

**CALIFORNIA COASTAL COMMISSION**

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Tu/8a

Filed: 7/8/98
49th Day: 8/26/98
180th Day: 1/4/99
Staff: Padilla-LB
Staff Report: 9/18/98
Hearing Date: 10/13-16/98
Commission Action:

STAFF REPORT: REGULAR CALENDAR

APPLICATION NO.: E-82-18A

APPLICANT: Port of Los Angeles

PROJECT LOCATION: Wilmington Liquid Bulk Terminal Berths 188-190, 401 Canal Street, Wilmington, Port of Los Angeles.

DESCRIPTION OF ORIGINAL PROJECT: Dredge Slip No. 5 from -35 feet to -45 feet. Construct four timber breasting dolphins, a 15-foot by 64-foot loading platform, two concrete landside mooring anchors, and strengthen the existing wharf at Berths 188 through 190.

DESCRIPTION OF PROPOSED AMENDMENT: Remove special condition no. 4 that prohibits tankers larger than 100,000 DWT from using Berths 188-190 and special condition no. 5 that requires relocation of the marine terminal at Berths 188-190 to any significant additional landfill in the Outer Harbor.

SUBSTANTIVE FILE DOCUMENTS: Port of Los Angeles Port Master Plan and Risk Management Plan, certified by the Coastal Commission in August 1980 and November 1983, respectively.

SUMMARY OF STAFF RECOMMENDATION:

Staff recommends approval of the amendment request for permit E-82-18 to remove special conditions no. 4 and 5.

SYNOPSIS

In August 1982, the Coastal Commission approved coastal development permit E-82-18 for dredging of Slip 5 and improvements to an existing marine terminal facility at Berth 188-190 in the Port of Los Angeles. In part, the permit is subject to Special Conditions 4 and 5 which, respectively, limit the size of tankers to no larger than 100,000 DWT and require that the marine terminal be relocated in the future to any significant new landfill in the outer harbor.

The Port of Los Angeles is requesting that Special Conditions no. 4 and 5 be deleted from CDP E-82-18. In 1982, when the Commission approved E-82-18, the Port had not completed its Risk Management Plan. The Coastal Commission in November 1983 subsequently certified the Risk Management Plan. Following Commission-certification of the Risk Management Plan, the Port obtained authority to issue its own coastal development permits involving the handling of hazardous liquid bulk cargo.

Amendment Request Threshold

Section 13166(a)(1) of the California Code of Regulations provide for rejection of an application for an amendment to a permit if, in the opinion of the Executive Director, the proposed amendment would lessen or avoid the intended effect of a conditioned permit unless the applicant presents newly discovered material information which was not available before the permit was granted.

At the time CDP# E-82-18 was under consideration by the Commission, the Port had prepared a draft RMP that the Commission used as guidance in evaluating the permit request. Using the hazard criteria methodology of the draft RMP, the Commission determined that if a petroleum tanker larger than 100,000 DWT at Berths 188-190 was to explode and burn, the "hazard footprint" would overlay a passenger terminal, which was identified in the RMP as a "vulnerable resource". Accordingly, the Commission limited the size of tankers using the marine terminal at Berths 188-190 to 100,000 DWT or less (Special Condition No. 4). Further, the Port contemplated in its draft Port Master Plan the future development of an Energy Island landfill project in the Outer Harbor area which would in part be used for the location of new, and relocation of existing, hazardous liquid bulk facilities. The Commission thus required in Special Condition No. 5 that if, in the future, there was any significant additional landfill in the Outer Harbor, the main terminal at Berths 188-190 must be relocated to the new landfill.

At the time application E-82-18 was under consideration by the Commission, the Port had not yet completed its Risk Management Plan, which was subsequently certified by the Commission in November 1983. The Risk Management Plan contains hazard criteria for the siting of new, and expansion of existing, port facilities which handle, store, or transfer hazardous liquid bulk cargo which was not fully available to the Commission at the time the Commission approved E-82-18. Moreover, the RMP did not require that all tanker terminals be relocated to the Outer

Harbor, only those that had a "hazard footprint" that overlay a "vulnerable resource". With the relocation of the "vulnerable resource" the terminal is consistent with the RMP. Therefore, the Executive Director has determined that Section 13166(a)(1) standard for accepting an application to amend a coastal permit has been met in this case.

STAFF RECOMMENDATION:

The staff recommends that the Commission adopt the following resolution:

I. Approval

The Commission hereby grants a permit, subject to the conditions below, for the proposed development on the grounds that the development will be in conformity with the provisions of Chapter 8 of the California Coastal Act of 1976 and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act.

II. Standard Conditions.

1. Notice of Receipt and Acknowledgment. The permit is not valid and development shall not commence until a copy of the permit, signed by the permittee or authorized agent, acknowledging receipt of the permit and acceptance of the terms and conditions, is returned to the Commission office.
2. Expiration. If development has not commenced, the permit will expire two years from the date this permit is reported to the Commission. Development shall be pursued in a diligent manner and completed in a reasonable period of time. Application for extension of the permit must be made prior to the expiration date.
3. Compliance. All development must occur in strict compliance with the proposal as set forth in the application for permit, subject to any special conditions set forth below. Any deviation from the approved plans must be reviewed and approved by the staff and may require Commission approval.
4. Interpretation. Any questions of intent or interpretation of any condition will be resolved by the Executive Director or the Commission.
5. Inspections. The Commission staff shall be allowed to inspect the site and the project during its development, subject to 24-hour advance notice.
6. Assignment. The permit may be assigned to any qualified person, provided assignee files with the Commission an affidavit accepting all terms and conditions of the permit.

