ATTACHMENT 3

RESOLUTION NO. HD-2906

A RESOLUTION OF THE BOARD OF HARBOR COMMISSIONERS OF THE CITY OF LONG BEACH CERTIFYING THE FINAL ENVIRONMENTAL IMPACT REPORT FOR THE PIER B ON-DOCK RAIL SUPPORT FACILITY PROJECT (SCH NO. 2009081079) HAS BEEN COMPLETED IN ACCORDANCE WITH THE PROVISIONS OF THE CALIFORNIA ENVIRONMENTAL QUALITY ACT AND STATE AND LOCAL GUIDELINES, MAKING CERTAIN FINDINGS AND DETERMINATIONS RELATIVE THERETO, ADOPTING A STATEMENT OF OVERRIDING CONSIDERATIONS, ADOPTING A MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVING THE PROJECT AND HARBOR DEVELOPMENT PERMIT

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WHEREAS, on March 14, 2007, the Deputy Chief Harbor Engineer of the Long Beach Harbor Department of the City of Long Beach ("COLB") submitted an application for a Harbor Development Permit for the Pier B On-Dock Rail Support Facility Project relating to the reconfiguration, expansion and enhancement of the existing Pier B Railyard located within COLB's Harbor District (the "Project"); and

WHEREAS, the City of Long Beach, acting by and through its Board of Harbor Commissioners ("Board"), as lead agency under the California Environmental Quality Act ("CEQA") caused a Draft Environmental Impact Report ("DEIR") describing the Project and discussing the resultant environmental impacts to be prepared, and on December 16, 2016, released such DEIR for public and agency comments; and

WHEREAS, pursuant to order of the Board, a Notice of Availability and

Notice of Public Hearing was published in the "Press-Telegram", a newspaper of general circulation, on December 15, 2016, January 8, 2017, January 27, 2017, and February 12, 2017 noticing public hearings on the DEIR to be held on January 11, January 18, and February 15, 2017; and

WHEREAS, on each of January 11, January 18 and February 15, 2017, the Board conducted a public hearing on the adequacy of the DEIR for the Project and received both written and oral comments; and

WHEREAS, the period for public comment closed on March 13, 2017; and

WHEREAS, staff of the Long Beach Harbor Department and consulting environmental experts have reviewed the comments received, have prepared responses thereto and on January 11, 2018, provided the responses to commenting agencies, and informed all commenters of the public availability of the responses; and

WHEREAS, the DEIR and the Final Environmental Impact Report (collectively, the "FEIR") for the Project have been presented to the Board, as the decision-making body of the lead agency, for certification as having been completed in compliance with the provisions of the California Environmental Quality Act ("CEQA") and State and Local Guidelines implementing CEQA and as the permitting agency under the California Coastal Act; and

WHEREAS, the Board held a duly noticed public hearing on January 22, 2018, to consider the FEIR and the proposed Project; and

WHEREAS, the Board has thoroughly reviewed and considered the FEIR and the written communications and oral testimony regarding the same.

NOW, THEREFORE, the Board of Harbor Commissioners of the City of Long Beach resolves as follows:

SECTION 1. Findings - Preparation and Review of Final Environmental Impact Report. The Board finds as follows:

1.1 On August 20, 2009, COLB circulated a Notice of Preparation of a DEIR for the Project to responsible agencies and interested persons by the

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Environmental Planning Division of the Long Beach Harbor Department ("Environmental Planning").

1.2 COLB conducted scoping meetings for the Project on September 2, 2009 and September 16, 2009.

1.3 The consulting firm of Parsons Transportation Group ("Consultant") prepared a DEIR for the Project, which was reviewed and approved by Environmental Planning and circulated on December 16, 2016, to responsible agencies and interested persons.

1.4 After publication of notice in a newspaper of general circulation, three public hearings on the DEIR were held on January 11, January 18 and February 15, 2017. Forty-eight written comment letters or email messages were received from governmental agencies, organizations and members of the public; fifty-four people spoke at the public hearings. The period for public comment was closed on March 13, 2017.

1.5 Consultant and Environmental Planning prepared the FEIR for the Project, consisting of revisions to the DEIR, together with the comments received and responses thereto.

1.6 On January 11, 2018, Environmental Planning provided copies of the responses to comments received to all government agency commenters, and provided written notice of the public availability of the responses to all other commenters. A copy of the FEIR is available for inspection in the office of the Director of Environmental Planning, and is by this reference made a part hereof.

1.7 On January 11, 2018, members of the Board received copies of the FEIR. The Board has reviewed and considered the information contained in said document together with all written communications and oral testimony regarding the same prior to approval of this resolution.

1.8 The FEIR reflects the independent judgment of the Board as lead agency under CEQA.

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1.9 The Findings of Fact contained in the "Findings of Fact And Statement of Overriding Considerations" attached hereto as Exhibit "A" are hereby adopted as the factual findings of the Board, and are summarized below.

Sec. 2. Findings - Project Description. As described in Section 2.0 of Exhibit "A", the Board finds that the Project recommended for approval by staff consists of:

2.1 Adding 31 yard tracks and five arrival/departure tracks, thereby expanding the yard from an existing twelve tracks (two main line tracks, ten yard tracks, and no arrival/departure tracks) to a total of 48 tracks (two main tracks, 41 yard tracks, and five arrival/departure tracks).

2.2 Providing for up to 10,000-foot-long receiving/departure tracks.

2.3 Providing storage tracks for empty rail cars, an assembly area for departing trains, and staging tracks for non-intermodal cars bound to and from non-container terminals.

2.4 Widening the existing rail bridge over Dominguez Channel to accommodate one additional track of approximately 5,000 feet.

2.5 Constructing an area for locomotive refueling within the yard using tanker truck locomotive refueling vehicles, loaded with fuel offsite.

2.6 Realigning Pier B Street to the south, and two lanes of traffic in each direction would be provided. The realignment of Pier B Street would require reconstruction of two intersections, at Anaheim Way and Edison Avenue. The existing at-grade 9th Street railroad grade crossing would be closed and the Shoemaker ramps would be removed.

2.7 Realigning Pico Avenue to the west beginning at the I-710 ramps south to approximately Pier D Street, allowing space for four additional tracks between Pico Avenue and the I-710 freeway.

2.8 Permanently closing portions of 9th, 10th, 11th, and 12th Streets and Edison, Jackson, Santa Fe, Canal, Caspian, Harbor, and Fashion Avenues

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between Anaheim Street and Pier B Street in the COLB. A road knuckle would be added at the terminus of Harbor Avenue at 11th Street. A cul-de-sac would be added at the terminus of Fashion Avenue and 10th Street.

2.9 Permanently closing portions of Farragut, Foote, Cushing, Macdonough, and Schley avenues near existing railroad rights-of-way (ROW) in the City of Los Angeles ("COLA").

Sec. 3. Findings - Project Alternatives. As more fully described in Section 4.1 of Exhibit "A", the Board finds as follows:

3.1 The reasonable range of Project alternatives considered in the FEIR consist of:

3.1.1 The 10th Street Alternative.

3.1.2 The 9th Street Alternative.

3.1.3 The "No Project" alternative which assumes that the Pier B Railyard as it is currently configured would continue to operate.

3.2 The 10th Street Alternative is a feasible alternative that would add nineteen yard tracks and three arrival/departure tracks to a total of 34 tracks (two main tracks, 29 yard tracks and three arrival/departure tracks). This alternative would also provide for up to 10,000-foot-long receiving/departure tracks, and the existing rail bridge over Dominguez Channel would be widened to accommodate one additional track of approximately 5,000 feet. The Shoemaker ramps would be realigned to land at Harbor Avenue. New yard improvements would require permanently closing portions of 9th and 10th Streets, and Edison, Jackson, Santa Fe, Canal, Caspian, and Harbor Avenues. Portions of Farragut, Foote, Cushing, Macdonough and Schley Avenues would be closed in the vicinity of existing railroad ROW in the COLA.

While this alternative would require fewer property acquisitions and result in less severe impacts during construction, as well as lesser operational impacts, it would not avoid the significant impacts of both construction and

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operational emissions exceeding both the SCAQMD daily threshold and offsite ambient air pollutant concentrations. This alternative would not meet the overall Project purpose and need of achieving the objective of 30 to 35 percent on-dock rail use, which would be achieved by the proposed Project. For the reasons stated in the FEIR, this is not the environmentally preferred alternative, and is hereby rejected.

3.3 The 9th Street Alternative is a feasible alternative that would add six yard tracks and three arrival/departure tracks to a total of 21 tracks (two main tracks, sixteen yard tracks and three arrival/departure tracks). This alternative would also provide for up to 10,000-foot-long receiving/departure tracks, but the existing rail bridge over Dominguez Channel would not be widened and it would not accommodate any additional tracks. The Shoemaker ramps would remain as currently configured. New yard improvements would require permanently closing portions of Edison, Jackson, Santa Fe, Canal and Caspian Avenues. Portions of Farragut, Foote, Cushing, Macdonough and Schley Avenues would be closed in the vicinity of existing railroad ROW in the COLA. While this alternative would require fewer property acquisitions and result in less severe impacts during construction, as well as lesser operational impacts, it would not avoid the significant impact of both construction and operational emissions exceeding both the SCAQMD daily threshold and offsite ambient air pollutant concentrations. This alternative would not meet the overall Project purpose and need of achieving the objective of 30 to 35 percent on-dock rail use, which would be achieved by the proposed Project. For the reasons stated in the FEIR, this is not the environmentally preferred alternative, and is hereby rejected.

3.4 The "No Project" alternative would not result in significant impacts, as no improvements would be made to the Pier B Rail Yard. Since it would not accomplish any of the Project objectives, the No Project alternative is hereby rejected.

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Sec. 4. Findings - Environmental Impacts. The Board adopts the findings regarding the Project's environmental impacts contained in Section 3.0 of Exhibit "A". Other than those mitigation measures required or incorporated pursuant to the FEIR, the Board finds that there are no feasible measures within its jurisdiction which could be adopted at this time, which would avoid or significantly mitigate those significant, potentially significant or cumulatively considerable adverse environmental impacts identified in Section 3.0 of Exhibit "A".

Sec. 5. Findings - Significant Benefits and Statement of Overriding Considerations. The Board hereby adopts the Statement of Overriding Considerations contained in Section 5.0 of Exhibit "A".

Sec. 6. Certification. The Board hereby certifies that the FEIR for the Project has been completed in compliance with the CEQA and the State and local guidelines promulgated pursuant thereto. The Board further certifies that the FEIR was presented to the Board and that the Board reviewed and considered the information contained in it prior to approving the Project. The Board further certifies that the FEIR reflects the Board's and the Port's independent judgment and analysis.

Sec. 7. Project Approval. Based on the conclusions set forth in Section 6, the Application Summary Report, the Project and Harbor Development Permit No. 07-021 are hereby approved.

Sec. 8. Mitigation Plan Approval. The mitigation measures set forth in the Pier B On-Dock Rail Support Facility Project Mitigation Monitoring and Reporting Program attached hereto as Exhibit "B" are hereby adopted and approved as part of the Project.

Sec. 9. Location and Custodian of Record Proceedings. The Director of Environmental Planning of the Long Beach Harbor Department, whose office is located at 4801 Airport Plaza Drive, Long Beach, California 90815, is hereby designated as the custodian of the documents and other materials which constitute the record of proceedings upon which the Board's decision is based, which documents and materials

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shall be available for public inspection and copying in accordance with the provisions of the California Public Records Act (Cal. Government Code Sec. 6250 et seq.).

Sec. 10. Notice of Determination. The Director of Environmental Planning shall file a notice of determination with the County Clerk of the County of Los Angeles and with the state Office of Planning and Research.

Sec. 11. Certification, Posting and Filing. This resolution shall take effect immediately upon its adoption by the Board of Harbor Commissioners, and the Secretary of the Board shall certify to the vote adopting this resolution and shall cause a certified copy of this resolution to be filed forthwith with the City Clerk. The City Clerk shall post the resolution in three conspicuous places in the City of Long Beach.

I hereby certify that the foregoing resolution was adopted by the Board of Harbor Commissioners of the City of Long Beach at its meeting of January 22, 2018 by the following vote:

Ayes:	Commissioners:	Colonna, Lowenthal, Farrell, Egoscue Bynum
Noes:	Commissioners:	
Absent:	Commissioners:	
Not Voting:	Commissioners:	

Secretary

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EXHIBIT A

PORT OF LONG BEACH
PIER B ON-DOCK RAIL SUPPORT FACILITY

FINDINGS OF FACT AND
STATEMENT OF OVERRIDING CONSIDERATIONS

The Port of Long Beach
4801 Airport Plaza Drive
Long Beach, CA 90815

January 2018

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1.0 INTRODUCTION

The City of Long Beach (COLB), acting by and through its Board of Harbor Commissioners (Board) (hereinafter, the Port), has prepared an Environmental Impact Report (EIR) to identify and evaluate potential environmental impacts associated with implementation of the proposed Pier B On-Dock Rail Support Facility Project (hereinafter "Project," "proposed Project," or "12th Street Alternative") in the Port of Long Beach (POLB). The Port, as the public agency Project proponent, is the lead agency for compliance with the California Environmental Quality Act (CEQA).

These Findings of Fact have been prepared to support a decision on the Project. Section 21081 of the California Public Resources Code (PRC) and Section 15091 of the CEQA Guidelines provide that no public agency shall approve or carry out a project for which an EIR has been certified that identifies one or more significant environmental effects of the Project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The possible findings are:

1) Changes or alterations have been required in, or incorporated into, the project, which avoid or substantially lessen the significant environmental effects as identified in the Final EIR.

2) Such changes or alterations are within the responsibility and jurisdiction of another public agency and not the agency making the finding. Such changes have been adopted by such other agency or can and should be adopted by such other agency.

3) Specific economic, legal, social, technological, or other considerations, including provisions of employment opportunities for highly trained workers, make infeasible the mitigation measures or project alternatives identified in the Final EIR.

Additionally, the lead agency must not approve a project that will have a significant effect on the environment unless it finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the unavoidable adverse environmental effects (PRC § 21081(b); 14 Cal. Code Regs. § 15093). The Statement of Overriding Considerations set forth below identifies the specific overriding economic, legal, social, technological, or other benefits of the Project that outweigh the significant environmental impacts identified in the Final EIR.

2.0 PIER B ON-DOCK RAIL SUPPORT FACILITY PROJECT

2.1 Project Objectives

CEQA requires that an EIR state the objectives of a proposed project to explain the reasons for project development. Additionally, the project objectives are instrumental in determining which alternatives should be considered in the EIR. The objectives of the Pier B On-Dock Rail Support Facility Project are to:

- Support the transition to a more efficient, more economically competitive and less polluting freight transport system, as envisioned in the 2016 California Sustainable Freight Action Plan;
- Support the shared goals of local and regional transportation agencies to increase Port, rail, and highway capacities;
- Promote a mode shift from containers shipped by truck to near-dock and/or off-dock facilities to containers shipped by rail from the on-dock and supporting rail yards;

- Provide additional Port rail capability to support and maximize on-dock intermodal operations to a targeted goal of 30 to 35 percent of containers handled by on-dock rail;
- Receive and depart, within the confines of the rail yard, up to 10,000-foot-long trains to accommodate the increasing use of such trains by the Class I railroads; and
- Improve motorist and rail safety by eliminating an existing at-grade crossing at 9th Street and Pico Avenue.

2.2 Project Overview

The Project site is located in two POLB Planning Districts (the Northeast Harbor and North Harbor), and the site also includes a portion of the Wilmington-Harbor City Community Plan Area of the City of Los Angeles (COLA). The Project site is generally situated between Dominguez Channel to the west, Interstate 710 (I-710) to the east, Ocean Boulevard to the south, and Anaheim Street to the north. The proposed Project area includes rail tracks that extend west beyond the Terminal Island Freeway (State Route [SR] 103) to just west of Dominguez Channel, where they connect with the Alameda Corridor, and also south as far as Ocean Boulevard. In addition to privately owned property, a variety of public agencies own property within the proposed Project site and in its vicinity, including the POLB; COLB; COLA; Port of Los Angeles (POLA); Union Pacific (UPRR) and Burlington Northern Santa Fe (BNSF) railroads; Alameda Corridor Transportation Authority (ACTA); Los Angeles County Flood Control District (LACFCD); and Southern California Edison (SCE).

The proposed Project would be constructed in three phases over an estimated 7 years. Components of the proposed Project would include:

- Adding 31 yard tracks and 5 arrival/departure tracks, thereby expanding the yard from an existing 12 tracks (2 main line tracks, 10 yard tracks, and no arrival/departure tracks) to a total of 48 tracks (2 main tracks, 41 yard tracks, and 5 arrival/departure tracks).
- Providing for up to 10,000-foot-long receiving/departure tracks.
- Widening the existing rail bridge over Dominguez Channel to accommodate one additional track.

Realignments and closures of some roadways would be required:

- Pier B Street would be realigned to the south, its geometrics would be improved, and two lanes of traffic in each direction would be provided. The realignment of Pier B Street would require reconstruction of two intersections, at Anaheim Way and Edison Avenue. The existing at-grade 9th Street railroad grade crossing would be closed and the Shoemaker ramps would be removed.
- Pico Avenue would be realigned to the west beginning at the I-710 ramps south to approximately Pier D Street, allowing space for four additional tracks between Pico Avenue and the I-710 freeway.
- Areas needed for new rail tracks would require the permanent closure of portions of 9th, 10th, 11th, and 12th streets and Edison, Jackson, Santa Fe, Canal, Caspian, Harbor, and Fashion avenues between Anaheim Street and Pier B Street in the COLB. A road knuckle would be added at the terminus of Harbor Avenue at 11th Street. A cul-de-sac would be added at the terminus of Fashion Avenue and 10th Street.

- Portions of Farragut, Foote, Cushing, Macdonough, and Schley avenues would be closed near existing railroad right-of-way (ROW) in the COLA.

The reconfigured Pier B On-Dock Rail Support Facility would:

- Be used to receive/depart and stage inbound and outbound intermodal trains.
- Include storage tracks for empty rail cars required to support on-dock intermodal operations.
- Provide rail car storage and classification facilities.
- Provide an assembly area for departing trains.
- Provide an area where inspection and departure brake tests would be performed.
- Include staging tracks for non-intermodal cars bound to and from non-container terminals.
- Provide trackage for rail car repair activities.

The proposed Project would support the following rail operations:

- Up to four Pacific Harbor Line (PHL) locomotives operating onsite each day at the proposed Project's opening and up to eight in 2035.
- Approximately five tanker truck locomotive refueling vehicles, loaded with fuel offsite, servicing onsite locomotives.
- Approximately five rail and rail car repair vehicles operating within the on-dock support facility.

Locomotive operation support personnel vehicles would consist mostly of passenger vans. These vans would be used to pick up and drop off train crews at the on-dock support facility.

Rail yard administrative staff would arrive/depart daily via individual passenger vehicles for each shift. It is estimated that approximately 10 workers per shift would be required to operate the yard.

Vehicle operations associated with the on-dock rail support facility would include vehicles arriving and departing for locomotive refueling operations, rail and rail car repair vehicles, and locomotive operation support personnel vehicles. These operations would occur 24 hours per day, 7 days per week, in three shifts.

3.0 CEQA FINDINGS

The Findings of Fact are based on information contained in the Final EIR for the proposed Project, as well as information contained within the administrative record. The administrative record includes, but is not limited to, the Project application, Project staff reports, Project public hearing records, public notices, written comments on the Project, proposed decisions and findings on the Project, and all other documents relating to the Port's decision on the Project. When making CEQA findings required by PRC Section 21081(a), a public agency shall specify the location and custodian of the documents or other material, which constitute the record of proceedings upon which its decision is based. The Director of Environmental Planning of the Long Beach Harbor Department, whose office is located at 4801 Airport Plaza Drive, Long Beach, California 90815, is designated as the custodian of the documents and other materials that constitute the record of proceedings upon which the Board's decision is based, which

documents and materials shall be available for public inspection and copying in accordance with the provisions of the California Public Records Act (Government Code §§ 6250 *et seq.).*

The Draft EIR addresses the proposed Project's potential effects on the environment. The Draft EIR was circulated for public review and comment pursuant to CEQA Guidelines. Comments were received from a variety of public agencies, organizations, and individuals. The Final EIR contains copies of all comments and recommendations received on the Draft EIR; a list of persons, organizations, and public agencies commenting on the Draft EIR; and responses to comments received during the public review, and identifies changes to the Draft EIR. This section provides a summary of the environmental effects of the proposed Project that are discussed in the EIR and provides written findings for each of the significant effects, accompanied by a brief explanation of the rationale for each finding.

While the findings set forth below identify certain specific facts supporting the various determinations and conclusions, additional facts supporting the conclusions are set forth in the corresponding sections of the Draft EIR, and these findings specifically incorporate those facts. In addition, the Board incorporates the facts set forth in the Record of Proceedings on the Project to the extent they relate to and support the findings set forth herein.

3.1 Findings Regarding Environmental Impacts Determined to be Not Significant or Less than Significant

The Board hereby finds that the following environmental impacts of the proposed Project are less than significant. Under CEQA, no mitigation measures are required for impacts that are less than significant (14 Cal. Code Regs. §15126.4[a][3]).

Impact	Board Finding
Geology, Soils, and Seismic Conditions	
GEO-1: Construction of the proposed Project would not result in substantial soil erosion or the loss of topsoil, or trigger or accelerate such processes; alteration of the topography would not occur beyond that resulting from natural erosion and depositional processes.	This impact will be less than significant because of the proposed Project site's flat topography and the controls that would be implemented during construction. Alteration of the topography would be limited to natural erosion or other depositional processes.
GEO-2: Construction of the proposed Project would not render inaccessible any known mineral resources (including petroleum or natural gas).	Several active producing, active injecting, idle, plugged, and abandoned wells are located within the proposed Project boundaries. Although construction activities would remove active and inactive oil-producing facilities from the Project site, petroleum reserves beneath the site would continue to be recovered from nearby active facilities during construction. Therefore, impacts would be less than significant.
GEO-3: Operation of the proposed Project would not render inaccessible any known mineral resources (including petroleum or natural gas).	Impacts would be less than significant because petroleum reserves beneath the site could continue to be recovered after the proposed Project becomes operational.
GEO-4: The proposed Project is not located on an active fault; therefore, ground rupture at the site and attendant damage to structures is not anticipated.	There are no active faults or potentially active faults crossing the proposed Project area that might result in ground rupture and attendant damage to structures, limiting their use due to safety considerations or physical condition.

