

CALIFORNIA COASTAL COMMISSION

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**W7b**

December 16, 2005

TO: COMMISSIONERS AND INTERESTED PERSONS

FROM: PETER M. DOUGLAS, Executive Director
Deborah Lee, Senior Deputy Director
Al J. Padilla, Ports Coordinator

SUBJECT: Staff Recommendation on Port of Los Angeles Port Master Plan Amendment No. 23 [(1) dredging of the Watchorn Basin to a maximum depth of –15 feet Mean Lower Low Water for safe navigation of recreational boats and to increase the capacity of the marina slips; (2) excavation of two land areas totaling 1.1 acres and 3.5 acres of landfill for increased marina slip capacity and landside marina related activities; (3) and to allow for commercial and recreational land use designations on the landfill areas, within the West Channel/Cabrillo Marina.] For Commission consideration at meeting of January 11-13, 2006.

SUMMARY OF STAFF RECOMMENDATION

Staff recommends the Commission certify the Port of Los Angeles Master Plan Amendment No. 23, which would allow: [(1) dredging of the Watchorn Basin to a maximum depth of –15 feet Mean Lower Low Water for safe navigation of recreational boats and to increase the capacity of the marina slips; (2) excavation of two land areas totaling 1.1 acres and 3.5 acres of landfill for slip configuration and landside marina related activities; (3) and to allow for commercial and recreational land use designations on the landfill areas, within the West Channel/Cabrillo Marina. The staff recommends that the Commission find that the proposed amendment conforms with and carries out the port development, water quality, and marine resource policies of Chapter 3 of the Coastal Act.

I. Port Master Plan Amendment Procedure. Section 30716(a) and California Code of Regulations, Title 14 Section 13636 call 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 January 22, 2004. Within 90 days (April 21, 2004) 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, without a waiver of the time period by the applicant, the proposed amendment is deemed certified. In this particular case, a waiver of the time period was submitted by the Port on March 15, 2004.

Section 30714 also states that the Commission shall certify the amendment if the Commission finds both that:

1. The certified portions of the amendment conform with and carry out the policies of Chapter 8 of the Coastal Act.
2. Where the amendment provides for development listed as appealable in Section 30715, such development is in conformity with all the policies of Chapter 3 of the Act.

The proposed amendment provides for: [(1) dredging of the Watchorn Basin to a maximum depth of –15 feet Mean Lower low Water for safe navigation of recreational boats and to increase the capacity of the marina slips; (2) excavation of two land areas totaling 1.1 acres and 3.5 acres of landfill for slip configuration and landside marina related activities; (3) and to allow for commercial and recreational land use designations on the landfill areas, within the West Channel/Cabrillo Marina.

The proposed amendment includes recreational small craft marina related facilities which is appealable development under Section 30715. Therefore, the standard of review would, thus, be the policies of Chapter 3 of the California Coastal Act.

II. STAFF RECOMMENDATION:

The staff recommends the Commission adopt the following resolution:

MOTION: *I move that the Commission certify the Port of Los Angeles Port Master Plan Amendment No. 23.*

STAFF RECOMMENDATION OF CERTIFICATION:

Staff recommends a **YES** vote. Passage of this motion will result in certification of the Port Master Plan Amendment and adoption of the following resolution and findings. The motion to certify passes only upon an affirmative vote of a majority of the Commissioners present.

RESOLUTION TO CERTIFY PORT MASTER PLAN AMENDMENT:

The Commission hereby certifies the Port of Los Angeles Master Plan Amendment No. 23 and adopts the findings set forth below on grounds that the amendment is consistent with Chapter 3 of the Coastal Act. Certification of the amendment complies with the California

Environmental Quality Act because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the amendment on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment that will result from certification of the port master plan amendment.

III. FINDINGS AND DECLARATIONS

The Commission finds and declares as follows:

A. Previous Commission Port Master Plan Action.

The Commission certified the Port of Los Angeles Port Master Plan on March 19, 1980, and April 15, 1980. The Commission has reviewed twenty amendments to the master plan since that date, most recently in May 2002. (Amendment No. 22 was initially being processed by the Port prior to processing Amendment No. 23; however, due to changed circumstances, the Port did not complete the processing of the amendment).