7. Terms and Conditions Run with the Land. These terms and conditions shall be perpetual, and it is the intention of the Commission and the permittee to bind all future owners and possessors of the subject property to the terms and conditions.

III. Special Conditions.

Note: Unless specifically altered by the amendment, all conditions attached to the previously approved permit remain in effect (see Exhibit No. 1 for list of special condition form E-82-18)

IV. Findings and Declarations.

The Commission finds and declares as follows:

A. Project Description

The Port of Los Angeles is requesting to amend CDP# E-82-18 by removing Special Conditions Nos. 4 and 5. Special Condition No. 4 prohibits tankers larger than 100,000 DWT from using the Berth 188-190 marine terminal facility. Special Condition No. 5 requires that if, in the future, there is any significant additional landfill in the Outer Harbor, the Berth 188-190 pipeline is to be relocated to a marine terminal at the new landfill and the Berths 188-190 facility shall no longer be used for the handling of hazardous liquid bulk cargo. The proposed amendment would tankers larger than 100,000 DWT to berth at this marine terminal facility.

B. Project Background

On March 19, 1980, and April 15, 1980, the Coastal Commission certified the Port of Los Angeles Port Master Plan, but withheld certification of port projects which involved the transporting, handling and storage of hazardous liquid bulk cargoes. The Commission directed the Port to prepare and implement a Risk Management Plan (RMP) to be used for the siting of new hazardous liquid bulk facilities and for any proposed modification to an existing facility in order to minimize or eliminate risks to life and property in and around the port. The Commission retained permitting jurisdiction over those port projects involving hazardous liquid waste cargo until November 1983 when the Commission certified the Port's RMP.

The Commission certified RMP is to be used for the siting of new hazardous liquid cargo facilities and any proposed modification, expansion or relocation of existing hazardous liquid cargo facilities in a manner that minimizes or eliminates risks to life and property in and around the port through the physical separation of hazards and "vulnerable resources". Vulnerable resources are defined in the RMP as significant residential, recreational and working

populations, and facilities that have high economic value or are critical to the economy or national defense.

The risk to "vulnerable resources" from hazardous materials is analyzed by determining the area in which people would be hurt and property would be damaged if a "worst case" accident occurred. The area where "vulnerable resources" could be injured or damaged by a worst case accident is called a "hazard footprint". The boundary of a hazard footprint is determined by calculating the distance at which impacts of the worst probable events will be reduced to levels that are not likely to cause injury or property damage.

The RMP requires a hazard footprint analysis to be prepared for any proposal for a new hazardous liquid facility or modification to an existing facility. No new hazardous liquid bulk cargo development is to be permitted which would create a hazard footprint overlying existing, planned or permitted "vulnerable resources". No new "vulnerable resources" are to be located within the hazard footprint areas of existing or approved hazardous liquid bulk facilities. A modification or expansion to an existing facility that expands the hazard footprint overlap of "vulnerable resources" is not to be allowed except where overriding considerations apply.

Prior to certification of the Port's RMP, the Commission approved Coastal Development Permit (CDP) # E-82-18 in August 1982 for the dredging of Slip No. 5 from -35 feet to -45 feet and seaside improvements, including construction of timber breasting dolphins, a 15 by 64 foot loading platform, and concrete landside mooring anchors, and wharf strengthening, to an existing marine terminal at Berths 188-190 in the Port of Los Angeles.

At the time CDP# E-82-18 was under consideration by the Commission, the Port had prepared a draft RMP that the Commission used as guidance in evaluating the permit request. Using the hazard criteria methodology of the draft RMP, the Commission determined that if a petroleum tanker larger than 100,000 DWT at Berths 188-190 was to explode and burn, the "hazard footprint" would overlay a passenger terminal, which was identified in the RMP as a "vulnerable resource". Accordingly, the Commission limited the size of tankers using the marine terminal at Berths 188-190 to 100,000 DWT or less (Special Condition No. 4).

Further, the Port contemplated in its draft Port Master Plan the future development of an Energy Island landfill project in the Outer Harbor area which would in part be used for the location of new, and relocation of existing, hazardous liquid bulk facilities. The Commission thus required in Special Condition No. 5 that if, in the future, there was any significant additional landfill in the Outer Harbor, the main terminal at Berths 188-190 must be relocated to the new landfill.

On April 26, 1993, the Coastal Commission approved the development of Pier 400 (Port of Los Angeles Master Plan Amendment No. 12), a 395-acre landfill extension of Terminal Island. In part, Pier 400 is to accommodate new hazardous liquid bulk cargo facilities and the relocation of existing hazardous liquid bulk cargo facilities which are inappropriately located in the Port.

C. Coastal Act Issues

Section 30708(a) of the Coastal Act requires that all port-related developments be located, designed and constructed so as to minimize substantial adverse environmental impacts. In certifying the Port's Risk Management Plan in November 1983, the Commission found that the plan, which includes criteria for the safe siting of hazardous liquid bulk cargo developments and "vulnerable resources", was consistent with Section 30708(a) of the Coastal Act.

When the risk analysis for the originally proposed project was performed in 1982, the analysis concluded that vessels carrying hazardous liquid bulk cargoes larger than 100,000 DWT created a hazard footprint that overlapped a passenger terminal located at Berth 195. In order for the project to conform with the Certified Port Master Plan the Commission required Special Condition No. 4 to limit the size of tankers to no larger than 100,000 DWT.

