

**CALIFORNIA COASTAL COMMISSION**

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October 19, 1998

TO: COMMISSIONERS AND INTERESTED PERSONS

FROM: PETER M. DOUGLAS, Executive Director  
Charles Damm, Deputy Director  
Al J. Padilla, Ports Coordinator

SUBJECT: Staff Recommendation on Port of Long Beach Port Master Plan  
Amendment No. 13 (Long Beach Naval Complex Redevelopment).  
For Commission consideration at meeting of November 4-6, 1998

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**SUMMARY OF STAFF RECOMMENDATION**

Staff recommends the Commission certify the Port of Long Beach port master plan amendment No.13. The amendment: (1) modifies the list of anticipated projects within the Terminal Island Planning District (District #4); (2) grants coastal development permitting authority to the Port for the Long Beach Naval Complex; and (3) adds a 15-acre non-port use for a City of Long Beach police headquarters/training academy to the permitted uses within Planning District #4. The staff recommends that the Commission find that the proposed amendment conforms with and carries out the port development, water quality, and marine resource, and development policies of Chapter 8 and Chapter 3 of the Coastal Act.

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**I. Port Master Plan Amendment Procedure.** California Code of Regulations, Title 14 Section 13636 calls for port master plan amendments to be certified in the same manner as provided in Section 30714 of the Coastal Act for certification of port master plans. Section 13628 of the regulations states that upon the determination of the executive Director that the master plan amendment and accompanying materials required by Section 13628(a) are sufficient, the master plan amendment shall be deemed submitted to the Commission for purposes of Section 30714 of the Coastal Act. The subject amendment was deemed submitted on August 17, 1998. Within 90 days of this submittal date, the Commission, after public hearing, shall certify or reject the amendment, in whole or in part. The Commission may not modify the amendment as a condition of certification. If the Commission fails to take action on the amendment submittal within the 90-day period,

**B. Contents of Port Master Plan Amendments.** California Code of Regulations Title 14, Section 13656 calls for port master plan amendments to be certified in the same manner as port master plans. Section 30711 of the Coastal Act provides, in part, that a port master plan shall include all the following:

1. The proposed uses of land and water, where known.
2. The proposed design and location of port land areas, water areas, berthing, and navigation ways and systems intended to serve commercial traffic within the area of jurisdiction of the port governing body.
3. An estimate of the effect of development on habitat areas and the marine environment, a review of existing water quality, habitat areas, and quantitative and qualitative biological inventories, and proposals to minimize and mitigate any substantial adverse impacts.
4. Proposed projects listed as appealable in Section 30715 in sufficient detail to determine their consistency with the policies of Chapter 3 (commencing with Section 30200) of this division.
5. Provisions for adequate public hearings and public participation in port planning and development decisions.

The Commission finds that the proposed port master plan amendment conforms with the provisions of Section 30711 of the Coastal Act. There are adequate details in the port master plan submittal and associated materials for the Commission to make a determination of the proposed amendment's consistency with Chapter 3 and Chapter 8 policies of the Coastal Act. Upon commission certification of this plan amendment, the Port will be authorized to issue coastal development permits for development for the entire Naval Complex.

On June 1, 1998, the Board of Harbor Commissioners certified the final EIR for the Naval Complex. The draft port master plan amendment was distributed by the Port of Long Beach for public review and comment on June 29, 1998. The Port received three public comment letters regarding the proposed amendment. The first letter concerned the location of the proposed 15-acre police headquarters/training academy facility within the former naval shipyard. The second letter was from the Chief of Police of the City of Long Beach regarding the Police Department's need for the 15-acre site. The third letter was from the California Department of Conservation's Division of Oil, Gas and Geothermal Resources (DOG). The letter indicates that development within the Naval Complex must conform with DOG's development requirements. On August 3, 1998, the Board of Harbor Commissioners conducted a public hearing on the proposed amendment. On August 10, 1998, the Board of Harbor Commissioners approved the amendment for submittal to the Coastal Commission.

permits for the construction of new development that will support a new liquid bulk terminal capable of accommodating crude carriers of up to 325,000 DWT along with cargo handling, cargo storage, and pipeline transportation facilities. Because this is a new facility that will result in an increase in the capacity of crude oil development within the port, this development is appealable under Section 30715(a)(1).