Impact	Board Finding
GEO-5: Seismic activity along numerous regional faults could produce seismic ground shaking, liquefaction, differential settlement, or other seismically induced ground failure, but such events would not expose people, structures, and facilities to greater than normal risk.	Impacts associated with seismically induced ground failure would be less than significant because construction of the proposed Project in accordance with applicable building code requirements and standards would limit the severity of consequences from severe, seismically induced ground movement once the proposed Project is built and operating.
GEO-6: Operation of the proposed Project would not expose people to substantial risk of injury or substantial damage to structures and infrastructure as a result of inundation by seiche, tsunami, or mudflow.	Because the likelihood of the occurrence of a seismic event large enough to generate a tsunami or seiche large enough to inundate the Project site is extremely low, and the proposed Project consists of few structures and would not add substantial numbers of workers, damage would be minimal and loss of life would be very unlikely. As a result, impacts would be less than significant.
Air Quality and Health Risk	
AQ-5: Operation of the proposed Project would create objectionable odors to sensitive receptors.	The combustion of diesel fuel used in operational activities would generate air pollutants. Diesel exhaust includes some chemical species that are known to have odors. The mobile nature of most proposed Project emissions over the relatively large Project site would help decentralize, disperse, and dilute odors. Therefore, the potential for the proposed Project to produce objectionable odors that would affect sensitive receptors is low.
AQ-7: The proposed Project would not conflict with or obstruct implementation of the applicable Air Quality Management Plan (AQMP).	The South Coast Air Quality Management District (SCAQMD) AQMP proposes emission-reduction measures that are designed to bring the South Coast Air Basin (SCAB) into attainment of California Ambient Air Quality Standards (CAAQS) and National Ambient Air Quality Standards (NAAQS). Proposed Project operations would need to comply with these strategies. SCAQMD also adopts AQMP control measures into rules and regulations, which are then used to regulate sources of air pollution. Compliance with these requirements would ensure that the proposed Project would not conflict with or obstruct implementation of the AQMP.
Hydrology and Water Quality	
WQ-1: Construction of the proposed Project would not result in violation of regulatory standards or guidelines.	This impact would be less than significant because proposed Project construction would not involve any unpermitted or intentional discharges to harbor waters, therefore water quality objectives would not be exceeded. All in-water construction would be conducted in accordance with proposed Project-specific limits that would include measures to minimize impacts on water quality. Leaks or spills of petroleum products from equipment would be handled in accordance with appropriate waste management Construction Site Best Management Practices (BMPs) identified in the Storm Water Pollution Prevention Plan (SWPPP).
WQ-2: Construction of the proposed Project would not result in exceedances of the Enclosed Bays and Estuaries Plan criteria for sediment-introduced contaminants.	Control measures applied to construction activities would minimize the likelihood that criteria in the Enclosed Bays and Estuaries Plan would be exceeded. Therefore, impacts related to the Enclosed Bays and Estuaries Plan would be less than significant.
WQ-3: Construction of the proposed Project would not result in flooding that could harm people, damage property, or adversely affect biological resources.	Because flooding would not be increased as a result of proposed Project construction, flooding impacts would be less than significant.

Impact	Board Finding
WQ-4: Construction of the proposed Project would not result in wind or water erosion that causes substantial soil runoff or deposition not contained or controlled onsite.	Construction of the proposed Project would expose soils during grading and excavation that would be subject to wind and water erosion and subsequent deposition. Erosion Control BMPs would be required per the Construction General Permit (CGP) that would minimize erosion. Furthermore, erosion and runoff from construction of the proposed Project would be short-term and localized, therefore this impact would be less than significant.
WQ-5: Operation of the proposed Project would not result in violation of regulatory standards or guidelines.	Proposed Project operation would not involve any unpermitted discharges of wastes into harbor waters and would reduce the amount of runoff to the harbor compared to existing conditions. Accordingly, water quality regulatory requirements and objectives would not be exceeded as a result of proposed Project operations. Therefore, the impacts would be less than significant.
WQ-6: Operation of the proposed Project would not result in exceedances of the Enclosed Bays and Estuaries Plan criteria for sediment-introduced contaminants.	Exceedances of the Enclosed Bays and Estuaries Plan criteria are not anticipated as a result of proposed Project operation. Therefore, Enclosed Bays and Estuaries Plan criteria impacts would less than significant.
WQ-7: Operation of the proposed Project would not result in flooding that could harm people, damage property, or adversely affect biological resources.	Because flooding is not likely a result of proposed Project operation, flooding impacts would be less than significant.
WQ-8: Operation of the proposed Project would not result in wind or water erosion that causes substantial soil runoff or deposition not contained or controlled.	The topography of the existing Project area is relatively flat and paved or ballasted. No new slopes are proposed and existing soils are not erodible. Operation of the proposed Project would not accelerate the natural processes of wind and water erosion. Therefore, impacts would be less than significant.
Biota and Habitats	
BIO-2: Construction activities would not interfere with wildlife movement/ migration corridors.	The Project area is fully developed and does not serve any important movement functions for birds or terrestrial wildlife. Therefore, no wildlife movement or migration corridors would be affected, and impacts from construction of the proposed Project would be less than significant.
BIO-3: Project construction would not result in a substantial loss or alteration of marine habitat.	No marine habitat would be lost or substantially affected by construction of the proposed Project, impacts would be less than significant, and mitigation measures are not required.
BIO-4: Construction activities would not substantially affect a natural habitat or plant community, including wetlands.	This impact would be less than significant because the proposed Project area is fully developed and does not support any native biological communities or natural habitats. Installation of pilings near the toe of the riprap along the Dominguez Channel could adversely affect isolated patches of wetland plants if present at the time of construction, however those patches are very limited in extent and are not considered to constitute wetland habitat. All work within the channel would require permits/approvals from U.S. Army Corps of Engineers (USACE), Regional Water Quality Control Board (RWQCB), and California Department of Fish and Wildlife (CDFW).
BIO-5: Construction activities would not substantially disrupt local biological communities.	No local biological communities would be disrupted by proposed Project construction, as species in the Project area are already acclimated to the heavily industrialized conditions of the proposed Project area. Therefore, this impact is less than significant.

Impact	Board Finding
BIO-6: Operational activities would not substantially affect any rare, threatened, or endangered species or their habitat.	Special-status plant species are not present within the Project area and the area does not provide significant nesting or foraging habitat for any special-status animal species. Accordingly, there is no potential for future operations within the already-developed proposed Project area, including stormwater runoff to substantially affect any rate, threatened, or endangered species or their habitat. Therefore, this impact is less than significant.
BIO-7: Operational activities would not interfere with wildlife movement/ migration corridors.	The Project site is fully developed and does not facilitate movement of wildlife within the Port. Therefore, no wildlife movement or migration corridors would be affected by operation of the proposed Project, therefore impacts would be less than significant.
BIO-8: Operational activities would not result in a substantial loss or alteration of marine habitat.	Operation of the proposed Project would not result in any alteration or elimination of marine habitat because all activities would take place on land.
BIO-9: Operational activities would not substantially affect a natural habitat or plant community, including wetlands.	The Project area is fully developed, and no natural habitats would be affected by operation of the proposed Project. The impact would be less than significant.
BIO-10: Operational activities would not substantially disrupt local biological communities.	The Project area is fully developed, and no local native biological communities would be affected by operation of the proposed Project. Species within the Project area are already acclimated to the heavily industrialized conditions of the site and would not be disturbed by the small (relative to overall Port Operations) scale of the increase in rail activity. The impact would be less than significant.
Ground Transportation	
TRANS-1: Construction-period auto and truck traffic would not increase the volume to capacity (V/C) ratio or vehicular delays at any study area intersection above the impact significance criteria.	No intersection would experience V/C ratios exceeding impact significance criteria, therefore construction would result in less than significant impacts.
TRANS-2: Traffic generated by construction activities would not cause an increase of 0.02 or more in the V/C ratio with a resulting Level of Service (LOS) E or F at a roadway segment.	Construction of the proposed Project would not result in any changes to LOS, and it would cause V/C ratio differences for arterial and freeway segments less than the threshold of 0.02. Accordingly, impacts would be less than significant.
TRANS-3: Construction traffic would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.	Pedestrian access or existing bicycle or public transit would not be affected by construction of the proposed Project. Impacts of construction would be less than significant.
TRANS-4: For at-grade rail crossings, proposed Project operations would not cause: (a) the average delay per vehicle to exceed 55 seconds (LOS D to E); or (b) an increase of 2 seconds or more average delay per vehicle at an at-grade crossing operating at LOS E (55 to 80 seconds) or add 1 second or more average delay to an at-grade crossing operating at LOS F (greater than 80 seconds).	The additional rail traffic from proposed Project would not cause delays at grade crossings on any rail subdivisions exceeding the impact significance criteria of 55 seconds of average delay per vehicle at any grade crossing. This impact would be less than significant.

Impact	Board Finding
TRANS-5: Proposed Project operational traffic would not increase the V/C ratio or delays at any study area intersection above impact significance criteria.	Proposed Project traffic would not cause exceedances of significance thresholds. Therefore, the impacts of operating the proposed Project would be less than significant.
TRANS-6: Proposed Project operational traffic would not cause an increase of 0.02 or more in the V/C ratio with a resulting LOS E or F at a study area roadway segment.	Because operational traffic from the proposed Project would not cause decreases in LOS or increased in V/C Ratios to exceed local significance thresholds on roadway segments, impacts would be less than significant.
TRANS-7: Proposed Project operations would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.	The proposed Project would not conflict with policies regarding public transit, bicycle, or pedestrian facilities, or adversely affect such facilities; Impacts are less than significant.
Land Use	
LU-1: The proposed Project would be consistent with the adopted goals, objectives, or policies of applicable local, regional or state plans.	The proposed Project would be consistent with the adopted goals, objectives, and policies of applicable local, regional, and State plans. Accordingly, impacts would be less than significant.
LU-2: The proposed Project would not introduce uses or activities incompatible with existing and future land uses.	Because the proposed Project would not introduce uses or activities incompatible with existing and future land uses, impacts would be less than significant.
LU-3: The proposed Project would not physically divide an established community.	The proposed Project would expand an existing harbor/industrial land use that is consistent with existing zoning designations. There is no residential community within the proposed Project boundaries; the proposed Project's land use would be similar in nature to those currently contained within Harbor Planning Districts 1 and 2, and would not physically divide an established community.
LU-4: The proposed Project would not displace substantial numbers of people or businesses, requiring the construction of replacement buildings or structures.	The POLB, COLB and COLA would be required to follow procedures and legal requirements for relocation; acceptable and adequate compensation would be provided for acquisitions. Construction of replacement buildings or structures would not be required because industrial and commercial space is expected to available in the North Harbor area. Impacts would be less than significant.
Public Services and Safety	
PSS-1: Proposed Project construction activities would not substantially burden public agency staff levels, such that existing public facilities would need to be relocated or expanded, or that additional facilities would be needed, construction of which could cause significant impacts.	Law enforcement response times, emergency service levels, or Multi-Service Center (MSC) performance objectives would not be significantly degraded. Standard security measures to be implemented during construction of the proposed Project would minimize the burden on police, fire, and other security agency staff levels. Impacts to public services and safety would be less than significant.

Impact	Board Finding
PSS-2: Construction activities would not result in substantial adverse physical impacts on existing school or park facilities, or result in the need for new or physically altered school facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios or other performance objectives.	Construction air quality impacts would be temporary and generally confined to the immediate vicinity of construction activities; these areas would be a substantial distance from schools or parks. Construction would not result in a need for new or modified school or park facilities because no school facilities are located within close distance to necessitate relocation or physical alteration. This impact would be less than significant.
PSS-3: Operation of the proposed Project would not substantially burden public agency staff levels, such that existing public facilities would need to be relocated or expanded, or that additional facilities would be needed, construction of which could cause significant impacts.	Physical and procedural safety and security measures would be incorporated into proposed Project operation. Because operation of the proposed Project would be essentially the same in nature as the existing rail yard, public agencies providing services would not need additional staff or facilities to maintain acceptable service ratios, response times, or other performance objectives. Therefore, this is impact is less than significant.
PSS-4: Operational activities would not result in substantial adverse physical impacts on existing school or park facilities, or create a need for new or physically altered school or park facilities, the construction of which could cause significant environmental impacts, to maintain acceptable service ratios or other performance objectives.	The proposed Project would not result in a need for new or modified school facilities because the proposed Project would not increase the local population or add residential or commercial land uses that are normally associated with student generation. Impacts would be less than significant.
Noise	
NOISE-1: Construction activity would not result in noise levels of 3 decibels (dB) or greater over baseline ambient levels and would not exceed COLB or COLA noise limits and restrictions**.**	Predicted construction noise levels at the sensitive receptors would not increase ambient noise by 3 dB or more, nor would the noise levels exceed the applicable noise limits and restrictions imposed by COLB or COLA.
NOISE-2: Construction activity would not result in vibration levels that exceed Federal Transit Administration (FTA) human annoyance or building damage thresholds.	Predicted construction vibration levels would not exceed the FTA groundborne vibration damage criteria for non-engineered timber/masonry buildings or reinforced concrete, steel, or masonry buildings. The predicted vibration levels from construction equipment would not result in building damage beyond a distance of 26 feet from the source; nor would annoyance from construction vibration be perceived from beyond a distance of 73 feet from the source.
NOISE-3: Operational noise levels would not result in ambient noise levels to increase by greater than 3 dB, noise equivalent level (L_{eq}) in the proposed Project influence area.	Predicted noise levels from rail yard operations at the receptor locations are all at least 10 dB below the baseline ambient noise levels, which would result in no change in ambient noise levels. Changes in vehicle noise levels at receptor locations ranged from a change of zero decibels, A-weighted (dBA) to an increase of 1 dBA L_{eq}. Because the largest increase is no greater than the 3-dB threshold; noise from the proposed Project is less than significant.
NOISE-4: Operational noise levels would not exceed the COLB allowable ambient noise limits in the COLB portion of the proposed Project influence area.	The proposed Project would not result in ambient operational noise levels that exceed established significance thresholds.

Impact	Board Finding
NOISE-5: Operational noise levels would not exceed normally acceptable noise levels for the Industrial Manufacturing land use category in the COLA portion of the proposed Project influence area.	There are no known noise-sensitive receptors located near the COLA portion of the proposed Project. The normally acceptable noise levels for this land use category will not be exceeded.
NOISE-6: Operational noise levels from proposed Project train activity within the Alameda Corridor would not exceed FTA severe impact criteria or add 3 dBA or more noise above baseline ambient conditions.	The proposed Project is estimated to result in a less than 1 dB L_{eq} and L_{dn} increase in noise along the Alameda Corridor; the overall ambient noise level increase is expected to be less than 1 dB. This increase in ambient noise from proposed Project train activity would not exceed FTA severe impact criteria or add 3 dBA or more above baseline ambient conditions.
NOISE-7: Operational noise levels would not exceed the COLB allowable limit of 45 dBA interior noise at schools within the proposed Project influence area.	The proposed Project operations noise levels would not exceed the COLB allowable limit of 45 dBA for interior noise.
NOISE-8: Operational groundborne vibration levels would not exceed the FTA acceptability limit of 83 velocity level in decibels (VdB) for infrequent events.	Vibration generated by operations of the proposed Project would not exceed the FTA acceptability limit of 80 VdB and 83 VdB.
Hazards and Hazardous Materials	
HAZ-1: Construction activities would not adversely affect the public or environment through the routine transport, storage, use, or disposal of hazardous materials.	Construction activities would be conducted in accordance with applicable federal, State, and local regulations, standard best management practices, proper use and storage of hazardous materials and petroleum products, and proper removal of asbestos-containing material (ACM), lead-based paint (LBP), and polychlorinated biphenyls (PCBs). Impacts are less than significant. Special conditions would also be imposed a safety plan would be required before work commences; soil and groundwater sampling and Phase II investigations will be conducted as necessary; risk assessments will be performed for contaminated areas prior to starting work, where appropriate.
HAZ-2: Construction of the proposed Project would not adversely affect the public or environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment.	Construction activities would not adversely affect the public or the environment through reasonable foreseeable upset or accident conditions involving the release of hazardous materials into the environment. Incidents would be substantially avoided because areas of construction would be separated from rail operations. Shifting of rail operations to new areas would be properly staged. If there is an unexpected release of hazardous materials resulting from a rail-related accident during proposed Project construction, established emergency response procedures would be immediately mobilized.
HAZ-3: Proposed Project construction would not adversely affect the public or environment as a result of being located on a site that is known to contain hazardous materials.	Construction activities would be conducted in accordance with applicable federal, State, and local regulations, standard best management practices, proper use and storage of hazardous materials and petroleum products to address onsite hazards, including the presence of contaminated soils or groundwater during construction. Impacts are less than significant. The following special conditions would also be imposed: a safety plan would be required before work commences; soil and groundwater sampling and Phase II investigations will be conducted as necessary; and risk assessments will be performed for contaminated areas prior to starting work, where appropriate.

Impact	Board Finding
HAZ-4: Construction of the proposed Project would not impair implementation of, physically interfere with, or result in an inconsistency with an adopted emergency response or evacuation plan.	Proposed Project construction would be conducted in accordance with a detailed construction plan developed in consultation with the COLB and COLA fire and police departments. Contractors and railroads would continue to comply with all emergency response and evacuation regulations. The proposed Project would not impair or interfere with emergency response or evaluation plans.
HAZ-5: Proposed Project construction activities would comply with state guidelines associated with abandoned oil wells.	Construction activities would use standard Division of Oil, Gas, and Geothermal Resource (DOGGR) measures to reduce adverse health and safety effects to construction personnel, the public, and the environment.
HAZ-6: Proposed Project would not handle hazardous materials, substances, or wastes within 0.25 mile of an existing or planned school.	Hazardous materials would not be handled within 0.25 mile of an existing or planned school.
HAZ-7: Operational activities would not adversely affect the public or environment through the routine transport, storage, use, or disposal of hazardous materials.	Hazardous materials used onsite would be handled in accordance with federal, State, and local requirements.
HAZ-8: Proposed Project operations would not adversely affect the public or environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment.	Rail activity associated with hazardous materials in marine containers would be substantially concentrated at the proposed Project site, which would employ established safety procedures for the handling of rail cars. In addition, a well-defined program of immediate actions; notifications, and onsite responses would be in place, which would substantially minimize the likelihood of an incident with harmful exposure. If there is an unexpected release of hazardous materials resulting from a rail-related accident during operations, established emergency/hazardous materials response procedures would be implemented.
HAZ-9: Proposed Project operations would not adversely affect the public or environment as a result of being located on a site that is known to contain hazardous materials; the presence of soil or groundwater contamination would not create a significant hazard to the public or the environment.	Onsite hazardous materials and soil and groundwater contamination would be properly managed during construction in compliance with applicable regulatory requirements to ensure that the Project site is rendered free of hazardous waste contaminants during operation.
HAZ-10: The proposed Project would not impair implementation of, physically interfere with, or result in an inconsistency with an adopted emergency response or evacuation plan.	The proposed Project would be incorporated into existing emergency response plans; management of emergency response and evacuation systems would continue to be managed. Standard security measures would be implemented during proposed Project operation and access to Joint Command and Control Center (JCCC) services would not be impeded. Adequate safeguards and appropriate response procedures would be in place during operational activities. This impact is less than significant.
HAZ-11: Proposed Project operational activities would not result in noncompliance with State guidelines associated with abandoned oil wells.	Abandoned oil wells within the Project site would be managed during operation in accordance with DOGGR requirements. Operations would not affect subsurface features such as abandoned oil well or interfere with abandoned oil wells.

Impact	Board Finding
HAZ-12: The proposed Project would not handle hazardous materials, substances, or wastes within 0.25 mile of an existing or planned school.	No onsite hazardous materials would be handled within 0.25 mile of an existing or planned school. The nearest school, Cesar Chavez Elementary, is located approximately 0.375 mile from the nearest point on the Project site. There are no known or planned schools within 0.25 mile of the Project site.
Population and Housing	
POP-1: Proposed Project construction activities would not increase population in the Gateway Cities subregion by 0.5 percent or more.	The 1,135 workers projected for proposed Project construction would likely be readily supplied by the labor force within the Gateway Cities subregion. Impacts on population would be less than significant.
POP-2: Proposed Project construction activities would not increase the demand for housing units in the Gateway Cities subregion by 0.5 percent or more.	The labor force from within the region would likely be sufficient to completed proposed Project construction without an influx of new workers and their families. Therefore, no new housing would be necessary.
POP-3: Proposed Project operational activities would not increase population in the Gateway Cities subregion by 0.5 percent or more.	The proposed Project would have a regional job impact of up to five additional jobs; therefore, operational activities will have a negligible effect of employment in the Gateway Cities subregion.
POP-4: Proposed Project operational activities would not increase the demand for housing units in the Gateway Cities subregion by 0.5 percent or more.	The proposed Project would add five additional jobs, which are anticipated to be filled by existing residents in the Gateways Cities subregion. Because there would be little or no influx of population, the demand for additional housing would be negligible.
Utilities, Service Systems, and Energy Conservation	
UTIL-1: Proposed Project construction activities would require the relocation and reorganization of water, wastewater, storm drains, natural gas, electrical utility lines and infrastructure, and oil lines, but the impacts of such construction would be less than significant.	New replacement infrastructure would be constructed to serve affected utility users, such that service interruptions would be avoided. The new infrastructure would be constructed and installed in conformance with current design standards. All utility relocation construction activities have been accounted for in the EIR analysis.
UTIL-2: Proposed Project construction activities would not exhaust or exceed existing water, wastewater, electrical power, or landfill capacities.	The proposed Project would result in minimal additional demands on municipal utilities and service systems during construction activities, including water services, wastewater, and solid waste.
UTIL-3: Proposed Project operations would not result in construction or expansion of water, wastewater, storm drains, natural gas, electrical utility lines and infrastructure, and oil lines within the proposed Project footprint.	The proposed Project's demands on utilities would be easily accommodated by existing capacity, so impacts would be less than significant.
UTIL-4: Proposed Project operational activities would not exhaust or exceed existing water, wastewater, or landfill capacities.	While railroad works would increase demands on water supply, solid waste disposal, and wastewater treatment, with no more than 10 employees per shift, these amounts would be considered a nominal addition to the total demand on municipal utility capacities and service systems. For displaced land uses that would relocate elsewhere in the harbor area, the associated water, wastewater, and/or solid waste generation or usage is expected to remain at or near current levels.

Impact	Board Finding
ENG-1: Construction of the proposed Project would not conflict with adopted energy conservation plans or policies.	The proposed Project would incorporate features consistent with the Port's Green Port Policy. New structures with 7,500 sq ft or more of occupied space would be Leadership in Energy and Environmental Design (LEED)-certified, reducing building energy consumption on the site; and would be consistent with the Port's Sustainable Development Guidelines to improve operational efficiencies by upgrading equipment.
ENG-2: Construction of the proposed Project would not result in inefficient use of energy resources.	Energy consumption associated with construction would be about 180 billion British Thermal Units (BTU) over 8 years, or about 23 billion BTU per year. By comparison, total energy consumption in California was 7,620 trillion BTU in 2014 (U.S. Energy Information Administration 2015). Energy consumption for proposed Project construction would be used efficiently and would represent a negligible portion of Statewide energy consumption.
ENG-3: Operation of the proposed Project would not conflict with adopted energy conservation plans or policies.	Operation activities would not conflict with established energy conservation plans or policies. Expansion of the Pier B Rail Yard would include upgrading existing equipment and installation of new, state-of-the-art equipment which would generally be more energy-efficient.
ENG-4: Operation of the proposed Project would not result in inefficient use of energy resources.	The proposed Project would employ state-of-the-art methods and equipment, and would support a substantially greater level of train operations, making more efficient use of existing facilities. Moving containers by rail instead of drayage truck operations would offset at least 90 percent of the increase in energy consumption from expanded rail yard operations by the year 2035.
Cultural Resources	
CR-1: Proposed Project construction would not result in a substantial adverse change in the significance of an archaeological resource.	No known archaeological resources are located within or near the Project site. Construction would result in less than significant impacts on archaeological and ethnographic resources.
CR-2: Proposed Project construction would not result in a substantial adverse change in the significance of a historic resource (one listed in or eligible for listing in the California Register of Historical Resources [CRHR]).	One architectural resource eligible for listing on the CRHR is located within 0.2 mile beyond the northern limit of the proposed Project—the Coca-Cola Building. The Project area is industrial in nature and construction of the proposed Project would keep with the existing use of a rail yard. The buildings in this area were previously served by rail spurs. This proposed Project would reintroduce this method of transportation, which is in keeping with the historic setting of the Coca-Cola Building.
Aesthetics and Visual Resources	
VIS-1: The proposed Project would not substantially degrade the existing visual character or quality of the site or its surroundings.	The proposed Project's physical features would consist largely of ground-level railroad tracks that would not be prominent from nearby viewpoints, there would be no elements that would degrade the existing visual character of the site or its surroundings. In addition, the proposed Project is in an industrial area that will remain as such.
VIS-2: The proposed Project would not create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.	The proposed Project would not introduce a source of daytime glare because additional lighting would incorporate modern, anti-glare technology and sensitive receptors are not within sight distance of the Project site.