In January 1986, the Port of Los Angeles relocated the passenger terminal at Berth 195 to the World Cruise Center at Berths 93A-E which eliminated the overlap of the "vulnerable resource" caused by tankers berthed at Berths 188-190. The Port states that with the relocation of the passenger terminal, the Bulk Terminal facility no longer overlaps a "vulnerable resource" and is consistent with the provisions of the Risk Management Plan. Since the Bulk Terminal Facility no longer overlaps a "vulnerable resource" the Port argues that the limitations on the size of vessels using Berths 188-190 is no longer necessary.

With regards to Special Condition No. 5, the Port states that Special Condition No. 5 is no longer necessary because the marine terminal facility at Berths 188-190 is consistent with the hazard criteria listed in the Commission certified RMP and, therefore, it is not necessary to be relocated to a new landfill site in the Outer Harbor. The Port maintains that the Commission required Special Condition No. 5 because, at the time, the Port was contemplating a future development of an Energy Island landfill project in the Outer Harbor area which, in part, would be used for the location of new, and the relocation of existing, hazardous liquid bulk facilities. According to the Port it was not their intent to relocate all liquid bulk facilities. In fact, Port comments in the RMP (VII-2,3) state:

Existing facilities that do not have a hazard footprint that overlaps a vulnerable resource will not be required to relocate because of the RMP. In fact, such a facility would be allowed to expand if the resultant expansion did not create hazard footprints which overlap present or planned vulnerable resources...

The RMP does not advocate relocation of all hazardous liquid bulk facilities, only those whose footprints overlap existing or planned vulnerable resources and only when an

acceptable relocation site is available. Hazardous liquid bulk facilities within the port whose hazard footprints do not overlap vulnerable resources can remain where they are.

The Commission concurs with the Ports argument. In 1982 the Commission limited the size of the tankers calling at this facility because by allowing larger tankers the facility would be inconsistent with the proposed RMP due to the "hazard footprint" overlapping a "vulnerable resource". The reason the Commission imposed Special Condition #5 on the original permit was because the RMP required the relocation of liquid bulk facilities to the Outer Harbor to eliminate liquid bulk facilities that were "inappropriately" located in the Port. With the relocation of the passenger terminal (the "vulnerable resource") the facility is no longer "inappropriately" located and would be consistent with the Port Master Plan and RMP, as approved by the Commission.

In reviewing the Port's hazard footprint map and location of "vulnerable resources" the Commission concurs with the Port's assessment that the Bulk Terminal no longer overlaps any "vulnerable resources" in the area. With the relocation of the "vulnerable resource" the berthing of tankers larger than 100,000 DWT at this Bulk Terminal will be consistent with the RMP and the facility will not be required, under the RMP, to be relocated to the Outer Harbor.

Furthermore, according to the Port, the improvements constructed under the original permit improved and strengthened the wharf to ensure that it would be capable of accommodating larger vessels up to 180,000 DWT, provided that such a tanker is partially loaded (vessels of such size would have a draught that would exceed the existing channel and berthing depth at the terminal and could only berth at the facility partially loaded). The State of California's State Lands Marine Facility Division inspected the existing berth and the facility was found to be structurally sound. The Port also conducts annual inspections of the wharf and has found the wharf to be in good condition.

The Port, as stated in the Port Master Plan, requires that the facility comply with all state and federal regulations. The project will be reviewed by the Harbor Fire Department, U.S. Coast Guard, and State Lands Marine Facility Division to ensure that the proposal to allow larger tankers at this terminal will be in compliance with all applicable safety regulations. Review of the proposal to allow larger tankers will ensure that the facility is capable of handling the larger tankers and the operation will minimize substantial adverse environmental impacts.

Because the project, as amended, is consistent with the RMP and the Port's Master Plan, it minimizes substantial adverse environmental impacts to the Port environment. Furthermore, the facility is designed to structurally accommodate the larger vessels, is structurally sound, and will minimize the possibility of oil spills and other adverse environmental impacts. Therefore, the Commission finds that the project is in conformance with Section 30708 of the Coastal Act.

D. California Environmental Quality Act

Section 13096 of the Commission's administrative regulations requires Commission approval of Coastal Development Permit applications to be supported by a finding showing the application, as conditioned by any conditions of approval, to be consistent with any applicable requirements of the California Environmental Quality Act (CEQA). Section 21080.5(d)(2)(i) of CEQA prohibits a proposed development from being approved if there are feasible alternatives or feasible mitigation measures available which would substantially lessen any significant adverse impact which the activity may have on the environment.

The proposed project, as conditioned, has been found to be consistent with the Chapter 8 of the Coastal Act.

California Coastal Commission
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Michael L. Fischer, Executive Director
William Travis, Deputy Director

Filed: 8/5/82
49th Day: 9/22/82
180th Day: 1/31/83
Staff: S. Rogalin
Staff Report: 8/13/82
Hearing Date & Item: 8/26/82, Item #166

REGULAR CALENDAR
STAFF REPORT AND RECOMMENDATION

PROJECT DESCRIPTION

Applicant: Port of Los Angeles

Permit Number: E-82-18

Project Location: Berths 188 through 190, Slip No. 5, Port of Los Angeles, Wilmington, Los Angeles County. (EXHIBIT 1)

Project Description: Dredge Slip No. 5 from -35 feet to -45 feet. Construct four timber breasting dolphins, a 15-foot by 64-foot loading platform, two concrete landside mooring anchors, and strengthen the existing wharf at Berths 188 through 190. (EXHIBITS 2 and 3)

STAFF NOTE:

The Port of Los Angeles, in conjunction with the Port of Long Beach, has completed a Risk Management Plan. (The Port of Long Beach submitted its plan as a Port Master Plan Amendment, which the Commission certified in June 1981.) Until the Port of Los Angeles has its Risk Management Plan certified, the Commission retains permit authority over those areas where hazardous cargo are transferred or stored.

