Executive Summary

ES.1 Introduction

This Draft Environmental Impact Report (Draft EIR) has been prepared to evaluate environmental impacts related to constructing a new, MOTEMS-compliant berthing facility at Berths 150-151 and related improvements (the Proposed Project). MOTEMS (Marine Oil Terminal Engineering and Maintenance Standards) are comprehensive engineering standards for the analysis, design, inspection, and maintenance of existing and new marine oil terminals (MOTs). The MOTEMS program is overseen by the California State Lands Commissions with the goal of increasing the safety of operations at MOTs in California. In addition, the Proposed Project includes consideration of up to 40 years of continued operation as a MOT at Berths 148-151, currently proposed via a new 20-year entitlement with two optional 10-year extensions.

The Project site (Figure ES-1) is located at the southern end of Pier "A" Street on approximately 13.8 acres of land, including approximately 1,800 feet of Turning Basin waterfront. The Project site is bounded by the TraPac Container Terminal (Berths 135-147) to the north, the West Basin to the west, the Turning Basin to the south, and Slip No. 1 to the east. Nearby land uses are all marine cargo terminals and access roads.

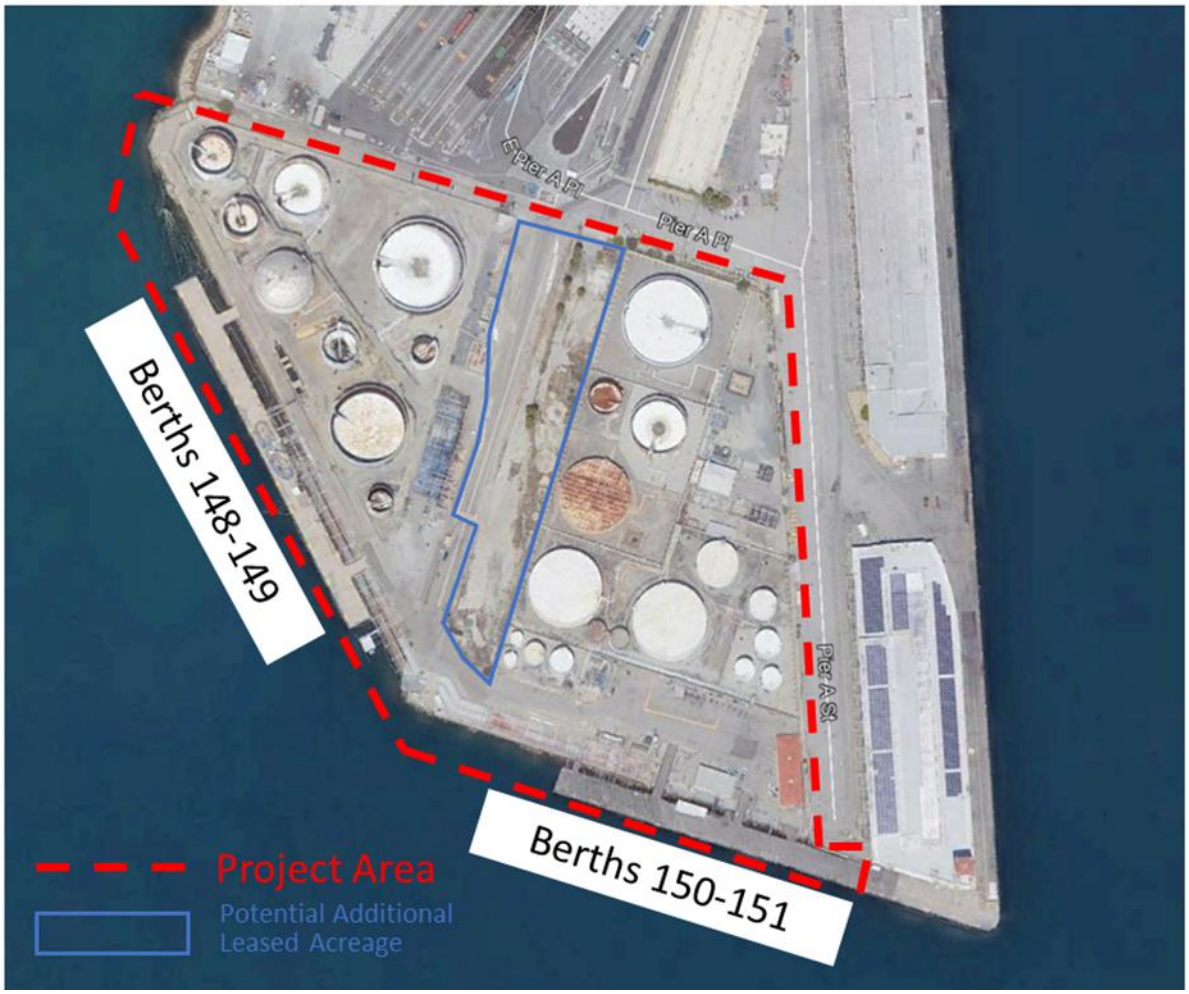
This Draft EIR has been prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) and the Guidelines for Implementation of the California Environmental Quality Act of 1970 (State CEQA Guidelines). Specifically, this Executive Summary has been prepared in accordance with §15123(b) of the State CEQA Guidelines, which states that the EIR should contain a brief summary of the proposed actions and its consequences and should identify: (1) each significant effect with proposed mitigation measures and alternatives that would reduce or avoid that effect; (2) areas of controversy known to the lead agency; and (3) issues to be resolved including the choice among alternatives and whether or how to mitigate significant effects. Throughout the Executive Summary are references to various chapters and sections in the Draft EIR where detailed information and analyses can be reviewed.

ES.2 Purpose of this Draft EIR

This Draft EIR will be used to inform decision-makers and the public about the potential significant environmental effects of the Proposed Project and alternatives. This Draft EIR is also being provided to the public for review, comment, and participation in the planning process. After public review and comment, a Final EIR will be prepared that will include responses to comments on the Draft EIR received from agencies, organizations, and individuals. The Final EIR will provide the basis for decision-making by the CEQA lead agencies, as described below. Several other agencies (federal, state, regional, and local) have jurisdiction over some part of the Proposed Project or a resource

area affected by the Proposed Project and are expected to utilize this Draft EIR as part of their approval or permit processes.

Figure ES-1. Berths 148-149 MOTEMS Project Location



ES.2.1 CEQA Analysis Overview

The LAHD operates the Port of Los Angeles (Port) under the legal mandates of the Port of Los Angeles Tidelands Trust (Los Angeles City Charter, Article VI, §601; California Tidelands Trust Act of 1911) and the California Coastal Act (PRC Division 20 §§30700 et seq.). The LAHD is chartered to develop and operate the Port to benefit maritime uses, and it functions as a landlord by leasing Port properties to more than 300 tenants.

