Project does 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. <u>Transportation/Circulation Element</u>

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 -13 foot 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

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. Comments received on the proposed Project during the 30-day scoping period are listed below. Comments received on the Draft EIR will be provided in the Final EIR, with written responses to each comment received. Table ES.7-1 summarizes the comments received during the public scoping process and indicates the EIR section(s) in which these issues are addressed.

Table ES.7-1. Summary of Public Scoping Comments – World Oil Tank Installation Project

COMMENTS RECEIVED DURING THE WORLD OIL TANK INSTALLATION PROJECT PUBLIC SCOPING PROCESS.		
Commenter	**Comment Summary**	**EIR Section Addressing Comment**
Native American Heritage Commission (NAHC) – Andrew Green, Cultural Resources Analyst	The NAHC notes that CEQA has been amended to add a separate category for "tribal cultural resources." Also, Assembly Bill 52 (AB 52) applies to any project for which a NOP or notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015. Senate Bill 18 (SB 18) applies if the project involves adoption of or amendment to a general plan or specific plan. The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of the proposed project as early as possible. Additional requirements of AB 52 and SB 18 were provided. NAHC outlines recommendations for cultural resources assessments.	Section 1.7 (Environmental Resources Not Affected by the Proposed Project) Appendix B, Initial Study, Section 2-XVIII (Tribal Cultural Resources)
Russ McCurdy	Mr. McCurdy asserts that an increased number of storage tanks would result in more tanker truck traffic on highways already experiencing heavy traffic (I-170, CA-47, I-110, and CA-103), as well as more air pollution. Mr. McCurdy recommends that World Oil Terminals contribute to highway improvements to reduce impacts.	Section 1.7 (Environmental Resources Not Affected by the Proposed Project) Section 3.1 (Air Quality and Health Risk) Appendix B, Initial Study, Section 2-XVII (Transportation)
Long Beach Area Chamber of Commerce – Kate Lomas Gutierrez/Jeremy Harris	Letter of Support – Project will support the Port's goals related to the reduction of emissions, creation of employment opportunities, and increased Port productivity. The Project will provide storage and efficiency benefits, as well as contribute to employment by maintaining existing jobs at terminals and supporting the creation of more jobs during the construction phase. The new storage tanks would meet or exceed all Federal and Air Quality Management District (AQMD) emission reduction requirements.	N/A
FuturePorts – Kat Janowicz, Chair, Board of Directors	Letter of Support – Project will provide storage and efficiency benefits; contribute to employment; and provide surge capacity for blending and storage of marine fuels to meet cleaner IMO 2020 standards, which will directly benefit Port tenants who use these fuels. The new storage tanks would meet or exceed all Federal and Air Quality Management District (AQMD) emission reduction requirements.	N/A
South Bay Association of Chambers of Commerce – Mark Waronek, SBACC Board Chair	Letter of Support – Reiterates the same points as the Long Beach Chamber of Commerce.	N/A

Table ES.7-1. Summary of Public Scoping Comments – World Oil Tank Installation Project

