



South Coast Air Quality Management District

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October 16, 2015

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Notice of Preparation of a Draft Supplemental Environmental Impact Report (SEIR) for the China Shipping Container Terminal Project

The South Coast Air Quality Management (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. We note that the Port is intending to reevaluate the feasibility of mitigation measures and take steps which could include the “elimination of measures that have proven to be clearly infeasible, addition of replacement measures to address those impacts, and revision of measures that have proven problematic to implement in order to achieve comparable results.” (NOP, pg. 9.) It is our recommendation that this process also be used as an opportunity to further reduce impacts from the project. In furtherance of this objective, SCAQMD staff recommends that the Draft SEIR include the following components:

- A. Ensure that the newly approved project does not backslide on the level of control and emission reductions provided by the previously approved mitigation.
- B. Implement all feasible mitigation, even if it provides additional reductions beyond what had previously been approved in 2008, with the goal of reducing impacts to a level below significance.
- C. Pursuant to the requirements of Mitigation Measure AQ-22 from the 2008 EIR (which requires a review and implementation of new, feasible lower-emission technologies every seven years), this Draft SEIR should take this opportunity to aggressively deploy the lowest emission technologies possible wherever feasible. This deployment should include those technologies that are “capable of being accomplished in a successful manner within a reasonable period of time” (Public Resources Code §21061.1), such as zero and near-zero emission technologies that are expected early in the life of the project.
- D. As part of CEQA’s disclosure requirements, the analysis of existing conditions in the Draft SEIR should include an analysis of the environmental impacts from actual existing conditions, and what the environmental impacts in the existing condition should have been had all mitigation been implemented fully in the past, and into the future.
- E. The NOP states that the Draft SEIR will not evaluate whether the project is consistent with the Air Quality Management Plan (AQMP). As this Draft SEIR is only being prepared because of the project’s inability to meet previous

commitments, this question should not be dismissed in the NOP. The AQMP relies on commitments made by the port and others to ensure that emission reductions occur on time to meet federal and state standards. Because of the precedent this project is setting by failing to meet previous commitments, the consistency of this project with the AQMP should be fully analyzed.

Due to the expected complexity of the air quality analysis required for this Draft SEIR, SCAQMD staff recommends that the port meet with us to establish an air quality protocol prior to preparation of the Draft SEIR. This protocol would be consistent with SCAQMD's guidance on air quality analyses for CEQA¹, but would be tailored to the specific needs of this project. If you have any questions regarding this letter, please contact me at imacmillan@aqmd.gov or (909) 396-3244.

Sincerely,



Ian MacMillan
Planning and Rules Manager

LAC 15091802
Control Number

¹ <http://www.aqmd.gov/home/regulations/ceqa/air-quality-analysis-handbook>