The actions under consideration by LAHD involve physical changes to the environment that would have potentially significant impacts, as determined in the Initial Study of the Proposed Project (see Appendix A). In addition, comments provided by public agencies, including responsible and trustee agencies, and the public in response to the Notice of Preparation (NOP) have also indicated that the Proposed Project may have significant impacts. Accordingly, an EIR is required. This Draft EIR evaluates the direct, indirect, and cumulative impacts of the Proposed Project in accordance with the provisions set

forth in the State CEQA Guidelines. It will be used to address potentially significant environmental issues.

The primary intended uses of this Draft EIR by LAHD are 1) to inform agencies considering permit applications and other actions required to construct, lease, and operate the selected alternative, 2) to inform the public of the potential environmental consequences of the Proposed Project and alternatives, and 3) to adopt mitigation measures that, where possible, will reduce or eliminate significant environmental impacts. After public review and comment, a Final EIR will be prepared that will include responses to comments on the Draft EIR received from agencies, organizations and individuals. The Final EIR will then provide the basis for decision-making by the LAHD and other concerned agencies.

ES.2.2 Project Objectives

The primary purpose of the Proposed Project is to ensure that the Phillips 66 MOT at Berths 148-151 complies with MOTEMS to protect public health, safety, and the environment and to ensure continued viability of MOT operations within the Port. As the existing facilities are not MOTEMS-compliant, the Proposed Project is needed to bring the MOT into compliance.

To achieve this purpose, the Proposed Project has the following objectives:

- Construct a new MOTEMS-compliant berthing and loading/unloading facility at Berths 150-151 capable of handling larger vessels;
- Provide for operation of Berths 148-149 for non-MOT uses after the MOTEMS-compliant facility at Berths 150-151 is operational;
- Optimize the use of existing land at the terminal and associated waterways in a manner that is consistent with the LAHD's public trust obligations by optimizing the use of the new MOTEMS-compliant facility at Berths 150-151 through a new, long-term entitlement;
- Maintain the ability to use the full terminal capacity to ensure continued reliability and availability of fuel supplies to help meet Southern California's energy needs given evolving market conditions and business cycle variability; and
- Support the objective of the Port Master Plan to "promote the orderly long-term development and growth of the Port by establishing functional areas for Port facilities and operations" and "allow the Port to adapt to changing technology, cargo trends, regulations, and competition from other U.S. and foreign seaports."

ES.2.3 Baseline

The CEQA Baseline for the Proposed Project consists of conditions in calendar year 2021, the first full calendar year proceeding the start of preparation of the NOP, which was released in February 2023. In 2021, activity within the boundaries of the Project site included 291 vessel calls (oceangoing tankers and coastal barges), 1,605 round-trip truck trips, and a throughput of 6,359,423 barrels of a variety of petroleum-based commodities.

ES.3 Proposed Project

ES.3.1 Overview

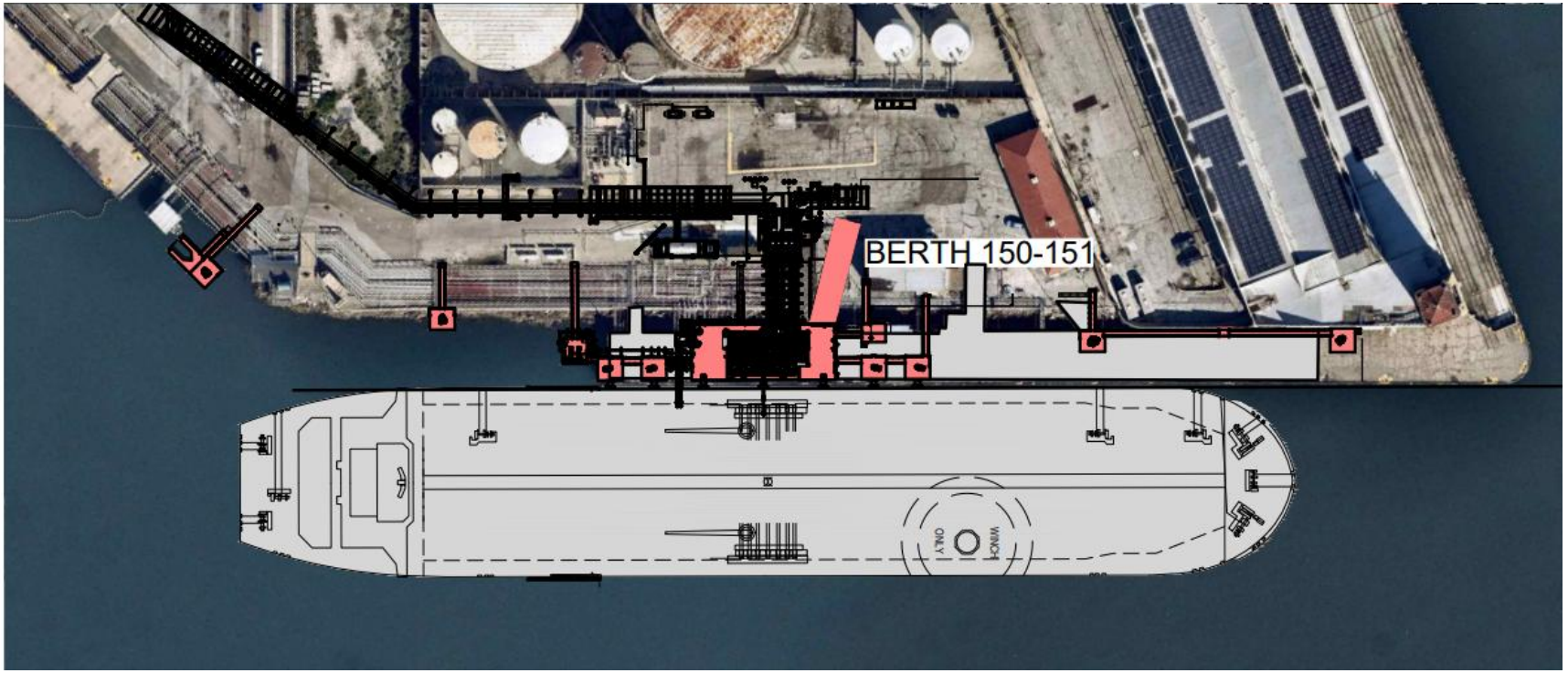
The Proposed Project would correct the identified deficiencies by constructing a new, MOTEMS-compliant berthing facility at Berths 150-151 (Figure ES-2). The existing wharf at Berths 148-149 would be used as a MOT while the new facilities at Berths 150-151 are being built, and future uses at Berths 148-149 would be limited to non-MOT uses such as storage of topside equipment and the occasional mooring of harbor craft (e.g., boom deployment boats, tugboats, and barges) to reduce congestion in the channel; these future uses at Berths 148-149 would be substantially the same as the current uses of Berths 150-151.

