



523 West Sixth Street, Suite 826
Los Angeles, CA 90014

213 623 2489 OFFICE
213 623 3909 FAX
laconservancy.org

December 21, 2021

Mr. Chris Cannon
Los Angeles Harbor Department
Environmental Management Division
425 South Palos Verdes Street
San Pedro, CA 90731

Email: ceqacomment@portla.org

RE: Recirculation of the Star-Kist Cannery Facility Project, Draft Initial Study and Mitigated Negative Declaration

Dear Mr. Cannon:

On behalf of the Los Angeles Conservancy, I am writing to comment on the Draft Initial Study/Negative Declaration (Draft IS/ND) for the proposed Star-Kist Cannery Facility Project (Project). We continue to be very disappointed in the Port's current and previous actions related to this site. As stated during the last comment period in 2019, we believe it represents a clear violation of the California Environmental Quality Act (CEQA) and the need for an Environmental Impact Report (EIR). We recognize the Port's updated 2021 Historic Resource Assessment (HRA) conducted by ICF; however, we continue to believe the Star-Kist Cannery is a historic resource and shall be assessed as such and alternatives evaluated through an EIR process, rather than a Mitigated Negative Declaration (MND).

The Conservancy has long advocated for preservation to be a priority in planning at the Port and in particular, at Terminal Island. Despite the Port's past stewardship and investments in heritage tourism as a component of its waterfront revitalization efforts, the continued threat to historic resources on Terminal Island from lease changes, proposed projects, intentional neglect, long-term infrastructure plans, and most recently, a series of demolitions, has prompted renewed concern by the Conservancy. These are the reasons why the National Trust for Historic Preservation included Terminal Island on their 2012 list of *America's 11 Most Endangered Historic Places*.

In August 2013, the Port of Los Angeles' Board of Harbor Commissioners approved a 2030 Master Plan Update. The Conservancy worked in good faith to advocate for preservation at the Port while being pragmatic and prioritizing specific issues alongside Port staff and leadership. While the adopted Master Plan Update does



not address all of our concerns, we saw it as a potential win-win as it was a great improvement that offered a framework for preservation going forward.

We believed there was a path for preservation in the Master Plan Update as this occurred after working collaboratively with the Port to consider various priorities. The plan included policies and procedures that identify and protect historic resources throughout the Port while offering clarity for future development. For instance, the inclusion of preservation as one of the five goals in the Master Plan Update was strengthened to make it equal with the other goals. Further, the Port adopted a Built Environment Historic, Architectural, and Cultural Resource Policy in May 2013.

At the time of the Master Plan Update in 2013, the Star-Kist facility was identified as a historic resource, eligible for local, state, and listing on the National Register of Historic Places. At the time it was one of three former cannery facilities that remained in 2013, in addition to Pan Pacific and Chicken of the Sea. Shortly after the adoption of the plan, the Port demolished Pan Pacific due to its deteriorated condition and the Port's insistence regarding life/safety concerns.

Given there are now only two canneries remaining at the Port's Terminal Island, we strongly believe they both have now have attained greater significance due to their rarity. Based on this current undertaking and recent action by the Port, these are imminently at risk through the Port's targeted demolition.

I. The Port is in violation of the "Fair Argument" standard as part of CEQA and must prepare an Environmental Impact Report (EIR)

The Conservancy strongly disagrees with the findings in the 2021 ICF Final Historic Resource Assessment for Star-Kist Plant No. 4 and Associated Star-Kist Facilities and the previous 2018 ICF Star-Kist Re-Evaluation Memo. We believe the Star-Kist facility continues to retain substantial integrity as well as its ability to convey significance as an example of Terminal Island's canning heritage. Therefore, the Port, as the Lead Agency, should not allow the demolition of the project site without first preparing an EIR and the preparation of project alternatives. We are increasingly concerned by the steps taken by the Port to diminish the little-remaining historic resources on Terminal Island, especially given the adoption of the Master Plan Update and its Cultural Resource Policy.

Not only has ICF reversed the 2008 Jones & Stokes evaluation of the Star-Kist Canning Facility, but it has also reversed the evaluation of the Fisherman's Pride Processing Facility (Chicken of the Sea). In both evaluations, ICF concluded that neither property retains substantial integrity. It is unclear in either re-evaluation what has changed in the last ten years to warrant this change of opinion. Up until 2018, the Port was operating as if these two facilities were historic resources. For instance, in 2015, a Port spreadsheet of its cultural resources identified both facilities as being individually eligible for the National Register of Historic Places (attached).



What took place between 2008, 2015, 2018, or 2021 to materially change and affect the eligibility status of both Star-Kist and Chicken of the Sea? Both facilities are primarily significant for their historical and cultural associations rather than architectural. Since integrity is cited by ICF, please explain what material circumstances have substantially changed, and how was this evaluated for a resource that is primarily conveying its significance through historic and cultural associations? Per the alteration summary in the HRA, little to no details are provided regarding alterations after 2008 aside from “vandalism” and the removal of roof access points. As per the Port’s own Cultural Resource Policy, was the City’s Office of Historic Resources and SurveyLA consulted at all during this re-evaluation process, and did they concur?