Wilmington Liquid Bulk Terminals, Inc. (WLBT) presently uses Berths 187-190 for its existing 10-acre chemical and petroleum products tank farm in the backland of the berths. On June 17, 1982, the Commission approved a permit to WLBT for a 13-acre expansion of the tank farm, and approved a permit for the Port of Los Angeles to renovate Berths 187-188.

WLBT is also planning to develop a 32-acre crude oil tank farm 2.4 miles to the north-east in the Los Angeles Harbor Department classification yard, outside of the coastal zone in Wilmington. This 32-acre tank farm would be dependent on the Port's modification of Berths 188-190 and deepening Slip No. 5 because the tank farm would receive its products from large tankers requiring deep water. Oil would be transferred to the tank farm via a subsurface pipeline. A section of the pipeline would be in the Port of Los Angeles jurisdiction, and would require a coastal development permit from the Coastal Commission. The next section of the pipeline is in the joint jurisdiction area of the Wilmington District of the City of Los Angeles. This section of pipeline requires a coastal development permit first from the City of Los Angeles and then from the Coastal Commission. The final section of the pipeline is out of the coastal zone. The entire section of pipeline in the City of Los Angeles, as versus the Port of Los Angeles, had a Negative Declaration approved on December 10, 1981. That section of the pipeline has also received a franchise from the City of Los Angeles, effective July 31, 1982.

WLBT plans to submit an application to the Commission for the sections of the pipeline within the coastal zone as soon as it receives a coastal development permit from the City of Los Angeles.

EXHIBIT NO. 2
Application Number
E-82-18A
Staff Report for
Original Project
California Coastal Commission

STAFF RECOMMENDATION

The Staff recommends that the Commission adopt the following resolution:

I. Approval with Conditions

The Commission hereby grants, subject to the conditions below, a permit for the proposed development on the grounds that, as conditioned, the development will be in conformity with the provisions of Chapter 8 of the California Coastal Act of 1976, and will not have any significant adverse impacts on the environment within the meaning of the California Environmental Quality Act (CEQA).

II. Special Conditions

The permit is subject to the following conditions:

1. Before construction begins, the applicant shall provide evidence to the Executive Director that the Los Angeles Fire Department has approved the proposed modification plans for Berths 188 through 190, and that any safety features that the Fire Department considers essential for the safe operation of the marine terminal have been incorporated into the modification plans. These features shall include, but not be limited to, the following:

A. All existing combustible wharf substructures at the proposed location shall be removed and a reinforced concrete wharf with open rip rap shall be constructed;

or

B. The existing combustible wharf structure shall be maintained provided that:

1. Complete automatic fire protection is provided as specified in National Fire Prevention Association (NFPA) Standard No. 87 (Piers and Wharves)
2. Bulkheads are installed at each end of the wharf at Berths 188-190.
3. All additional automatic fire protection appliances, equipment, devices, or systems, both shoreside and on fire-fighting vessels, deemed necessary by the Fire Department to alleviate a potential disaster are installed.

2. Prior to making any renovation, reconstruction, additions, or deletions at the facility which would not require an amendment to this permit or another coastal development permit from the Commission, the applicant shall provide evidence to the Executive Director that the Los Angeles Fire Department has approved the proposed modifications.

3. The Port shall use a cutter head hydraulic dredge for deepening Slip No. 5.

4. Tankers larger than 100,000 DWT shall not use Berths 188 through 190.

5. If, in the future, there is any significant additional landfill in the Outer Harbor, a pipeline shall be built from the Berths 188-190 facility to a marine terminal at the new landfill. The Berths 188-190 facility shall then no longer be used for the handling of hazardous liquid bulk cargo.

III. Findings and Declarations

The Commission finds and declares as follows:

1. Project Description. The Port of Los Angeles proposes to deepen Slip No. 5 from -35 feet to -45 feet by dredging approximately 170,000 cubic yards from approximately 14.7 acres. The Port's preferred method of dredging for this project is the use of the electric cutter head hydraulic dredge presently being used to complete the Harbor Deepening Project approved by the Commission in April 1980. Dredge material would be transported by slurry pipeline to the 190-acre landfill area in the Outer Harbor. To take advantage of the presence of the electric hydraulic dredge in the area, the Port must receive its permit by early September.

The alternative dredging method proposed by the Port, if it is not able to obtain a permit in time to use the electric cutter head hydraulic dredge, is to use a clamshell dredge and dispose the material at sea. This method would increase the dredging time from approximately ten days to 3.2 months, would increase the cost of dredging from \$3.00 per cubic yard to \$7.50 per cubic yard of material removed, and would increase water and air quality impacts.

The proposed modifications to Berths 188 through 190 will include the construction of four timber breasting dolphins with large diameter pneumatic fenders, the construction of a 15-foot wide by 64-foot long timber loading platform supported by timber piling, and the construction of two concrete landside mooring anchors. In addition, the existing wharf will be strengthened for mooring line loads.

Backland lighting and the installation of a fire protection system are also part of the project.

2. Risk Management Program. The Port of Los Angeles has completed a joint Risk Management Plan with the Port of Long Beach. Both ports submitted their Plans as Port Master Plan Amendments in April 1981. The Commission certified the Long Beach Risk Management Plan in June 1981, but the Port of Los Angeles withdrew its Plan before the Commission acted on certification. Since that time, the Commission has used the Los Angeles Port Risk Management Plan as a guideline in siting hazardous cargo facilities in the Port.