B. Contents of Port Master Plan Amendments.

Section 30716(a) of the Coastal Act and California Code of Regulations Title 14, Section 13656 call 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 Amendment submittal and associated materials for the Commission to make a determination of the proposed amendment's consistency with Chapter 3 policies of the Coastal Act.

The draft Port Master Plan Amendment and draft EIR were approved for public distribution by the Board of Harbor Commissioners on March 26, 2003. Written comments were solicited and a public hearing on the draft amendment was held during the May 14, 2003 Board of Harbor Commissioners meeting. On December 2, 2003, the Board of Harbor Commissioners approved the amendment for submittal to the Coastal Commission.

C. Appealable Development.

In determining the standard of review for the proposed master plan amendment, Section 30714 of the Coastal Act provides guidance and states in part that:

The Commission shall certify the plan, or portion of the plan, if the Commission finds both of the following:

(a) The master plan, or certified portions thereof, conforms with and carries out the policies of this chapter.

(b) Where a master plan, or certified portions thereof, provide for any of the developments listed as appealable in Section 30715, the development or developments are in conformity with all policies of Chapter 3 (commencing with Section 30200).

Section 30715(a) of the Coastal Act provides, in part, that:

(a) ...After a port master plan or any portion thereof has been certified,... approvals of any of the following categories of development by the port governing body may be appealed to the commission:

(1) Developments for the storage, transmission, and processing of liquefied natural gas and crude oil in such quantities as would have a significant impact upon the oil and gas supply of the state or nation or both the state and nation. A development which has a significant impact shall be defined in the master plans.

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

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

(4) Office and residential buildings not principally devoted to the administration of activities within the port; hotels, motels, and shopping facilities not principally

devoted to the sale of commercial goods utilized for water-oriented purposes; commercial fishing facilities; and recreational small craft marina related facilities.

(5) *Oil refineries.*

(6) *Petrochemical production plants....*

The port's plan amendment, which is for improvements to a recreational small craft marina, does provide for development listed as appealable in Section 30715(a). Therefore, the standard of review for the proposed amendment is Chapter 3 of the Coastal Act.

D. Summary of Proposed Plan Amendment.

The Port of Los Angeles proposes to amend its port master plan by obtaining Commission certification of the following:

- Dredging of the Watchorn Basin to a maximum depth of –15 feet Mean Lower Low Water for safe navigation of recreational boats and to increase the capacity of the marina slips;
- Excavation of two land areas totaling 1.1 acres and 3.5 acres of landfill for slip configuration and landside marina related activities;
- To allow for commercial and recreational land use designations on the landfill areas, within the West Channel/Cabrillo Marina.

The Port further describes the development under the amendment as follows:

In order to create the appropriate marina basin shape and depth to accommodate the proposed development, the general area of the Watchorn Basin will be deepened to a maximum depth of –15 feet Mean Lower Low Water (MLLW). To allow for more capacity for the proposed marina slips, two land areas will also be excavated (.66 and .46 acres at or near Berths 40 and 41, respectively) for a total of 1.1 acres. The total cut volume is estimated at 40,000 cubic yards of material. Three landfill areas will also be created, for a total landfill area of 3.5 acres (or a 2.4acre net landfill increase) located at Berth 41, Watchorn Basin-eastern shoreline and Watchorn Basin-southeast portion (west of Berths 51 and 52). The landfill areas will be used to unify the waterfront, allowing for an extension of a public access promenade along the perimeter of this project, as well as the development of a marina support facility and adequate parking for the proposed development. The Southeast fill is required to fulfill the parking guidelines of the California Department of Boating and Waterway (DBAW). DBAW requires that adequate parking for marina recreation users be provided within 800 feet of slips.

The project site is located in the southwestern portion of the Port of Los Angeles in the West Channel/Cabrillo Beach Planning Area 1, and the West Bank Planning Area 2 in the Port Master Plan (see Exhibit No. 2). The majority of the proposed project is located within Planning Area 1, and a smaller portion of the project is located in Planning Area 2 (see Exhibit No. 3). Long range preferred uses in Planning Area 1 will continue to be given to public recreation and recreational boating facilities. The proposed land uses within Planning Area 1 would consist of restaurants, recreational boat slips, retail, boat storage, and related facilities. The new landfill areas created within Planning Area 1 will have the land use designations of commercial and recreation.