Impact	Board Finding
Global Climate Change	
GCC-2: The Proposed Project would not conflict with an applicable plan, policy, or regulation adopted to reduce emissions of greenhouse gases (GHG).	Several plans, policies, and regulations adopted for the purposes of reducing GHG emissions would be applicable to the proposed Project. The proposed Project would not conflict with any of the plans, policies, or regulations.
GCC-3: The Proposed Project would not expose people and structures to a significant risk of loss, injury, or death involving flooding as a result of sea level rise.	The Project site is inland from the shoreline and has an elevation range approximately +10 to +25 mean lower low water (MLLW). This elevation range is above the end-of-century projections of sea level rise. The Port has developed a Climate Adaptation and Coastal Resiliency Plan that includes adaptation strategies including design features and physical structures.

3.2 Findings Regarding Cumulative Environmental Impacts Determined to be Not Significant or Less than Significant

The Board hereby finds that the following cumulative environmental impacts of the proposed Project are not significant or less than significant. Under CEQA, no mitigation measures are required for impacts that are less than significant (14 Cal. Code Regs. §15126.4[a][3]).

3.2.1 GEOLOGY, SOILS, AND SEISMIC CONDITIONS

Construction Impacts

All projects located in the area of influence have a topography that is generally flat. Topographic impacts related to the proposed Project, in combination with probable future projects, would remain less than significant. The proposed Project would not have a cumulatively considerable contribution to a significant cumulative impact on topography. None of the projects located in the area of influence have designated unique geological features. Cumulative impacts on designated unique geological features related to the proposed Project, in combination with probable future projects, would be less than significant. The proposed Project would not have a cumulatively considerable contribution to a significant cumulative impact on a designated unique geological feature.

All cumulative projects in the POLB and POLA involving grading, excavations, and construction/demolition would be considered within the area of influence for cumulative impacts associated with erosion-induced sedimentation of harbor waters. Cumulative erosion-related impacts related to the proposed Project, in combination with probable future projects, would be less than significant with implementation of an SWPPP and construction BMP. The proposed Project would not have a cumulatively considerable contribution to a significant cumulative impact from erosion-induced sedimentation of harbor waters.

All cumulative projects in the POLB and POLA would be considered within the area of influence for cumulative impacts associated with substantial reduction of access to mineral resources (e.g., oil and gas, and sand and gravel). The proposed Project's impacts related to access to mineral resources, in combination with probable future projects, would be less than significant because petroleum reserves beneath the site could be recovered from remote locations using directional (e.g., slant) drilling techniques. The proposed Project's contribution to cumulative impacts would be less than significant because petroleum reserves beneath the site could be recovered from remote locations using directional (e.g., slant) drilling techniques.

For these reasons, construction of the proposed Project would not result in a cumulatively considerable contribution to a significant cumulative impact to geologic resources.

Operational Impacts

All projects located in the area of influence are subject to severe, seismically induced ground failure due to an earthquake on a local or regional fault. Seismic-related impacts related to the proposed Project, in combination with probable future projects, would be less than significant with incorporation of modern construction engineering and safety standards. The proposed Project's contribution to cumulative impacts would be less than significant with incorporation of modern construction and engineering and safety standards. Proposed design and construction would meet all state seismic design criteria.

All projects located in the POLB and POLA are theoretically subject to inundation from a large tsunami, depending on their elevation and distance from the ocean. Cumulative impacts related to tsunamis, as they may affect the proposed Project in combination with probable cumulative projects, could result in cumulative adverse effects that would be more widespread when the locations of the cumulative projects are considered. However, the potential for damage from inundation would be independent and site specific, with the effects at one site not influencing the effects at another site; therefore, the cumulative impacts would be less than significant. The proposed Project's cumulative contribution would be less than significant due to the low probability of such an event.

For these reasons, operation of the proposed Project would not result in a cumulatively considerable contribution to a significant cumulative impact to geologic resources.

3.2.2 AIR QUALITY

Odor Impacts

There are numerous sources of odors within the Port region, including mobile sources powered by diesel and residual fuels and stationary industrial sources, such as waste conveyance and treatment facilities, petroleum storage tanks, and sulfur storage facilities. Diesel combustion emissions are objectionable in nature to some individuals, although quantifying the odorous impacts of these emissions to the public is difficult. Increasing emission controls and decreasing reliance on diesel fuel are expected to reduce the generation of objectionable odors in the future. Nevertheless, due to the large number of sources within and near the Project site that emit diesel emissions, and the proximity of residents to industrial operations, odorous emissions in the Project region are considered a significant cumulative impact. The proposed Project's operational activities would generate air pollutants from combustion of diesel fuel. The mobile nature of most proposed Project emission sources would help to decentralize, disperse, and dilute proposed Project emissions over the relatively large Project site. Within this context, the proposed Project would be likely to result in only minor changes in the overall odor environment in the vicinity. Therefore, proposed Project operations would not result in a cumulatively considerable contribution to a significant cumulative odor impact within the Project region.

Compliance with AQMP

The cumulative projects would produce nonattainment air pollutants in the form of combustion exhaust, construction dust, and process losses and emissions. These related projects, including the proposed Project, would together result in significant cumulative air quality impacts if their resultant population growth or operational emissions exceed the assumptions

in the AQMP. The cumulative projects are also subject to regional planning efforts and applicable land use plans (such as the General Plan, Community Plans, or Port Master Plan), transportation plans (such as the Regional Transportation Plan and the Regional Transportation Improvement Program), and the San Pedro Bay Clean Air Action Plan (CAAP) Standards for Port Projects.

The AQMP proposes mobile source control measures and clean fuel programs that are designed to bring the SCAB into attainment of the state and national ambient air quality standards. Many of these measures are adopted as SCAQMD rules and regulations, which are then used to regulate sources of air pollution in the region. New sources would have to comply with all applicable SCAQMD rules and regulations and, in that manner, would not conflict with or obstruct implementation of the AQMP. Because the AQMP accounts for population projections that are developed by SCAG and accounts for planned land use and transportation infrastructure growth, the cumulative projects would be consistent with the AQMP. Accordingly, the cumulative projects, including the proposed Project, would not result in a significant cumulative impact related to obstruction of the AQMP.

3.2.3 HYDROLOGY AND WATER QUALITY

Surface Water

Soil disturbance associated with the proposed Project could result in temporary sedimentation and siltation effects on surface waters, and those effects could be considerable in relation to sedimentation and siltation effects of other related projects that could be under construction at the same time as the proposed Project. Potential cumulative effects on surface waters due to construction of the proposed Project are not anticipated because a site-specific SWPPP and Construction Site BMP would be implemented for the proposed Project and for the additional projects, thereby ensuring that no water quality standards or Waste Discharge Requirements (WDR) would be violated.

With implementation of a SWPPP and construction site BMP, the proposed Project would not result in a cumulatively considerable contribution to a significant cumulative surface water quality impact.

Groundwater Resources

The same analysis pertains to groundwater because the proposed Project and future projects within the proposed Project vicinity would need to comply with Los Angeles RWQCB regulatory requirements for dewatering and WDR. There is no potential to contribute to significant negative impacts on groundwater. The proposed Project would not result in a cumulatively considerable contribution to a significant cumulative groundwater quality impact.

Stormwater Runoff

There would be a decrease in impervious surface area associated with the proposed Project. The proposed Project is designed to capture all stormwater runoff and not combine with the runoff of other projects. Thus, impacts associated with stormwater runoff from implementation of the proposed Project would be less than significant, and the proposed Project would not have a cumulatively considerable contribution to significant cumulative effects from stormwater runoff.

Floodplains and Hydrology

Construction of the proposed Project would place structures within the 100-year flood hazard area, but it would not be considered a "significant encroachment." The proposed Project would not impede or redirect flows in a manner that would result in substantial erosion or flooding on- or off-site. Therefore, the proposed Project would not result in a cumulatively considerable contribution to a significant cumulative impact to hydrology or floodplains.

3.2.4 BIOTA AND HABITATS

The cumulative projects identified in the EIR involve development on land and in the waters of the harbors. It is assumed that the lead agencies of these projects have employed or would employ measures to avoid or minimize impacts on special-status plant and animal species. For this reason, the proposed Project would not result in a cumulatively considerable contribution to a significant cumulative impact on the special-status plant and animal species.

No loss of sensitive terrestrial plant species would occur during construction and operation of the proposed Project, nor would sensitive animal species experience substantial adverse effects; therefore, when considered with the cumulative projects, the proposed Project would not result in a cumulatively considerable contribution to a significant cumulative impact on any rare, threatened, or endangered species or their habitat.

The Project area contains no features important to movement or migration by birds or terrestrial wildlife. The proposed Project would not result in any measurable impacts to harbor waters. When considered with the related projects, construction and operation of the proposed Project would not make a cumulatively considerable contribution to a significant cumulative impact on movement or migration of any wildlife species on land or in harbor waters.

Construction and operation of the proposed Project would not result in any loss of marine habitat. Although pilings would be constructed in the Dominguez Channel bank, the resultant impacts would be permitted by USACE, RWQCB, and CDFW and would be less than significant; therefore, when considered with the related projects, the proposed Project would not result in a cumulatively considerable contribution to a significant cumulative impact on the marine environment.

The Project area contains no natural habitat or plant communities, and impacts on potential wetlands within the Project area would be avoided. When considered with the related projects, construction and operation of the proposed Project would not make a cumulatively considerable contribution to a significant cumulative impact on natural habitat or plant communities, including wetlands.

The proposed Project would not involve construction or operation activities that would occur within the harbor waters. A portion of the construction work would involve relocation of existing storm drain lines and construction work would also carry the potential for runoff to enter adjacent harbor waters. However, these construction activities would be required to implement appropriate mitigation measures to reduce the potential impacts to a level of less than significant. Once operational, there would be little to no potential for impacts to harbor waters, since the proposed Project would not involve operations within or proximate to harbor waters. It is therefore concluded that the proposed Project, when considered in combination with the related projects as noted above, would not have a considerable contribution to significant cumulative impacts on harbor waters or associated biological resources.

3.2.5 GROUND TRANSPORTATION

Cumulative Impacts Associated with Rail Grade Crossings

Impact TRANS-4: Cumulatively, the proposed Project's contribution to the delays during operation would not cause: (a) the average delay per vehicle to exceed 55 seconds (LOS D to E); or (b) an increase of 2 seconds or more average delay per vehicle at an at-grade crossing operating at LOS E (55 to 80 seconds) or add 1 second or more average delay to an at-grade crossing operating at LOS F (greater than 80 seconds).

As shown in Draft EIR Table 3.5-18, in 2035 rail grade crossings east of the downtown rail yards experience vehicle delays below the significance thresholds of TRANS-5 below, both in the No Project and with Project conditions. Accordingly, there would be no significant cumulative impact with respect to rail grade crossings.

Cumulative Intersection Impacts

Impact TRANS-5: Cumulatively, the auto and truck traffic associated with the proposed Project would not increase the V/C ratio or delay values at any study area intersection above impact significance criteria.

Under No Project conditions in 2035, one intersection (Pico/Pier B/9th/710 Ramps) would experience LOS F, and one intersection (PCH/Santa Fe) would experience LOS E during at least one peak period. However, with the proposed Project, the conditions at these two locations would improve and would not cause increases in V/C ratio or delay values that would exceed significance thresholds at any other study area intersection. Therefore, the proposed Project would not have a cumulatively considerable contribution to a significant cumulative impact.

Cumulative Roadway Segment Impacts

Impact TRANS-6: Traffic generated by proposed Project operations would not cause an increase of 0.02 or more in the V/C ratio with a resulting LOS E or F at a study area roadway segment.

Cumulatively, traffic from the proposed Project would not cause increases in V/C ratios or decreases in LOS for study area roadway segments that exceed the thresholds of significance. Therefore, there are no cumulative significant impacts and mitigation measures are not required.

Cumulative Transit, Pedestrian and Bicycle Facility Impacts

Impact TRANS-7: Proposed Project operations would not conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.

With the proposed Project, public transit access would continue on area roadways and bicycle/pedestrian facilities in the area would be improved as part of the related projects discussed above. The proposed Project operations would not conflict with adopted policies, plans, or programs as they relate to public transit, bicycle, or pedestrian facilities under cumulative conditions. Therefore, the proposed Project would not have a cumulatively considerable contribution to significant cumulative impacts.

3.2.6 LAND USE

The cumulative projects listed in Table 2.1-1 of the Draft EIR involve development on land within the POLB, POLA, and other adjacent communities. Each of these projects has been or would be analyzed as part of other environmental reviews for compatibility with applicable

land use plans, policies, or regulations of an agency with jurisdiction over those projects. It is presumed that subsequent project approvals will include findings requiring consistency with applicable land use policies. Accordingly, the related projects have no cumulatively significant impact on land use. The proposed Project is consistent with permitted land uses and applicable land use plans and policies. When considered with other related projects, the proposed Project would not make a cumulatively considerable contribution to a significant cumulative impact related to land use.

Impact LU-1: When considered with other related projects, the proposed Project would not make a cumulatively considerable contribution to a significant cumulative impact related to conflicts with any applicable COLB or COLA land use plan, policy, or regulation of an agency with jurisdiction over the proposed Project including, but not limited to, the General Plans, Specific Plans, Local Coastal Programs, Zoning Ordinances, or PMPs, adopted for the purpose of avoiding or mitigating an environmental effect.

Impact LU-2: When considered with other related projects, the proposed Project would not make a cumulatively considerable contribution to a significant cumulative impact associated with the introduction of land uses or activities incompatible with existing and future land uses.

Impact LU-3: When considered with other related projects, the proposed Project would not make a cumulatively considerable contribution to a significant cumulative impact associated with physically dividing an established community.

Cumulative impacts related to relocations, property acquisitions, associated employee displacement, and construction of replacement buildings and structures may result from build-out of past, present, and reasonably foreseeable future development in the Project vicinity as identified in Table 2.1-1 of the Draft EIR. Some of the related projects could contribute to cumulative impacts on property acquisitions and associated business/employee displacement; however, due to the necessity of complying with relocation and acquisition guidelines of federal and/or State requirements, the cumulative impact of related projects throughout the Port area would be less than significant.

Impact LU-4: The proposed Project would result in less than significant impacts at the project level. When considered with the related projects, the proposed Project would not make a cumulatively considerable contribution to a significant cumulative impact related displacement of a substantial number of people or businesses, requiring the construction of replacement buildings.

3.2.7 PUBLIC SERVICES AND SAFETY

The related cumulative projects would implement standard security measures; however, several of the related projects (i.e., large residential and commercial developments) would result in regional growth that could require additional police and fire services.

The proposed Project would not require additional public services or coverage beyond that which is already required; therefore, it would not produce additional burdens for the Long Beach Police Department (LBPD), Long Beach Fire Department (LBFD), or JCCC services such that they would not be able to maintain required response times or be required to construct additional facilities. Accordingly, the demand for public services attributable to operations throughout the Port is maintained at adequate levels on an ongoing basis. Furthermore, the proposed Project would implement standard security measures and comply with Standardized Emergency Management System/National Incident Management System (SEMS/NIMS) standards.

The proposed Project would not result in additional burdens on public services, either individually or cumulatively. Therefore, the proposed Project would not result in a cumulatively considerable contribution to a significant cumulative impact on public services.

3.2.8 NOISE

Noise and vibration are localized occurrences. As such, these effects decrease rapidly as the distance from the source to the receptor increases. Therefore, only those related projects that are near the proposed Project would appropriately be considered in a cumulative context.

None of the Related Projects identified are located sufficiently close to the proposed Project to cause significant cumulative noise impacts even if construction were to occur simultaneously with the proposed Project. This is the case because construction noise is generally confined to the vicinity of the construction equipment and processes being used.

Operational noise would be confined to the vicinity of each of the related projects. Therefore, an additive effect is not expected to elevate noise levels to such an extent that a combined cumulatively significant impact would occur, especially with relatively high baseline ambient noise levels near the proposed Project. The Alameda Corridor is not experiencing the level of train activity projected since its EIR was completed. The proposed Project would add 10 daily trains to the baseline of 42 total daily train operations along the Alameda Corridor. The overall noise contribution from the proposed Project would be less than 1 dB; this increase in noise is not considered an impact under FTA criteria.

Under future conditions, the contribution of the proposed Project to cumulative noise levels would be relatively less than its contribution to existing conditions due to the higher future background noise levels along the Alameda Corridor. Therefore, the proposed Project would not result in a cumulatively considerable contribution to a significant cumulative noise impact.

Vibration effects are considered separately for each related project and are generally not additive in nature. Vibration effects are evaluated based on the number of events and the magnitude of the events. The proposed Project would add more trains to the future total daily train operations along the Alameda Corridor but it would not increase the train operation vibration levels along the Alameda Corridor because vibration effects are not additive. Operations of the proposed Project expanded rail yard would not result in exceedance of the FTA acceptability limit for vibration. Therefore, the effect of the proposed Project would not impact the overall vibrations levels. For these reasons, the proposed Project would not result in a cumulatively considerable contribution to a significant cumulative vibration impact.

3.2.9 HAZARDS AND HAZARDOUS MATERIALS

The proposed Project and the related projects would be required to employ BMP in the transportation, storage, and handling of hazardous materials encountered or used in their respective construction processes, each of which would be confined to individual project sites. Therefore, cumulative impacts would be less than significant. Because the proposed Project would also be required to follow appropriate procedures for handling and disposal of such materials, the proposed Project would not result in a cumulatively considerable contribution to a significant cumulative impact from hazardous wastes or hazardous materials.

All cumulative projects in the POLB and POLA would be considered within the area of influence for cumulative impacts associated with the presence of soil or groundwater contamination. Impacts associated with encountering contaminated soil at future related

project sites involving grading and construction, in combination with construction of the proposed Project, could result in an adverse cumulative impact, but because such activities are generally localized and confined to the immediate area of contamination, the cumulative impact would be less than significant. The proposed Project would follow established procedures for managing encountered hazardous materials. Therefore, the proposed Project would not result in a cumulatively considerable contribution to a significant cumulative impact from contaminated soils.

Several of the Related Projects are located within the Wilmington Oil Field; therefore, it is likely that abandoned oil wells are located within those project boundaries. All related projects, as well as the proposed Project, must abandon existing oil wells and related infrastructure in accordance with standards and procedures set forth by the California DOGGR Construction Project Site Well Review Program and well abandonment procedures (DOGGR, 2007), as well as site-specific instructions from DOGGR. Abandonment of existing oil wells related to the proposed Project, in combination with future related projects, would result in a less than significant cumulative impact. Therefore, the proposed Project would not result in a cumulatively considerable contribution to a significant cumulative impact from abandoned oil wells.

3.2.10 POPULATION AND HOUSING

Many of the current and foreseeable related projects involve construction or renovation of Port facilities. These construction projects would increase the number of jobs in the construction industry; however, the effects of the additional construction jobs would be temporary and would last only for the term of construction. The incremental effect of the construction employment from proposed Project construction activities would be minimal given the estimated number of jobs that would be created as a result of proposed Project construction and the number of total construction jobs within the Gateway Cities subregion and the six-county region. Other current and foreseeable projects at or near the POLB and Port of Los Angeles (POLA) would increase operations, such as the YTI and Yang Ming container terminal projects at the POLA and the Intermodal Container Transfer Facility (ICTF) Expansion Project near the ports under jurisdiction of the ICTF Joint Powers Authority. In addition, there could be an increase in the amount of commercial and retail activity in the areas surrounding the ports because of projects such as the redevelopment of the Cabrillo Way Marina (Phase II).

Planned projects in the COLB include several new residential units, many of which could increase the population in the subregion and create new jobs in the region. Unlike these planned projects, the incremental effects of the proposed Project would not be significant because the proposed Project's operation has virtually no impacts on employment, population, and demand for housing on the six-county region and the Gateway Cities subregion. Therefore, the proposed Project would not result in a cumulatively considerable contribution to a significant cumulative impact on population and housing.

With respect to environmental justice, the potential for the proposed Project to result in residual significant and unavoidable impacts that could disproportionately affect minority and low-income populations is discussed in Section 3.4.2 and 3.5.2.

3.2.11 UTILITIES, SERVICE SYSTEMS, AND ENERGY CONSERVATION

Electricity

Buildout of the proposed Project, the related projects, and additional growth forecasted to occur in the City would increase electricity consumption during Project operation and, thus, cumulatively increase the need for energy supplies and infrastructure capacity, such as new or expanded energy facilities. Although future development would result in the irreversible use of renewable and non-renewable electricity resources during Project construction and operation which could limit future availability, the use of such resources would be on a relatively small scale and would be consistent with growth expectations for SCE's service area. Furthermore, like the Project, during Project construction and operation, other future development projects would be expected to incorporate energy conservation features, comply with applicable regulations including the State of California Title 24 energy standards, and incorporate mitigation measures. Therefore, the proposed Project would not result in a cumulatively considerable contribution to a significant cumulative impact from electricity consumption.

Natural Gas

Operations of the Project and related projects in Southern California Gas Company's (SCGC) service area are expected to increase natural gas consumption and, thus, cumulatively increase the need for natural gas supplies and infrastructure capacity. Although future development projects would result in the irreversible use of natural gas resources which could limit future availability, the use of such resources would be on a relatively small scale and would be consistent with regional and local growth expectations for the SCGC service area. Furthermore, during proposed Project operation other future development projects would be expected to incorporate energy conservation features, comply with applicable regulations, and incorporate mitigation measures. Therefore, the proposed Project would not result in a cumulatively considerable contribution to a significant cumulative impact related to natural gas supplies.

Transportation Energy

Implementation of the proposed Project is expected to allow containers to be moved in a more energy-efficient manner, reducing consumption of diesel fuel needed to move each container. It would increase the efficiency with which containerized cargo in southern California is transported. The related projects and other forecasted growth in the City of Long Beach and southern California in general would increase its population. When combined with related projects, there would be a cumulative increase in consumption of gasoline and diesel fuel; this increase would not be significant in consideration of policies, rules and regulations that improve vehicle efficiency, promote the use of alternative fuels and reduces reliance of petroleum fuels. The Project would account for a negligible percent of existing transportation-related energy consumption in the region. Each related project would likewise be anticipated to represent a very small portion of overall demand. While there would be an increase in consumption of petroleum fuels, the proposed Project would not result in a cumulatively considerable contribution to a significant cumulative impact related to petroleum fuel supplies.