In our view, this wrongful determination and re-evaluation of clear historic resources by the Port is an attempt to circumvent CEQA and the EIR process, in an effort to erase the last remaining examples of Fish Harbor’s significant canning heritage.

A. The Project site is significant as representative of cultural and industrial heritage

Fish Harbor on Terminal Island was once home to the largest tuna canning industry in the United States. At its height, Terminal Island canneries produced eighty percent of canned tuna packed in the country. Canning on Terminal Island began during the late 1910s and grew until its peak in the 1950s. In 1912 Wilbur F. Wood opened the California Tuna Canning Company. Two years later, Wood sold the company to Frank Van Camp, who renamed it Van Camp Sea Food Company, producers of “Chicken of the Sea.” In the following years, the Los Angeles Harbor Department built Fish Harbor as a protected anchorage to foster the canning industry’s growth.

In the years leading up to World War II, Terminal Island canneries relied on exclusive contracts with Japanese fishermen. The industry brought hundreds of fishermen from the Wakayama Prefecture in Japan to Terminal Island for their expertise. The community of fishermen grew into Furusato, a village of over 3,000 residents. Husbands and sons went to sea while wives and daughters worked the canning facilities. Following the internment of Japanese residents in 1942 and razing of Furusato by the Navy, the canneries began to employ primarily Mexican and Filipino labor.

By 1946, Terminal Island produced more canned tuna than anywhere in the world. In the same year, Pan-Pacific Fisheries opened the world’s most modern cannery, and in 1952, Star-Kist opened its new Main Plant (Plant 4), the single largest cannery in the world. Terminal Island’s tuna industry grew so prominent in the 1950s that the County of Los Angeles added the tuna fish to the official insignia.

Star-Kist and Fisherman’s Pride (Chicken of the Sea) represent the two remaining historic canning facilities in Fish Harbor. The sites are layered with history meeting multiple criteria for eligibility at the local, state, and national levels as determined by Jones & Stokes and in concurrence by SurveyLA. Together these sites hold cultural significance for their association with Japanese American heritage on Terminal Island and are representative of the companies that fostered a major U.S. industry. The Star-Kist Cannery Main Plant is also significant for its design. John K. Minasian designed the facility, and when built, it was the single largest



example of tilt-up construction built by private industry on the West Coast. Minasian later engineered the famed Seattle Space Needle for the 1962 World's Fair.

B. The Project site has gained importance following the demolition of the adjacent Pan-Pacific Fisheries Cannery

Following the demolition of the Pan-Pacific Fisheries Cannery Building at 350 Sardine and 991 Barracuda Streets, the remaining buildings associated with the canning industry have gained importance as this history is erased. In 2008, Jones & Stokes identified the Star-Kist Main Plant as “the most complete and operative cannery facility in the Port of Los Angeles. Although nearly all of the original equipment has been removed from the Main Plant, the canning process itself is still well represented.”¹ Furthermore, Jones & Stokes found the cannery facility to hold a high degree of integrity despite several 1970s and 1980s alterations. Even with those alterations, the facility was determined to have a strong ability to convey the 1952 significance as a “Factory Complex” whereby raw materials enter and finished products leave. Again, what has changed that ICF would now determine this facility holds no significance at either the local, state and national levels?

C. The project site continues to convey significance. Therefore the Port and lead agency is required to produce alternatives to complete demolition.

After reviewing the Draft IS/MND, it is unclear what changed at the Project site other than a stronger desire by the Port to demolish the Star-Kist cannery. With ICF's 2018 and 2021 re-evaluations and reversal of the Jones & Stokes determination, the Port stands to demolish the entire complex without presenting alternatives or a replacement project.

A key policy under the California Environmental Quality Act (CEQA) is the lead agency's duty to “take all action necessary to provide the people of this state with historic environmental qualities and preserve for future generations examples of major periods of California history.”² To this end, CEQA requires public agencies to deny approval of a project with significant adverse effects when feasible alternatives or feasible mitigation measures can substantially lessen such effects.”³

CEQA has a special standard of review applicable to whether an EIR or a Negative Declaration must be prepared for a project. The unique “fair argument” standard gives no deference to the agency and instead mandates the preparation of an EIR if there is any substantial evidence in the “whole record” of proceedings that supports a “fair argument” that a project “may” have a significant effect on the environment.⁴ In this case, there is a clear record and fair argument established that there is an historic

¹ Jones and Stokes, *Final Architectural Survey and Evaluation of the Star-Kist Plant, Terminal Island, Port of Los Angeles, Los Angeles, California*, prepared for the Los Angeles Harbor Department (January 2008), 40

² Public Resource Code, Sec. 21001 (b), (c).

³ *Sierra Club v. Gilroy City Council* (1990) 222 Cal.App.3d 30, 41; also see PRC Secs. 21002, 21002.1.