Landside facilities, including piping, vapor recovery systems, support systems, and tankage, would be modified and upgraded to support the new Berths 150-151 loading platform. In addition, the Proposed Project includes consideration of up to 40 years of continued operation as a MOT at Berths 148-151, currently proposed via a new 20-year entitlement with two optional 10-year extensions.

ES.3.2 Project Construction

Project construction is described in detail in Section 2.5.1 and would include both in-water activities, including wharf demolition, loading platform construction, wharf and shoreline refurbishment, and clean-up dredging, and topside/landside activities, including installation of handling, safety, and emissions and spill control equipment, shoreside connections, storage tank refurbishment and construction, trenching, pipeline installation, and landside equipment relocation. For the purposes of this analysis, it is assumed that construction of the Proposed Project would occur in multiple phases, beginning with demolition of the existing and construction of the new Berths 150-151 wharf elements and topside and landside improvements, at which time the new berth at Berths 150-151 would be operational.

Figure ES-2. Berths 150-151 (Phillips 66) Marine Oil Terminal and Wharf Improvement Project (new structures shown in red and black), structures to be demolished in gray



Refurbishment of the 11 currently idle tanks would proceed after completion of the new Berth 150-151 and conclude in 2029. Although the analysis assumes that construction would start at these anticipated dates, any shift of the schedule into the future is expected to result in equal or lesser emissions as some of the equipment/sources of emissions would naturally become cleaner through normal turnover.

ES.3.3 Project Operation

Operation of the Proposed Project is described in detail in Section 2.5.2. Phillips 66 would manage future operations, which would be similar to the existing operations at Berths 148-149. Future operational activities would require the same number of staff as existing operational activities. As discussed above, future non-MOT operations at Berths 148-149 would be substantially the same as the pre-Project uses of Berths 150-151.

Phillips 66 has estimated a range of average annual throughput for each commodity, and using the high end of the range for each commodity, Phillips 66 estimates that annual throughput could be as high as 23,761,500 barrels of deliveries and shipments

The Phillips 66 MOT would continue to serve only one vessel at a time, as the new loading platform at Berths 150-151 could only accommodate one vessel and no tanker vessel operations would take place at Berths 148-149. Berths 150-151 would continue to serve barges as under baseline conditions, but it would handle a broader range of oceangoing vessel (OGV) sizes up to Aframax-class OGVs (123,000 deadweight tonnage [DWT]). As described in Table ES-1, the facility would handle up to 296 barges (20 more than under baseline conditions) and a maximum of 75 tanker vessels per year (60 more than under baseline conditions), although in low-volume years, there would likely be fewer vessel calls.

Table ES-1. Baseline and Projected Future Year Operational Activity Levels

Annual Activity	2021 Baseline	Projected with Project
Oceangoing Tankers	15	75
Barges	276	296
Total Vessel Calls[1]	291	371
Trucks (round trips)	1,605	1,951
Terminal Throughput (barrels)	6,359,423	23,761,500

Note:
[1] All vessels in 2021 called at Berth 149.

ES.3.4 Alternatives

In accordance with CEQA, this Draft EIR must also evaluate a reasonable range of alternatives to the Proposed Project, briefly describe the rationale for selection and rejection of alternatives, and compare the merits of the alternatives (see Chapter 6). Including the Proposed Project, four alternatives were considered during the preparation of this Draft EIR. Of those, three (Proposed Project, No Project, and Reduced Project) have been carried forward for analysis in Chapter 3, Environmental Analysis.

ES.3.4.1 Alternative 1 – No Project

State CEQA Guidelines §15126.6(e) requires the analysis of a no-project alternative. This analysis must discuss the existing conditions as well as what would be reasonably expected to occur in the foreseeable future if the Proposed Project is not approved.

Under this alternative, the MOT at Berths 148-151 would not be brought into compliance with MOTEMS requirements as required by state regulations. Accordingly, the MOT would be required to cease operation, and the site would be idle. Activities under the No Project (Alternative 1) would be negligible in the foreseeable future as no future development has been proposed or approved.

ES.3.4.2 Alternative 2 – Reduced Project

In the Reduced Project Alternative (Alternative 2), all of the elements of the Proposed Project would be constructed except that the refurbishment of 11 idle storage tanks would not occur. As those tanks are not necessary to support the throughput volumes contemplated by the Proposed Project, the MOT's throughput, and therefore activity levels, would be the same as the Proposed Project's (Table ES-1).

ES.3.5 Alternatives Considered But Not Further Evaluated

CEQA requires an EIR to present a reasonable range of alternatives to the Proposed Project along with an evaluation of the comparative merits of the alternatives and a brief description of the rationale for selection and rejection of alternatives. Under CEQA, alternatives may be eliminated from detailed consideration in the EIR if they fail to meet most of the Project objectives, are infeasible, or would not avoid or substantially reduce any significant environmental effects (CEQA Guidelines §15126.6(c)).

Based on comments received on the NOP, an alternative considered was locating the upgraded, MOTEMS compliant MOT to another site within the Port. As described in Section 6.5, there is no evidence that impacts associated with air quality, biological resources, energy, greenhouse gases, and hazards would be substantially reduced and some impacts could, in fact, increase. Furthermore, relocating the MOT would require new construction of backland facilities, including storage tanks and pipelines, that already exist at Berths 148-151; this terminal has operated continuously as a MOT since the 1920s. Moving the MOT would increase construction and potentially operating costs and make the Project infeasible.

ES.4 Environmental Impacts

Based on the Initial Study in the NOP (Appendix A), the following issues have been determined to be potentially significant and are therefore evaluated in this Draft EIR:

- Air Quality;
- Biological Resources;
- Energy;
- Greenhouse Gas Emissions; and
- Hazards.

The criteria for determining the significance of environmental impacts are described for each issue in Chapter 3, Environmental Analysis.

Chapter 4 discusses the Socioeconomic effects of the Proposed Project, Chapter 5 discusses the cumulative impacts of the Proposed Project and the alternatives, Chapter 6 compares the alternatives, and Chapter 7 discusses growth-inducing impacts. Summary descriptions of the impacts, mitigation measures, and residual impacts for the Proposed Project and alternatives are provided in Table ES-2.