Long range preferred uses in Planning Area 2 include: General Cargo, Liquid Bulk, Dry Bulk, commercial Fishing, Commercial, Recreation, Institutional, Industrial, and Other. The proposed uses within Planning Area 2 would consist of a boat mall (dry stack storage) and parking facilities (1,664 parking spaces) for recreational purposes. The proposed uses are consistent with the existing designated land uses in the Port Master Plan.

The proposed land excavation of .66 and .46 acres, for a total of 1.1 acres (approximately 40,000 cubic yards of material) and total landfill of 3.5 acres, will result in a net loss of 2.4 acres of Inner Harbor waters (see Exhibit No. 4). The loss of marine habitat would be unavoidable since the project is infeasible without the landfill. To compensate for the loss of marine resources, the Port intends to apply mitigation credits from the Harbor Landfill Mitigation Credit Account and/or the port's Bolsa Chica mitigation account. Impacts to marine resources are discussed in Sections E.2 and 3., below.

E. Conformance with the Coastal Act.

In order for the Commission to certify the proposed amendment, the Commission must determine that the amendment conforms to the following Chapter 3 policies of the Coastal Act. The following sections discuss the proposed development and its conformance with the applicable Chapter 3 policies.

1. Allowable Development

Section 30220 of the Coastal Act states:

Coastal areas suited for water-oriented recreational activities that cannot readily be provided at inland water areas shall be protected for such uses.

Section 30221 of the Coastal Act states:

Oceanfront land suitable for recreational use shall be protected for recreational use and development unless present and foreseeable future demand for public or commercial recreational activities that could be accommodated on the property is already adequately provided for in the area.

Section 30224 of the Coastal Act states:

Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.

The Port Master Plan states that the objective of the plan is to:

...consistently develop, expand, alter the port in both the short-term period and long-range period for purposes of commerce, navigation, fisheries, port-dependent activities and general public recreation...

The proposed amendment will allow the replacement of existing deteriorated marina facilities with a reconstructed marina and marina related and visitor-serving commercial facilities, as well as creating a waterfront promenade within the West Channel Development Area. The amendment will allow for the deepening of the recreational boat basin –15 feet, to allow safe navigation of recreation boats, and increase marina slip capacity.

The proposed excavation areas are required to create a waterside configuration that would allow more capacity for wet slips and dry stack storage while meeting the California Department of Boating and Waterways guidelines for slip access. Filling and excavation activities will allow the Port to create a unified waterfront that would allow the extension of the West Channel/Cabrillo Marina Phase I public access promenade along the perimeter of the project, the development of marina support facilities, and adequate parking for the proposed project. The Commission, therefore, finds that the proposed dredging and landfills, for the accommodation of a recreational boating facility, is for permitted port-related facilities, and is consistent with Section 30220, 30221, and 30224 of the Coastal Act.

2. Water Quality

Section 30230 of the Coastal Act states:

Marine resources shall be maintained, enhanced, and where feasible, restored. Special protection shall be given to areas and species of special biological or economic significance. Uses of the marine environment shall be carried out in a manner that will sustain the biological productivity of coastal waters and that will maintain healthy populations of all species of marine organisms adequate for long-term commercial, recreational, scientific, and educational purposes.

Section 30231 of the Coastal Act states:

The biological productivity and the quality of coastal waters, streams, wetlands, estuaries, and lakes appropriate to maintain optimum populations of marine organisms and for the protection of human health shall be maintained and, where feasible, restored through, among other means, minimizing adverse effects of waste water discharges and entrainment, controlling runoff, preventing depletion of ground water supplies and substantial interference with surface water flow, encouraging waste water reclamation, maintaining natural vegetation buffer areas that protect riparian habitats, and minimizing alteration of natural streams.

Section 30240(b) of the Coastal Act states:

Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitat and recreation areas.

The proposed project would result in local, short-term adverse effects on water quality, primarily as a result of construction activities. Placement of fill and armor rock could result in short-term impacts to existing water quality due to resuspension of sediments and, possibly, sediment-associated contaminants.