3.2.12 CULTURAL RESOURCES

Construction activities associated with future POLB and POLA projects (e.g., dredging, major excavation for pilings and foundations, and the demolition of surplus structures) often occur in areas of historic estuary habitats; therefore, they may affect landforms previously inhabited

by Native American populations. Other related projects in upland areas could disturb previously unknown prehistoric or historic archaeological resources, require removal of significant historic architectural resources, or disturb previously unknown significant paleontological deposits. These disturbances could, without appropriate controls, represent cumulatively significant impacts on cultural or paleontological resources. However, both Ports have active cultural and paleontological resource protection programs in place and the impact of the related projects on cultural and paleontological resources is not considered to be a significant cumulative impact.

The proposed Project has very little potential to encounter or adversely affect archaeological, ethnographic, or historic architectural resources. Accordingly, it would not result in a cumulatively considerable contribution to a significant cumulative impact on archaeological, ethnographic, or historic architectural resources.

The proposed Project could encounter paleontological resources. However, with implementation of mitigation measures, and because the related projects do not have a cumulatively significant impact, the proposed Project would not result in a cumulatively considerable contribution to a significant cumulative impact on paleontological resources.

3.2.13 AESTHETICS AND VISUAL RESOURCES

The related projects in the POLB and POLA would be visible from numerous public view corridors in adjacent residential communities and, in particular, from roadways, bridges, and overpasses crossing the region. Several of these projects would result in the intensification or expansion of industrial maritime activity, including vessel, truck, and rail traffic. All of this proposed development would occur within the visual context of a highly industrial area. The related projects would not likely result in the introduction of development visually incompatible with, or in contrast to, existing Port industrial uses. The potential obstruction or degradation of a scenic view is unlikely, given the general industrial character of the ports' development. The proposed Project would not have a significant impact on visual resources and would not, therefore, result in a cumulatively considerable contribution to a significant cumulative impact to visual resources.

Standard measures are implemented to reduce potential night illumination beyond Project site boundaries and to avoid the use of structural surfaces capable of reflecting daylight glare. Therefore, the proposed Project would not result in a cumulatively considerable contribution to a significant cumulative impact on aesthetics in terms of lighting or glare.

3.2.14 GLOBAL CLIMATE CHANGE

The EIR describes greenhouse gas (GHG) emissions, the current scientific understanding of global climate change (GCC), observations and predictions of sea level rise (SLR), and regulations that would apply to GHG emitted from the proposed Project or its alternatives. Although many current and foreseeable related projects involve construction or renovation of Port facilities that would emit GHG emissions, GCC impacts are, by nature, cumulative impacts; therefore, there is no separate cumulative impacts analysis for GCC in the EIR. Two impacts were found to be less than significant.

Impact GCC-2: The proposed Project would not conflict with plans, policies or regulations adopted to reduce emissions of GHG.

Impact GCC-3: The proposed Project would not expose of people and structures to a significant risk of loss, injury, or death involving flooding as a result of sea-level rise.

Impact GCC-1, GHG emissions that exceed the SCAQMD threshold of 10,000 (MT) of carbon monoxide equivalent (CO_{2e}), is discussed in Section 3.5.3.

3.3 Findings Regarding Environmental Impacts Determined to be Mitigated to Less than Significant Levels

The EIR identified certain potentially significant effects that could result from the proposed Project. The Port finds for each of the significant or potentially significant impacts defined in this section, however, based on substantial evidence in the record, that changes or alterations have been required or incorporated into the proposed Project that avoid or substantially lessen the significant effect as identified in the EIR. As a result, adoption of the mitigation measures set forth below would reduce the identified significant effects to a less than significant level.

3.3.1 AIR QUALITY

Impact AQ-6: The proposed Project would not expose receptors to significant levels of toxic air contaminants (TAC).

A health risk assessment (HRA) was conducted to quantify certain health effects associated with TAC emissions during construction and operation of the proposed Project, emissions of TAC would occur from: (1) Internal combustion of diesel fuel in locomotives, on-road vehicles, yard equipment, and construction equipment; (2) Internal combustion of gasoline in on-road vehicles; (3) Particulate emissions from vehicle tire and brake wear. The HRA was conducted in accordance with California Air Resources Board (CARB) and EPA guidelines as discussed in Section 3.2.34 of the Draft EIR. The HRA evaluated individual cancer risks, population cancer burden, and chronic and acute non-cancer hazard indices near the Pier B On-Dock Rail Support Facility.

Table 3.2-24 of the Draft EIR shows that, based on the implementation of Mitigation Measures AQ-1, AQ-2, and AQ-4, the impact of individual cancers risks would be reduced to less than significant at the maximally impacted residential and sensitive receptors. The mitigation measures would also reduce the population cancer burden impact to less than significant. All other predicted health values would remain below the applicable thresholds.

The effects of Mitigation Measures AQ-1, AQ-2, and AQ-4 were quantified. Mitigation Measures AQ-3 and AQ-5 were not quantified due to the wide range of variables involved.

Mitigation Measure AQ-1: On-Road Construction Trucks. All on-road heavy-duty trucks with a fifth-wheel tractor/trailer and a gross vehicle weight rating (GVWR) of 19,500 pounds or more transporting materials to and from the construction site shall meet EPA 2010 on-road heavy-duty diesel engine emission standards.

Mitigation Measure AQ-2: Tier 4 Construction Equipment. All self-propelled, diesel-fueled off-road construction equipment 25 horse-power (hp) or greater shall meet EPA/CARB Tier 4 off-road engine emission standards.

Mitigation Measure AQ-3: Off-Road Construction Equipment. Off-road diesel-powered construction equipment shall comply with the following:

- Maintain all construction equipment according to manufacturer's specifications.

- Construction equipment shall not idle for more than five minutes when not in use.
- High-pressure fuel injectors shall be installed on construction equipment vehicles.

The benefits to be achieved by the above-listed components of Measure AQ-3 were not quantified in the analysis due to the wide range of variables involved. This measure is applied, however, to further reduce combustion emissions.

Mitigation Measure AQ-4: Increased Watering Frequency for Fugitive Dust Control. Construction site watering, which would be required by SCAQMD Rule 403, shall be increased such that the watering interval is no greater than 2.1 hours. A watering interval of 2.1 hours, which was the basis of an emission test, would increase the fugitive dust emissions control from 61 percent (unmitigated) to 74 percent (Western Governors' Association, 2006).

Mitigation Measure AQ-5: Additional Fugitive Dust Control. Contractors shall:

- Apply approved nontoxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas or replace groundcover in disturbed areas.
- Provide temporary wind fencing around sites being graded or cleared.
- Cover truck loads that haul dirt, sand, or gravel or maintain at least two feet of freeboard in accordance with Section 23114 of the California Vehicle Code.
- Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off tires of vehicles and any equipment leaving the construction site.
- Suspend all soil disturbance activities when winds exceed 25 miles per hour (mph) or when visible dust plumes emanate from the site and stabilize all disturbed areas.

Finding

The Board hereby finds that the potentially significant impacts associated with exposure of receptors to significant levels of TAC will be mitigated to a less than significant level. Mitigation measures as described above will be incorporated into the proposed Project that avoid or substantially lessen the significant effect as identified in the EIR.

Rationale for Finding

Implementation of Mitigation Measures AQ-1 through AQ-5, as described above, would substantially mitigate the potentially significant impacts associated with exposure of receptors to significant levels of TAC. Therefore, impacts from TAC would be less than significant.

3.3.2 BIOTA AND HABITAT

As discussed in the Draft EIR Section 3.4.2.3, elements of the proposed Project could result in potentially significant impacts to biological resources during construction. These impacts would be mitigated to less than significant levels with Mitigation Measure BIO-1 and Mitigation Measure BIO-2 as discussed below.

Impact BIO-1: There are no known habitats or historic nesting locations for any special-status animal species within the Project area. Although some of these species are known or may be assumed to nest near the Project site, and although most are known to forage near the Project site, construction of the proposed Project could remove or disturb nesting or foraging habitat. Bats could be present on the Dominguez Channel rail bridge and migratory birds may nest in landscaping that would be removed as part of construction. Because these animal groups are

protected, proposed Project construction represents a potentially significant impact on the habitat of sensitive species.

In addition, the proposed Project could introduce pollutants into Dominguez Channel during bridge widening above and within this waterway. These impacts would be avoided through implementation of the SWPPP, National Pollutant Discharge Elimination System (NPDES) permit conditions, best management practices, and specific stormwater effluent monitoring described in Section 3.3.2.3 of the Draft EIR. These controls would result in management of the construction worksite so as to avoid impacts on aquatic species of birds and mammals that occur in the harbor.

The loss of migratory birds and bats from proposed Project construction would be a potentially significant impact. To avoid potentially significant impacts to bats and migratory birds that could result from construction activities, the following mitigation measures would be required.

Mitigation Measure BIO-1 (Bats): To avoid harm to bats from modifications to bridges that may provide roosting or breeding habitat, the following procedure would be followed: prior to the start of construction on the Dominguez Channel rail bridge, a qualified bat specialist shall conduct a pre-construction survey. If bats are found or determined to be potentially present, the bridge would be inspected no more than seven days before any disturbance to confirm the presence of roosting bats. The bat specialist would have authority to stop construction activity likely to be disruptive of breeding or roosting. The bat specialist would identify an appropriate course of action for the POLB to follow. Example actions are: (a) precluding bat access from the existing bridge before work proceeds; (b) establishing an appropriate buffer area; and (c) monitoring work to ensure that bats are not killed or substantially disturbed. Weekly reports to the POLB and CDFW shall be provided, describing monitoring actions, relevant observations, and any protective actions taken.

Mitigation Measure BIO-2 (Migratory Birds): To minimize effects on nesting migratory birds, construction activities that include the removal of trees or structures that may support the nests of protected birds would follow the requirements of the Migratory Bird Treaty Act (MBTA). If construction activities occur during the bird breeding season (February 15 through August 31), a qualified ornithologist would survey trees, shrubs, and structures to be removed, not more than 3 days prior to removal. If the ornithologist detects any occupied nests or nesting behavior, the POLB would conspicuously flag off the area(s) and provide a minimum buffer of 100 feet (300 feet for raptors) between the nest and limits of construction. Construction crews would be instructed to avoid any activities in this zone. Construction activities could resume within the buffer at the direction of the ornithologist when fledglings have left the nest or if the nest is abandoned.

With incorporation of these two mitigation measures, impacts to bats and migratory birds would be considered less than significant.

Finding

The Board hereby finds that the loss of migratory birds and bats from proposed Project construction would be a potentially significant impact. With incorporation of the mitigation measures described above, this impact will be mitigated to a less than significant level. Changes and alterations have been incorporated in the proposed Project which avoid or substantially lessen this potentially significant effect as identified in the Final EIR.

Rationale for Finding

Implementation of Mitigation Measure BIO-1 (Bats) and Mitigation Measure BIO-2 (Migratory Birds) would substantially mitigate the potentially significant loss to sensitive species that could occur during construction in areas where habitat is present. Therefore, impacts to biota and habitats would be less than significant.

3.3.3 CULTURAL RESOURCES

As discussed in Draft EIR Section 3.12.2.3, elements of the proposed Project could affect cultural resources during construction. These potential impacts would be mitigated to less than significant levels with the implementation of Mitigation Measure CR-1 and Mitigation Measure CR-2. The impacts and mitigation measures are discussed below.

Impact CR-3: Construction of the proposed Project may result in the permanent loss of, or loss of access to, a paleontological resource of regional or statewide significance.

The occurrences of several previously recorded fossil localities in areas near the Project area and underlain by younger alluvium indicate that there is a high potential for fossil remains being disturbed by or lost to proposed Project-related earthmoving activities. Such remains, if any, would be expected to occur at previously unrecorded fossil localities and depths beginning approximately 5 feet below the surface.

The Project site has a high potential for yielding scientifically important remains of extinct Ice Age land mammals from depths beginning at 5 feet. For that reason, Mitigation Measures CR-1 and CR-2 are required. Accordingly, the proposed Project would result in less than significant impacts on paleontological resources. Implementation of appropriate mitigation would result in beneficial effects by uncovering and allowing for the recovery of fossil remains that would not have been uncovered without the proposed Project. To avoid or minimize the potential for a significant impact to paleontological resources, the following mitigation measure will be implemented:

Mitigation Measure CR-1. Paleontological Monitoring. Because of the Project area's potential for containing buried paleontological resources, including fossilized remains of Pleistocene land mammals beginning at depths of 5 feet below the surface, a paleontological monitoring program should be implemented during earthmoving with excavation at 5 feet or more below ground surface in areas underlain by younger alluvium, or where such activities encounter younger alluvium below any artificial fill.

Mitigation Measure CR-2. Inadvertent Discovery of Paleontological Resources. If construction activities encounter potentially fossiliferous materials, work in the immediate vicinity will be temporarily halted until a qualified vertebrate paleontologist can evaluate the discovery and implement appropriate treatment measures.

Accordingly, the proposed Project would result in less than significant impacts on paleontological resources.

Finding

The Board hereby finds that the permanent loss of, or loss of access to, a paleontological resource of regional or statewide significance from proposed Project construction would be a potentially significant impact. With incorporation of the mitigation measures described above, this impact will be mitigated to a less than significant level. Changes and alterations have

been incorporated in the proposed Project which avoid or substantially lessen this potentially significant effect as identified in the Final EIR.

Rationale for Finding

Implementation of Mitigation Measure CR-1 (Paleontological Monitoring) and Mitigation Measure CR-2 (Inadvertent Discovery of Paleontological Resources) would substantially mitigate the potentially significant loss to buried paleontological resources that could be encountered at depths of 5 feet below the surface, in areas underlain by younger alluvium, or where younger alluvium below any artificial fill is encountered. Therefore, impacts to buried paleontological resources would be less than significant.

3.4 Findings Regarding Significant Environmental Impacts that Cannot be Mitigated to a Less than Significant Level

The Draft EIR identified certain potentially significant effects that could result from the Pier B On-Dock Rail Support Facility Project. The Port finds for each of the significant impacts identified in this section, based on substantial evidence in the record of proceedings that, to the extent feasible, changes or alterations have been required or incorporated into the proposed Project that substantially lessen these significant impacts. However, even with the incorporation of mitigation measures for the resource areas discussed below, impacts from the proposed Project are significant and unavoidable.

The Board finds and determines that all other mitigation measures and alternatives suggested in public comments on the Draft EIR are infeasible in light of specific economic, legal, social, technological, and other considerations set forth in Chapter 2 of the Final EIR and the record of proceedings for the improvements to Pier B.

3.4.1 Air Quality and Health Risk

As discussed in Section 3.2 of the Draft EIR, there would be five significant impacts to air quality and human health as a result of the proposed Project that would remain significant, and four of these impacts would be unavoidable.

Impact AQ-1: Construction of the proposed Project would produce emissions that exceed an SCAQMD significance threshold.

Construction emissions during Phase 1 and 2 would exceed SCAQMD thresholds for volatile organic compounds (VOC), carbon monoxide (CO), nitrogen oxides (NO_X), and fine particulates ($PM_{2.5}$). Construction emissions during Phase 3 would exceed the SCQAMD threshold for NO_X. In addition, combined construction and operational emissions would exceed SCQAMD thresholds for CO and NO_X during all construction phases. Therefore, these emissions would represent significant air quality impacts. Exhaust from construction equipment is the largest contributor to these emissions.

The following measures have been incorporated into the proposed Project such that they would avoid or substantially lessen the significant environmental effect identified in the EIR. These measures were adopted from the POLB's "Best Management Practices for Reducing Air Emissions from Construction Equipment" (POLB, 2010a), developed in conjunction with the 2010 CAAP. They are as follows:

Mitigation Measure AQ-1: On-Road Construction Trucks. All on-road heavy-duty trucks with a fifth-wheel tractor/trailer and a gross vehicle weight rating (GVWR) of 19,500 pounds

or more transporting materials to and from the construction site shall meet EPA 2010 on-road heavy-duty diesel engine emission standards.

Mitigation Measure AQ-2: Tier 4 Construction Equipment. All self-propelled, diesel-fueled off-road construction equipment 25 hp or greater shall meet EPA/CARB Tier 4 off-road engine emission standards.

Mitigation Measure AQ-3: Off-Road Construction Equipment. Off-road diesel-powered construction equipment shall comply with the following:

- Maintain all construction equipment according to manufacturer's specifications.
- Construction equipment shall not idle for more than five minutes when not in use.
- High-pressure fuel injectors shall be installed on construction equipment vehicles.

The benefits to be achieved by the above-listed components of Measure AQ-3 were not quantified in the analysis due to the wide range of variables involved. This measure is applied, however, to further reduce combustion emissions.

Mitigation Measure AQ-4: Increased Watering Frequency for Fugitive Dust Control. Construction site watering, which would be required by SCAQMD Rule 403, shall be increased such that the watering interval is no greater than 2.1 hours. A watering interval of 2.1 hours, which was the basis of an emission test, would increase the fugitive dust emissions control from 61 percent (unmitigated) to 74 percent (Western Governors' Association, 2006).

Mitigation Measure AQ-5: Additional Fugitive Dust Control. Contractors shall:

- Apply approved nontoxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas or replace groundcover in disturbed areas.
- Provide temporary wind fencing around sites being graded or cleared.
- Cover truck loads that haul dirt, sand, or gravel or maintain at least two feet of freeboard in accordance with Section 23114 of the California Vehicle Code.
- Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off tires of vehicles and any equipment leaving the construction site.
- Suspend all soil disturbance activities when winds exceed 25 mph or when visible dust plumes emanate from the site and stabilize all disturbed areas.

The benefits to be achieved by the above-listed components of this measure were not quantified in the analysis due to the wide range of variables involved. This measure is applied, however, to further reduce fugitive dust emissions.

Finding

The Board hereby finds that changes or alterations have been incorporated into the proposed Project that minimize the significant environmental effects identified in the EIR. Incorporation of all feasible mitigation measures, however, will not reduce air pollutant emissions to below SCAQMD significance thresholds. Even with these measures, this impact will remain significant. Specific economic, legal, social, technological, or other considerations make additional mitigation measures infeasible. No additional mitigation is feasible, and there are no feasible alternatives that would avoid the impact.

Rationale for Finding

Table 3.2-9 in the Draft EIR summarizes the peak daily emissions associated with construction of the proposed Project after implementation of Mitigation Measures AQ-1, AQ-2, and AQ-4. Emission reductions from Mitigation Measures AQ-3 and AQ-5 were not quantified due to the wide range of variables involved.

Table 3.2-9 of the Draft EIR shows that, with mitigation, construction emissions of VOC and $PM_{2.5}$ during Phases 1 and 2 would be reduced to a less than significant impact. Although substantially reduced, emissions of CO and NO_X would remain a significant impact during Phases 1 and 2. In addition, construction emissions of NO_X during Phase 3 would be substantially reduced but would remain a significant impact with the implementation of mitigation.

Table 3.2-10 of the Draft EIR summarizes the combined peak daily construction and operational emissions during construction of the proposed Project, after implementation of Mitigation Measures AQ-1, AQ-2, and AQ-4. With mitigation, emissions of CO and NO_X would be reduced, but would remain a significant impact during all construction phases.

There are no known additional feasible mitigation measures or feasible alternatives to further reduce construction emissions. As a result, residual impacts of the proposed Project would remain significant for CO and NO_X during all construction phases.

Impact AQ-2: Construction of the proposed Project would result in offsite ambient air pollutant concentrations that exceed an SCAQMD significance threshold.

Dispersion modeling was performed to estimate the local offsite ambient pollutant concentrations resulting from emissions during construction. The analysis used EPA's AERMOD dispersion modeling program (EPA, 2015). The most recent version of AERMOD (v. 15181) was used at the time the dispersion modeling analysis was conducted. AERMOD is a steady-state plume model that incorporates air dispersion based on planetary boundary layer turbulence structure and scaling concepts, including treatment of ground-level and elevated sources, and in simple and complex terrain.

Because the Pier B Rail Yard would continue to operate during the construction period, the modeling analysis included both maximum construction and operational emissions during the construction period. Appendix A2 of the Draft EIR contains documentation of the proposed Project construction emissions dispersion modeling analysis.

Tables 3.2-11 and 3.2-12 of the Draft EIR present the maximum offsite pollutant concentrations associated with construction and operation of the proposed Project during construction Phases 1 and 2, before mitigation is applied. Similarly, Tables 3.2-13 and 3.2-14 of the Draft EIR present the maximum offsite pollutant concentrations associated with concurrent construction and operation of the proposed Project during construction Phase 3.

Mitigation Measures AQ-1 through AQ-5, described under Impact AQ-1 previously, would reduce ambient air quality impacts during construction. The effects of Mitigation Measures AQ-1, AQ-2, and AQ-4 were quantified. As discussed under Impact AQ-1, Mitigation Measures AQ-3 and AQ-5 were not quantified due to the wide range of variables involved.

Tables 3.2-15 and 3.2-16 of the Draft EIR present the maximum offsite pollutant concentrations associated with construction and operation of the mitigated proposed Project during construction of Phases 1 and 2. With mitigation, the maximum annual PM_{10} increment during construction Phases 1 and 2 would be reduced to a less than significant impact.

Impacts related to the maximum 1-hour state nitrogen dioxide (NO_2), 1-hour federal NO_2, and annual NO_2 concentrations would remain significant. All other air pollutant impacts (1-hour CO, 8-hour CO, 24-hour $PM_{2.5}$) during Phases 1 and 2 would remain less than significant.

Tables 3.2-17 and 3.2-18 of the Draft EIR present the maximum offsite pollutant concentrations associated with construction and operation of the mitigated proposed Project during construction of Phase 3. With mitigation, impacts related to the maximum 1-hour state, 1-hour federal, and annual NO_2 concentrations during Phase 3 would remain significant. All other air pollutant impacts (1-hour CO, 8-hour CO, 24-hour $PM_{10,}$ Annual $PM_{10,}$ and 24-hour $PM_{2.5}$) during Phase 3 would remain less than significant.

Finding

The Board hereby finds that changes or alterations have been incorporated into the proposed Project that minimize the significant environmental effects identified in the EIR. Incorporation of all feasible mitigation measures, however, will not reduce the anticipated maximum 1-hour state NO_2, 1-hour federal NO_2, and annual NO_2 concentrations to below significance thresholds. Even with these measures, this impact will remain significant. Specific economic, legal, social, technological, or other considerations make additional mitigation measures infeasible. No additional mitigation is feasible, and there are no feasible alternatives that would avoid the impact.

Rationale for Finding

There are no known additional feasible mitigation measures to further reduce ambient concentrations during proposed Project construction. As a result, residual impacts of construction of the proposed Project would remain significant for 1-hour and annual NO_2 concentrations during all three construction phases.

Impact AQ-3: Operational emissions would exceed any of the SCAQMD daily thresholds of significance.

For each analysis year (2020, 2025, and 2035), the incremental emissions from operation of the proposed Project relative to the CEQA baseline were compared to the SCAQMD daily emission thresholds to determine significance. Table 3.2-19 of the Draft EIR shows that, without mitigation, operation of the proposed Project would produce peak daily emissions that exceed the SCAQMD thresholds for CO in 2025 and 2035 and for NO_x in all analysis years. Line haul locomotive exhaust would be the primary contributor to these emissions. Therefore, these CO and NO_x emissions would represent a significant regional air quality impact. Proposed Project operational emissions would be below the thresholds for CO in 2020, and for VOC, PM_{10}, and $PM_{2.5}$ would be less than the CEQA baseline primarily because of fleet turnover. Accordingly, the impacts of operational emissions would be less than significant for VOC, PM_{10}, $PM_{2.5}$, and SO_x, in all years and for CO in 2020, and mitigation measures for those impacts would not be required.