ES.4.1 Impacts Not Considered in This Draft EIR

The scope of this Draft EIR was established based on the NOP issued by LAHD on February 23, 2023, and on the comments received by agencies and the public. The NOP concluded that certain topics would involve a less than significant or no significant impact and need not be evaluated in the Draft EIR. Accordingly, the Draft EIR does not analyze agriculture and forestry, aesthetics, cultural resources and tribal cultural resources, hydrology and water quality, land use, mineral resources, population and housing, public services, recreation, utilities and service systems, ground transportation, and wildfire. Although the NOP eliminated hazards and hazardous materials from the analyses, LAHD has since determined that the presence of the Project site on the Cortese List warrants consideration in the Draft EIR.

ES.4.2 Impacts of the Proposed Project

Impacts and mitigation measures are described in Table ES-2. Mitigation and lease measures referenced in Table ES-2 are described in Section ES.4.2.4.

ES.4.2.1 Unavoidable Significant Impacts

This Draft EIR has determined that implementation of the Proposed Project would result in significant and unavoidable impacts, after the application of mitigation measures, related to:

- **Air Quality**: Emissions of PM_{10} from construction (24-hr ambient concentrations; 2026-2028); emissions of NO_X from operation for both operational years analyzed (2027 and 2057); ambient concentration thresholds for the federal 1-hour and state annual nitrogen dioxide (NO_2) standards; and the 24-hour PM_{10} standard during overlapping construction and operations (2027).

ES.4.2.2 Summary of Significant Impacts that Can Be Mitigated, Avoided, or Substantially Lessened

This Draft EIR has determined that implementation of the Proposed Project would result in significant impacts that can be mitigated related to:

- **Biological Resources**: Underwater noise from pile driving could adversely affect marine mammals. Implementation of mitigation measure MM BIO-1: Protect Marine Mammals, would reduce impacts to less than significant. Construction-related turbidity could adversely affect any eelgrass beds that might be present in the general vicinity of the Project site. Mitigation measure MM BIO-2: Protect Eelgrass, would reduce impacts to less than significant.
- **Greenhouse Gases:** Greenhouse gas emissions would exceed the SCAQMD mass emissions thresholds in both analysis years (2027 and 2057). Implementation of air quality mitigation measures and mitigation measure MM GHG-1: GHG Reduction Offsets and MM GHG-2: LED Lighting, would reduce impacts to less than significant.

ES.4.2.3 Summary of Less than Significant Impacts

This Draft EIR has determined that implementation of the Proposed Project would result in less than significant impacts without mitigation related to the issues of:

- **Air Quality**: Construction emissions emissions of volatile organic compounds (VOC), carbon monoxide (CO), nitrogen oxides (NO_X), sulfur oxides (SO_X), or respirable particulate matter (PM) less than 2.5 micrometers in diameter ($PM_{2.5}$) and related off-site ambient air pollution concentrations (including PM_{10}); health risks associated with individual cancer risk, population cancer burden, chronic noncancer hazard index, and acute noncancer hazard index for residential and non-residential sensitive receptors and occupational receptors; and conflict with or obstruction of implementation of an applicable AQMP.
- **Biological Resources**: Special-status species and their habitats due to construction other than pile removal and driving; loss of habitat of special-status species; and underwater noise, spills, and collisions with marine mammals due to operational activity (primarily increased vessel traffic).
- **Energy:** Wasteful, inefficient, or unnecessary consumption of energy; and conflict with or obstruct a state or local renewable energy plan.
- **Greenhouse Gases:** Conflict with relevant regulatory programs.
- **Hazards and Hazardous Materials:** Location on a site listed under Government Code 65962.5 (the "Cortese List").

Table ES-2. Summary of Impacts and Mitigation for the Proposed Project and Alternatives

Alternative	Environmental Impacts	Impact Determination	Applied Mitigation Measures	Residual Impacts After Mitigation	Lease Measure
3.1 Air Quality					
Proposed Project	**AQ-1:** Would construction of the Proposed Project result in emissions that exceed the SCAQMD regional thresholds of significance for construction emissions listed in Table 3.1-4?	Less than significant	No mitigation is required	Less than significant	
	AQ-2: Would construction of the Proposed Project result in off-site ambient air pollutant concentrations that exceed a SCAQMD threshold of significance?	Construction 24-hour ambient PM_{10} concentrations would be significant in 2026, 2027, and 2028.	**MM AQ-1:** On-Road Trucks Used During Construction **MM AQ-2:** Off-Road Construction Equipment **MM AQ-3:** Port of Los Angeles Sustainable Construction Guidelines **MM AQ-4:** General Construction Mitigation Measure **MM AQ-5:** Renewable Diesel Fuel for Construction Equipment and On-Road Trucks	Significant and unavoidable for PM_{10}	**LM AQ-1:** Periodic Review of New Technology
	AQ-3: Would the Proposed Project result in operational emissions that exceed an SCAQMD regional threshold of significance in Table 3.1-6?	Operation emissions would be significant for NO_X in all operational years	**MM AQ-6:** Vessel Speed Reduction Program (VSRP)	Significant and unavoidable for NO_X for all operational years	**LM AQ-1:** Periodic Review of New Technology
	AQ-4: Would operation of the Proposed Project result in offsite ambient air pollutant concentrations that exceed a SCAQMD threshold of significance?	Operation-related ambient pollutant concentrations with overlapping construction emissions in 2027 would be significant for 1-hour and annual NO_2 and 24-hr PM_{10}	**MM AQ-6:** Vessel Speed Reduction Program (VSRP)	Significant and unavoidable	**LM AQ-1:** Periodic Review of New Technology

Alternative	Environmental Impacts	Impact Determination	Applied Mitigation Measures	Residual Impacts After Mitigation	Lease Measure
		Less than significant for operational emissions in 2057			
	AQ-5: Would the Proposed Project expose receptors to significant levels of TACs?	Less than significant.	Mitigation not required but **MM AQ-1** through **MM AQ-6** would further reduce impacts	Less than significant	**LM AQ-1:** Periodic Review of New Technology
	AQ-6: Would the Proposed Project conflict with or obstruct implementation of an applicable AQMP?	Less than significant	No mitigation is required	Less than significant	N/A
Alternative 1: No Project	**AQ-1:** Would construction of the No Project Alternative result in emissions that exceed the SCAQMD regional thresholds of significance for construction emissions listed in Table 3.1-4?	No impact	Not applicable	No impact	N/A
	AQ-2: Would construction of the No Project Alternative construction result in off-site ambient air pollutant concentrations that exceed a SCAQMD threshold of significance?	No impact	Not applicable	No impact	N/A
	AQ-3: Would the No Project Alternative result in operational emissions that exceed an SCAQMD regional threshold of significance in Table 3.1-6?	No impact	Not applicable	No impact	N/A
	AQ-4: Would operation of the No Project Alternative result in offsite ambient air pollutant concentrations that exceed a SCAQMD threshold of significance?	No impact	Not applicable	No impact	N/A