Through the Port's permitting process, the Port will require control measures, such as the use of silt curtains during construction activities, to reduce any potentially significant water quality degradation to a level of insignificance and other Best Management Practices (BMP's) for the operation consistent with their Master Storm Water Program. The Port requires all projects to implement structural and operational BMP's as part of the Port's Harbor Development Permit (Coastal Permit) process consistent with their Master Storm Water Program. These controls will be consistent with the requirements of the Clean Water Act's NPDES permit for construction activities. Moreover, all construction activities will be carried out in accordance with Federal (U.S. EPA and U.S. Army Corps of Engineers) and State (Regional Water Quality Control Board) regulations and permit conditions.

Additionally, the Port of Los Angeles is subject to the requirements of the Los Angeles County Storm Water Permit for operation of Port facilities and the Construction Activities Storm Water General Permit for Port construction activities. The Port is actively involved in ensuring compliance with these NPDES permits, including (1) participation by various Port divisions in storm drain maintenance activities, street sweeping, implementation of BMPs, spill response activities, etc., (2) ongoing participation in various City-wide and regional task forces (including the Dominguez Channel Watershed Advisory Committee, the LA Region Contaminated Sediment Task Force) to facilitate interagency coordination and remain current on applicable storm water regulations and activities, (3) periodic training of Port employees, contractors and tenants to ensure compliance, (4) development of guidance documents for use by Port employees, contractors and tenants to ensure permit compliance, (5) inspection of construction sites by Port inspectors to ensure

compliance with construction BMPs, (6) application of the recently adopted SUSMP criteria in the design of Port facilities to capture and treat the first 0.75 inches of rainfall from storm events, and (7) active participation in various studies to support Total Maximum Daily Load (TMDL) development in the harbor area, including the Dominguez Channel.

Furthermore, Port tenants are subject to regulation under the Industrial Activities Storm Water General Permit and are required to file a Notice of Intent if warranted based on the nature of their operations. The Port has taken a proactive approach in assisting tenants with their stormwater permit compliance by developing and providing Port tenants with model SWPPP documents oriented towards the various types of industrial uses within the Port.

With regards to the operation of a marina and recreational boating facilities, the Port will require the operations comply with the Non-Point Surface Pollution Control Program (NPS) regarding accidental release of toxic or hazardous substances (including boat maintenance facilities, fueling facilities, sewage and liquid waste facilities, solid and hazardous waste disposal facilities) in accordance with the Marina and Recreational Boating Management Measures defined under the NPS. In addition, the Port, in cooperation with the marina operator, will also implement an educational outreach program, including placement of signs on environmental rules, regulations, and good housekeeping practices.

The Commission finds that with the addition of the proposed mitigation measures, as required through the State and Federal permitting process, and compliance with those standards, the adverse effects on marine resources or water quality will not be significant and the amendment is consistent with Sections 30230, 30231, and 30240(b) of the Coastal Act.

3. Environmentally Sensitive Habitat.

The majority of the project area is located within previously disturbed areas, areas containing existing hardscape, and the existing marina. The dredging and landfill activities would result in short-term impacts to marine habitats. The presence of turbidity caused by dredging could result in impacts to plankton, fish and benthic organisms. However, because the level of turbidity would rapidly return to normal following the end of dredging, this impact is not expected to be significant because of its temporary nature.

According to the EIR, the project area is not considered significant habitat area for any sensitive fish or wildlife species. The State and Federally listed endangered bird species the California least tern, and brown pelican regularly use the harbor area. This inner harbor location is not considered significant foraging area for terns or pelicans, and dredging, filling, and the related turbidity effects that will occur in these areas are not expected to adversely affect either species.

However, project construction will include the excavation (40,000 cubic yards) of 1.1 acres (.66 and .46 acres at or near Berths 40 and 41, respectively) of existing land area for a total of 1.1 acres, and filling (120,000 cubic yards of material) of 3.5 acres of existing water area at Berth 41. Based on the excavated area and new landfill area, there will be a net loss of 2.4 acres of Inner Harbor water habitat.