The proposed development of a police headquarters/training facility is also appealable under Section 30715(a)(4) since the facility would be office buildings not principally devoted to the administration of activities within the port. Therefore, the Commission determines that the proposed Port Master Plan Amendment includes two categories of appealable development listed in Section 30715(a)(1) and (4), and that those developments will be evaluated under Chapter 3 policies of the Coastal Act. The standard of review for the balance of this proposed amendment is Chapter 8 of the Coastal Act.

**D. Summary of Proposed Plan Amendment.** The Long Beach Naval Complex (comprised of the Naval Station and Naval Shipyard) is located on Terminal Island within the jurisdictional boundary of the Port of Long Beach. The certified Port Master Plan originally placed the Naval Complex in port Planning District #5 (Federal Use Planning district) and provided for Federal uses related to operation of U.S. Navy facilities. In 1991, the Base Closure and Realignment Commission (BRAC) designated the Long Beach Naval Station for closure. The Naval Station was closed on September 1994. In 1997, the Naval Shipyard was closed. In 1996, Port Master Plan Amendment #9 renamed the Planning District to District #4—Terminal Island Planning District (See Exhibit #2) and designated allowable port land uses for the entire Naval Complex.

The proposed master plan amendment includes background information on the closure of the Naval Complex and property transfer to the Port. The City of Long Beach, as the designated Local Reuse Authority (LRA) for the Navy, conducted a four-year screening process for viable reuse proposals for the Naval Station. The proposals included social services facilities, maritime university, regional police academy, regional airport, port-related development, and other proposals. The Final EIR stated that many of the proposed uses faced serious legal impediments and constraints under the California Constitution, the tidelands Trust, the California Coastal Act, and local zoning, and that the proposed reuse of the Naval Station needed to be coastal-dependent and water-related.

The Final EIR reported that the LRA established various economic and employment enhancement goals for reuse of the Naval Station, that the Port of Long Beach proposal to develop the site for port-related uses was the only proposal consistent with the legal setting and reuse goals, and that the LRA recommended that the Navy accept the port facility proposal. The Navy accepted the LRA recommendation and prepared a Draft Environmental Impact Statement for the disposal and recommended reuse plan. Formal transfer of the Naval Complex to the City of Long Beach (the Port of Long Beach is an official department of the City) occurred in August 1998.

On July 11, 1996, the Commission approved Port Master Plan Amendment No. 9. The Commission's approval: (1) designated allowable land and water uses in the Long Beach

327-Acres for Container Terminal Facilities and On-Dock Rail Yards

*Approximately 327 acres of the former Naval Station and Shipyard properties will be redeveloped for one or more marine container terminal facility(s), consisting of cargo handling, cargo storage, and land transportation facilities, including an on-dock rail yard.*

*Development of the project will involve demolishing all existing structures, facilities, and Piers 6, 7, and 9 at the site of the now-closed Long Beach Naval Station, and constructing a wharf, ship loading and unloading facilities, container storage areas, on-dock rail yard, trucking facilities, access roadway, entry/exit gate complex, on-dock railyard, administrative and maintenance facilities, utility upgrades, and other associated land side terminal facilities.*

Pier T Ship Repair Facility

*Approximately 18 acres of the former Naval Shipyard will be retained in the vicinity of Dry Dock #1 for the purposes of ship repair, or ship breaking, or dismantling operations. The actual facility size will be determined during ship repair facility lease negotiations.*

Pier T Liquid Bulk Terminal

*A new deep water liquid bulk terminal capable of accommodating very large crude carriers of up to 325,000 DWT will be developed on approximately 36 acres on the southern portion of Pier T, at Berths T-123 and T124. The terminal would include cargo handling, cargo storage and pipeline transportation facilities.*

Relocation of Lumber/Break-Bulk Facilities

*An existing lumber storage terminal on Pier T will be relocated south to an area located near the shared lumber wharf area at Berth T-122. Relocation will also allow for expansion of other terminal facilities in the area.*

Expansion of Recycled Steel Export Terminal

*Expand an existing recycled steel exporting facility by approximately 14 acres. With the additional area, the recycled steel exporting terminal could be ultimately expanded to create a 32 acre scrap terminal.*

Police Headquarters/Academy

*The City of Long Beach is proposing to relocate their existing Police Department headquarters and training academy onto approximately 15 acres located in the northeast portion of the former Naval Shipyard. The police headquarters/academy would use existing buildings and parking areas located on the property.*

In conclusion, the proposed amendment will modify the list of anticipated projects within the Terminal Island Planning District (District #4) to reflect the uses specified in the LRA Reuse Plan for the entire Naval Complex, grant permitting authority for the remaining

(4) Incidental public service purposes, including, but not limited to, burying cables or pipes or inspection of piers and maintenance of existing intake and outfall lines.