Alternative	Environmental Impacts	Impact Determination	Applied Mitigation Measures	Residual Impacts After Mitigation	Lease Measure
	AQ-5: Would the No Project Alternative expose receptors to significant levels of TACs?	No impact	Not applicable	No impact	N/A
	AQ-6: Would the No Project Alternative conflict with or obstruct implementation of an applicable AQMP?	No impact	Not applicable	No impact	N/A
Alternative 2: Reduced Project	**AQ-1:** Would construction of the Reduced Project Alternative result in emissions that exceed the SCAQMD regional thresholds of significance for construction emissions listed in Table 3.1-4?	Less than significant	Mitigation not required	Less than significant	N/A
	AQ-2: Would construction of the Reduced Project Alternative result in off-site ambient air pollutant concentrations that exceed a SCAQMD threshold of significance?	Construction 24-hour ambient PM_{10} concentrations would be significant in 2026, 2027, and 2028	**MM AQ-1:** On-Road Trucks Used During Construction, **MM AQ-2:** Off-Road Construction Equipment, **MM AQ-3:** Port of Los Angeles Sustainable Construction Guidelines, **MM AQ-4:** General Construction Mitigation Measure, **MM AQ-5:** Renewable Diesel Fuel for Construction Equipment and On-Road Trucks	Significant and unavoidable for PM_{10}	**LM AQ-1:** Periodic Review of New Technology
	AQ-3: Would the Reduced Project Alternative result in operational emissions that exceed an SCAQMD regional threshold of significance in Table 3.1-6?	Operational emissions would be significant for NO_X in all operational years	**MM AQ-6:** Vessel Speed Reduction Program (VSRP)	Significant and unavoidable for NO_X for all operational years	**LM AQ-1:** Periodic Review of New Technology
	AQ-4: Would operation of the Reduced Project Alternative result in offsite ambient air pollutant concentrations that exceed a SCAQMD threshold of significance?	Operation-related ambient pollutant concentrations with overlapping construction emissions in 2027 would be significant for 1-	**MM AQ-6:** Vessel Speed Reduction Program (VSRP)	Impacts would remain significant and unavoidable	**LM AQ-1:** Periodic Review of New Technology

Alternative	Environmental Impacts	Impact Determination	Applied Mitigation Measures	Residual Impacts After Mitigation	Lease Measure
		hour and annual NO_2 and 24-hr PM_{10}			
	AQ-5: Would the Reduced Project Alternative expose receptors to significant levels of TACs?	Less than significant	Mitigation not required but **MM AQ-1** through **MM AQ-6** would further reduce impacts	Less than significant	**LM AQ-1:** Periodic Review of New Technology
	AQ-6: Would the Reduced Project Alternative conflict with or obstruct implementation of an applicable AQMP?	Less than significant	No mitigation required	Less than significant	N/A
3.2 Biological Resources					
Proposed Project	**BIO-1**: Would the Proposed Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Significant impact: Underwater noise from construction could exceed applicable thresholds for marine mammals and sea turtles	**MM BIO-1**: Protect Marine Mammals	Less than significant	N/A
	BIO-2: Would the Proposed Project have a substantial adverse effect on sensitive natural aquatic communities and habitats identified in the city or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Significant impact: Turbidity from construction could adversely affect eelgrass	**MM BIO-2:** Protect Eelgrass	Less than significant	N/A

Alternative	Environmental Impacts	Impact Determination	Applied Mitigation Measures	Residual Impacts After Mitigation	Lease Measure
Alternative 1: No Project	**BIO-1**: Would the No Project Alternative have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	No impact	Mitigation not applicable	No impact	N/A
	BIO-2: Would the No Project Alternative have a substantial adverse effect on sensitive natural aquatic communities and habitats identified in the city or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	No impact	Mitigation not applicable	No impact	N/A
Alternative 2: Reduced Project	**BIO-1**: Would the Reduced Project Alternative have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?	Significant impact: Underwater noise from construction could exceed applicable thresholds for marine mammals and sea turtles	**MM BIO-1:** Protect Marine Mammals	Less than significant	N/A
	BIO-2: Would the Reduced Project Alternative have a substantial adverse effect on sensitive natural aquatic communities and habitats identified in the city or regional plans, policies,	Significant impact: Turbidity from construction could adversely affect eelgrass	**MM BIO-2:** Protect Eelgrass	Less than significant	N/A

Alternative	Environmental Impacts	Impact Determination	Applied Mitigation Measures	Residual Impacts After Mitigation	Lease Measure
	regulations, or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?				
3.3 Energy					
Proposed Project	**EN-1:** Would the Proposed Project result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Less than significant	No mitigation is required	Less than significant	N/A
	EN-2: Would the Proposed Project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	Less than significant	No mitigation is required	Less than significant	N/A
Alternative 1: No Project	**EN-1:** Would the No Project Alternative result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	No impact	Mitigation not applicable	No impact	N/A
	EN-2: Would the No Project Alternative conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	No impact	No mitigation is required	No Impact	N/A
Alternative 2: Reduced Project	**EN-1:** Would the Reduced Project Alternative result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	Less than significant	No mitigation is required.	Less than significant	N/A

Alternative	Environmental Impacts	Impact Determination	Applied Mitigation Measures	Residual Impacts After Mitigation	Lease Measure
	EN-2: Would the Reduced Project Alternative conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	Less than significant	No mitigation is required	Less than significant	N/A
3.4 Greenhouse Gases					
Proposed Project	**GHG-1**: Would the Proposed Project generate GHG emissions, either directly or indirectly, may have a significant impact on the environment?	Significant impact: GHG emissions would exceed 10,000 MT in all analysis years	**MM GHG-1:** GHG Reduction Offsets **MM GHG-2:** LED Lighting **MM AQ-1**: On-Road Trucks Used During Construction **MM AQ-2**: Off-Road Construction Equipment **MM AQ-3**: Port of Los Angeles Sustainable Construction Guidelines **MM AQ-4**: General Construction Mitigation Measure **MM AQ-5** Renewable Diesel Fuel for Construction Equipment and On-Road Trucks, **MM AQ-6:** Vessel Speed Reduction Program (VSRP)	Less than significant	**LM AQ-1:** Periodic Review of New Technology
	GHG-2: Would the Proposed Project conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs.	Less than significant	Mitigation not required	Less than significant	N/A
Alternative 1: No Project	**GHG-1:** Would the No Project Alternative 1 generate GHG emissions, either directly or indirectly, may have a significant impact on the environment?	No Impact	Mitigation not applicable	No Impact	N/A
	GHG-2: Would the No Project Alternative conflict with any applicable plan, policy or regulation of an agency adopted	No impact	Mitigation not applicable	No impact	N/A

