

1 **ES.5.2.1 Unavoidable Significant Impacts**

2 Table ES-3 identifies unavoidable significant impacts associated with the proposed
3 Project and alternatives. This Draft EIS/EIR has determined that implementation of the
4 proposed Project or one or more of the alternatives would result in significant impacts on:

- 5 • Air Quality and Meteorology;
- 6 • Biological Resources;
- 7 • Geology;
- 8 • Land Use;
- 9 • Noise;
- 10 • Transportation/Circulation; and
- 11 • Water Quality

12
13 No feasible mitigation measures are available that would avoid all of the potential
14 impacts or reduce all impacts to less than significant levels. Therefore, potential
15 impacts to these resource areas are considered significant and unavoidable.

16 Under CEQA, the proposed Project and all five alternatives have significant impacts
17 on Air Quality and Meteorology because the air emissions from construction and
18 operation could not be mitigated to less than significant even with the application of
19 all feasible mitigation measures. In addition, for all alternatives that include the Harry
20 Bridges Buffer Area, although the mitigation would result in less than significant
21 health impacts, there are potential health effects to people using the Harry Bridges
22 Buffer Area due to diesel emissions from Port operations as a whole and other area
23 roadways and industries (see Section 3.2).

24 Under CEQA, the proposed Project and all five alternatives have significant impacts
25 on water quality because potential impacts from in-water vessel spills, illegal
26 discharges and contaminant leaching could not be mitigated to less than significant
27 even with application of all feasible mitigation measures.

28 The No Project alternative has much higher unavoidable significant impacts on Air
29 Quality than the other alternatives because there would be no mitigation applied to
30 terminal operations. It is also the only alternative that has significant, unavoidable
31 impacts to public health (i.e., cancer risk).

32 All alternatives also have significant impacts on Geology due to the seismicity issue,
33 for which there is no feasible mitigation. All of the alternatives except the No Project
34 (Alternative 1) have unavoidable significant impacts on Noise (during construction
35 phases). The No Project Alternative has unavoidable significant impacts on
36 Transportation/Circulation (because no mitigations would be constructed) and Land
37 Use. The Omni Terminal Alternative's significant impacts on Air Quality and
38 Meteorology are less than those of the proposed Project and the other alternatives
39 because of fewer vessel calls and lower overall activity.

1 Under NEPA, only three of the alternatives (the proposed Project, the Project Without
2 the 10-acre Fill, and the Reduced Wharf) were evaluated for impacts because the other
3 alternatives would not involve activities requiring a federal permit. Compared to No
4 Federal Action, all three alternatives have significant, unavoidable impacts on Air
5 Quality and Meteorology (including cancer risk for the proposed Project and
6 Alternative 2), Biology, Water Quality, and Geology (seismicity), but not on any other
7 resource area.

8 **ES.5.2.2 Summary of Significant Impacts that Can Be Mitigated,** 9 **Avoided, or Substantially Lessened**

10 Table ES-3 identifies the significant impacts that can be mitigated, avoided or
11 substantially lessened. This Draft EIS/EIR has determined that implementation of the
12 proposed Project or one or more of the alternatives would result in significant
13 impacts that can be mitigated to less than significance on:

- 14 • Biological Resources;
- 15 • Cultural Resources
- 16 • Groundwater and Soils;
- 17 • Utilities and Public Services; and
- 18 • Transportation/Circulation.

19
20 Under CEQA, placement of fill in the Northwest Slip for implementation of the
21 proposed Project would cause a permanent loss of aquatic habitat, a significant impact
22 on Biological Resources that would be mitigated to a less than significant level by the
23 application of existing habitat mitigation credits (see Section 3.3). None of the other
24 alternatives include fill, and thus do not require mitigation of impacts on biological
25 resources. All of the alternatives except the No Project Alternative have the potential to
26 disturb paleontological resources during construction of the Harry Bridges Buffer Area,
27 but that impact would be mitigated to less than significant (see section 3.4). The
28 proposed Project and all of the alternatives except the No Project Alternative would
29 have the potential to encounter toxic substances or other contaminants during
30 excavation and construction. However, through mitigation, these potential impacts
31 would be reduced to less than significant (see section 3.6.4.3). The proposed Project
32 and all of the alternatives except the No Project Alternative would also have the
33 potential to generate significant levels of solid waste both during construction and
34 operation. With the implementation of mitigation measures, however, this potential
35 significant impact is reduced to less than significant (see section 3.12.4.3)