Finding

The Board hereby finds that, even with incorporation of many regulations and Clean Air Action Plan (CAAP) measures, operation of the proposed Project would produce peak daily emissions that exceed the SCAQMD thresholds for CO in 2025 and 2035 and for NO_x in all analysis years. Even with these measures, operational emissions would exceed SCAQMD daily thresholds of significance. Specific economic, legal, social, technological, or other

considerations make additional mitigation measures infeasible. No additional mitigation is feasible, and there are no feasible alternatives that would avoid the impact.

Rationale for Finding

The proposed Project already incorporates many regulations and CAAP measures that reduce air pollutant emissions, as discussed in Section 3.2.2 of the Draft EIR. There are no additional feasible mitigation measures identified for proposed Project operation at present. However, to keep with emerging emission reduction technologies, a mandatory 5-year technology review would be made part of the proposed Project as a Special Condition as discussed in Section 6.3.2 of the Draft EIR

Impact AQ-4: Operation would result in offsite ambient air pollutant concentrations that exceed any of the SCAQMD thresholds of significance.

A dispersion modeling analysis using the EPA AERMOD program was performed to estimate the local offsite ambient pollutant concentrations resulting from the proposed Project's operational emissions in the analysis years 2020, 2025, and 2035.

Tables 3.2-21 and 3.2-22 of the Draft EIR show that, during operation of the proposed Project, the maximum offsite 1 hour (federal) and the annual NO_2 concentrations would exceed the significance thresholds. Therefore, with no feasible mitigation available, the proposed Project would result in significant impacts related to local 1-hour (federal) and annual NO_2 concentrations. All other operational air pollutant impacts would be less than significant.

Finding

The Board hereby finds that, even with incorporation of many regulations and CAAP measures, operation of the proposed Project would result in offsite ambient air pollutant concentrations that exceed SCAQMD thresholds of significance. Specific economic, legal, social, technological, or other considerations make additional mitigation measures infeasible. No additional mitigation is feasible, and there are no feasible alternatives that would avoid the impact.

Rationale for Finding

The proposed Project already incorporates many regulations and CAAP measures that reduce air pollutant impacts, as discussed in Section 3.2.2 of the Draft EIR. There are no additional feasible mitigation measures identified for proposed Project operation at present. However, to keep pace with emerging emission reduction technologies, a mandatory 5-year technology review would be made part of the proposed Project as a Special Condition (see Section 6.3.2 of the Draft EIR).

3.4.2 IMPACTS TO MINORITY AND LOW-INCOME POPULATIONS

With respect to environmental justice, the potential for the proposed Project to result in residual significant and unavoidable impacts that could disproportionately affect surrounding populations was examined. Significant impacts associated with Impacts AQ-1 through AQ-4 and AQ-6 would constitute a disproportionately high and adverse impact on low-income or minority populations.

Impact AQ-1: Emissions from construction of the proposed Project would be significant for VOC, CO, NO_X, particulate matter less than 2.5 microns in diameter ($PM_{2.5}$) during Phases 1 and 2 of construction, and for CO and NO_X during Phase 3. Because the area surrounding the

proposed Project site is predominantly minority and low income, Impact AQ-1 would constitute a disproportionately high and adverse effect on minority and low-income populations.

Impact AQ-2: With application of mitigation measures AQ-1 through AQ-5, 1-hour and annual NO_2 concentrations would remain significant and unavoidable during all three construction phases. Because the area surrounding the proposed Project site is predominantly minority and low-income, Impact AQ-2 would constitute a disproportionately high and adverse effect on minority and low-income populations.

Impact AQ-3: There are no additional feasible mitigation measures identified for Project operation at present; however, to keep pace with emerging emission reduction technologies, a mandatory 5-year technology review would be made part of the Project as a Special Condition (Section 6.3.2 of the Draft EIR). Emissions from operation of the proposed Project would be significant for VOC, CO, NO_X, PM_{10}, $PM_{2.5}$, and SO_X. Because the area surrounding the proposed Project site is predominantly minority and low income, Impact AQ-3 would constitute a disproportionately high and adverse effect on minority and low-income populations.

Impact AQ-4: Proposed Project operation would be significant for NO_2, PM_{10}, and $PM_{2.5}$ concentrations. Because the area surrounding the proposed Project site is predominantly minority and low income, Impact AQ-4 would constitute a disproportionately high and adverse effect on minority and low-income populations.

Finding

The Board hereby finds that, even with incorporation of many regulations and CAAP measures, significant air quality impacts of the proposed Project could result in disproportionately high and adverse effect on minority and low-income populations. Specific economic, legal, social, technological, or other considerations make additional mitigation measures infeasible. No additional mitigation is feasible, and there are no feasible alternatives that would avoid the impact.

Rationale for Finding

The proposed Project already incorporates many regulations and CAAP measures that reduce air quality impacts, as discussed in Section 3.2 of the Draft EIR. There are no additional feasible mitigation measures identified for proposed Project operation at present. However, to keep pace with emerging emission reduction technologies, a mandatory 5-year technology review of air quality mitigation measures would be made part of the proposed Project as a Special Condition (see Section 6.3.2 of the Draft EIR).

3.4.3 GLOBAL CLIMATE CHANGE

As discussed in the Draft EIR Section 3.14.3.3, one impact to global climate change would remain significant and unavoidable.

Impact GCC-1: The proposed Project would produce GHG emissions that would exceed the SCAQMD threshold.

Table 3.14-2 of the Draft EIR summarizes annual GHG emissions within California associated with construction and operation of the proposed Project for each analysis year of 2020, 2025, and 2035.

The following measures have been incorporated into the proposed Project such that they would avoid or substantially lessen the significant environmental effect identified in the EIR.

Mitigation Measures AQ-1 and AQ-3 were developed for criteria pollutant emissions discussed in the Draft EIR Section 3.2.3.4, but they are repeated here because they would also reduce GHG emissions during construction. Mitigation Measures GCC-1 through GCC-7 specifically target sources of proposed Project GHG emissions. They were developed through a review of possible GHG measures identified in the *Climate Action Team Report to Governor Schwarzenegger and the California Legislature* (Climate Action Team [CAT], 2010b), CARB's *Proposed Early Actions to Mitigate Climate Change in California* (CARB, 2007c), and the Attorney General's guidelines for addressing climate change at the Project level (Attorney General Office [AGO], 2010).

Mitigation Measure AQ-1: On-Road Construction Trucks. All on-road heavy-duty trucks with a fifth-wheel tractor/trailer and a GVWR of 19,500 pounds or more transporting materials to and from the construction site shall meet EPA 2010 on-road heavy-duty diesel engine emission standards. The use of newer construction trucks is expected to reduce fuel consumption and corresponding GHG emissions associated with this source. The effect of this measure is quantified in the analysis. After application of Mitigation Measure AQ-1, the proposed Project is estimated to result in 94,708 MT of CO_{2e} emissions in 2035.

Mitigation Measure AQ-3: Off-Road Construction Equipment. Off-road diesel-powered construction equipment shall comply with the following:

- Maintain all construction equipment according to manufacturer's specifications.
- Construction equipment shall not idle for more than 5 minutes when not in use.
- High-pressure fuel injectors shall be installed on construction equipment vehicles.

The benefits to be achieved by the above-listed components of this measure were not quantified in the analysis due to the wide range of variables involved. This measure is applied, however, to further reduce combustion emissions.

Mitigation Measure GCC-1: LEED. New buildings constructed as part of the proposed Project shall pursue LEED if they meet the criteria requirements for certification (including building size). COLB exempts buildings of less than 7,500 square feet of occupied space from its Green Building Policy. LEED certification is made at one of the following four levels, in ascending order of environmental sustainability: certified, silver, gold, and platinum. The certification level points are given for various design features that address the following areas (U.S. Green Building Council, 2009):

- Sustainable sites;
- Water efficiency;
- Energy and atmosphere;
- Materials and resources;
- Indoor environmental quality; and
- Innovation and design process.

As a result, a LEED-certified building would be more energy efficient, thereby reducing GHG emissions compared to a conventional building design. The effects of this measure are not quantified in this analysis.

Mitigation Measure GCC-2: Recycling of Construction Materials. Pursuant to the POLB Sustainable Business Practices Administrative Directive, construction debris must be recycled, reused, or otherwise diverted from landfills to the maximum extent possible. Recyclable construction waste generated by the proposed Project shall be taken to an accredited recycling center.

Mitigation Measure GCC-3: Recycling and Sustainable Business Practices. During operation, the Port shall follow recycling objectives and measures established by the Port's Administrative Directive for Sustainable Business Practices (POLB, 2006). In general, products made with recycled materials require less energy and raw materials to produce than products made with unrecycled or raw materials. This mitigation measure also includes energy conservation practices, purchasing of "Green" products, energy-efficient lighting, low-VOC paint and finishes, and use of recycled or remanufactured carpeting and office furnishings. This directive also includes minimizing the use of paper and plastic, reusing materials and equipment, and proper disposal of alkaline batteries. This savings in energy and raw material use would translate into GHG emission reductions. The effectiveness of this mitigation measure was not quantified due to the lack of a standard emission estimation approach.

Mitigation Measure GCC-4: Xeriscaping. Water conservation features, including drought tolerant plant materials, are required for all projects undertaken in the Port. Xeriscape landscaping shall incorporate the use of water conservation features including, but not limited to, drought-tolerant plants; hardscape; permeable material such as concrete, asphalt, and pavers; recycled material such as concrete, gravel, granite, and shredded redwood; and drip irrigation systems and timers.

Mitigation Measure GCC-5: Tree Planting. The Port shall plant shade trees around the main office and maintenance buildings in accordance with species identified in the Green Port Long Beach Sustainable Landscape Palette (POLB, 2016c) and POLB Sustainable Development Guidelines (POLB, 2015c). Trees act as insulators from weather, thereby decreasing energy requirements. Onsite trees also provide carbon storage. Although not quantified, implementation of this measure is expected to reduce the proposed Project's GHG emissions by less than 0.1 percent.

Mitigation Measure GCC-6: Tree Planting – Transportation Corridors. The Port shall plant new shade trees on Port-controlled lands adjacent to the roads that lead into the facility, to the extent practicable, consistent with safety and other land use considerations. The effectiveness of this mitigation measure was not quantified due to the lack of a standard emission estimation approach.

Mitigation Measure GCC-7: Employee Carpooling. The construction contractor and the Port shall encourage construction and facility employees to carpool or to use public transportation. These employers shall provide incentives to promote the measure, such as preferential parking for carpoolers or vanpool subsidies, and they shall provide information to employees regarding the benefits of alternative transportation methods. The effectiveness of this mitigation measure was not quantified due to the lack of a standard emission estimation approach.

Mitigation Measure GCC-8: Community Grants Program. The Port will mitigate GHG impacts of the proposed Project by implementing and funding the CGP to partially address the cumulative GHG impacts of the proposed Project. The Port shall provide $1.4 million, as determined by the accepted methodology. The timing of the payment determined by the methodology shall be made by the later of the following two dates: (a) the date that the Port

issues a Notice to Proceed (NTP) or otherwise authorizes commencement of construction on the Pier B On-Dock Rail Support Facility Construction Contract; or (b) the date that the Pier B On-Dock Rail Support Facility Final EIR is conclusively determined to be valid, either by operation of PRC Section 21167.2 or by final judgment or final adjudication.

Mitigation Measure GCC-9: Indirect GHG Emission Avoidance and Mitigation. The Port shall minimize indirect GHG emissions through measures that reduce or avoid electricity consumption at the facility. Such measures may include, but are not limited to, the use of low-energy demand lightings (e.g., fluorescent or light-emitting diode [LED]), and use of energy-efficient floodlights. To identify future opportunities to reduce indirect GHG emissions, the Port shall conduct a third-party energy audit every 5 years and install innovative power-saving technologies where feasible, such as power factor correction systems and lighting power regulators. Such systems help to maximize usable electric current and eliminate wasted electricity, thereby lowering overall electricity use.

Finding

The Board hereby finds that changes or alterations have been incorporated into the proposed Project that minimize GHG emissions. Even with incorporation of mitigation measures, the proposed Project would produce GHG emissions that would exceed the SCAQMD threshold; this impact remains significant. Specific economic, legal, social, technological, or other considerations make additional mitigation measures infeasible. No additional mitigation is feasible, and there are no feasible alternatives that would avoid the impact.

Rationale for Finding

An individual project does not generate by itself enough greenhouse gas emissions to significantly influence global climate change (Association of Environmental Professionals, 2007). Thus, the issue of global climate change is a cumulative impact in that an appreciable impact on global climate change would occur when greenhouse gas emissions from a project, together with emissions from other man-made activities, combine on a global scale. The Port has chosen to assess greenhouse gas emissions as a project-level and cumulative impact to evaluate the incremental contribution of the proposed Project to global effects.

Table 3.14-2 of the Draft EIR indicates that the proposed Project's GHG emissions would exceed the SCAQMD significance threshold in all analysis years and would therefore constitute a significant impact. The operational emissions in 2020 represent conditions after completion of construction Phases 1 and 2, when the facility would be temporarily operating in its 9th Street configuration. The operational emissions in 2025 represent the opening year of operation in the final configuration, after completion of construction Phase 3. Year 2035 represents the EIR horizon year for the air quality emission calculations, after the proposed Project has reached its throughput capacity. The greatest contributor to GHG emissions in all analysis years would be line haul locomotives.

Table 3.14-3 of the Draft EIR shows that, after implementation of Mitigation Measure AQ-1, GHG emissions associated with the proposed Project would remain higher than 10,000 MT per year of CO_2e in all analysis years. Although not quantified, Mitigation Measures AQ-3 and GCC-1 through GCC-7 would further reduce GHG emissions. Mitigation Measure GCC-8 will mitigate impacts through funding and GCC-9 can reduce GHG emissions through energy conservation as evaluated every five years. The Port has devoted considerable efforts to identify all feasible measures to mitigate proposed GHG emissions. It would be technologically and economically infeasible to implement any additional measures beyond those described

above. Because the effectiveness of measures, including the mix of submitted and approved community grant projects (and their cost effectiveness), cannot be determined, the Port concludes that the impacts of GHG emissions from the proposed Project would remain significant and unavoidable.

3.5 Cumulatively Considerable Impacts

CEQA Guidelines Section 15130 requires that an EIR evaluate the cumulative impacts of a project be analyzed when the project's incremental effect is cumulatively considerable. Cumulative impacts refer to "two or more individual effects, when considered together, are considerable or which compound or increase other environmental impacts" (CEQA Guidelines Section 15355). This section identifies the cumulatively significant and unavoidable impacts of the Pier B Rail Yard improvements Project. The Board of Harbor Commissioners has determined that there are no mitigation measures available that would reduce these impacts below significance; it would be technologically and economically infeasible to implement any additional measures beyond those described herein.

3.5.1 Air Quality and Health Risk

Cumulative Impact AQ-1: Construction of proposed Project would produce emissions that exceed an SCAQMD significance threshold.

Based on the number and types of related projects that could be under construction at the same time as the proposed Project, it is likely that the cumulative projects, including the proposed Project, would together exceed the SCAQMD thresholds for VOC, CO, NO_x, PM_{10}, $PM_{2.5}$, and SO_x.

Finding

The Board hereby finds that changes or alterations have been incorporated into the proposed Project that minimize the significant cumulative environmental effects identified in the Final EIR. Incorporation of all feasible mitigation measures, however, will not reduce criteria pollutant cumulative impacts to below significance. Specific economic, legal, social, technological, or other considerations make additional mitigation measures infeasible.

Rationale for Finding

Peak daily mitigated construction activities for the proposed Project would produce emissions that exceed the SCAQMD regional emissions thresholds. Any activity that concurrently occurs near the proposed Project's construction and anywhere within the South Coast Air Basin would contribute to regional cumulative impacts. SCAQMD guidance provides the following discussion on cumulative impact analysis:

> *Projects that exceed the project-specific significance thresholds are considered by the SCAQMD to be cumulatively considerable. This is the reason project-specific and cumulative significance thresholds are the same. Conversely, projects that do not exceed the project-specific thresholds are generally not considered to be cumulatively significant (SCAQMD, 2003).*

Based on this SCAQMD guidance, the proposed Project would have cumulatively considerable VOC, CO, NO_x, PM_{10}, $PM_{2.5}$, and possibly SO_x emissions during construction. The EIR has disclosed all potential criteria pollutant emissions and associated cumulative impacts due to the proposed Project. The EIR has provided substantial information and technical analysis to identify all feasible measures which may mitigate these impacts. As such,

it would be technologically infeasible, economically infeasible, or outside the control of the Port to implement any additional measures beyond those described previously. Therefore, after mitigation, the proposed Project's cumulative impacts to criteria pollutant levels associated with construction activities would be significant and unavoidable.

Cumulative Impact AQ-2: Construction of the proposed Project would result in offsite ambient air pollutant concentrations that could exceed a SCAQMD significance threshold.

Because of the local nature of this impact, related projects near the Pier B Rail Yard that would generate elevated pollutant concentrations that geographically and temporally overlap with the proposed Project's concentration impacts would be particularly important for cumulative pollutant concentrations toward which the proposed Project would contribute.

Finding

The Board hereby finds that changes or alterations have been incorporated into the proposed Project that minimize the significant cumulative environmental effects identified in the Draft EIR. Incorporation of all feasible mitigation measures would not reduce criteria air pollutant cumulative impacts associated with construction of the proposed Project to below significance. Mitigation Measure AQ-6, Cumulative Air Quality Impact Reduction Program, would require the proposed Project to make a contribution to the Community Grants Program in the amount of $149,757 to help fund community-based mitigation projects related to community health, facility improvements, and community infrastructure. Specific economic, legal, social, technological, or other considerations make additional mitigation measures infeasible.

Rationale for Finding

For Cumulative Impact AQ-2, although there is no way to determine if a cumulative exceedance of the thresholds would occur for any pollutant without performing dispersion modeling of all related projects, the Port's previous experience with large projects in the SCAB indicates that cumulative air quality impacts would be likely to exceed the thresholds for NO_x and $PM_{10;}$ could exceed the thresholds for $PM_{2.5;}$ and would be unlikely to exceed the thresholds for CO. Consequently, construction of the cumulative projects, including the proposed Project, could result in significant cumulative air quality impacts related to exceedances of the significance thresholds for NO_x, PM_{10}, and $PM_{2.5}$. The proposed Project, by itself, would contribute ambient concentrations of these three pollutants during construction even after implementation of mitigation measures (although only NO_x would exceed the significance thresholds). Therefore, construction of the proposed Project would make a cumulatively considerable and unavoidable contribution to a significant cumulative impact for NO_x, $PM_{10,}$ and $PM_{2.5}$.

Cumulative Impact AQ-3: Operation of the proposed Project alone would not produce emissions that would cause an SCAQMD significance threshold to be exceeded.

Based on the number and types of related projects, however, it is likely that the cumulative projects, including the proposed Project, would together exceed the SCAQMD operational emission thresholds for VOC, CO, NO_x, $PM_{10,}$ $PM_{2.5,}$ and SO_x.

Finding

The Board hereby finds that changes or alterations have been incorporated into the proposed Project that minimize the significant cumulative environmental effects identified in the Final EIR. Incorporation of all feasible mitigation measures, however, will not reduce criteria pollutant cumulative impacts associated with operation of the proposed Project to below significance. However, Mitigation Measure AQ-6, Cumulative Air Quality Impact Reduction

Program, would require the proposed Project to make a funding contribution to the Community Grants Program in the amount of $149,757. Specific economic, legal, social, technological, or other considerations make additional mitigation measures infeasible.

Rationale for Finding

For Cumulative Impact AQ-3, the cumulative projects, including the proposed Project, would together exceed the operational emissions thresholds for VOC, CO, NO_x, $PM_{10,}$ $PM_{2.5,}$ and SO_x. Therefore, the cumulative projects, including the proposed Project, would result in significant cumulative air quality impacts for these six pollutants. The proposed Project, by itself, would contribute ambient concentrations of these six pollutants during operation, although only CO and NO_x would exceed the significance thresholds). Therefore, emissions from operation of the proposed Project would make a cumulatively considerable and unavoidable contribution to a significant cumulative impact for VOC, CO, NO_x, PM_{10}, $PM_{2.5}$, and SO_x, However, the cumulatively considerable contribution would be temporary for VOC, PM_{10}, and $PM_{2.5}$ because proposed Project emissions would become less than the baseline emissions by 2035. Mitigation Measure AQ-6, Cumulative Air Quality Impact Reduction Program, would require the proposed Project to make a funding contribution to the Community Grants Program in the amount of $149,757.

Cumulative Impact AQ-4: Operation of the proposed Project would not result in offsite ambient air pollutant concentrations that exceed an SCAQMD significance threshold.

Because of the local nature of this impact, related projects that are near the Pier B Rail Yard would be particularly important for cumulative pollutant concentrations toward which the proposed Project would contribute.

Finding

The Board hereby finds that changes or alterations have been incorporated into the proposed Project that minimize the significant cumulative environmental effects identified in the Final EIR. Incorporation of all feasible mitigation measures, however, will not reduce criteria pollutant cumulative impacts associated with operation of the proposed Project to below significance. However, Mitigation Measure AQ-6 Cumulative Air Quality Impact Reduction Program would require the proposed Project to make a funding contribution to the Community Grants Program in the amount of $149,757. Specific economic, legal, social, technological, or other considerations make additional mitigation measures infeasible.

Rationale for Finding

Although there is no way to determine if a cumulative exceedance of the thresholds would occur for any pollutant without performing dispersion modeling of all related projects, the Port's previous experience with large projects in the SCAB indicates that cumulative air quality impacts would be likely to exceed the thresholds for NO_x, PM_{10}, and $PM_{2.5}$, and would be unlikely to exceed the thresholds for CO (whether from proposed Project sources or near Project-affected roadway intersections). Consequently, operation of the cumulative projects, including the proposed Project, would result in significant cumulative air quality impacts related to exceedances of the significance thresholds for NO_x, PM_{10}, and $PM_{2.5}$. The proposed Project, by itself, would contribute to ambient concentrations of these three pollutants during construction even after implementation of mitigation measures (although only NO_x would exceed the significance thresholds). Therefore, construction of the proposed Project would make a cumulatively considerable and unavoidable contribution to a significant cumulative impact for NO_x, $PM_{10,}$ and $PM_{2.5}$.

Cumulative Impact AQ-6: The proposed Project would expose receptors to significant levels of TAC.

Related projects would result in significant cumulative impacts if their combined effects during construction and operation would cause local health risk values to exceed the thresholds for Impact AQ-6 as described in Section 3.2.3.1 of the Draft EIR. Because of the localized nature of this impact, related projects that are in close proximity to the Pier B Rail Yard would be particularly important for cumulative health risks toward which the proposed Project would contribute. Consequently, construction and operation of the cumulative projects, including the proposed Project, would result in significant cumulative health risk impacts for individual cancer risk, population cancer burden, and non-cancer effects from acute (short term) exposure. Construction and operation of the proposed Project by itself would contribute to these three health risk values (although none would exceed the significance thresholds after mitigation). Therefore, construction and operation of the proposed Project would make a cumulatively considerable and unavoidable contribution to a significant cumulative impact for individual cancer risk, population cancer burden, and non-cancer effects from acute (short term) exposure. Mitigation Measure AQ-6 is prescribed for this cumulative impact.