⁴ Guideline §15064(f)(1); *No Oil, Inc., v. City of Los Angeles* (1974) 13 Cal.3d 68, 75.



resource involved and impacted as part of this proposed undertaking. A low-threshold fair argument is achieved if the record contains facts or fact-based assumptions or expert opinions of any potentially significant environmental impact, regardless of substantial evidence to the contrary.⁵

Courts often refer to the environmental impact process as “the heart” of CEQA because it provides decision-makers with an in-depth review of projects with potentially significant environmental impacts and analyzes a range of alternatives that reduce those impacts.⁶ The Conservancy believes Terminal Island’s canning facilities to be eligible resources, and therefore, agencies “shall mitigate or avoid the significant effects on the environment whenever it is feasible to do so.”⁷ As an eligible resource, the Port cannot merely skip the EIR process or subsequently adopt a statement of overriding considerations and approve a project with significant impacts; it must first adopt feasible alternatives and mitigation measures.⁸

The Conservancy is concerned by the Port’s choice not to consult further with our organization since our initial meeting in 2019, given collaboration in 2012 and 2013 when the National Trust placed these exact canneries on their “11 Most Endangered List.” Following the Trust’s listing, the Conservancy aided the Port in crafting a cultural resource policy. The policy’s goal is to retain and reuse the industrial heritage of the Port, such as the canneries in Fish Harbor. There appears to be a pattern emerging now by the Port to re-evaluate previously-determined historic resources and deem them ineligible without substantial evidence and justification. This all goes against our collaborative, good-faith efforts to work together as outlined within the Port’s Master Plan Update, the Cultural Resource Policy, and one of the plan’s stated goals of preservation.

D. Potential Historic District Analysis sets a dangerous precedent for future demolition of the last remaining historic resources.

In Chapter 10 of the HRA, ICF evaluated potential historic districts. We believe the findings in this section set a dangerous precedent for future demolitions of the limited historic resources in Fish Harbor. In their analysis, ICF evaluated four historic district themes, 1) Fish Harbor: Post-World War II History, 2) The United States and Fish Harbor Canning Industry, 3) Star-Kist at Fish Harbor, and 4) Property Type/Architectural Style. Within each theme, a total of nine properties were identified as potential contributors to the potential historic districts. ICF determined nearly all of the properties lack sufficient integrity to contribute to a historic district, such an analysis sets a dangerous precedent for the future demolition of all Fish Harbor properties connected to the canning heritage, Japanese and Japanese American heritage of the harbor. As stated previously, many of these historic are not significant for their

⁵ *League for Protection v. City of Oakland* (1997) 52 Cal.App.4th 896, 905; *Sundstrom v. County of Mendocino* (1988) 202 Cal.App.3d 296, 310.

⁶ *County of Inyo v. Yorty* (1973) 32 Cal.App.3d 795; *Laurel Heights Improvement Association v. Regents of the University of California* (1993) 6 Cal.4th 1112, 1123.

⁷ Public Resource Code, Sec. 21002.1.

⁸ Public Resource Code, Sec. 21081; *Friends of Sierra Madre v. City of Sierra Madre* (2001) 25 Cal.4th 165, 185.



architecture and should not be held to the same standards as architecturally significant properties such as single-family residences. Fish Harbor’s historic resources are nearly entirely manufacturing properties that have sustained minor alterations as a means to stay commercially viable. Despite their alterations, many of these buildings retain a significant amount of integrity and continue to convey their significance connected to the area’s heritage. The collection of properties at Fish Harbor tells a uniquely layered history that cannot be found in other areas within the Port.

In conclusion, the Conservancy strongly disagrees with the re-evaluation of the Star-Kist and Fisherman’s Pride Processors (Chicken of the Sea), and Historic District analysis. We believe that both facilities retain the ability to convey significance as historic resources and as determined in the 2008 Jones & Stokes evaluations as well as many of the historic resources evaluated in ICF’s district analysis. Additionally, we strongly disagree with the findings of the historic district analysis and are extremely concerned that such findings will lead to the demolition of all properties in Fish Harbor. As industrial buildings, these resources should not be evaluated to the same degree as properties such as residential. This property type must adapt over time to meet manufacturing and commercial needs. Despite expansions at the Star-Kist Canning Facility, the majority of the original 1952 structure still stands. We believe that this portion of the “Factory Complex” retains enough integrity to convey its significance under multiple criteria at the local, state, and national levels.

About the Los Angeles Conservancy:

The Los Angeles Conservancy is the largest local historic preservation organization in the United States, with nearly 5,000 members throughout the Los Angeles area. Established in 1978, the Conservancy works to preserve and revitalize the significant architectural and cultural heritage of Los Angeles County through advocacy and education.

Given the current circumstances and significance of affected historic resources, we believe a meeting is in necessary to discuss. I will be reaching out to set something up soon but please do not hesitate to contact me at (213) 430-4203 or afine@laconservancy.org should you have any questions or concerns.

Sincerely,

Adrian Scott Fine
Adrian Scott Fine
Senior Director of Advocacy

cc:

- Mr. Gene Seroka, Port of Los Angeles
- Mr. Ken Bernstein, Office of Historic Resources
- Ms. Chris Morris, National Trust for Historic Preservation
- Councilmember Joe Buscaino