(5) Mineral extraction, including sand for restoring beaches, except in biologically sensitive areas.

(6) Restoration purposes or creation of new habitat areas.

(7) Nature study, mariculture, or similar resource-dependent activities.

(8) Minor fill for improving shoreline appearance or public access to the water.

(b) The design and location of new or expanded facilities shall, to the extent practicable, take advantage of existing water depths, water circulation, siltation patterns, and means available to reduce controllable sedimentation so as to diminish the need for future dredging.

(c) Dredging shall be planned, scheduled, and carried out to minimize disruption to fish and bird breeding and migrations, marine habitats, and water circulation. Bottom sediments or sediment elutriate shall be analyzed for toxicants prior to dredging or mining, and where water quality standards are met, dredge spoils may be deposited in open coastal water sites designated to minimize potential adverse impacts on marine organisms, or in confined coastal waters designated as fill sites by the master plan where such spoil can be isolated and contained, or in fill basins on upland sites. Dredge material shall not be transported from coastal waters into estuarine or fresh water areas for disposal.

(d) For water areas to be diked, filled, or dredged, the commission shall balance and consider socioeconomic and environmental factors.

(d) The fill is consistent with navigational safety.

**Section 30708.**

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

(a) Minimize substantial adverse environmental impacts.

(b) Minimize potential traffic conflicts between vessels.

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

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

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels.

(b) Where feasible, new hazardous industrial development shall be located away from existing developed areas.

(c) Visitor-serving facilities that cannot feasibly be located in existing developed areas shall be located in existing isolated developments or at selected points of attraction for visitors.

**Section 30255.**

Coastal-dependent developments shall have priority over other developments on or near the shoreline. Except as provided elsewhere in this division, coastal-dependent developments shall not be sited in a wetland. When appropriate, coastal-related developments should be accommodated within reasonable proximity to the coastal-dependent uses they support.

**Section 30260.**

Coastal-dependent industrial facilities shall be encouraged to locate or expand within existing sites and shall be permitted reasonable long-term growth where consistent with this division. However, where new or expanded coastal-dependent industrial facilities cannot feasibly be accommodated consistent with other policies of this division, they may nonetheless be permitted in accordance with this section and Sections 30261 and 30262 if (1) alternative locations are infeasible or more environmentally damaging; (2) to do otherwise would adversely affect the public welfare; and (3) adverse environmental effects are mitigated to the maximum extent feasible.

**Section 30261.**

Multicompany use of existing and new tanker facilities shall be encouraged to the maximum extent feasible and legally permissible, except where to do so would result in increased tanker operations and associated onshore development incompatible with the land use and environmental goals for the area. New tanker terminals outside of existing terminal areas shall be situated as to avoid risk to environmentally sensitive areas and shall use a monobuoy system, unless an alternative type of system can be shown to be environmentally preferable for a specific site. Tanker facilities shall be designed to (1) minimize the total volume of oil spilled, (2) minimize the risk of collision from movement of other vessels, (3) have ready access to the most effective feasible containment and recovery equipment for

(a) New or expanded refineries or petrochemical facilities not otherwise consistent with the provisions of this division shall be permitted if (1) alternative locations are not feasible or are more environmentally damaging; (2) adverse environmental effects are mitigated to the maximum extent feasible; (3) it is found that not permitting such development would adversely affect the public welfare; (4) the facility is not located in a highly scenic or seismically hazardous area, on any of the Channel Islands, or within or contiguous to environmentally sensitive areas; and (5) the facility is sited so as to provide a sufficient buffer area to minimize adverse impacts on surrounding property.