Finding

The Board hereby finds that changes or alterations have been incorporated into the proposed Project that minimize the significant cumulative environmental effects of cumulative impact AQ-6. Incorporation of all feasible mitigation measures, however, will not reduce criteria pollutant cumulative impacts associated with operation of the proposed Project to below significance. However, Mitigation Measure AQ-6 Cumulative Air Quality Impact Reduction Program would require the proposed Project to make a funding contribution to the Community Grants Program in the amount of $149,757. Specific economic, legal, social, technological, or other considerations make additional mitigation measures infeasible.

Rationale for Finding

Although there is no way to be certain if a cumulative exceedance of the thresholds would happen for any health risk value without performing health risk assessments of all related projects, previous experience with large projects in the SCAB indicates that cumulative health risk impacts would be likely to exceed the thresholds for individual cancer risk and population cancer burden, could exceed the thresholds for the acute hazard index, and would be unlikely to exceed the thresholds for the chronic and 8-hour chronic hazard indices. Furthermore, region-wide health risk assessments such as the SCAQMD's MATES IV study (SCAQMD, 2015a) have demonstrated cancer risks in the vicinity of the Port from TAC that approach 500 per million. Although only a portion of that risk would be attributable to the related projects (much of it is attributable to background stationary and mobile sources), the magnitude of the modeled risk suggests that a significant cumulative impact exists. Therefore, construction of the proposed Project would make a cumulatively considerable and unavoidable contribution to a significant cumulative impact for TAC.

3.5.2 IMPACTS TO MINORITY AND LOW-INCOME POPULATIONS

With respect to environmental justice, the potential for the proposed Project to result in residual significant and unavoidable impacts that could disproportionately affect surrounding populations was examined. Significant impacts associated with Impacts AQ-1 through AQ-4 and AQ-6 would constitute a disproportionately high and adverse impact on low-income or minority populations.

Impact AQ-1: Emissions from construction of the proposed Project would make a cumulatively considerable and unavoidable contribution to a significant cumulative impact for VOC, CO, NO_X, particulate matter less than 2.5 microns in diameter ($PM_{2.5}$) during Phases 1 and 2 of construction, and for CO and NO_X during Phase 3. Because the area surrounding the proposed Project site is predominantly minority and low income, Impact AQ-1 would constitute a disproportionately high and adverse effect on minority and low-income populations.

Impact AQ-2: With application of mitigation measures AQ-1 through AQ-5, 1-hour and annual NO_2 concentrations would remain significant and unavoidable during all three construction phases. Furthermore, proposed Project construction activities would make a cumulatively considerable and unavoidable contribution to a significant cumulative impact for NO_2, PM_{10}, and $PM_{2.5}$ concentrations. Because the area surrounding the proposed Project site is predominantly minority and low-income, Impact AQ-2 would constitute a disproportionately high and adverse effect on minority and low-income populations.

Impact AQ-3: There are no additional feasible mitigation measures identified for Project operation at present; however, to keep pace with emerging emission reduction technologies, a mandatory 5-year technology review would be made part of the Project as a Special Condition (Section 6.3.2 of the Draft EIR). Furthermore, emissions from operation of the proposed Project would make a cumulatively considerable and unavoidable contribution to a significant cumulative impact for VOC, CO, NO_X, PM_{10}, $PM_{2.5}$, and SO_X. Because the area surrounding the proposed Project site is predominantly minority and low income, Impact AQ-3 would constitute a disproportionately high and adverse effect on minority and low-income populations.

Impact AQ-4: Proposed Project operation would make a cumulatively considerable and unavoidable contribution to a significant cumulative impact for NO_2, PM_{10}, and $PM_{2.5}$ concentrations. Because the area surrounding the proposed Project site is predominantly minority and low income, Impact AQ-4 would constitute a disproportionately high and adverse effect on minority and low-income populations.

Impact AQ-6: Proposed Project operation would make a cumulatively considerable and unavoidable contribution to a significant cumulative impact from TACs. Because the area surrounding the proposed Project site is predominantly minority and low income, Impact AQ-6 would constitute a disproportionately high and adverse effect on minority and low-income populations.

Finding

The Board hereby finds that changes or alterations have been incorporated into the proposed Project that minimize the significant cumulative environmental effects identified in the Draft EIR. Incorporation of all feasible mitigation measures, however, will not reduce cumulative impacts to air quality to below significance. Significant impacts associated with Impacts AQ-1 through AQ-4 and AQ-6 would constitute a disproportionately high and adverse impact on low-income or minority populations. Specific economic, legal, social, technological, or other considerations make additional mitigation measures infeasible.

Rationale for Finding

Although there is no way to determine if a cumulative exceedance of the thresholds would occur for any pollutant without performing dispersion modeling of all related projects, the Port's previous experience with large projects in the SCAB indicates that cumulative air quality impacts would be likely to exceed the thresholds for NO_x, PM_{10}, and $PM_{2.5}$, and would be unlikely to exceed the thresholds for CO (whether from proposed Project sources or near

Project-affected roadway intersections). Consequently, significant cumulative air quality impacts related to exceedances of the significance thresholds would occur even after implementation of mitigation measures. Therefore, the proposed Project would make a cumulatively considerable and unavoidable contribution to a significant cumulative impact on low-income or minority populations.

3.5.3 GLOBAL CLIMATE CHANGE

Cumulative Impact GCC-1: The proposed Project would produce GHG emissions that would exceed the SCAQMD interim 10,000 MT CO2e annualized significant emissions threshold for industrial projects.

GHG emissions associated with reasonably foreseeable projects, including the proposed Project, would be cumulatively significant. Because climate change is, by nature, a global impact, an appreciable impact on global climate change would occur when GHG emissions from a project combine with GHG emissions from other man-made activities on a global scale. GHG emissions during proposed Project construction and operation would increase each Project year compared to the CEQA baseline. Thus, any concurrent emissions-generating activity that occurs worldwide would incrementally contribute to impacts on global climate change.

Finding

The Board hereby finds that changes or alterations have been incorporated into the proposed Project that minimize the significant cumulative environmental effects identified in the Draft EIR. Incorporation of all feasible mitigation measures, however, will not reduce GHG emissions cumulative impacts associated with operation of the proposed Project to below significance. Mitigation Measures AQ-1, AQ-3, and GCC-1 through GCC-7 would reduce GHG emissions. Mitigation Measure GCC-8 would also assist to partially mitigate the cumulative GHG impacts of the proposed Project by implementing and funding the Community Grants Program. Mitigation GCC-9 would require the proposed Project to minimize indirect GHG emissions through measures that reduce or avoid electricity consumption at the facility. After implementation of mitigation measures, the proposed Project would remain a cumulatively considerable contribution to a significant and unavoidable cumulative impact on global climate change. Specific economic, legal, social, technological, or other considerations make additional mitigation measures infeasible.

Rationale for Finding

For Cumulative Impact GCC-1, the cumulative projects, including the proposed Project, would together exceed the construction and operational emissions thresholds for GHG emissions. Therefore, the cumulative projects, including the proposed Project, would result in significant cumulative impacts from GHG emissions. GHG emissions from construction and operation of the proposed Project would make a cumulatively considerable and unavoidable contribution to a significant cumulative impact for GHG emissions.

3.6 Finding Regarding Responses to Comments on the Draft EIR

The Board of Harbor Commissioners finds that information added to the EIR after public notice of the availability of the Draft EIR for public review, but before certification, merely clarifies or makes minor modifications to an adequate EIR and does not require recirculation. Recirculation is required only when “significant” new information is added to an EIR after public review and comment on the draft EIR but before certification (PRC § 21092.1). Not all new information

added to an EIR is "significant." According to CEQA Guidelines, new information added to an EIR is significant only if "the EIR is changed in a way that deprives the public of a meaningful opportunity to comment upon a substantial adverse environmental effect of the project or a feasible way to mitigate or avoid such effect (including a feasible project alternative) that the project's proponents have declined to implement" (14 C.C.R. § 15088.5). Examples of significant new information include: (1) a new significant impact of the project or from a new mitigation measure proposed to be implemented; (2) a substantial increase in the severity of an environmental impact for which no mitigation measures are added which reduce the impact to a level of insignificance; or (3) a feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project proponent declines to adopt it.

Based on these standards, there is no reason to recirculate the Draft EIR. Although some new information has been added to the Final EIR in response to comments, none of the information is significant. No new impacts have been identified, the severity of the impacts identified in the Draft EIR are not substantially increased over what is described in the document, and no feasible alternatives or mitigation measures were identified which would clearly lessen the environmental impacts of the proposed Project.

4.0 ALTERNATIVES TO THE PROPOSED PROJECT

CEQA Guidelines Section 15126.6 requires that an EIR examine alternatives to a project to explore a reasonable range of alternatives that meets most of the basic project objectives, while reducing the severity of potentially significant environmental impacts. CEQA Guidelines Section 15126.6(a) states:

An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. The lead agency is responsible for selecting a range of project alternatives for examination and must publicly disclose its reasoning for selecting those alternatives. There is no ironclad rule governing the nature or scope of the alternatives to be discussed other than the rule of reason.

The alternatives were also assessed in accordance with CEQA Guidelines Section 15126.6(f), which states:

> *The range of alternatives required in an EIR is governed by a "rule of reason" that requires the EIR to set forth only those alternatives necessary to permit a reasoned choice. The alternatives shall be limited to ones that would avoid or substantially lessen any of the significant effects of the proposed Project. Of those alternatives, the EIR need examine in detail only the ones that the lead agency determines could feasibly attain most of the basic objectives of the project.*

An evaluation of a full range of alternatives was conducted. A screening process was used to arrive at a reasonable range of alternatives based on their ability to support the on-dock rail terminals and to meet the operational requirements, while at the same time reducing impacts on surrounding facilities and communities.

4.1 Alternatives Considered but Not Carried Forward for Analysis

The Port considered a broad range of build alternatives; many were eliminated from further consideration because they failed to meet some or all of the proposed Project's objectives or screening criteria. In accordance with CEQA Guidelines Section 15126(f)(2), alternatives that are remote or speculative, or the effects of which cannot be reasonably predicted, need not be considered. Alternatives may be eliminated from detailed consideration in an EIR if they fail to meet most of the project objectives, are infeasible, or do not avoid any significant environmental effect (CEQA Guidelines Section 15126[c]). The following alternatives were considered by the Port but eliminated from further discussion in the EIR. Additional information regarding the rationale for decisions to eliminate alternatives from detailed analysis are discussed further in Section 1.9 of the Draft EIR. Alternatives eliminated from further consideration are:

- Locate Additional Rail Yard Capacity on an Existing POLB marine terminal;
- Locate Additional Rail Yard Capacity on a Non-Marine Terminal Site within the Jurisdiction of the POLB;
- Inland Rail Yard;
- Reconfigured Rail Yard with Additional Pinwheel Ladder Storage Tracks; and
- Reconfigured Rail Yard with Additional Storage Tracks and Reconfigured Mead Yard.

4.2 Alternatives Analyzed in the Draft EIR

Three alternatives meet most of the original Project objectives and were selected to be carried forward for detailed analysis in the Draft EIR. The alternatives carried forward for detailed analysis are:

- 12th Street Alternative (Proposed Project);
- 10th Street Alternative;
- 9th Street Alternative; and
- The No Project Alternative

Following release of the Draft EIR, and based on public comments received, the Port refined the boundaries of the 12th Street Alternative and the 10th Street Alternative to reduce the amount of ROW acquisitions that would be required for rail yard improvements and expansion. In addition to the refinement of the Project boundaries, the West Yard Layover and Fueling Area proposed in the Draft EIR was eliminated in the 12th Street Alternative (proposed Project) and the 10th Street Alternative. Section 10.1 of the Final EIR provides a summary of the proposed Project's refinements based on public comments received. Refinement of the boundaries of these two alternatives did not result in any substantive change to the environmental impacts of either alternative. A comparison of the environmental impact findings of each of the alternatives considered in the EIR is summarized in Table 4.2-1.

TABLE 4.2-1
COMPARISON OF PIER B ON-DOCK RAIL SUPPORT FACILITY ALTERNATIVES

	Existing Configuration (No Project)	**12th Street Alternative (Proposed Project)**	**10th Street Alternative**	**9th Street Alternative**
Total Area (gross)	82 acres	171 acres	155 acres	140 acres
Total Number of Tracks	12 existing tracks: 2 – Main Line Tracks 10 –Yard Tracks 0 – Arrival/ Departure Tracks	48 total tracks (new plus existing): 2 – Main Line Tracks (existing) 41 – Yard Tracks (31 new tracks) 5 – Arrival/Departure Tracks (5 new tracks)	34 total tracks (new plus existing): 2 – Main Line Tracks (existing) 29 – Yard Tracks (19 new tracks) 3 – Arrival/Departure Tracks (3 new tracks)	21 total tracks (new plus existing): 2 – Main Line Tracks (existing) 16 – Yard Tracks (6 new tracks) 3 – Arrival/Departure Tracks (3 new tracks)
Dominguez Channel Bridge	No change	Add 1 track	Add 1 track	No change
Pico Avenue Corridor	No change	Realign street westerly; add 4 new tracks	Realign street westerly; add 2 new tracks	Realign street westerly; add 2 new tracks
Permanent Street Closures	**City of Long Beach:** No streets would require closure. City of Los Angeles: No streets would require closure. **Shoemaker Ramps:** The Shoemaker ramps would remain unchanged.	**City of Long Beach:** Portions of the following roads would be closed: Edison Avenue Jackson Avenue Santa Fe Avenue Canal Avenue Caspian Avenue Harbor Avenue (a road knuckle would be provided at the terminus of Harbor Avenue at 11th Street) 9th, 10th, 11th, and 12th Streets Fashion Avenue (a cul-de-sac would be provided at the terminus of Fashion Avenue at 10th Street) **City of Los Angeles:** Portions of the following roads would be closed: Farragut Avenue Foote Avenue Cushing Avenue Macdonough Avenue Schley Avenue **Shoemaker Ramps:** The Shoemaker ramps would be removed.	**City of Long Beach:** Portions of the following roads would be closed: Edison Avenue Jackson Avenue Santa Fe Avenue Canal Avenue Caspian Avenue Harbor Avenue 9th and 10th Streets **City of Los Angeles:** Portions of the following roads would be closed: Farragut Avenue Foote Avenue Cushing Avenue Macdonough Avenue Schley Avenue **Shoemaker Ramps:** The Shoemaker ramps would be reconfigured to maintain a connection between Anaheim Street and downtown via Harbor Avenue.	**City of Long Beach:** Portions of the following roads would be closed: Edison Avenue Jackson Avenue Santa Fe Avenue Canal Avenue Caspian Avenue 9th Street **City of Los Angeles:** Portions of the following roads would be closed: Farragut Avenue Foote Avenue Cushing Avenue Macdonough Avenue Schley Avenue **Shoemaker Ramps:** The Shoemaker ramps would remain unchanged.

TABLE 4.2-1 (CONT'D)
COMPARISON OF PIER B ON-DOCK RAIL SUPPORT FACILITY ALTERNATIVES

	Existing Configuration (No Project)	12th Street Alternative (Proposed Project)	10th Street Alternative	9th Street Alternative
		City of Los Angeles: Portions of the following roads would be closed: Farragut Avenue Foote Avenue Cushing Avenue Macdonough Avenue Schley Avenue **Shoemaker Ramps:** The Shoemaker ramps would be removed.	Macdonough Avenue Schley Avenue **Shoemaker Ramps:** The Shoemaker ramps would be reconfigured to maintain a connection between Anaheim Street and downtown via Harbor Avenue.	Schley Avenue **Shoemaker Ramps:** The Shoemaker ramps would remain unchanged.
Operational Employees	5/shift	10/shift	8/shift	5/shift
Construction Period	N/A	7+ years (3 phases)	7+ years (3 phases)	3+ years (2 phases)
Opening Year	N/A	2025	2025	2020
Trains/Day	7	17	15	14
Vehicle Trips/Day	5	10	8	5

1 Table 4.2-2 provides a summary comparison of impact significance by alternative.

TABLE 4.2-2
COMPARISON OF CEQA SIGNIFICANCE ANALYSIS BY ALTERNATIVE

Environmental Resource Category	Impact	Proposed Project (12th Street Alternative)	10th Street Alternative	9th Street Alternative	No Project Alternative
Geology, Soils, and Seismic Issues	**GEO-1:** Proposed Project construction would result in substantial soil erosion or the loss of topsoil, or trigger or accelerate such processes; alteration of the topography would occur beyond that resulting from natural erosion and depositional processes.	LTS	LTS	LTS	No Impact
	GEO-2: During construction, known mineral (including petroleum or natural gas) resources would be rendered inaccessible.	LTS	LTS	LTS	No Impact

TABLE 4.2-2 (CONT'D)
COMPARISON OF CEQA SIGNIFICANCE ANALYSIS BY ALTERNATIVE

Environmental Resource Category	Impact	Proposed Project (12th Street Alternative)	10th Street Alternative	9th Street Alternative	No Project Alternative
	GEO-3: During operations, known mineral (including petroleum or natural gas) resources would be rendered inaccessible.	LTS	LTS	LTS	No Impact
	GEO-4: Ground rupture due to an earthquake would occur at the site and produce damage to structures, limiting their use due to safety considerations or physical condition.	LTS	LTS	LTS	No Impact
	GEO-5: Earthquake-induced ground motion (shaking) causing liquefaction, settlement, or surface cracks would occur at the site and produce damage to proposed structures, resulting in a substantial loss of use or exposing the public to substantial risk of injury.	LTS	LTS	LTS	No Impact
	GEO-6: Inundation by seiche, tsunami or mudflow would expose people to substantial risk of injury or substantial damage to structures and infrastructure.	LTS	LTS	LTS	No Impact
Air Quality and Health Risk	**AQ-1:** Construction emissions would exceed any of the SCAQMD daily thresholds of significance.	Significant	Significant	Significant	No Impact
	AQ-2: Construction would result in offsite ambient air pollutant concentrations that exceed any of the SCAQMD thresholds of significance.	Significant	Significant	Significant	No Impact
	AQ-3: The proposed Project emissions would exceed any of the SCAQMD daily thresholds of significance.	Significant/SC	Significant/ SC	Significant/ SC	LTS

TABLE 4.2-2 (CONT'D)
COMPARISON OF CEQA SIGNIFICANCE ANALYSIS BY ALTERNATIVE

Environmental Resource Category	Impact	Proposed Project (12th Street Alternative)	10th Street Alternative	9th Street Alternative	No Project Alternative
	AQ-4: The proposed Project would result in offsite ambient air pollutant concentrations that exceed any of the SCAQMD thresholds of significance.	Significant/SC	Significant/ SC	Significant/ SC	LTS
	AQ-5: The proposed Project emissions would create an objectionable odor at the nearest sensitive receptor pursuant to SCAQMD Rule 402.	LTS	LTS	LTS	LTS
	AQ-6: The proposed Project emissions would expose the public to significant levels of TACs.	LTS-M/SC	LTS-M/SC	LTS-M/SC	LTS
	AQ-7: The proposed Project would conflict with or obstruct implementation of an applicable AQMP or would not conform to the most recently adopted SIP.	LTS	LTS	LTS	LTS
Hydrology and Water Quality	**WQ-1:** Construction activities would result in violation of water quality regulatory standards or guidelines.	LTS/SC	LTS/SC	LTS/SC	LTS
	WQ-2: Construction activities would cause exceedances of the Enclosed Bays and Estuaries Plan criteria for sediment-introduced contaminants.	LTS	LTS	LTS	LTS
	WQ-3: Construction activities would result in flooding that could harm people, damage property, or adversely affect biological resources.	LTS	LTS	LTS	LTS

TABLE 4.2-2 (CONT'D)
COMPARISON OF CEQA SIGNIFICANCE ANALYSIS BY ALTERNATIVE

Environmental Resource Category	Impact	Proposed Project (12th Street Alternative)	10th Street Alternative	9th Street Alternative	No Project Alternative
	WQ-4: Construction activities would result in wind or water erosion that causes substantial soil runoff or deposition not contained or controlled onsite.	LTS	LTS	LTS	LTS
	WQ-5: The proposed Project would result in violation of water quality regulatory standards or guidelines.	LTS	LTS	LTS	LTS
	WQ-6: The proposed Project would cause exceedances of the Enclosed Bays and Estuaries Plan criteria for sediment-introduced contaminants or Sediment Quality Objectives.	LTS	LTS	LTS	LTS
	WQ-7: The proposed Project would result in flooding that could harm people, damage property, or adversely affect biological resources	LTS	LTS	LTS	LTS
	WQ-8: The proposed Project would result in wind or water erosion that causes substantial soil runoff or deposition not contained or controlled onsite.	LTS	LTS	LTS	LTS
Biota and Habitats	**BIO-1:** Construction activities would substantially affect any rare, threatened, or endangered species or their habitat.	LTS-M	LTS-M	LTS-M	LTS
	BIO-2: Construction activities would interfere with migration or movement of fish or wildlife.	LTS	LTS	LTS	LTS
	BIO-3: Construction activities would result in a substantial loss or alteration of marine habitat.	LTS	LTS	LTS	LTS

TABLE 4.2-2 (CONT'D)
COMPARISON OF CEQA SIGNIFICANCE ANALYSIS BY ALTERNATIVE

Environmental Resource Category	Impact	Proposed Project (12th Street Alternative)	10th Street Alternative	9th Street Alternative	No Project Alternative
	BIO-4: Construction activities would substantially affect a natural habitat or plant community, including wetlands.	LTS	LTS	LTS	LTS
	BIO-5: Construction activities would substantially disrupt local biological communities.	LTS	LTS	LTS	LTS
	BIO-6: The proposed Project would substantially affect any rare, threatened, or endangered species or their habitat.	LTS	LTS	LTS	LTS
	BIO-7: The proposed Project would interfere with migration or movement of fish or wildlife	LTS	LTS	LTS	LTS
	BIO-8: The proposed Project would result in a substantial loss or alteration of marine habitat.	No Impacts	No Impacts	No Impacts	No Impacts
	BIO-9: The proposed Project would substantially affect a natural habitat or plant community, including wetlands.	LTS	LTS	LTS	LTS
	BIO-10: The proposed Project would substantially disrupt local biological communities.	LTS	LTS	LTS	LTS
Ground Transportation	**TRANS-1:** Construction activities would increase an intersection's V/C ratio or delay value in accordance with traffic impact thresholds of significance.	LTS	LTS	LTS	No Impacts
	TRANS-2: Construction activities would cause an increase of 0.02 or more in the V/C ratio with a resulting LOS E or F at a study area roadway segment.	LTS	LTS	LTS	No Impacts

TABLE 4.2-2 (CONT'D)
COMPARISON OF CEQA SIGNIFICANCE ANALYSIS BY ALTERNATIVE

Environmental Resource Category	Impact	Proposed Project (12th Street Alternative)	10th Street Alternative	9th Street Alternative	No Project Alternative
	TRANS-3: Construction activities would conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.	LTS/SC	LTS/SC	LTS/SC	No Impacts
	TRANS-4: For at-grade rail crossings, the proposed Project would cause the average delay per vehicle to: (a) exceed 55 seconds (LOS D to E), or (b) cause an increase of 2 seconds or more average delay per vehicle at an at-grade crossing operating at LOS E (55 to 80 seconds) or add 1 second or more average delay to an at-grade crossing operating at LOS F (greater than 80 seconds).	LTS	LTS	LTS	No Impacts
	TRANS-5: The proposed Project would Increase an intersection's V/C ratio or delay value in accordance with the guidelines shown in Table 3.5-7.	LTS	LTS	LTS	LTS
	TRANS-6: The proposed Project would cause an increase of 0.02 or more in the V/C ratio with a resulting LOS E or F at a study area roadway segment, consistent with the County of Los Angeles CMP TIA guidelines.	LTS	LTS	LTS	No Impacts
	TRANS-7: The proposed Project would conflict with adopted policies, plans, or programs regarding public transit, bicycle, or pedestrian facilities, or otherwise decrease the performance or safety of such facilities.	LTS	LTS	LTS	No Impacts