Alternative	Environmental Impacts	Impact Determination	Applied Mitigation Measures	Residual Impacts After Mitigation	Lease Measure
	for the purpose of reducing the emissions of GHGs?				
Alternative 2: Reduced Project	**GHG-1:** Would the Reduced Project Alternative generate GHG emissions, either directly or indirectly, may have a significant impact on the environment?	Significant impact: GHG emissions would exceed 10,000 MT in all analysis years	**MM GHG-1:** GHG Reduction Offsets **MM GHG-2:** LED Lighting **MM AQ-1:** On-Road Trucks Used During Construction **MM AQ-2:** Off-Road Construction Equipment **MM AQ-3:** Port of Los Angeles Sustainable Construction Guidelines **MM AQ-4:** General Construction Mitigation Measure **MM AQ-5:** Renewable Diesel Fuel for Construction Equipment and On-Road Trucks, **MM AQ-6:** Vessel Speed Reduction Program (VSRP)	Less than significant	**LM AQ-1:** Periodic Review of New Technology
	GHG-2: Would the Reduced Project conflict with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of GHGs?	Less than significant	Mitigation not required	Less than significant	N/A
3.5 Hazards and Hazardous Materials					
Proposed Project	**HAZ-1:** Would the Proposed Project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Less than significant	No mitigation is required	Less than significant	N/A

Alternative	Environmental Impacts	Impact Determination	Applied Mitigation Measures	Residual Impacts After Mitigation	Lease Measure
Alternative 1: No Project	**HAZ-1:** Would the No Project Alternative be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	No Impact	Not applicable	No impact	N/A
Alternative 2: Reduced Project	**HAZ-1:** Would the Reduced Project Alternative be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code §65962.5 and, as a result, would it create a significant hazard to the public or the environment?	Less than significant	No mitigation is required	Less than significant	N/A

1

ES.4.2.4 Mitigation Measures

The following mitigation measures would be required by LAHD for the Proposed Project; these measures would also be required for the Reduced Project Alternative (Alternative 2), as noted in Table ES-2. Mitigation cannot be applied to the No Project Alternative (Alternative 1) because there would be no discretionary actions that would allow the imposition of mitigation.

Air Quality

MM AQ-1: On-Road Trucks Used During Construction

1. Trucks hauling materials such as debris or fill shall be fully covered while operating off Port property.
2. Idling shall be restricted to a maximum of 5 minutes when not in use.
3. Tier Specifications:
    - Until December 31, 2026: All on-road heavy-duty diesel trucks with a gross vehicle weight rating (GVWR) of 19,500 pounds or greater used on site or to transport materials to and from the site shall comply with 2012 emission standards, or newer, where available.
    - Post January 1, 2027: All on-road heavy duty diesel trucks used on site or to transport materials to and from the site shall comply with 2015 emission standards, or newer, where available.

A copy of each unit's certified U.S. Environmental Protection Agency (USEPA) rating, Best Available Control Technology (BACT) documentation, and CARB or South Coast Air Quality Management District (SCAQMD) operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

MM AQ-2: Off-Road Construction Equipment

1. Construction equipment shall incorporate, where feasible, emissions savings technology such as hybrid drives and specific fuel economy standards.
2. Idling shall be restricted to a maximum of 5 minutes when not in use.
3. Tier Specifications:
    - All off-road diesel-powered construction equipment greater than 50 horsepower shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.
    - A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

The construction equipment measures shall be met, unless one of the following circumstances exists and the contractor is able to provide proof that any of these circumstances exists:

- A piece of specialized equipment is unavailable in a controlled form within the state of California, including through a leasing agreement.
- A contractor has applied for necessary incentive funds to put controls on a piece of uncontrolled equipment planned for use on the project, but the

application process is not yet approved, or the application has been approved, but funds are not yet available.

- A contractor has ordered a control device for a piece of equipment planned for use on the project, or the contractor has ordered a new piece of controlled equipment to replace the uncontrolled equipment, but that order has not been completed by the manufacturer or dealer. In addition, for this exemption to apply, the contractor must attempt to lease controlled equipment to avoid using uncontrolled equipment, but no dealer within 200 miles of the project has the controlled equipment available for lease.

MM AQ-3: Port of Los Angeles Sustainable Construction Guidelines. The Proposed Project shall implement and comply with all measures as required by the Los Angeles Harbor Department's Sustainable Construction Guidelines adopted in February 2008 and updated in November 2009 during Project construction activities. These requirements shall be included in the construction contracts and bid documents for the Proposed Project.

MM AQ-4: General Construction Mitigation Measure. For MM AQ-1 through MM AQ-3, if a CARB-certified technology becomes available that is as good as or better than the existing measure in terms of emissions performance, the technology could replace the existing technology if approved by LAHD.

MM AQ-5: Renewable Diesel Fuel for Construction Equipment and On-Road Trucks. The Tenant shall fuel diesel-powered construction equipment and on-road trucks with renewable diesel fuel during construction. The renewable diesel product that is used shall comply with American Society for Testing and Materials (ATSM) fuel standards.

In the event of renewable diesel supply challenges or disruptions, the Tenant shall use ultra-low sulfur diesel (ULSD) as a secondary fuel. The Tenant shall demonstrate to LAHD substantial evidence of a supply disruption or event in a timely manner.

MM AQ-6: Vessel Speed Reduction Program (VSRP). 100 percent of vessels calling at the Phillips 66 MOT will be required to comply with the expanded VSRP at 12 knots between 40 nautical miles (nm) from Point Fermin and the Precautionary Area. Vessels experiencing a maritime emergency[1] that prevents compliance with the expanded VSRP may be exempt from this measure.

Biological Resources

MM BIO-1: Protect Marine Mammals. Although it is expected that marine mammals will voluntarily move away from the area at the commencement of the "soft start" of pile-driving activities, site-specific safety and monitoring zones shall be established by a qualified marine mammal professional. The zones shall be developed using the most recent version of NOAA Fisheries' Technical Guidance for Assessing the Effects of Anthropogenic Sound on Marine Mammal Hearing, applicable NOAA behavioral harassment thresholds, and project-specific pile-driving assumptions. The area surrounding the pile-driving activities, including the safety and monitoring zones, shall

[1] Maritime emergencies may include, but are not limited to, suspicious activity, drone/plane activity, security breaches or attempts, United States Coast Guard safety/security/protection zone violations, crimes on land and water, navigation rule violations, vessels in distress, rescues, and fires and emergencies, as defined by the Port of Los Angeles Mariners Guide.

be monitored by a qualified marine mammal observer[2]. The pile driving site will move with each new pile; therefore, the safety and monitoring zones will move accordingly.