(b) New or expanded refineries or petrochemical facilities shall minimize the need for once-through cooling by using air cooling to the maximum extent feasible and by using treated waste waters from inplant processes where feasible.

The port master plan amendment includes the following anticipated projects: a 327 acre container terminal; ship repair facility; Liquid Bulk Terminal; relocation of Lumber/Break-Bulk Facilities; expansion of a recycled Steel Export terminal; and a Police headquarters/training facility. The Liquid Bulk Terminal and the police headquarters/training facility are appealable developments under Section 30715(a) (1) and (4) of the Coastal Act and must therefore be evaluated for conformance with the applicable policies of Chapter 3. First, however, the balance of the proposed master plan amendment will be evaluated for conformance with the policies of Chapter 8.

**1. Land Uses.** When evaluating proposed port development the Commission is guided by the provisions of Section 30701 of the Coastal Act which state that the four ports governed by Chapter 8 of the Coastal Act (referred to as Chapter 8 ports), including the Port of Long Beach, are a "primary economic and coastal resource" of the state, and that they are "encouraged to modernize and construct necessary facilities within their boundaries." The Commission has a long history of implementing those policy directives in its review and approval of numerous port landfills for the development of cargo and terminal facilities, and in its approval of land and water use changes to allow for redevelopment of existing port facilities. At the same time, the Commission has consistently encouraged the Port of Long Beach to explore opportunities to acquire upland property within and adjacent to the port that could be used for port-related facilities in order to minimize the need for the hundreds of acres of new landfills envisioned in the Port of Los Angeles/Port of Beach "2020 Plan." (The "2020 Plan" is a conceptual planning document to guide harbor expansion in San Pedro Bay, and was never brought before the Commission for formal endorsement or approval).

In recent years the Port of Long Beach purchased several hundred acres of land previously owned by the Union Pacific Resource Company within and adjacent to the port with the intent to construct new cargo terminals, and the Port submitted a reuse plan during the Long Beach Naval Station disposal and reuse process. These previous actions and the cargo terminal development at the former Naval Station approved in coastal development permits #5-96-182 and #5-96-231 conform with the guidance contained in Section 30701.

As addressed in permit #5-96-182 the container terminal requires the demolition of all existing structures and facilities at the former Naval Station. A portion of the Naval Station, the Roosevelt Base Historic District, was determined to be eligible for listing on the National Register of Historic Places due to its association with the pre-World War II development of naval facilities on the Pacific Coast. Because of its eligibility for the National Register, the Roosevelt Base District is also included in the California Register of Historical Resources. In addition, several of the buildings were designed by Paul R. Williams, and architect of national stature and "probably the best known and most accomplished African-American architect of all time" (Historical and Architectural Assessment, 1994). On the Naval Shipyard portion of the property one building (Building 4) was found to be a contributing element to the Historic District. Cold War buildings and structures at the Naval Shipyard were subsequently evaluated and no eligible resources were found. Notwithstanding the potential historic significance of Naval Station buildings, the Commission found in permit #5-96-182 that the demolition of the exiting structures at the Naval Station, including those eligible for listing on the National Register of Historic Places, would not result in a substantial adverse environmental impact. Chapter 8 policies state that the Port of Long Beach is one of the state's primary coastal resources, call for port modernization, include provisions for protecting marine resources with the waters of the ports, but do not include policies for the protection of historic structures within the port.

Section 30708(C) states that the highest priority for the use of existing land space within the Chapter 8 ports shall be for port purposes such as navigational facilities, shipping industries, and necessary support and access facilities. The Coastal Act explicitly recognizes how essential the Port of Long Beach is to the state and national economy and, as a result, clearly states that the aforementioned port-related uses are the highest priority land and water uses in the four commercial ports designated in Chapter 8. The Commission has consistently held over the years that the land and water areas within the boundaries of the Chapter 8 ports must be protected for port-related uses. Development for other uses consistent with the public trust should only be approved when such activity would not constrain the ability of the ports to modernize and expand in order to remain competitive in the international trade and shipping market and to remain a strong factor in the state and regional economy. The location of the now-closed Long Beach Naval Complex, in the heart of the San Pedro Bay harbor complex shared by the ports of Long Beach and Los Angeles, is ideally suited for redevelopment into primary port uses, such as those proposed under this amendment. Therefore, the Commission concludes that the proposed marine cargo terminal, liquid bulk facility, ship repair facility, lumber/ break-bulk facilities, and the expansion of the recycled steel export terminal are high priority uses for the subject property and that the project conforms with the port policies of Chapter 8 of the Coastal Act.