36 All of the alternatives except the No Project and the Omni Terminal would have
37 significant impacts on Ground Transportation at certain intersections in the study area
38 due to the increased amount of truck traffic generated by container terminal operations.
39 Those impacts would be mitigated to less than significant by modifications to those
40 intersections. The No Project Alternative would have significant impacts (see above)
41 that could not be mitigated because no intersection improvements could be

1 implemented, and the Omni Terminal would have less than significant impacts because
2 of its much lower activity levels compared to the other alternatives.

3 Under NEPA, only the proposed Project, the Project Without the 10-Acre Fill, and the
4 Reduced Wharf alternatives were evaluated for impacts because the other alternatives
5 would not involve activities requiring a federal permit. Only the proposed Project
6 would have a significant, but mitigable, impact on Biological Resources. None of the
7 alternatives would have significant impacts on Cultural Resources as the potential to
8 encounter paleontological resources would occur outside the federal jurisdiction and is
9 independent of the issuance of federal permits. All three alternatives would have the
10 potential to encounter toxic substances or other contaminants during excavation and
11 construction. However, through mitigation, these potential impacts would be reduced to
12 less than significant. All three alternatives would have the potential to generate
13 significant levels of solid waste but this potential would be less than significant after
14 mitigation. All three alternatives would have significant impacts on Ground
15 Transportation that would be mitigated to less than significant by improvements to the
16 affected intersections.

17 There were no resource areas in which potentially significant impacts could be mitigated
18 to a level less than significant for all alternatives considered under CEQA and NEPA.

19 **ES.5.2.3 Summary of Less than Significant Impacts**

20 Based on the environmental review in this Draft EIS/EIR, as summarized in Table
21 ES-3, no significant impacts are expected under both CEQA and NEPA from the
22 proposed Project or alternatives in the following environmental issue areas:

- 23 • Aesthetics and Visual Resources
- 24 • ~~Groundwater and Soils~~
- 25 • Hazards and Hazardous Materials
- 26 • Marine Vessel Transportation
- 27 • ~~Utilities and Public Services~~
- 28 • ~~Water Quality/Sediments/Oceanography.~~

29 **ES.5.2.4 Cumulative Impacts**

30 The proposed Project was analyzed in conjunction with other related projects in the
31 area for potential to contribute to significant cumulative impacts. The proposed
32 Project would not result in cumulatively considerable impacts (after applicable
33 mitigation) for the following resource areas:

- 34 • Aesthetics and Visual Resources
- 35 • Groundwater and Soils
- 36 • Land Use

- Marine Vessel Transportation.

The proposed Project or alternatives could result in cumulatively considerable impacts for the following resource areas:

- Air Quality and Meteorology
- Biological Resources
- Cultural Resources
- Geology
- Hazards
- Noise
- Transportation/Circulation
- Utilities/Public Services
- Water Quality/Sediments/Oceanography.

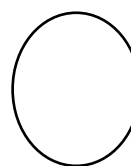
Cumulative impact evaluations for each resource are included in Chapter 4 of this Draft EIS/EIR.

ES.5.2.5 Environmental Justice

The potential for the proposed Project and alternatives to cause disproportionately high and adverse human health and environmental effects on low-income and minority populations is discussed in the Environmental Justice analysis (Chapter 5) and summarized in Table ES-3. The proposed Project and all of the alternatives except the No Project Alternative would result in disproportionate effects on minority and low-income populations as a result of significant unavoidable construction noise impacts as well as disproportionate effects on minority populations as a result of a cumulatively considerable and unavoidable contribution to potential impacts on unknown ethnographic resources. The proposed Project and all of the alternatives would have a disproportionate effect on minority and low-income populations as a result of the cumulative contribution of operational activities to the existing significant health risk from air toxics. The proposed Project would have a disproportionate effect on minority and low-income populations as a result of its cumulative contribution to transportation system impacts in the construction phase. Other potentially significant impacts of the proposed Project and the alternatives would either be reduced to less than significant or less than cumulatively considerable through implementation of mitigation measures or would not have disproportionate effects on minority and low-income populations.