MM BIO-2: Protect Eelgrass. The Proposed Project shall comply with the California Eelgrass Mitigation Policy. Pursuant to the Policy, the following activities shall be performed:

- A pre-construction eelgrass survey to map the location and extent of eelgrass that could potentially be affected by wharf demolition and construction;
- Use of minimization measures or Best Management Practices. such as silt curtains to reduce potential effects to eelgrass during Project construction (if present);
- A post-construction eelgrass survey to map the location and extent of eelgrass after completion of wharf demolition and construction; and
- If eelgrass is lost due to Project construction. eelgrass shall be mitigated at a ratio determined by the U.S. Army Corps of Engineers in consultation with the U.S. Fish and Wildlife Service.

Timing of eelgrass surveys. including the frequency of post-mitigation surveys (if applicable). Shall comply with provisions in the U.S. Army Corps of Engineers (USACE) permit, Section 401 of the Clean Water Act (CWA) Water Quality Certification, and the California Eelgrass Mitigation Policy.

Greenhouse Gases

MM GHG-1: GHG Reduction Offsets. The Tenant shall be required to purchase and retire carbon offsets related to activities that reduce, avoid, destroy, or sequester an amount of GHG emissions in an off-site location to offset the equivalent amount of GHG emissions generated by the Project in excess of LAHD's significance threshold of 10,000 metric tons of CO_2 equivalent ($MTCO_2e$) per year. From the first year of the Permit through the end of the term of the Permit, the Tenant shall purchase and retire carbon offsets each year in an amount that would be the equivalent of the Project's estimated residual GHG emissions. The estimated residual emissions for each calendar year shall be based upon the calculations in Appendix C prepared for the Project except as adjusted in accordance with paragraph (a) or (b), below.

The LAHD is in the process of developing a Greenhouse Gas Program. The Program shall be used for GHG-reducing projects and programs approved by the LAHD. If that Program is established during the term of the Permit, the Tenant shall have the option to offset the required amount of GHG emissions through a funding contribution to the Greenhouse Gas Program rather than towards purchasing carbon offsets from a CARB-recognized registry.

[2] Marine mammal professional qualifications shall be identified based on criteria established by the Los Angeles Harbor Department (LAHD) during the construction bid specification process. Upon selection as part of the construction award winning team, the qualified marine mammal professional shall develop site specific pile-driving safety zone requirements, which shall follow the most recent National Oceanic and Atmospheric Administration (NOAA) Fisheries Technical Guidance for Assessing the Effects of Anthropogenic Sound on Marine Mammal Hearing in consultation with the Acoustic Threshold White Paper prepared for this purpose by LAHD (LAHD 2017). Final pile-driving safety zone requirements developed by the selected marine mammal professional shall be submitted to LAHD Construction and Environmental Management Divisions prior to commencement of pile-driving

While the LAHD Greenhouse Gas Program is currently under development, the Tenant shall purchase and retire carbon offsets from a CARB-recognized offset registry as follows:

Carbon offsets: The Tenant shall purchase and retire carbon offsets from a CARB-recognized registry to ensure that offsets will result in real, permanent, additional, quantifiable, verifiable, and enforceable reductions. The carbon offsets shall be verifiable and enforceable in accordance with the registry's applicable standards, practices, or protocols.

The order of priority for purchasing (any one or more) carbon offsets shall be considered as follows:

i. Originating within the local area;
ii. Originating within the South Coast Air Basin;
iii. Originating within the state of California; or
iv. If sufficient local and in-state offsets are not available, the Project shall purchase conforming national offsets registered with a CARB-recognized registry.

Adjustment of Tenant's Required Offsets through Other Verified GHG Emission Reductions: The Tenant may pursue the following modifications to the Project's total estimated GHG emissions identified in this measure. These modifications may be pursued in conjunction with or independent of each other on an up to annual basis.

a. *Adjustment in GHG Emissions*

In the event of changes in activities, efficiency, reduced operations, or for any other purpose, an adjustment of the required carbon offsets may be requested based on an evaluation of actual annual GHG emissions rather than future projected GHG emission calculations in this EIR. If the actual GHG emissions, minus the CEQA Baseline, do not exceed the significance threshold of 10,000 $MTCO_2e$ per year, no carbon offsets shall be required. To adjust the required number of carbon offsets for purchase by the Tenant, the Tenant shall make a request in writing to the LAHD for review and approval for the calendar year under consideration and shall submit a report within 60 days that quantifies the actual greenhouse gas emissions by an expert or an independent, qualified third-party. The evaluation of actual greenhouse gas emissions must be performed using acceptable industry standards and protocols for all sources that were included in the Project's GHG emissions calculations under Impact GHG-1. LAHD review shall occur within 30 days of receipt of the submitted report. Any expenses incurred by LAHD in processing the Tenant's request, including retaining an independent third-party verifier to peer review the report, shall be borne by the Tenant. Alternatively, LAHD may implement a review for its own purpose, subject to the same quantification process described above, to adjust GHG emissions at any time during the life of the Project.

or

b. *Implementation of Additional GHG Reduction Methods*

In addition, the Tenant may request a reevaluation of required carbon offsets to be purchased according to this paragraph. The Tenant may implement different and additional GHG reduction methods if new technology and/or other feasible measures become available during the term of the Permit. To adjust the required number of carbon offsets for purchase, the Tenant shall identify such additional GHG reduction actions and must quantify the GHG emission reductions from these GHG reduction actions by an independent, qualified third-party verifier. Once the GHG reduction actions are found to be feasible and are reviewed and approved by LAHD staff, the Tenant may request that

LAHD reduce its required purchase of carbon offsets by the equivalent amount of demonstrated reduction. Any expenses incurred by LAHD in processing the Tenant's request, including retaining a third- party verifier, shall be borne by the Tenant.

MM GHG-2: LED Lighting: All lighting within the interior of buildings on the premises and outdoor high mast terminal lighting will be replaced with LED lighting or a technology with similar energy-saving capabilities by the first year after completion of construction for the Proposed Project or alternative.

ES.4.2.5 Lease Measure

The following lease measure would be required by LAHD for the Proposed Project; this measure would also be required for the Reduced Project Alternative (Alternative 2), as noted in Table ES-2.