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. The Port of Long Beach, as a component to their Port Master Plan has developed a Risk Management Plan (RMP). The RMP provides a framework for issuing permits for siting facilities that handle/store hazardous cargoes, or new facilities placed in the vicinity of



## **2. Marine Habitat, Resources, and Water Quality**

The proposed amendment includes the proposed dredging of approximately 8.22 million cubic yards of dredging, with approximately three million cubic yards unsuitable for unconfined aquatic disposal, to create berthing areas for the marine terminal and liquid bulk facility and an approach channel. The depths for the container terminal and the liquid bulk facility would be -51 feet and -84 feet MLLW, respectively. The approach channel would be dredged to -76 feet MLLW. The Commission has previously approved a portion of this dredging activity under permit #5-96-231. In permit #5-96-231 the Commission approved the dredging of 2.965 million cubic yards of clean sediment and 730,000 cubic yards of contaminated sediments for the marine terminal and approach channel. The Commission also approved several dredged material disposal sites for the disposal of dredged materials from the planned allowable uses proposed by this amendment. The additional dredging proposed under this amendment must be found consistent with Section 30705 and 30708 of the Coastal Act.

a. Sediment Quality. The sediments in the West Basin project area were extensively tested by the Navy (as part of its site assessment and remediation investigations associated with the closure and disposal of the Naval Station) and by the Port (in support of its Pier T container terminal project). Both testing efforts established that portions of the West Basin are contaminated by heavy metals, PAHs, PCBs and pesticides. The Port's 1996 testing program, designed in consultation with the U.S. Army Corps of Engineers, USEPA, and the California Regional Water Quality Control Board, and in accordance with the provisions established in the Commission's review of the designation of the LA-2 site, was conducted in order to document contamination levels and establish disposal options for the dredged sediments.

The proposed dredge area for the marine terminal was divided into seven areas. The Navy tests data established that Areas IV and V (adjacent to Piers 6 and 7) were too contaminated for ocean disposal, but that the remaining five areas were potentially suitable for ocean disposal. The Port's sediment testing results established that sediments in Areas I, II (except under and around Pier 9), VI, and VII, which together comprise the bulk of the sediments in the dredge area, are suitable for ocean disposal. The Port test data also established that while the top layer of sediments in Areas III, IV, and V will require special handling due to contamination levels, the balance of the sediment in these three areas can be disposed of as clean material at the in-Port disposal sites. In addition, tests to determine suitability for ocean disposal were performed on sediments in Areas I, VI, and VII.

b. Dredging and Disposal Operations. The Commission is concerned about the potential for water quality impacts from dredging and disposal operations in the West Basin and the in-water disposal sites. Dredging will increase the amount of sediment in the water column. Under normal conditions this increase in turbidity has minor and temporary effects on light penetration and dissolved oxygen. However, since some of the surface sediments in the West Basin are contaminated, the dredging will make these pollutants more biologically available. The Port will conduct its dredging operations

unsuitable for unconfined disposal in coastal waters, cannot be taken to a nearby inland landfill due to the level of contamination and high salt content, and is unsuitable as landfill material at existing upland sites in the Port. As a result, the Port proposes placing these sediments in a confined aquatic disposal (CAD) site within the 26-acre permanent shallow water habitat to be constructed along the south face of the Navy Mole as approved under permit #5-96-231. Although the use of this Commission approved CAD site has been approved for disposition of 730,000 c.y. of contaminated sediment from the marine terminal approved under permit #5-96-231, the Port has indicated that use of the CAD site will be their last alternative for disposal. The Port has indicated that they intend to use other approved alternative sites such as the recently Commission approved Pier E landfill (PMP amendment #12) and placement of material on existing land within the Port of Long Beach, including on the eastern edge of the Navy Shipyard.