According to the Port, the loss of marine habitat would be unavoidable since the project is infeasible without the landfill and all other alternatives discussed in the EIR/EIS are infeasible or more environmentally damaging. To compensate for the loss of marine resources, the Port intends to apply mitigation credits from the Harbor Landfill Mitigation Credit Account approved by the Coastal Commission. The Harbor Landfill Mitigation Credit Account was created through the Port's participation in a multi-agency wetland restoration at the Bolsa Chica lowlands. The Commission approved the Port landfill mitigation credit account in Port Master Plan Amendment No. 8 (Port of Long Beach). Under PMPA No. 8, mitigation credits would be obtained by the Port through funding of land acquisition and wetland restoration at the Bolsa Chica lowlands. The Port's participation created a total of 267 acres of landfill mitigation credits (Port Master Plan Amendments No.8 and No.10) to be used for future landfill projects. The Commission found that the proposed wetland restoration project at Bolsa Chica would adequately compensate for marine resource losses that would occur from landfill projects within the port.

Under the Landfill Mitigation Credit Account agreement, the Port can use the mitigation credits at a ratio of 1:2 for "inner-harbor" landfills and 1:1 for "outer-harbor" landfills. The proposed landfill site involves "inner-harbor" area. The proposed "inner-harbor" loss of 2.4 acres will require 1.2 acres of the available Bolsa Chica mitigation credits based on the "inner-harbor" mitigation ratio of 1:2. This will reduce the remaining available mitigation credits in the account to a total of approximately 120 acres, once the landfill project is constructed. Therefore, the mitigation credit supply is adequate to meet the mitigation requirement demand of the project. The Commission finds that as mitigated, the adverse effects on marine resources will not be significant and the amendment is consistent with Sections 30230, 30231, and 30240(b) of the Coastal Act.

4. Recreation

Section 30210 of the Coastal Act states:

In carrying out the requirement of Section 4 of Article X of the California Constitution, maximum access, which shall be conspicuously posted, and recreational opportunities shall be provided for all the people consistent with public safety needs and the need to protect public rights, rights of private property owners, and natural resource areas from overuse.

Section 30213 of the Coastal Act states:

Lower cost visitor and recreational facilities shall be protected, encouraged, and, where feasible, provided. Developments providing public recreational opportunities are preferred.

Section 30224 of the Coastal Act states:

Increased recreational boating use of coastal waters shall be encouraged, in accordance with this division, by developing dry storage areas, increasing public launching facilities, providing additional berthing space in existing harbors, limiting non-water-dependent land uses that congest access corridors and preclude boating support facilities, providing harbors of refuge, and by providing for new boating facilities in natural harbors, new protected water areas, and in areas dredged from dry land.

Section 30234 of the Coastal Act states:

Facilities serving the commercial fishing and recreational boating industries shall be protected and, where feasible, upgraded. Existing commercial fishing and recreational boating harbor space shall not be reduced unless the demand for those facilities no longer exists or adequate substitute space has been provided. Proposed recreational boating facilities shall, where feasible, be designed and located in such a fashion as not to interfere with the needs of the commercial fishing industry.

Section 30252 of the Coastal Act states:

The location and amount of new development should maintain and enhance public access to the coast by . . . (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation

The proposed amendment will allow the redevelopment of approximately 49 acres of land and 37 acres of water in the West Channel area of the Port that will allow an increase in marina slip capacity, provide more efficient slip configuration, and accommodate landside marina related and visitor-serving commercial activities, within the Cabrillo Way Marina.

Cabrillo Way Marina is one of thirteen recreational marinas in the Port of Los Angeles providing a total of approximately 3,242 boat slips. Cabrillo Way Marina currently includes 530 boat slips and a boat repair yard. The proposed amendment will allow an additional 145 slips within Cabrillo Way Marina, extension of a public access promenade along the perimeter of this project site, dry stack storage facility with a capacity of approximately 775 boats, and a mast-up storage area for 300 boats and 1,664 parking spaces for boating support.

The new slip sizes will range from 28 to 130 feet in length. According to the EIR, the goal is to focus approximately 60% of the boat slips in the 40-49 foot range within the new and existing slips. The proposed slip distribution is in response to forecast market conditions,

and current Layout and Design Guidelines of the California Department of Boating and Waterways.