TABLE 4.2-2 (CONT'D)
COMPARISON OF CEQA SIGNIFICANCE ANALYSIS BY ALTERNATIVE

Environmental Resource Category	Impact	Proposed Project (12th Street Alternative)	10th Street Alternative	9th Street Alternative	No Project Alternative
Land Use	**LU-1:** The proposed Project would conflict with any applicable COLB or COLA land use plan, policy, or regulation of an agency with jurisdiction over the proposed Project including, but not limited to, the General Plans, Specific Plans, Local Coastal Programs, Zoning Ordinances, or PMPs, adopted to avoid or mitigate an environmental effect.	LTS	LTS	LTS	LTS
	LU-2: The proposed Project would introduce uses or activities incompatible with existing and future land uses.	LTS	LTS	LTS	LTS
	LU-3: The proposed Project would physically divide an established community.	LTS	LTS	LTS	LTS
	LU-4: The proposed Project would displace substantial numbers of people or businesses, requiring the construction of replacement buildings or structures.	LTS	LTS	LTS	No Impacts
Public Safety	**PSS-1:** Construction activities would require the addition, expansion, modification, or relocation of an existing public facility to maintain acceptable service ratios, response times, or other performance objectives, the construction of which could cause significant environmental impacts.	LTS/SC	LTS/SC	LTS/SC	No Impacts

TABLE 4.2-2 (CONT'D)
COMPARISON OF CEQA SIGNIFICANCE ANALYSIS BY ALTERNATIVE

Environmental Resource Category	Impact	Proposed Project (12th Street Alternative)	10th Street Alternative	9th Street Alternative	No Project Alternative
	PSS-2: Construction activities would result in substantial adverse physical impacts on existing school or park facilities, or create a need for new or physically altered school or park facilities to maintain acceptable service ratios or other performance objectives, the construction of which could cause significant environmental impacts.	LTS/SC	LTS/SC	LTS/SC	No Impacts
	PSS-3: The proposed Project would require the addition, expansion, modification, or relocation of an existing public facility to maintain acceptable service ratios, response times, or other performance objectives, the construction of which could cause significant environmental impacts.	LTS	LTS	LTS	LTS
	PSS-4: The proposed Project would result in substantial adverse physical impacts on existing school or park facilities, or create a need for new or physically altered school or park facilities to maintain acceptable service ratios or other performance objectives, the construction of which could cause significant environmental impacts.	LTS	LTS	LTS	LTS

TABLE 4.2-2 (CONT'D)
COMPARISON OF CEQA SIGNIFICANCE ANALYSIS BY ALTERNATIVE

Environmental Resource Category	Impact	Proposed Project (12th Street Alternative)	10th Street Alternative	9th Street Alternative	No Project Alternative
Noise	**NOISE-1:** For construction noise within either the COLB or COLA portions of the proposed Project influence area, a significant impact would occur if the proposed Project would result in an increase of 3 dB or more in L_{eq} over baseline ambient conditions measured at the property line of noise-sensitive receptor locations, or in the exceedance of COLB or COLA noise limits and restrictions.	LTS/SC	LTS/SC	LTS/SC	No Impacts
	NOISE-2: Construction vibration would be considered significant if the vibration levels exceeded the FTA human annoyance or building damage thresholds as set forth in Tables 3.8-2 and 3.8-3.	LTS	LTS	LTS	No Impacts
	NOISE-3: For operational noise within either the COLB or COLA portions of the proposed Project influence area, a significant impact would occur if the proposed Project would cause the ambient noise level measured at the property line of affected uses to increase by greater than 3 dB in L_{eq}.	LTS	LTS	LTS	LTS
	NOISE-4: For operational noise within the COLB portion of the proposed Project influence area, a significant impact would occur if the proposed Project would cause the ambient noise level measured at the property line of affected uses to exceed the COLB allowable noise limits.	LTS	LTS	LTS	LTS

TABLE 4.2-2 (CONT'D)
COMPARISON OF CEQA SIGNIFICANCE ANALYSIS BY ALTERNATIVE

Environmental Resource Category	Impact	Proposed Project (12th Street Alternative)	10th Street Alternative	9th Street Alternative	No Project Alternative
	NOISE-5: For operational noise within the COLA portion of the proposed Project influence area, a significant impact would occur if the proposed Project would cause the ambient noise level measured at the property line of affected uses to exceed the COLA normally acceptable noise level, 50 to 75 dBA Community Noise Equivalent Level (CNEL), for the Industrial Manufacturing land use category.	LTS	LTS	LTS	LTS
	NOISE-6: For operational noise within the Alameda Corridor, a significant impact would occur if the proposed Project would either: (a) generate noise within the FTA-designated Severe Impact range (see Figures 3.8-4 and 3.8-5); or (b) result in an increase of 3 dB or more in L_{eq} over baseline ambient conditions measured at the property line of noise-sensitive receptor locations.	LTS	LTS	LTS	LTS
	NOISE-7: For operational noise within the COLB, COLA, or Alameda Corridor portions of the proposed Project influence area, a significant impact would occur if the proposed Project would generate noise exceeding 45 dBA interior noise levels at schools during the hours of 7:00 a.m. to 10:00 p.m.	LTS	LTS	LTS	LTS

TABLE 4.2-2 (CONT'D)
COMPARISON OF CEQA SIGNIFICANCE ANALYSIS BY ALTERNATIVE

Environmental Resource Category	Impact	Proposed Project (12th Street Alternative)	10th Street Alternative	9th Street Alternative	No Project Alternative
	NOISE-8: Operation of the proposed Project would have a significant vibration impact if ground vibration levels for institutional structures or vibration sensitive buildings would exceed the acceptability limits prescribed by FTA. For institutional land uses, vibration levels that exceed 75 VdB for frequent events (70+ vibration events per day), 78 VdB for occasional events (30 to 70 events per day), and/or 83 VdB for infrequent events (30 or fewer events per day) would be considered a significant impact. For residential land uses, vibration levels that exceed 65 VdB for frequent, 75 VdB for occasional and 80 VdB for infrequent events would be considered significant.	LTS	LTS	LTS	LTS
Hazards and Hazardous Materials	**HAZ-1:** Construction activities would produce a significant adverse effect on the public or environment through the routine transport, storage, use, or disposal of hazardous materials.	LTS/SC	LTS/SC	LTS/SC	LTS
	HAZ-2: Construction activities would produce a significant adverse effect on the public or environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment	LTS	LTS	LTS	LTS

TABLE 4.2-2 (CONT'D)
COMPARISON OF CEQA SIGNIFICANCE ANALYSIS BY ALTERNATIVE

Environmental Resource Category	Impact	Proposed Project (12th Street Alternative)	10th Street Alternative	9th Street Alternative	No Project Alternative
	HAZ-3: Construction activities could produce an adverse effect on the public or environment as a result of being located on a site that is known to contain hazardous materials or create a significant hazard to people or the environment because of the presence of soil or groundwater contamination.	LTS/SC	LTS/SC	LTS/SC	LTS
	HAZ-4: Construction activities would impair implementation of, physically interfere with, or result in an inconsistency with an adopted emergency response or evacuation plan.	LTS	LTS	LTS	LTS
	HAZ-5: Construction activities would not comply with State guidelines associated with abandoned oil wells.	LTS	LTS	LTS	LTS
	HAZ-6: Construction activities would result in the handling of hazardous materials, substances, or wastes within 0.25 mile of an existing or planned school.	No Impacts	No Impacts	No Impacts	LTS
	HAZ-7: The proposed Project would produce a significant adverse effect on the public or environment through the routine transport, storage, use, or disposal of hazardous materials.	LTS	LTS	LTS	LTS

TABLE 4.2-2 (CONT'D)
COMPARISON OF CEQA SIGNIFICANCE ANALYSIS BY ALTERNATIVE

Environmental Resource Category	Impact	Proposed Project (12th Street Alternative)	10th Street Alternative	9th Street Alternative	No Project Alternative
	HAZ-8: The proposed Project would produce a significant adverse effect on the public or environment through reasonably foreseeable upset or accident conditions involving the release of hazardous materials into the environment.	LTS	LTS	LTS	LTS
	HAZ-9: The proposed Project would produce an adverse effect on the public or environment as a result of being located on a site that is known to contain hazardous materials or create a significant hazard to people or the environment because of the presence of soil or groundwater contamination.	LTS	LTS	LTS	LTS
	HAZ-10: The proposed Project would impair implementation of, physically interfere with, or result in an inconsistency with an adopted emergency response or evacuation plan.	LTS	LTS	LTS	LTS
	HAZ-11: The proposed Project would not comply with State guidelines associated with abandoned oil wells.	No Impacts	No Impacts	No Impacts	LTS
	HAZ-12: The proposed Project would result in the handling of hazardous materials, substances, or wastes within 0.25 mile of an existing or planned school.	No Impacts	No Impacts	No Impacts	LTS

TABLE 4.2-2 (CONT'D)
COMPARISON OF CEQA SIGNIFICANCE ANALYSIS BY ALTERNATIVE

Environmental Resource Category	Impact	Proposed Project (12th Street Alternative)	10th Street Alternative	9th Street Alternative	No Project Alternative
Population and Housing	**POP-1:** Construction activities would increase population in one or more individual cities or the unincorporated area within the Gateway Cities subregion by 0.5 percent or more.	LTS	LTS	LTS	No Impacts
	POP-2: Construction activities would increase housing demand in one or more individual cities or the unincorporated area within the Gateway Cities subregion by 0.5 percent or more.	LTS	LTS	LTS	No Impacts
	POP-3: The proposed Project would increase population in one or more individual cities or the unincorporated area within the Gateway Cities subregion by 0.5 percent or more.	LTS	LTS	LTS	No Impacts
	POP-4: The proposed Project would increase housing demand in one or more individual cities or the unincorporated area within the Gateway Cities subregion by 0.5 percent or more.	LTS	LTS	LTS	No Impacts
	Impacts to Minority and Low-Income Populations: The proposed Project would result in residual significant and unavoidable impacts that could disproportionately affect minority and low-income populations from Air Quality impacts AQ-1 through AQ-4 and AQ-6.	Significant	Significant	Significant	No Impact/LTS

TABLE 4.2-2 (CONT'D)
COMPARISON OF CEQA SIGNIFICANCE ANALYSIS BY ALTERNATIVE

Environmental Resource Category	Impact	Proposed Project (12th Street Alternative)	10th Street Alternative	9th Street Alternative	No Project Alternative
Utilities, Service Systems, and Energy Conservation	**UTIL-1:** Construction activities would require or result in the construction or expansion of water, wastewater, storm drains, natural gas, electrical utility lines or facilities, or oil lines of which could cause significant environmental effects.	LTS/SC	LTS/SC	LTS/SC	LTS
	UTIL-2: Construction activities would exhaust or exceed existing water supply, wastewater treatment, electrical power, or landfill capacities.	LTS/SC	LTS/SC	LTS/SC	LTS
	UTIL-3: The proposed Project would require or result in the construction or expansion of water, wastewater, storm drains, natural gas, electrical utility lines or facilities, or oil lines of which could cause significant environmental effects.	LTS	LTS	LTS	LTS
	UTIL-4: The proposed Project would exhaust or exceed existing water supply, wastewater treatment, electrical power, or landfill capacities.	LTS	LTS	LTS	LTS
	ENG-1: Construction activities would conflict with adopted energy conservation plans or policies.	LTS	LTS	LTS	LTS
	ENG-2: Construction activities would result in inefficient use of energy resources.	LTS	LTS	LTS	LTS

TABLE 4.2-2 (CONT'D)
COMPARISON OF CEQA SIGNIFICANCE ANALYSIS BY ALTERNATIVE

Environmental Resource Category	Impact	Proposed Project (12th Street Alternative)	10th Street Alternative	9th Street Alternative	No Project Alternative
	ENG-3: The proposed Project would conflict with adopted energy conservation plans or policies.	LTS	LTS	LTS	LTS
	ENG-4: The proposed Project would result in inefficient use of energy resources.	LTS	LTS	LTS	LTS
Cultural Resources	**CR-1:** The proposed Project would result in a substantial adverse change in the significance of an archaeological resource or disturb human remains.	LTS/SC	LTS/SC	LTS/SC	No Impacts
	CR-2: The proposed Project would result in a substantial adverse change in the significance of a historical resource.	LTS	LTS	LTS	No Impacts
	CR-3: The proposed Project would result in the permanent loss of or loss of access to, a paleontological resource of regional or statewide significance.	LTS-M	LTS-M	LTS-M	No Impacts
Aesthetics and Visual Resources	**VIS-1:** The proposed Project would substantially degrade the existing character or quality of the site and its surroundings.	LTS	LTS	LTS	No Impacts
	VIS-2: The proposed Project would create a new source of substantial light or glare that would adversely affect day or nighttime views in the area.	LTS	LTS	LTS	No Impacts
Global Climate Change	**GCC 1:** Proposed Project GHG emissions would exceed the SCAQMD interim significant emissions threshold for industrial projects of 10,000 MT CO_{2e} per year.	Significant	Significant	Significant	LTS

TABLE 4.2-2 (CONT'D)
COMPARISON OF CEQA SIGNIFICANCE ANALYSIS BY ALTERNATIVE

Environmental Resource Category	Impact	Proposed Project (12th Street Alternative)	10th Street Alternative	9th Street Alternative	No Project Alternative
	GCC-2: The proposed Project would conflict with an applicable plan, policy, or regulation adopted to reduce emissions of GHG.	LTS	LTS	LTS	LTS
	GCC 3: The proposed Project would expose people and structures to a significant risk of loss, injury, or death involving flooding as a result of sea-level rise.	LTS	LTS	LTS	LTS

Acronyms: LTS = less than significant; LTS-M = less than significant with mitigation; LTS/SC = less than significant, mitigation not required, special conditions will be applied; LTS-M/SC = less than significant with mitigation, special conditions will be applied; Significant/SC = significant, mitigation measures and special conditions will be applied.

4.3 Findings for Alternatives Analyzed

The Board has reviewed the significant impacts associated with each of the alternatives. The Board finds that the No Project Alternative, by virtue of the absence of any development, would be environmentally superior to all other alternatives under CEQA. As required by CEQA Guidelines Section 15126, another alternative that is most capable of reducing significant impacts must then be identified.

4.3.1 PROJECT OBJECTIVES

To maximize the use of on-dock rail the following are the objectives of the Pier B On-Dock Rail Support Facility:

- Support the transition to a more efficient, more economically competitive and less polluting freight transport system as envisioned in the 2016 California Sustainable Freight Action Plan;
- Support the shared goals of local and regional transportation agencies to increase Port, rail and highway capacities;
- Promote a mode shift, from containers shipped by truck to near-dock and/or off-dock facilities to containers shipped by rail from the on-dock and supporting rail yards;
- Provide additional Port rail capability to support and maximize on-dock rail intermodal operations to targeted goals of 30 to 35 percent of containers handled by on-dock rail;
- Receive and depart, within the confines of the rail yard, up to 10,000-foot-long trains to accommodate the increasing use of such trains by Class I railroads; and

- Improve motorist and rail safety by eliminating an existing at-grade crossing at 9th Street and Pico Avenue.

4.3.2 PROPOSED PROJECT (12TH STREET ALTERNATIVE)

The proposed Project would be constructed in three phases over an estimated 7 years. Components of the proposed Project would include the addition of 31 yard tracks and 5 arrival/departure tracks, expanding the yard from an existing 12 tracks (2 main line tracks, 10 yard tracks, and no arrival/departure tracks) to a total of 48 tracks (2 main tracks, 41 yard tracks, and 5 arrival/departure tracks). The proposed Project would also provide for receiving and departure tracks up to 10,000 feet long.

The existing rail bridge over the Dominguez Channel would be widened to accommodate one additional track. To accommodate the proposed Project, realignments and closures of some roadways would be required. Pier B Street would be realigned to the south, its geometrics would be improved, and two lanes of traffic in each direction would be provided. The realignment of Pier B Street would require reconstruction of two intersections, at Anaheim Way and Edison Avenue. The existing at-grade 9th Street railroad grade crossing would be closed and the Shoemaker ramps removed. Pico Avenue would be realigned to the west beginning at the I-710 ramps south to approximately Pier D Street, allowing space for four additional tracks between Pico Avenue and the I-710 freeway.

Areas needed for new rail tracks would require the closure of portions of 9th, 10th, 11th, and 12th streets and Edison, Jackson, Santa Fe, Canal, Caspian, Harbor, and Fashion avenues between Anaheim Street and Pier B Street, in the COLB. Portions of Farragut, Foote, Cushing, Macdonough, and Schley avenues would be closed near the existing railroad ROW in the COLA.

Operation of the proposed Project as the reconfigured Pier B On-Dock Rail Support Facility would accommodate the arrival/departure and staging of inbound and outbound intermodal trains. Additional storage tracks at the on-dock rail support facility would allow for storage of empty rail cars and classification facilities required to support on-dock intermodal operations and. provide an assembly area for departing trains. Tracks would be provided for inspection and departure brake tests of rail cars and rail car repair activities.

The proposed Project would support the following rail operations:

- Up to four PHL locomotives operating onsite each day in 2015 and up to eight in 2035.
- Approximately five tanker truck locomotive refueling vehicles, loaded with fuel offsite, servicing onsite locomotives.
- Approximately five rail and rail car repair vehicles operating within the on-dock support facility.

Locomotive operation support personnel vehicles would consist mostly of passenger vans. These vans would be used to pick up and drop off train crews at the on-dock support facility.

Daily rail yard administrative staff would arrive/depart via individual passenger vehicles for each shift. Approximately 10 workers per shift would be required to operate the yard.

Vehicle operations associated with the on-dock rail support facility would include vehicles arriving and departing for locomotive refueling operations, rail and rail car repair vehicles, and

locomotive operation support personnel vehicles. These operations would occur 24 hours per day, 7 days per week, in three shifts.

Finding

The Board hereby finds that the proposed Project, the 12th Street Alternative, is the environmentally superior alternative, and best meets the Project objectives. While the 12th Street Alternative would result in significant impacts to air quality, public health risk, and global climate change, and would require more property acquisitions than the 10th Street Alternative and 9th Street Alternative, the proposed Project would best achieve the objective of 30 to 35 percent on-dock rail use. This achievement is for the greater good of the community. The proposed Project would provide sufficient ability to support on-dock intermodal operations; improve road and rail safety; improve traffic flow on Pier B Street to accommodate projected traffic volumes; help to reduce truck volumes on local roads; increase Port competitiveness; implement and support the CAAP enhancement of aging infrastructure systems; and receive and depart up to 10,000-foot-long trains. Furthermore, the proposed Project would achieve the objective of 30 to 35 percent on-dock rail use. The proposed Project's enhancements of the On-Dock Rail Support Facilities also helps to implement the Regional Transportation Plan ("RTP") to a greater extent than the other alternatives. The RTP identified on-dock rail improvements as part of the Comprehensive Regional Goods Movement Plan and Implementation Strategy. As stated in the RTP, "Carrying containers by rail is the most efficient method for cargo destined to points well beyond the Southern California region. Utilizing rail has the added benefit of potentially reducing the number of truck trips on regional roadways and freeways, which would otherwise be needed to carry cargo containers to near-dock or off-dock yards." "Use of on-dock rail eliminates truck vehicle miles of travel (VMT) and associated emissions by allowing trains to be loaded and unloaded inside marine terminals." RTP, Goods Movement Appendix, p. 32 (2016). Of all the alternatives, the proposed Project also best implements CARB's Goods Movement Recommendation (T-6) contained in the Scoping Plan, since the improvements improve efficiency in goods movement activities. On a local level, the proposed Project best implements the City's Mobility Element, which specifically calls for improvement of on-dock rail facilities. As stated in the Mobility Element: "Each train loaded on-dock at the Port of Long Beach eliminates up to 750 truck trips from local freeways. One container ship entering the Port generates as much as five trains' worth of intermodal cargo. By using on-dock rail, the Port can potentially eliminate 3,750 truck trips for every vessel call." For the reasons set forth in the Statement of Overriding Considerations (Section 5.0), the benefits of the proposed Project justify its approval.

Facts in Support of Finding

The proposed Project would meet all the Project Objectives and maximizes the use of existing and proposed rail infrastructure in the Port, thereby promoting maritime commerce. Expansion of the Pier B Yard would allow the Port to meet its goal of 30 to 35 percent of cargo moved by on-dock rail. The proposed Project also supports the 2017 CAAP Update that seeks to expand use of rail arriving to and departing from the Port complex. The proposed Project would implement the CAAP's affirmation to invest in on-dock rail infrastructure and in programs that shift cargo to rail. By eliminating the existing at-grade crossing at 9th Street, road and rail safety would be improved. The closing of this crossing would also allow the Port to accommodate trains up to 10,000 feet long, allowing Port terminals to transport more cargo via rail. In addition, to assist in mitigating the proposed Project's cumulative impacts to air quality, health risk, and global climate change, the Port will make a total contribution of $1.4

million towards the established $46.4 million in funding for the Port's CGP. The CGP is aimed at mitigating the impacts of goods movement over 12-15 years in three specific programs: community health, facility improvements, and community infrastructure. In addition, as stated above, the proposed Project best implements the City's Mobility Element, the RTP's Comprehensive Regional Goods Movement Plan, and CARB's Goods Movement Recommendation in the Scoping Plan.

4.3.3 10TH STREET ALTERNATIVE

The 10th Street Alternative would be constructed in three phases over an estimated 7 years. New tracks would be constructed between Pier B Street to north of 11th Street, from just west of Dominguez Channel to the 9th Street/I-710 freeway ramps and south to approximately Ocean Boulevard.

Nineteen yard tracks and 3 arrival/departure tracks would be added, thereby expanding the yard from an existing 12 tracks (2 main line tracks, 10 yard tracks, and no arrival/ departure tracks) to a total of 34 tracks (2 main tracks, 29 yard tracks, and 3 arrival/ departure tracks). The existing Dominguez Channel rail bridge would be widened to add one additional track.

New yard improvements would require the closure of portions of 9th and 10th streets and Edison, Jackson, Santa Fe, Canal, Caspian, and Harbor avenues. Portions of Farragut, Foote, Cushing, Macdonough, and Schley avenues would be closed near existing railroad ROW in the COLA. Rather than removing the Shoemaker Ramps, ramps would be realigned to land at Harbor Avenue.

The minor realignment of Canal Avenue at 11th Street to maintain local circulation would encroach into a private lease area, reducing the overall useable space.

Rail operations would be similar to the proposed Project; however, there would be differences in the overall number of tracks available for storage of rail cars (i.e., both loaded and empty) and other features as follows:

There would be up to four PHL locomotives operating onsite each day in 2015 and up to eight in 2035.

Rail yard administrative staff would arrive/depart daily via individual passenger vehicles for each shift. Approximately eight workers per shift are estimated to be required.