The Risk Management Plan involves the inventory of hazardous liquid bulk cargoes in the ports and the identification of "vulnerable resources" in and near the ports. Vulnerable resources are defined as significant residential, recreational, and working populations and facilities that have high economic value or are critical to the economy or national defense. The risk to vulnerable resources from the hazardous materials is analyzed by determining the area in which people would be hurt and property damage would be unacceptable if the "worst case" accident occurred. No consideration of probability of an occurrence is taken into account; it is assumed if something can go wrong, it will. The area where vulnerable resources could be injured or damaged by a worst case accident is called a "hazard footprint". These footprints are drawn around hazardous liquid bulk cargo facilities for four types of disasters--radiant heat from flames, dangerous gases, blast waves or "blast overpressures", and flying missiles or debris.

Using this method, the Port of Los Angeles has produced a Hazard Footprint Analysis for Berths 188 through 190 Proposed Wharf Modifications. Based on a 100,000 DWT tanker explosion at the berths, the largest hazard footprint would be made by blast overpressure and flying debris. This footprint, with a 1,500 foot radius circle from the center of the tanker at each of the berths, does not overlap any vulnerable resources.

If a 120,000 DTW petroleum tanker were to explode and burn at Berths 188-190, the radiant heat footprint would extend further than 1,500 feet, and would overlay the Viking Lines Terminal, a vulnerable resource. Therefore, the Commission finds it necessary to condition the permit by limiting the size of tankers using the facilities to 100,000 DWT or less.

The Risk Management Plan also provides that a large fireboat must be located within one and a half miles of any marine terminal. Berths 187-190 are well within one and a half miles of a large fireboat operated by the Los Angeles Fire Department.

Because the project, as conditioned, is consistent with the Port Risk Management Program, it minimizes substantial adverse environmental impacts to the Port environment. Therefore, the Commission finds that the project is in conformance with Section 30708 of the Coastal Act.

3. Minimizing Adverse Environmental Impacts. Section 30708 of the Coastal Act states, in part, that all port related developments shall be located, designed, and constructed so as to minimize substantial adverse environmental impacts. The commodities to be handled at the proposed facility are flammable. Review of the design by the Los Angeles Fire Department and incorporation of features recommended by that Department provide a means for the Commission to assure that adequate safety features are included in the design, construction, and operation of the marine terminal. This will contribute to safe port operations. The Commission, therefore, finds that the above conditions are necessary to minimize substantial adverse environmental impacts to the Port environment, and brings the project into conformance with Section 30708 of the Coastal Act.

4. Dredging. Section 30705 of the Coastal Act states, in part, that water areas in ports may be dredged for deepening berthing areas as required for the safety and accommodation of vessels to be served by port facilities. The Section requires that dredging shall be planned, scheduled, and carried out to minimize disruption to marine habitats and water circulation.

Greater adverse water quality impacts result from clamshell dredging than from other methods. The use of the cutter head hydraulic dredge now being used for the Harbor Deepening Project will minimize the resuspension of sediments as compared to conventional clamshell dredging methods. Minimization of sediment resuspension will decrease the probability of adverse water quality impacts.

The Commission therefore finds that the condition requiring the applicant to use the cutterhead hydraulic dredge is necessary to bring the project in conformance with Sections 30705 and 30708 of the Coastal Act.

5. Port Master Plan. The Los Angeles Port Master Plan, as certified by the Commission on March 19 and April 15, 1980, designates Planning Area 5 for continued use by "many diverse activities. Available interior portions of Area 5 are recommended for port-related industrial and commercial development. Changes in major land uses are not anticipated in the long-range with the exception of possibly relocating the existing dry and liquid bulk terminals to Area 9."

The certified Port Master Plan also states:

In order to accommodate as well as to maintain reasonable controls on such expansion before satisfactory relocation areas are available in Area 9 (Outer Harbor Area), the following regulations and guidelines shall apply:...

To the extent possible and feasible, expanded facilities shall be designed and constructed in a manner that will permit the new elements to be removed and reconstructed on an appropriate relocation site...