ES.5.2.6 Socioeconomic and Growth Inducing Impacts

As discussed in Chapters 7 and 8, because the proposed Project and the alternatives would be industrial facilities, they are not expected to stimulate substantial economic or population growth, remove obstacles to population growth, or necessitate the



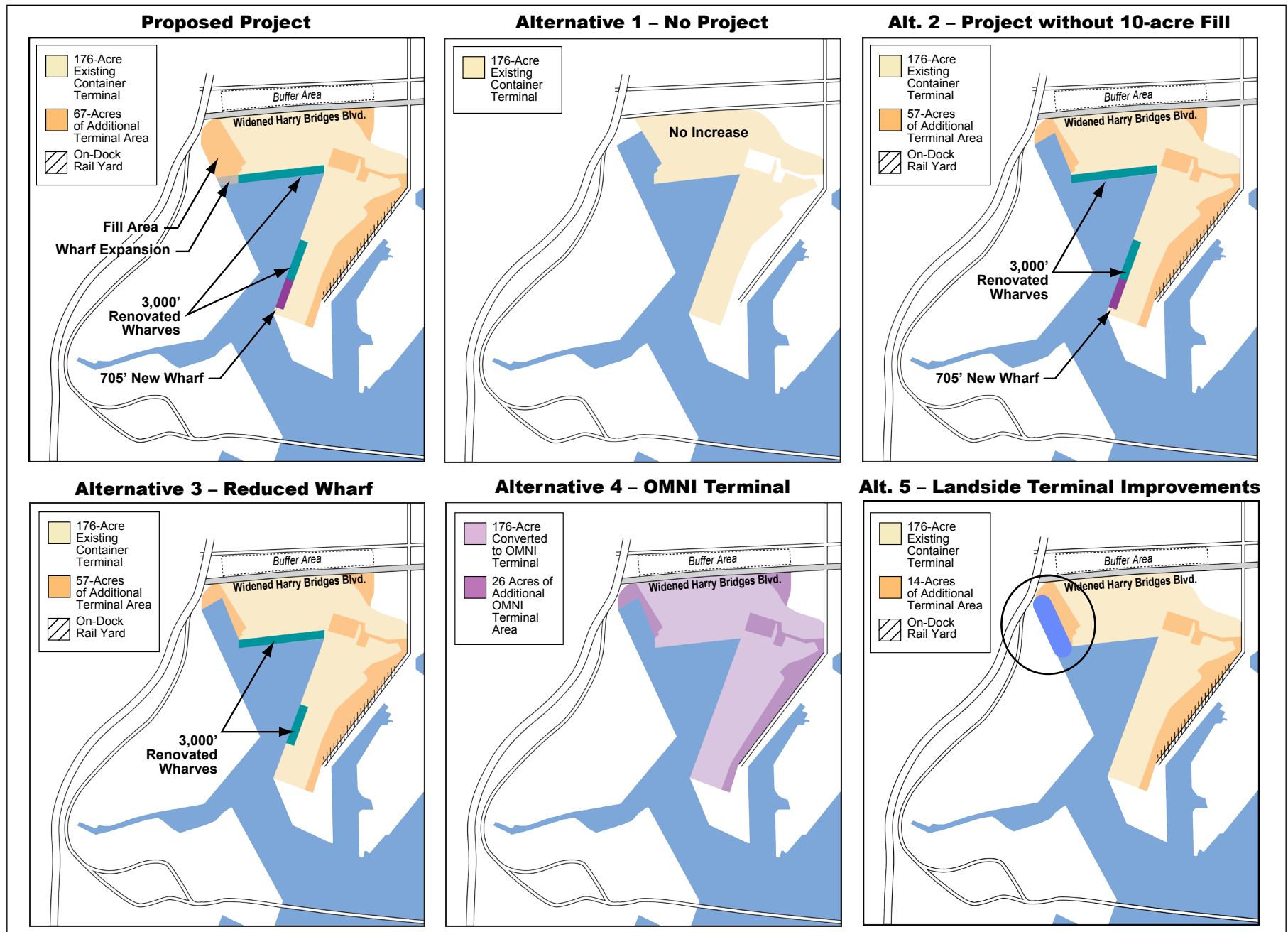


Figure ES-4 NEW. Container Terminal Changes Under the Proposed Project and Alternatives