Air Quality

LM AQ-1: Periodic Review of New Technology. The Tenant will conduct a periodic review of any Port-identified or other new emissions-reducing technology and report to the LAHD on the feasibility of any new technology advancements that may reduce emissions not less frequently than once every five years following the effective date of the entitlement. The technology review would be subject to approval by LAHD and would involve consulting with appropriate resources (e.g., consultants, engineers, regulators) to validate the findings. If the review demonstrates the new technology would be effective in reducing emissions and is determined by the LAHD to be feasible, including but not limited to financial, technical and operational considerations, the Tenant will implement the new air quality technological advancements, subject to mutual agreement, which shall not be unreasonably withheld.

ES.4.2.6 Cumulative Impacts

This Draft EIR defines cumulative impacts as the changes in the environment resulting from the incremental impact of the Proposed Project and alternatives when added to other closely related recent, current, and reasonably foreseeable future projects. This definition is consistent with State CEQA Guidelines §15355(b). Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time.

Thirty-six related projects in the general area of the Berths 148-151 Terminal could contribute to impacts that could be cumulatively significant. The Proposed Project and the alternatives were analyzed in conjunction with those related projects for their potential to contribute to significant cumulative impacts. The analysis was conducted for the future years considering the predicted activity levels for those years without the Proposed Project (termed the future baseline). This approach differs from the analyses summarized above, which assess impacts relative to the CEQA baseline.

Cumulative impact evaluations for each resource are included in Chapter 5 of this Draft EIR. The Proposed Project and/or the alternatives would make cumulatively considerable contributions to significant cumulative impacts in the following resource areas under CEQA:

- Air Quality and Meteorology.

Alternative 1 (No Project Alternative) and Alternative 2 (Reduced Project Alternative) would contribute to fewer cumulatively considerable impacts than the Proposed Project under CEQA. The cumulative considerable contributions to a significant impact from the Proposed Project and alternatives are further described below:

Proposed Project Cumulatively Considerable Impacts

The following are cumulative considerable and unavoidable impacts for the Proposed Project after mitigation (if applicable, as described in sections ES 4.2.4 and ES 4.2.5):

Air Quality and Meteorology

- Emissions from construction would make a cumulatively considerable and unavoidable contribution to a significant cumulative impact for offsite ambient pollutant concentrations of PM_{10}. Operation of the Proposed Project would make a cumulatively considerable and unavoidable contribution to a significant cumulative impact for NO_X emissions and overlapping construction and operation would make a cumulatively considerable and unavoidable contribution to a significant cumulative impact for ambient concentrations of NO_2 and PM_{10}.

Alternative 1 (No Project Alternative) Cumulatively Considerable Impacts

Because site conditions would remain unchanged and there would be no construction or new operations at the site, the No Project Alternative (Alternative 1) would make no cumulatively considerable and unavoidable contributions to significant cumulative impacts in any resource area.

Alternative 2 (Reduced Project Alternative) Cumulatively Considerable Impacts

Like the Proposed Project, the Reduced Project Alternative (Alternative 2) would make cumulatively considerable and unavoidable contributions to significant cumulative impact after mitigation in the following resource areas:

Air Quality and Meteorology

- Emissions from construction would make a cumulatively considerable and unavoidable contribution to a significant cumulative impact for offsite ambient pollutant concentrations of PM_{10}. Operation of the Reduced Project Alternative would make a cumulatively considerable and unavoidable contribution to a significant cumulative impact for NO_X emissions and overlapping construction and operation would make a cumulatively considerable and unavoidable contribution to a significant cumulative impact for ambient concentrations of NO_2 and PM_{10}.

The Reduced Project Alternative (Alternative 2)'s contributions to cumulative impacts would be less than those of the Proposed Project due to its reduced level of construction.

Less than Cumulatively Considerable or No Cumulatively Considerable Impacts

After mitigation, the Proposed Project and alternatives would not contribute to cumulatively considerable impacts under CEQA for the following resource areas:

- Biological Resources;
- Energy;
- Greenhouse Gases; and
- Hazards and Hazardous Materials.

ES.4.2.7 Socioeconomic and Growth-Inducing Impacts

The Proposed Project would generate up to 80 direct short-term (i.e., construction) jobs and 8 direct long-term (i.e., operational) jobs. Construction and operation would support approximately 61 secondary (i.e., off-site) jobs created by the purchases of goods and services associated with the Proposed Project's direct jobs throughout the Southern California region comprising Los Angeles, Orange, Riverside, San Bernardino, and Ventura Counties.

While the economic impacts of the Proposed Project would be beneficial, the increase in jobs, output, and tax revenues attributable to the Proposed Project would be small compared to current and projected future employment in the larger economic region. Similarly, because the number of jobs involved would be small relative to regional employment, the effect of the Proposed Project on housing supply and values would likewise be insubstantial. Given its small size relative to the regional economy and population, the Proposed Project would not directly or indirectly induce substantial growth in the region.

ES.4.3 Environmentally Superior Alternative

CEQA requires identification of an environmentally superior alternative. The environmentally superior alternatives were determined based on a ranking system that assigned numerical scores comparing the impacts under each resource area for each alternative relative to the Proposed Project. Table 6-2 in Chapter 6 presents a comparison of the Proposed Project and each alternative by those resource areas with significant and unavoidable impacts.

The No Project Alternative (Alternative 1) is identified as having the fewest impacts because no construction or operations would occur. However, CEQA requires that if the environmentally superior alternative is the No Project (Alternative 1), another alternative be identified as environmentally superior. Impacts of the Reduced Project (Alternative 2) would be less severe than those of the Proposed Project because it would involve somewhat less construction (i.e., the landside storage tanks would not be refurbished). Accordingly, the Reduced Project (Alternative 2) is deemed to be the environmentally superior alternative.

ES.5 Public Comment

During the NOP scoping process, individuals and organizations provided comments on the scope and content of the Draft EIR. The scoping period lasted from February 23, 2023, to April 10, 2023, and included one scoping meeting on March 14, 2023. Thirty-two speakers presented comments at the public hearing, and 60 comment letters were received, including 52 letters in support of the Project and 8 letters with other comments.

Table 1-2 in Chapter 1 presents a summary of the relevant comments on the NOP and where a particular comment would be addressed in this Draft EIR. Key comments included concerns about air quality, seismic safety, site contamination, and exposure to hazardous materials.

ES.6 Issues to be Resolved

State CEQA Guidelines §15123(b)(3) requires that an EIR contain issues to be resolved; this includes whether or how to mitigate significant impacts. This section discusses the major issues to be resolved regarding the Proposed Project. The major issues to be resolved include decisions by the lead agency as to whether:

- This Draft EIR adequately describes the environmental impacts of the Proposed Project;
- The recommended mitigation and lease measures should be adopted or modified;
- Additional mitigation measures need to be applied to the Proposed Project; or
- The Proposed Project should or should not be approved for implementation.