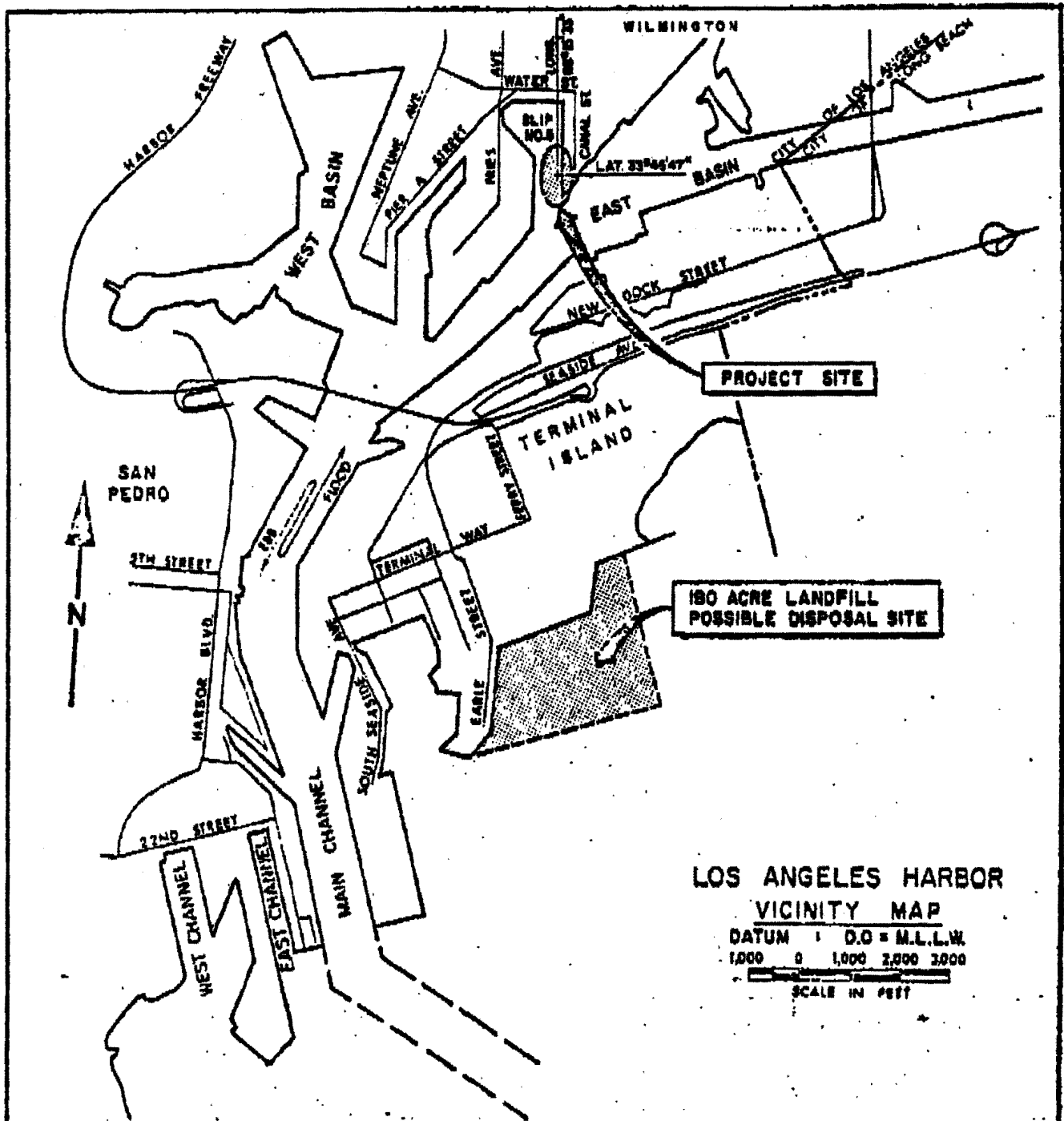
Any permit, amendment to a permit, lease or other entitlement to use resulting from an approved expansion of existing facilities, under the provisions of this section of the plan, shall not extend or be extended beyond the time when a relocation area can reasonably be expected to be available....

In order to approve a coastal development permit, the Commission must find that a project conforms with the Certified Port Master Plan or does not conflict with the local agency's ability to develop a Port Master Plan in conformance with the provisions of Chapter 8 of the Coastal Act. In order for this proposed hazardous cargo marine terminal to conform with the Certified Port Master Plan, the Commission finds that the terminal must be moved to the Outer Harbor Area if a significant landfill to handle hazardous liquid bulk cargo is ever permitted in that area, and a pipeline from the 32-acre tank farm to the new berth area in the Outer Harbor Area must then be constructed.

Because the project is being required to relocate if there should ever be significant landfill permitted in the Outer Harbor Area, the Commission finds the project, as conditioned, is consistent with the certified Port Master Plan for Los Angeles Harbor.

EXHIBIT 1

E-82-18

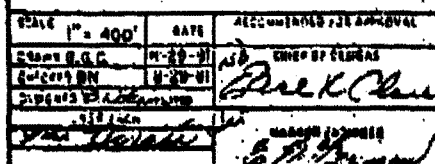


PURPOSE: MODIFY WHARF AT BERTHS 188-190 AND DREDGE TO - 45' MLLW WITHIN SLIP TO ALLOW FOR THE BERTHING OF VESSELS COMMENSURATE WITH L.A. HARBOR DEEPENING PROJECT (DEPT. OF THE ARMY PERMIT NO. 80-154)

SCALE: 1" = 3000'	DATE: 6-18-81	APPROVED FOR APPROVAL:
DESIGNED BY: [Signature]	CHECKED BY: [Signature]	APPROVED BY: [Signature]
DESIGNED BY: [Signature]	CHECKED BY: [Signature]	APPROVED BY: [Signature]
DESIGNED BY: [Signature]	CHECKED BY: [Signature]	APPROVED BY: [Signature]

BERTH 188-190: WHARF MODIFICATIONS
LOS ANGELES HARBOR, COUNTY OF LOS ANGELES
STATE OF CALIFORNIA
APPLICATION BY PORT OF LOS ANGELES