Therefore, the Commission finds that the disposal of contaminated sediments at the proposed CAD site in the permanent shallow water habitat, and the disposal of clean dredged sediments at the temporary shallow water habitat, permanent shallow water habitat, and the Long Beach Main Channel borrow pit, are consistent with the dredge disposal and marine resource protection policies of Sections 30705, 30706, and 30708 of the Coastal Act.

c. Beach Nourishment. Because a portion of the sediment dredged from the West Basin is proposed to be placed on or immediately offshore of the City of Long Beach to nourish beaches outside the jurisdictional boundary of the Port of Long Beach, that component of the proposed project must be evaluated for conformance with the applicable Chapter 3 polices of the Coastal Act. Section 30233(b) states that:

Dredging and spoils disposal shall be planned and carried out to avoid significant disruption to marine and wildlife habitats and water circulation. Dredge spoils suitable for beach replenishment should be transported for such purposes to appropriate beaches or into suitable long shore current systems.

In permit #5-96-231 the Commission approved 100,000 c.y. for beach nourishment. The proposed amendment will increase the total to 300,000 c.y. The proposed disposal of a portion of the West Basin dredged sediments could provide benefits to recreation and protection of structures along the City of Long Beach shoreline, and the City has previously requested to receive any beach-compatible sand which the Port has in excess (permit #5-96-231). To be considered suitable for beach nourishment, sediment must be free of chemical contamination and consist primarily of sand of an acceptable grain size (usually at least 80 percent sand). The dredged sand must also be compatible with the existing material at the receiver beach site. The Port has reported that preliminary geotechnical data suggest the presence of medium-grained sand in the deeper layers of Area I in the West Basin. That material may prove to be compatible with the composition of sand at local beaches and to occur in a layer sufficiently thick to be economically recoverable for beach nourishment. If these indications are borne out by subsequent testing, the Port will coordinate its efforts with the City of Long Beach and the regulatory