According to the EIR and previous marina reports, marinas have been increasing berth sizes to accommodate the bigger power boats in order to provide the greatest flexibility for berthing of recreational boats (sailboats and power boats). Regionally, since the early 1990's, marinas have been reconfiguring their slip size distribution to favor larger boats—boats 36 feet and larger. In the early 1990's, Ventura Isle Marina, in the City of Ventura, reduced their total number of slips from 597 slips to 467, and reduced the number of slips 25 foot and under from 26% to 9% of the total. The average slip size increased from 31.9 to 38.2 feet (CDP No. 4-91-55). Similar reconfigurations, where the number of smaller slips have been reduced and the medium and larger slip sizes increased, have also occurred in marinas in Marina del Rey (CDP No. 5-01-19; 5-01-143) and Long Beach (CDP No. 5-02-361A1).

While it is difficult to contend that recreational boating is in fact a lower cost recreational activity, in general, smaller boats are less expensive, and therefore more available to a larger segment of the population than are larger boats. In past coastal development permit action, the Commission has heard testimony contending that reductions in the availability of slips that accommodate smaller boats reduces this option for those who want to own boats and use them, but can not afford a larger boat or even a larger slip. Moreover, if the trend continues as noted above, small boat owners will not be able to find slips of a size that is appropriate for their boats. Cumulatively, reducing the number of small slips in existing marinas or not providing small slips in new marinas would not be consistent with Coastal Act provisions that encourage lower cost facilities and support of recreational boating opportunities. However, the proposed amendment will encourage increased recreational boating use by continuing to provide a mix of boat slip sizes between 28 and 130 feet; increasing the number of wet slips by 145 slips for a total of 675 slips, providing dry storage areas for smaller boats within the immediate area of the marina, increasing public launching facilities with a planned boat hoist, and will include 1,664 additional parking spaces, designed consistent with the California Department of Boating and Waterways parking standards for boat slips, to enhance boating and recreational activity in the area.

Furthermore, the upgrading of the entire marina will enhance the anchorage and improve recreational boating in the marina as a whole. The marina will continue to include a mix of recreational boat slip lengths, providing the small boat owner, to the large boat owner, an opportunity to anchor in the marina. The dry stack storage will also provide boat owners a nearby boat storage alternative to the wet slips. According to the Port, the marina will also provide a youth boating facility at the marina to increase boating opportunities, and the Port will continue to recognize the need to protect low-coast recreational boating as a policy of the California Coastal Act, and will reiterate this policy when the Port Master Plan is updated. As proposed, the amendment will increase recreational boating use in the area and encourages lower cost visitor and recreational facilities. Therefore, as proposed the project will be consistent with Sections 30213, 30224, and 30234 of the Coastal Act.

5. Risk Management Plan

Section 30253

New development shall:

- (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard.

Section 30253 of the Coastal Act requires that all port-related developments be located, designed and constructed so as to minimize substantial adverse environmental impacts. The Commission certified the Ports' Risk Management Plan (RMP) in November 1983.

The 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.

This generally does not allow placement of vulnerable resources within a hazard footprint. The design criteria of the RMP recognizes that there are situations where vulnerable resources may be located within a hazard footprint area. Under these situations, application of additional protection measures such as the installation of an approved early warning system, development of a comprehensive emergency evacuation plan, or personal training, may be required.

In the Port's analysis of the project, there were no hazard footprints in the vicinity of the proposed project. Therefore, the Commission finds that the proposed project will be consistent with the Port's RMP and will minimize substantial adverse environmental impacts consistent with Section 30253 of the Coastal Act.

6. Summary

In summary, the Commission finds that the proposed port master plan amendment will allow the Port of Los Angeles to preserve and expand recreational boating facilities within the port, and mitigate all adverse impacts to the marine environment. As proposed, the

port master plan amendment is consistent with all applicable procedural provisions and policies of the California Coastal Act of 1976.

7. Consistency with the California Environmental Quality Act (CEQA).

The California Environmental Quality Act (CEQA) requires less environmentally damaging alternatives to be considered and the imposition of mitigation measures to lessen significant adverse effects that may result from the proposal. The Commission finds that for the reasons discussed in this report, all adverse effects have been mitigated to a level of insignificance; thus, there are no additional feasible alternatives or feasible mitigation measures available that could substantially reduce any adverse environmental impacts. The Commission further finds that the proposed Port Master Plan Amendment will not result in significant environmental effects within the meaning of the California Environmental Quality Act.