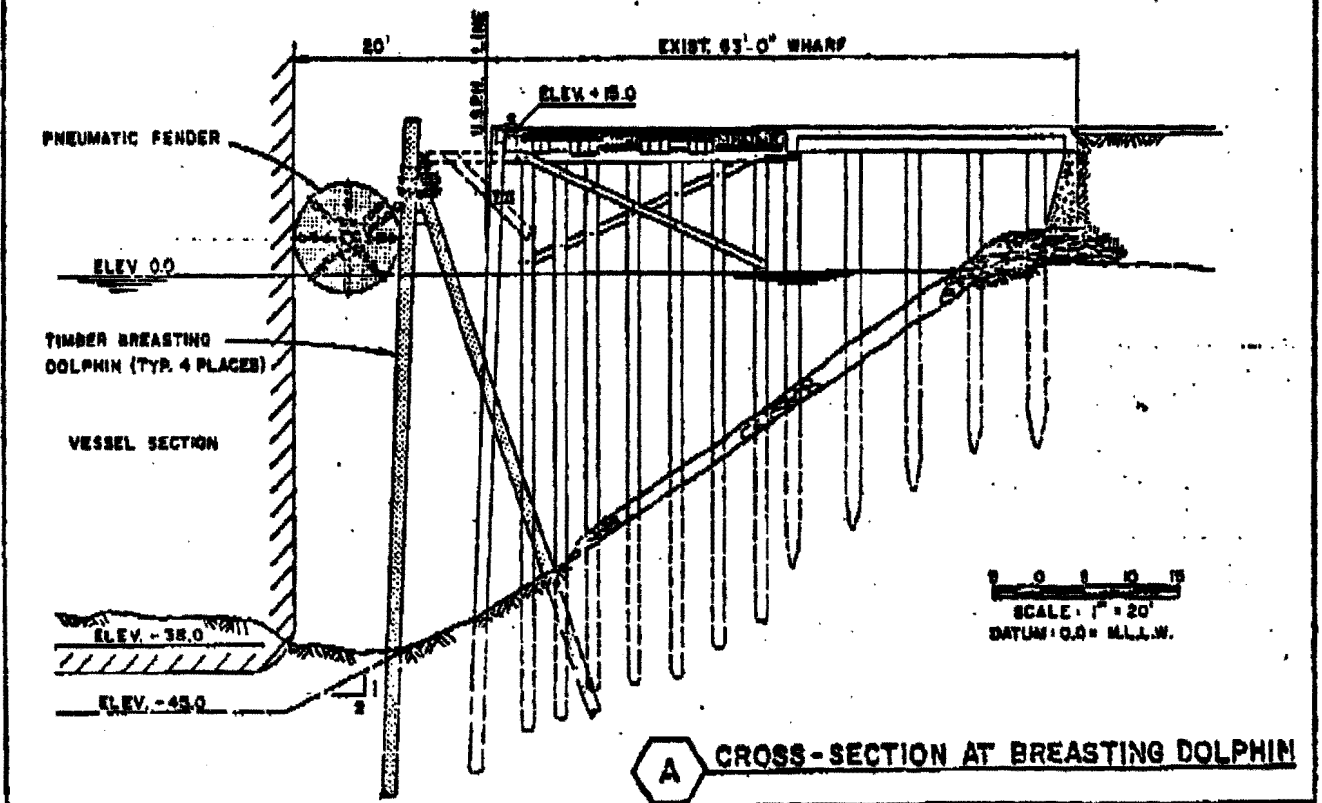
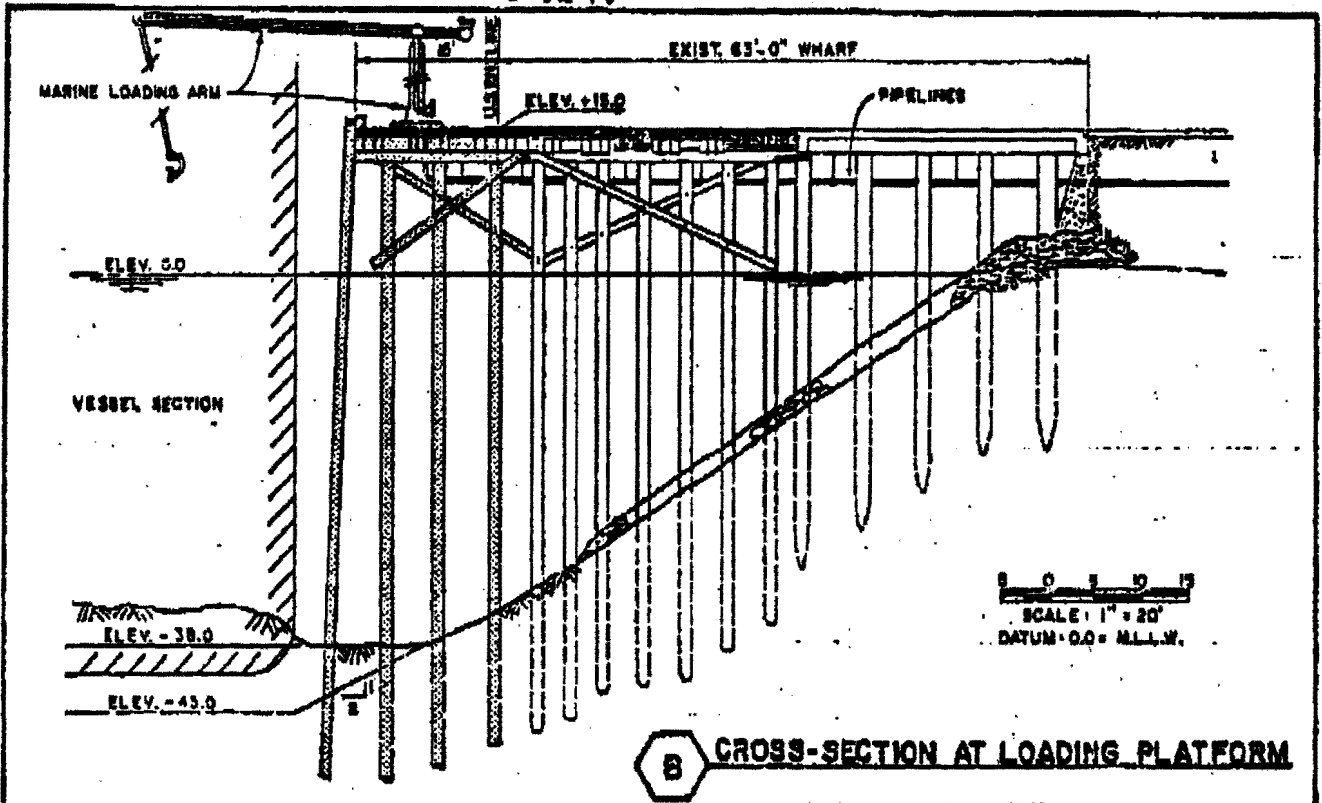
15-82-18