COMMENTS RECEIVED DURING THE WORLD OIL TANK INSTALLATION PROJECT PUBLIC SCOPING PROCESS.		
Commenter	**Comment Summary**	**EIR Section Addressing Comment**
Gabrieleno Band of Mission Indians – Kizh Nation – Andrew Salas, Chairman	The Gabrieleno Band of Mission Indians – Kizh Nation's Tribal Government requests consultation with the Port to discuss the Project and the surrounding location, as the World Oil Terminal is within their Ancestral Tribal Territory.	Section 1.7 (Environmental Resources Not Affected by the Proposed Project Appendix B, Initial Study, Section 2-XVIII (Tribal Cultural Resources)
California Department of Transportation (Caltrans)– Miya Edmonson, LDR/CEQA Branch Chief	Caltrans notes that the Project would result in less-than-significant impacts on transportation facilities during construction and operation. Caltrans states that any transportation of heavy construction equipment and/or materials that requires the use of oversized-transport vehicles on State highways would need a Caltrans transportation permit. Caltrans recommends that large-size truck trips be limited to off-peak commute periods.	Section 1.7 (Environmental Resources Not Affected by the Proposed Project Appendix B, Initial Study, Section 2-XVII (Transportation)
Earthjustice – Oscar Espino-Padron, Senior Attorney/Shana Emile, Senior Associate Attorney	Earthjustice notes that the Project would add to the cumulative air and climate change impacts that fossil fuel infrastructure and other polluting operations currently place on surrounding communities, and as such, the EIR should disclose critical information about the health and environmental impacts of the Project. It is also noted that the Initial Study underestimates potential environmental impacts and should be analyzed in detail in the EIR, including how the Project would impact air quality, climate, and the Port's environmental commitments. The commitments that were described as in conflict with the Project include the Port's Green Port Policy, the South Coast AQMD's 2022 Air Quality Management Plan, and the California State Air Resources Board's 2022 Scoping Plan to reduce GHG emissions.	Section 2 (Related Projects and Relationship to Local and Regional Plans) Section 3.1 (Air Quality and Health Risk) Section 3.2 (Global Climate Change)

Table ES.7-1. Summary of Public Scoping Comments – World Oil Tank Installation Project

COMMENTS RECEIVED DURING THE WORLD OIL TANK INSTALLATION PROJECT PUBLIC SCOPING PROCESS.		
Commenter	**Comment Summary**	**EIR Section Addressing Comment**
Dr. Clyde T. (Tom) Williams, President Emeritus Citizens Coalition for A Safe Community, Sierra Club Angeles Water and Transportation Committees	Dr. Williams requests details regarding the proposed Project, site, and operations, for example inventories of onsite liquids. Past annual uses, modes of transport, historic aerial photos and satellite images of the site, and existing physical limitations. Requests the provision of alternatives, specific mitigation measures, and other measures to be implemented, such as alternatives that would not be subject to tsunami inundation risk and mitigation for all construction activities, including 100 percent impervious surfaces at the Project site. Dr. Williams notes concerns specific to geology, air quality, hazardous materials, and historic resources and requests the revision and recirculation of the Initial Study.	Section 1 (Introduction and Project Description) Section 3 (Environmental Setting and Project Impacts) Section 3.1 (Air Quality and Health Risk) Section 3.3 (Hazards and Hazardous Materials) Section 3.5 (Geology and Soils) Section 4 (Alternatives Comparison) Appendix B, Initial Study, Section 2-V (Cultural Resources) and Section 2-VII (Geology and Soils)
Long Beach Unified School District, Business Services Department Facilities Development & Planning – David Miranda, Executive Director	The District requests that the Port provide truck routes and construction vehicles to avoid streets adjacent to schools (Edison and Chavez Elementary Schools) and detailed information regarding how the increase in emissions would not impact school age children nearby. The District also requests that the Port ensure the established safe walking routes are not impeded in relation to nearby schools and clarify if the 10% truck traffic increase includes additional traffic from the leased portion of the property.	Section 3.1 Air Quality and Health Risk Section 1.7 (Environmental Resources Not Affected by the Proposed Project Appendix B, Initial Study, Section 2-XVII (Transportation)
BizFed – John Musella, Chair Santa Clarita Valley Chamber/ David Fleming, Founding Chair/Tracy Hernandez, Founding CEO/David Englin, President	Letter of Support – With the addition of the two smaller tanks, the Project will be able to provide surge capacity for blending and storage of marine fuels to meet cleaner IMO 2020 standards, and support industries who help our state become more resilient by utilizing recycled materials and using already existing infrastructure to meet our economy's critical infrastructure demands. Adding storage capacity to the World Oil facilities is in the best interest of California policies.	N/A
World Oil Employees	Letter of Support – Petition signed by 19 employees stating the Project will reduce marine emissions from ships and can be used for renewable fuels in the future. The new storage tanks would meet or exceed all Federal and AQMD emission reduction requirements. The Project will contribute to a cleaner and more sustainable future and secure jobs.	N/A

8. References

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