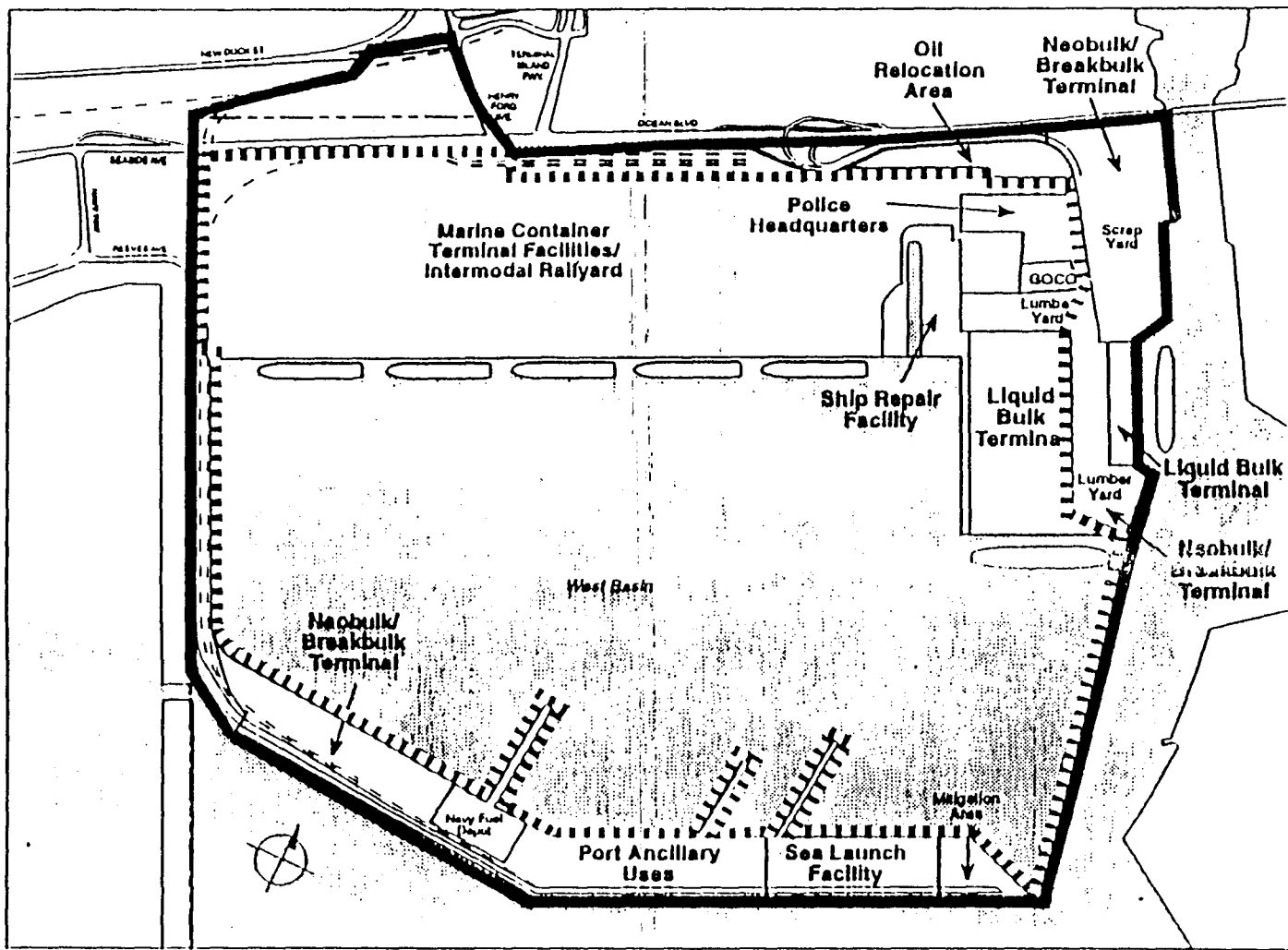


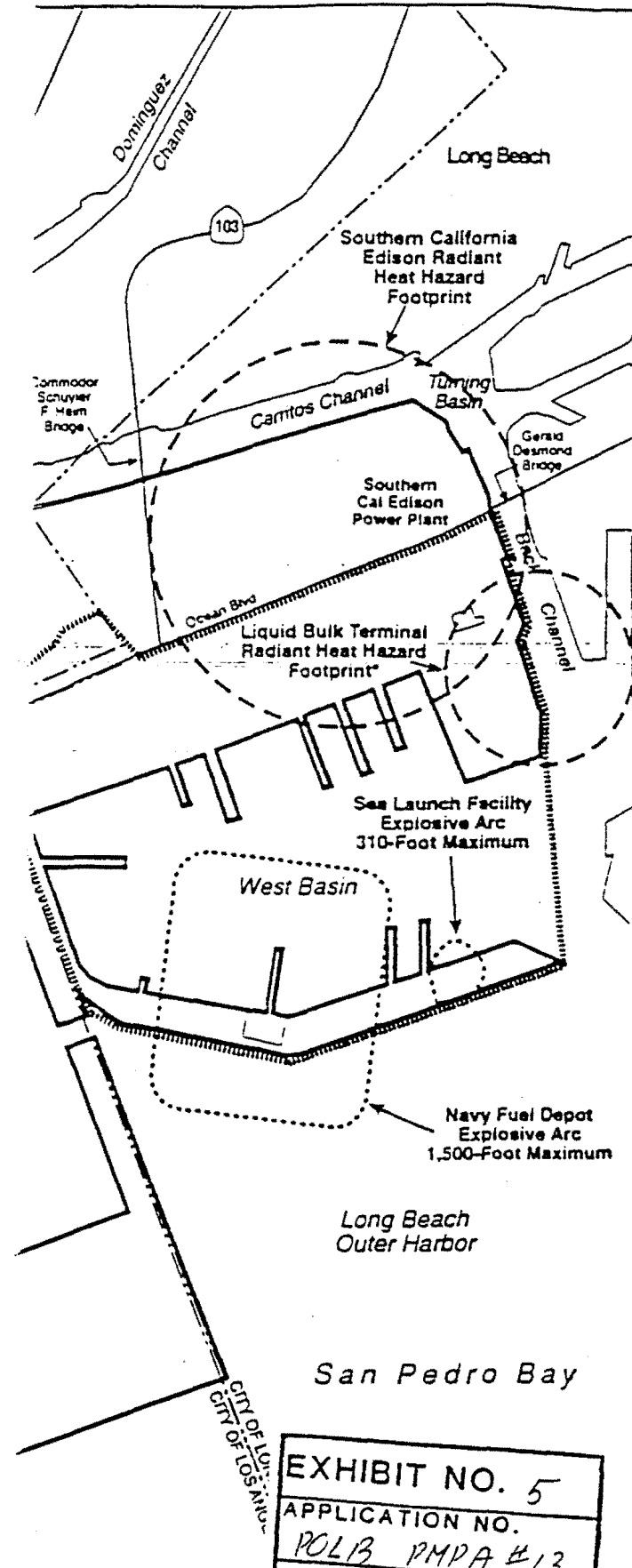
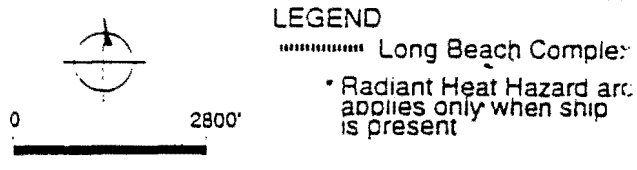
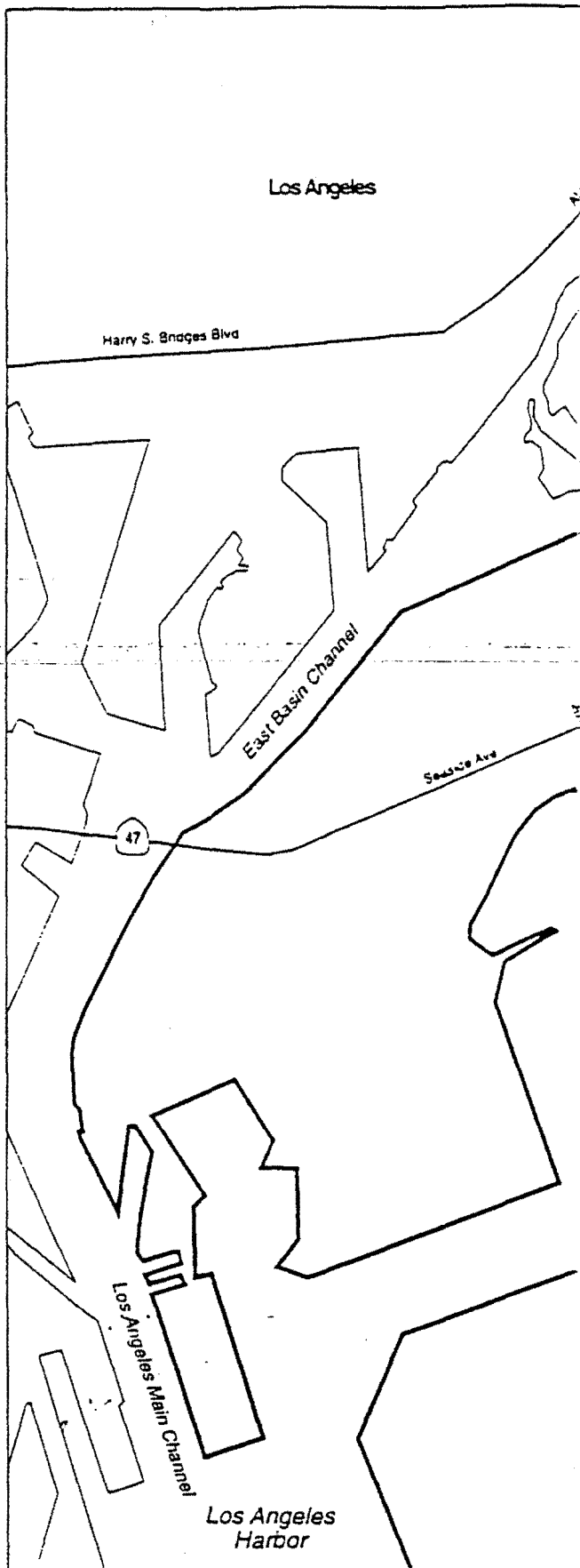
EXHIBIT NO. 3  
 Application Number  
 POLB PMPA #13  
 California Coastal Commission

LEGEND

- Long Beach Complex
- City Boundary
- - - -** Rail Lines
- .....** Area Amended by PMP #13

Figure 3

LRA Reuse Plan



Existing

<b>EXHIBIT NO. 5</b>
APPLICATION NO. POLB PMPA #13
Hazard Footprint Map
California Coastal Commission