**BERTH 188-190 WHARF MODIFICATIONS
LOS ANGELES HARBOR, COUNTY OF LOS ANGELES
STATE OF CALIFORNIA
APPLICATION BY PORT OF LOS ANGELES**

EXHIBIT 3

E-82-18



SCALE	NOTED	DATE	RECOMMENDED FOR APPROVAL
BY	DDC	8-29-81	CHIEF OF ENGINEERING
DESIGNED BY	8-29-81		
SEALING DRAWING			

BERTH 188-190: WHARF MODIFICATIONS
LOS ANGELES HARBOR, COUNTY OF LOS ANGELES
STATE OF CALIFORNIA
APPLICATION BY PORT OF LOS ANGELES

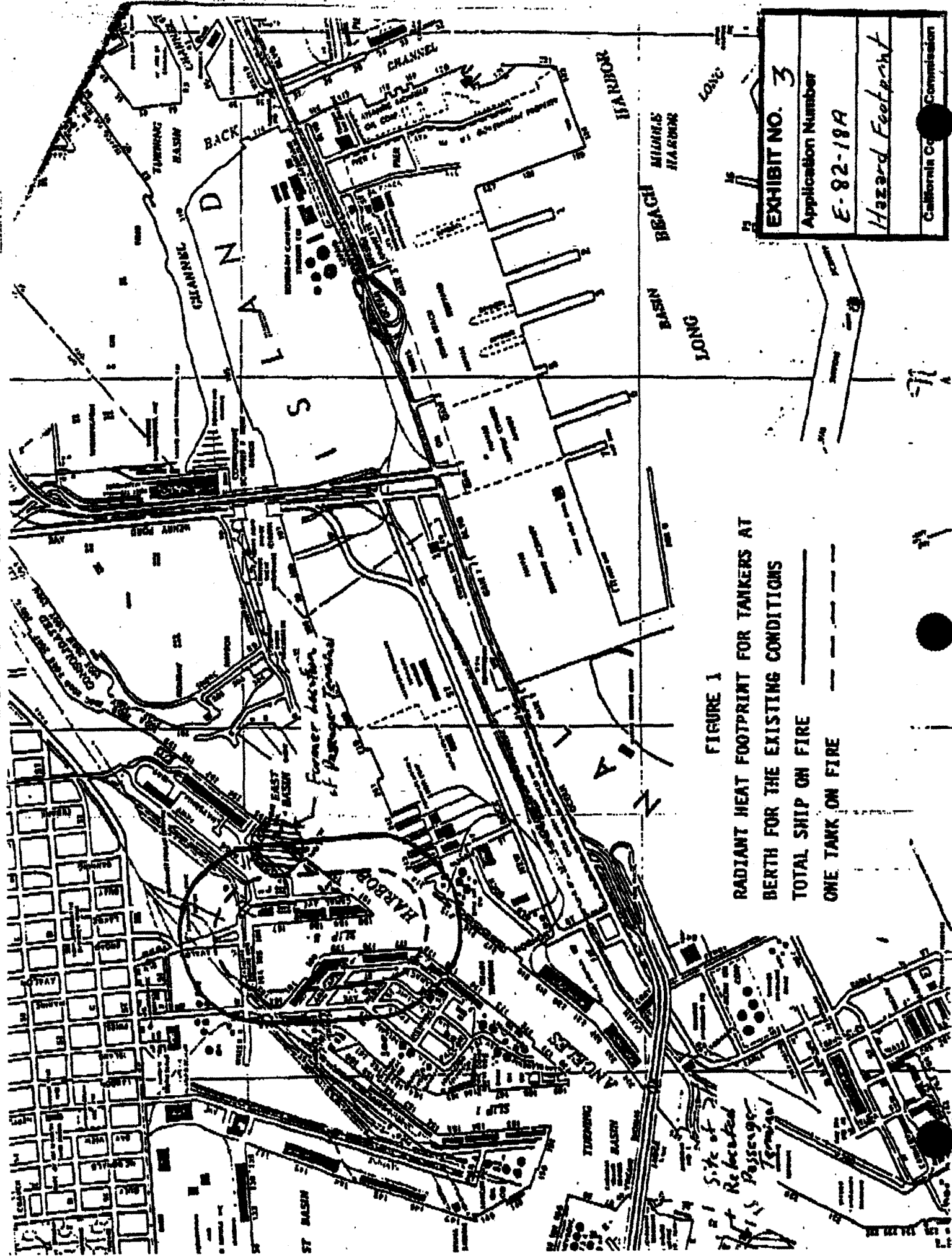


FIGURE 1
 RADIANT HEAT FOOTPRINT FOR TANKERS AT
 BERTH FOR THE EXISTING CONDITIONS
 TOTAL SHIP ON FIRE
 ONE TANK ON FIRE

EXHIBIT NO. 3
Application Number E-82-18A
Hazard Footprint
California Commission