Finding

The Board hereby finds that while the 10th Street Alternative is a feasible alternative, it is not the most desirable alternative in that it would not meet the overall Project purpose and need of achieving the objective of 30 to 35 percent on-dock rail use, which would be achieved by the proposed Project.

While this alternative would require fewer property acquisitions and result in less severe impacts during construction, as well as lesser operational impacts, it would not avoid the significant impacts of both construction and operational emissions exceeding both the SCAQMD daily threshold and offsite ambient air pollutant concentrations. This alternative implements the City's Mobility Element, the RTP's Comprehensive Regional Goods Movement Plan, and CARB's Goods Movement Recommendation in the Scoping Plan to a lesser extent than the proposed Project. Therefore, the 10th Street Alternative is hereby rejected.

Facts in Support of Finding

As with the proposed Project and the 10th Street Alternative, the significant impacts to air quality and health risk and global climate would be unavoidable. Because the 10th Street Alternative would not meet the overall Project purpose and need of achieving the objective of 30 to 35 percent on-dock rail use, which would be achieved by the proposed Project, the 9th Street Alternative is not considered the environmentally preferred alternative.

4.3.4 9TH STREET ALTERNATIVE

The 9th Street Alternative would be constructed in two phases over an estimated 3 years. Railroad track work involved with the 9th Street Alternative would be similar to the proposed Project with the following exceptions:

- Six yard tracks and three arrival/departure tracks would be added, thereby expanding the yard from an existing 12 tracks (2 main line tracks, 10 yard tracks, and no arrival/departure tracks) to a total of 21 tracks (2 main tracks, 16 yard tracks, and 3 arrival/departure tracks).
- The Dominguez Channel rail bridge would not be widened; new track would not be added.

Road work involved with the 9th Street Alternative would be similar to the proposed Project with the following exceptions:

- Yard improvements would require the closure of portions of Edison, Jackson, Santa Fe, Canal, and Caspian avenues between 9th Street and Pier B Street.
- Portions of Farragut, Foote, Cushing, Macdonough, and Schley avenues would be closed near existing railroad ROW in the COLA.
- The Shoemaker ramps would remain as currently configured.

Rail operations of the 9th Street Alternative would be similar to the proposed Project. Rail yard administrative staff would also arrive/depart daily via individual passenger vehicles for each shift. Approximately five workers per shift would be required

Finding

The Board hereby finds that while the 9th Street Alternative is a feasible alternative it is not the most desirable alternative in that it would not meet the overall Project purpose and need of achieving the objective of 30 to 35 percent on-dock rail use, which would be achieved by the proposed Project. The 9th Street Alternative would rank behind the 10th Street Alternative in terms of achieving this fundamental goal.

While this alternative would require fewer property acquisitions and result in less severe impacts during construction, as well as lesser operational impacts, it would not avoid the significant impact of both construction and operational emissions exceeding both the SCAQMD daily threshold and offsite ambient air pollutant concentrations. This alternative would also rank last among the build alternatives in terms of implementing the City's Mobility Element, the RTP's Comprehensive Regional Goods Movement Plan, and CARB's Goods Movement Recommendation in the Scoping Plan. Therefore, the 9th Street Alternative is hereby rejected.

Facts in Support of Finding

As with the proposed Project and the 10th Street Alternative, the significant impacts to air quality and health risk and global climate would be unavoidable. Because the 9th Street Alternative would not meet the overall Project purpose and need of achieving the objective of 30 to 35 percent on-dock rail use, which would be achieved by the proposed Project, the 9th Street Alternative is not considered the environmentally preferred alternative.

4.3.5 NO PROJECT ALTERNATIVE

Under CEQA, the No Project Alternative must consider the conditions that would exist if a project does not proceed, which includes consideration of predictable action, such as the proposing? of some other project (CEQA Guidelines Section 15126.6(e)(3)(B)). Under the No Project Alternative, no improvements would be made to the Pier B Rail Yard beyond normal maintenance and repairs. Currently, the existing Pier B Rail Yard's function is to support POLB on-dock rail yards by providing rail car and locomotive storage and staging, which enables the on-dock yards to function more efficiently. As the on-dock volumes increase, there would be an increase in demand for on-dock container handling and supporting rail facilities, which the existing Pier B Rail Yard, without expansion, would not be able to handle effectively.

Finding

The Board finds that the No Project Alternative, by virtue of the absence of any development, would be environmentally superior to all other alternatives under CEQA. However, without any improvements to the existing Pier B Rail Yard, the Port would not be able to meet its objective to transport 30 to 35 percent of all containers via on-dock rail. The No Project Alternative does not implement the City's Mobility Element, the RTP's Comprehensive Regional Goods Movement Plan, or CARB's Goods Movement Recommendation in the Scoping Plan. Therefore, this alternative will not be adopted.

Facts in Support of Finding

It is projected that, without improvements to the current configuration, the Port would not be able to meet its on-dock goal of 30 to 35 percent of all containers being transported by rail. Once the rail yard has reached a point at which it can no longer effectively support the efficient assembly/disassembly and departure/arrival of container trains, the remaining outgoing cargo would need to be transported by trucks to near-dock or the downtown yards. This would result in continuing increases in truck trips and associated truck-related emissions. In addition, the at-grade crossing located at the intersection of 9th Street and Pico Avenue would continue to force extra train movements (i.e., for splitting and building trains) to keep the road open, which would continue to limit the ability of the Port to efficiently receive and depart intermodal trains.

5.0 STATEMENT OF OVERRIDING CONSIDERATIONS

CEQA requires a public agency to balance the benefits of a proposed project against its unavoidable, adverse environmental impacts in determining whether to approve the project.

Section 15093 of the State CEQA Guidelines provides the following:

a) *CEQA requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If*

the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

b) When the lead agency approves a project that will result in the occurrence of significant effects which are identified in the Final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record. The statement of overriding considerations shall be supported by substantial evidence in the record.

c) If an agency makes a Statement of Overriding Considerations, the statement should be included in the record of the project approval and should be mentioned in the Notice of Determination. This statement does not substitute for, and shall be in addition to, findings required pursuant to Section 15091.

5.1 PROJECT SIGNIFICANT IMPACTS

The proposed Project would result in significant unavoidable impacts related to air quality and health risk and global climate change.

5.1.1 AIR QUALITY AND HEALTH RISK

During a peak day of construction activity, construction activities associated with the proposed Project would produce emissions of VOC, CO, NO_x, and $PM_{2.5}$ that would exceed SCAQMD daily emission significance thresholds. Additionally, proposed Project construction would result in offsite ambient air pollutant concentrations that would exceed SCAQMD thresholds of significance for 1-hour NO_2, 1-hour federal NO_2, annual NO_2, and annual PM_{10}. Even with application of all feasible mitigation measures, construction emissions would still exceed the CO and NO_x SCAQMD daily emission thresholds; and ambient concentrations during construction would still exceed the SCAQMD ambient air pollutant thresholds for 1-hour State, 1-hour federal, and annual NO_2. Therefore, these mitigated emissions and ambient concentrations would remain significant and unavoidable. This impact would also be a significant cumulative impact that would be unavoidable.

The proposed Project would produce peak daily operational emissions of CO and NO_x that would exceed the SCAQMD impact significance thresholds. Operational emissions of all other criteria pollutants would be below the significance thresholds. Additionally, proposed Project operation would result in offsite ambient air pollutant concentrations that would exceed SCAQMD thresholds of significance for 1-hour federal NO_2 and annual NO_2. This impact would also be a significant cumulative impact that would be unavoidable.

The proposed Project incorporates many regulations and CAAP measures that reduce air pollutant impacts. There are no additional feasible mitigation measures identified for proposed Project operation at present. However, to keep pace with emerging emission reduction technologies, a mandatory 5-year technology review would be made part of the proposed Project as a Special Condition (see Section 6.3.2 of the Draft EIR).

Construction and operation of the proposed Project would not result in significant cumulative health risk impacts for individual cancer risk population cancer burden, and non-cancer effects from acute (short term) exposures. The proposed Project by itself would contribute to these three health risk values, although none would exceed the thresholds after application of mitigation measures. However, construction and operation of the proposed Project would make a cumulatively considerable and unavoidable contribution to a significant cumulative

impact for individual cancer, population cancer burden, and non-cancer effects from acute (short term) exposure.

Even with incorporation of many regulations and CAAP measures, significant air quality impacts of the proposed Project could result in disproportionately high and adverse effect on minority and low-income populations. No additional mitigation is feasible, and there are no feasible alternatives that would avoid the impact.

5.1.2 GLOBAL CLIMATE CHANGE

The proposed Project would produce greenhouse gas (GHG) emissions during construction and operations. Annual CO_{2e} emissions operations of the proposed Project would remain higher than the SCAQMD interim significance threshold for industrial projects of 10,000 MT per year of CO_{2e} in all analysis years and would, therefore, constitute a significant impact.

GHG emissions associated with reasonably foreseeable projects, including the proposed Project, would be cumulatively significant. In addition, because climate change is, by nature, a global impact, an appreciable impact on global climate change would occur when GHG emissions from a project combine with GHG emissions from other man-made activities on a global scale. Even after implementation of mitigation measures, the proposed Project would remain a cumulatively considerable contribution to a significant and unavoidable cumulative impact on global climate change.

5.2 OVERRIDING CONSIDERATIONS

The proposed Project would offer numerous benefits that outweigh the unavoidable adverse environmental effects of the undertaking. The Board of Harbor Commissioners recognizes that significant and unavoidable environmental impacts will result from implementation of the proposed Project, as discussed above. The Port has adopted all feasible mitigation measures for the proposed Project, recognized all significant and unavoidable environmental impacts, and balanced the benefits of the proposed Project against the significant and unavoidable impacts. Given these conditions, the Board finds that there are specific overriding economic, legal, social, technological, and other benefits of the proposed Project which outweigh those impacts and provide sufficient reasons for approving the proposed Project. These overriding considerations justify certification of the Final EIR and approval of the proposed Project, as discussed below.

Fulfills Port legal mandates and objectives. The proposed Project would fulfill the Port's mandates under the Tidelands Trust to promote and develop commerce, navigation, and fisheries, and other uses of statewide interest and benefit, including industrial and transportation uses. The California Coastal Act (CCA) recognizes the California ports, including the Port of Long Beach, as primary economic and coastal resources that are essential elements of the national maritime industry and obligates the Port to modernize and construct necessary facilities to "encourage rail service to port areas and multi-company use of facilities". Cargo volumes are projected to increase (Tioga, 2009). This increase in projected cargo will result in an increase in the amount of intermodal cargo handled by on-dock rail yards. As the on-dock volumes increase, there will be an increase in demand for on-dock capacity and supporting rail facilities. Providing a facility within the Port dedicated to supporting more efficient rail operations would improve the overall efficiency of goods movement within the Port and on the regional transportation network. Expanding the Pier B Rail Yard would allow more cargo to be transported by rail and would help the marine

terminals to optimize their operations. The proposed Project would expand the existing rail yard at Pier B that is already available to UPRR, BNSF, and PHL; therefore, all users would be equally benefitted.

Furthermore, the CCA also provides that the Port should give highest priority to the use of existing land space within harbors for port purposes. The proposed Project meets these requirements by maximizing the use of existing and proposed rail infrastructure in the Port, thereby promoting maritime commerce. Adding rail infrastructure would allow the Port to meet its goal of 30 to 35 percent of cargo moved by on-dock rail, and as a result, increase the Port's competitiveness. By recognizing the importance of rail facilities to the efficient functioning of the Port, the proposed Project would use the site in accordance with its highest priority.

The proposed Project is consistent with the development goals of the Port Master Plan (PMP) and all other applicable land use plans, policies, and regulations.

Implements the San Pedro Bay Clean Air Action Plan (CAAP). In developing the San Pedro Bay Ports CAAP, the Ports established a series of principles and goals designed to reduce air emissions and related health impacts while allowing Port development to continue. The CAAP committed the Ports, with the assistance of their agency partners (CARB, SCAQMD, and USEPA) to establish San Pedro Bay Emissions Reduction Standards to define targets for reduction of Port-related air impacts, specifically air quality and health risk impacts. The proposed Project incorporates all applicable CAAP measures and adheres to existing regulations. In addition, the proposed Project supports the 2017 CAAP Update that seeks to expand use of rail arriving to and departing from the Port complex. The proposed Project would implement the CAAP's affirmation to invest in on-dock rail infrastructure and in programs that shift cargo to rail.

Implements local roadway safety improvements. The proposed Project would eliminate an existing at-grade crossing at 9th Street at Pier B Street; road and rail safety would be improved. The closing of this crossing would also allow the Port to accommodate trains up to 10,000 feet long, allowing Port terminals to transport more cargo via rail.

Promote a mode shift from transport of containers by truck to rail. A fundamental purpose of the proposed Project is to facilitate operational efficiencies in the Port through the transport of a larger proportion of containerized cargo directly to and from the Port via rail instead of by drayage trucks. This change would support the CAAP, the San Pedro Bay Ports Emissions Reduction Standards, the City of Long Beach's Mobility Element, and the State's Sustainable Freight Action Plan.

Supports the City of Long Beach's Mobility Element of the General Plan. The Pier B On-Dock Rail Support Facility is identified as one of many capital projects under consideration for mobility of goods. This project is one of the port traffic improvements that is planned for substantially reducing the number of truck trips to and from the Port, enhancing safety and increasing capacity and travel flow along the I-710 and other freeways. The Port is pursuing greater use of on-dock rail because it improves competitiveness and efficiency and reduced air pollution by taking trucks off the road. Improvement of Citywide freight-related infrastructure, especially on-dock rail facilities, is a key approach to improve local and regional mobility of goods.

Supports the California Sustainable Freight Action Plan. Pursuant to Executive Order B-32-15, the Sustainable Freight Action Plan established measures of progress to improve freight efficiency, transition to zero-emissions technologies, and make California's freight

system more competitive. Certain elements of the proposed Project serve to forward State goals by providing infrastructure for more efficient cargo transport. The 2016 Sustainable Freight Action Plan identifies the expansion of on-dock rail as one of many key improvements for freight facility modernization in the San Pedro Bay Ports. These improvements will increase capacity and throughput of terminals (reducing congestion and wait times), reducing truck trips and improving air quality near the ports.

Contributes to the Community Grants Program. To assist in mitigating the proposed Project's cumulative impacts to air quality, health risk, and global climate change, the Port will make a total contribution of $1.4 million towards the established $46.4 million in funding for the Port's CGP. The CGP is aimed at mitigating the impacts of goods movement over 12-15 years in three specific programs: community health, facility improvements, and community infrastructure.

EXHIBIT B

Pier B On-Dock Rail Support Facility Project

Mitigation Monitoring and Reporting Program

Prepared by

The Port of Long Beach
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January 2018

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Pier B On-Dock Rail Support Facility Project

Mitigation Monitoring and Reporting Program

INTRODUCTION

This Mitigation Monitoring and Reporting Program (MMRP) has been prepared for the Pier B On-Dock Rail Support Facility Project (Project) in the City of Long Beach (COLB) and City of Los Angeles (COLA). This MMRP fulfills the requirements of California Public Resources Code (PRC) Section 21081.6 and California Environmental Quality Act (CEQA) Guidelines Section 15097. As stated in PRC Section 21081.6(a)(1):

> *The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of approval, adopted in order to mitigate or avoid significant effects on the environment.*

The primary purpose of the MMRP is to ensure that the mitigation measures identified in the Final Environmental Impact Report (EIR) for the Pier B On-Dock Rail Support Facility Project are implemented to reduce or avoid identified environmental effects and to appropriately assign the mitigation responsibilities for implementing the proposed Project. If the Project is approved, the mitigation measures listed in this MMRP will be adopted by the Port of Long Beach (POLB or Port) Board of Harbor Commissioners (Board) as a condition of Project approval. The mitigation measures would be a mandatory component of the Harbor Development Permit (HDP) for this Project.

RESPONSIBLE PARTY

The POLB is the lead agency for the Pier B On-Dock Rail Support Facility Project under CEQA; therefore, it is responsible for administering and implementing the MMRP. The Port, or its designee, will be responsible for:

- Implementing and reporting mitigation measures in this program;
- Ensuring that mitigation measures are accomplished in an environmentally responsible manner;
- Ensuring that the status of mitigation measures is reported in accordance with this program;
- Ensuring that the cost of mitigation is included in its budget;
- Ensuring that mitigation measures are properly carried out by designated and qualified personnel, which may include specialty contractors; and
- Program oversight.

Mitigation measures will be included in applicable Requests for Proposals (RFP), specifications, plans, drawings, and procedures issued for construction of the Pier B On-Dock Rail Support Facility and during operation of this facility. When Project work is undertaken by the Port's contractors, the pertinent mitigation measures will be included in the terms and conditions of the contracts. Port construction inspectors will undertake regular inspections of the job site to ensure that contractors are implementing the mitigation measures and complying with their contract. The Port's assigned Project Manager will be responsible for ensuring that mitigation measures that are the responsibility of the Port are carried out. Mitigation measures are summarized on Table 1.

1 **Table 1. Summary of Mitigation Measures**

	Air Quality and Health Risk
1	**Mitigation Measure AQ-1: On-Road Construction Trucks.** All on-road heavy-duty trucks with a fifth-wheel tractor/trailer and a gross vehicle weight rating (GVWR) of 19,500 pounds or more transporting materials to and from the construction site shall meet United States Environmental Protection Agency (EPA) 2010 on-road heavy-duty diesel engine emission standards.
2	**Mitigation Measure AQ-2: Tier 4 Construction Equipment.** All self-propelled, diesel-fueled off-road construction equipment 25 horsepower (hp) or greater shall meet EPA/California Air Resources Board (CARB) Tier 4 off-road engine emission standards.
3	**Mitigation Measure AQ-3: Off-Road Construction Equipment.** Off-road diesel-powered construction equipment shall comply with the following: • Maintain all construction equipment according to manufacturer's specifications. • Construction equipment shall not idle for more than 5 minutes when not in use. • High-pressure fuel injectors shall be installed on construction equipment vehicles. The benefits to be achieved by the above-listed components of this measure were not quantified in the analysis due to the wide range of variables involved. This measure is applied, however, to further reduce combustion emissions.
4	**Mitigation Measure AQ-4: Increased Watering Frequency for Fugitive Dust Control.** Construction site watering, required by SCAQMD Rule 403, shall be increased such that the watering interval is no greater than 2.1 hours. This measure would increase the fugitive dust emissions control from 61 to 74 percent.
5	**Mitigation Measure AQ-5: Additional Fugitive Dust Control.** Contractors shall: • Apply approved nontoxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas or replace groundcover in disturbed areas. • Provide temporary wind fencing around sites being graded or cleared. • Cover truck loads that haul dirt, sand, or gravel or maintain at least 2 feet of freeboard in accordance with Section 23114 of the California Vehicle Code. • Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off tires of vehicles and any equipment leaving the construction site. • Suspend all soil disturbance activities when winds exceed 25 miles per hour (mph) or when visible dust plumes emanate from the site and stabilize all disturbed areas. The benefits to be achieved by the above-listed components of this measure were not quantified in the analysis due to the wide range of variables involved. This measure is applied, however, to further reduce fugitive dust emissions.
6	**Mitigation Measure AQ-6: Cumulative Air Quality Impact Reduction Program.** To reduce air quality impacts associated with operation, the Port will contribute to the Community Grants Program (CGP). For the proposed Project, the contribution to the CGP would be $149,757 total.
	Biota and Habitats
7	**Mitigation Measure BIO-1: Protection of Bats.** A qualified bat specialist shall conduct a preconstruction survey. If bats are found or determined to be potentially present, construction activity will be stopped if determined to be disruptive to breeding or roosting, and appropriate subsequent actions will be identified and implemented.
8	**Mitigation Measure BIO-2: Protection of Migratory Birds.** Construction activities that could remove trees or structures that may support the nests of protected birds will follow the requirements of the Migratory Bird Treaty Act (MBTA). Specific procedures will be identified by a qualified ornithologist and implemented.
	Cultural Resources
9	**Mitigation Measure CR-1: Paleontological Monitoring.** A paleontological monitoring program shall be implemented during earthmoving that requires excavation at or below 5 feet of depth, or where fossiliferous or older alluvium material is encountered.

1 **Table 1. Summary of Mitigation Measures (Cont'd)**

	Cultural Resources (Cont'd)
10	**Mitigation Measure CR-2: Inadvertent Discovery of Paleontological Resources.** In the event that construction activities encounter potentially fossiliferous materials, work in the immediate vicinity will be temporarily halted until a qualified vertebrate paleontologist can evaluate the discovery and implement appropriate treatment measures.
	Global Climate Change
11	**Mitigation Measure GCC-1: LEED.** If new buildings constructed as part of the proposed Project meet COLB Green Building Policy criteria, Leadership in Energy and Environmental Design (LEED) certification shall be sought. COLB exempts buildings of less than 7,500 square feet of occupied space from its Green Building Policy.
12	**Mitigation Measure GCC-2: Recycling of Construction Materials.** Pursuant to the POLB Administrative Directive (Sustainable Business Practices), construction debris must be recycled, reused or otherwise diverted from landfills to the maximum extent possible. Recyclable construction waste generated by the Project shall be taken to an accredited recycling center.
13	**Mitigation Measure GCC-3: Recycling and Sustainable Business Practices.** During operation, the Port shall follow recycling objectives and measures established by the Port's Administrative Directive (Sustainable Business Practices) (POLB, 2006). In general, products made with recycled materials require less energy and raw materials to produce than products made with unrecycled or raw materials. This mitigation measure also includes energy conservation practices, purchasing of "Green" products, energy-efficient lighting, low-volatile organic compound (VOC) paint and finishes, and use of recycled or remanufactured carpeting and office furnishings. This directive also includes minimizing the use of paper and plastic, reusing materials and equipment, and proper disposal of alkaline batteries. The effectiveness of this mitigation measure was not quantified due to the lack of a standard emission estimation approach.
14	**Mitigation Measure GCC-4: Xeriscaping.** Water conservation features, including drought-tolerant plant materials, are required for all projects undertaken in the Port. Xeriscape landscaping shall incorporate the use of water conservation features including, but not limited to, drought-tolerant plants; hardscape; permeable material such as concrete, asphalt, and pavers; recycled material such as concrete, gravel, granite, and shredded redwood; and drip irrigation systems and timers.
15	**Mitigation Measure GCC-5: Tree Planting.** The Port shall plant shade trees around the main office and maintenance buildings in accordance with species identified in the Green Port of Long Beach Sustainable Landscape Palette and POLB Sustainable Development Guidelines. Although not quantified, implementation of this measure is expected to reduce the Project's GHG emissions by less than 0.1 percent.
16	**Mitigation Measure GCC-6: Tree Planting – Transportation Corridors.** The Port shall plant new shade trees on Port-controlled lands adjacent to the roads that lead into the facility, to the extent practicable, consistent with safety and other land use considerations. The effectiveness of this mitigation measure was not quantified due to the lack of a standard emission estimation approach.
17	**Mitigation Measure GCC-7: Employee Carpooling.** The construction contractor and the Port shall encourage construction and facility employees to carpool or to use public transportation. These employers shall provide incentives to promote the measure, such as preferential parking for carpoolers or vanpool subsidies, and they shall provide information to employees regarding the benefits of alternative transportation methods. The effectiveness of this mitigation measure was not quantified due to the lack of a standard emission estimation approach.
18	**Mitigation Measure GCC-8: Community Grants Program (CGP).** The Port will implement and fund the CGP to partially address the cumulative GHG impacts of the proposed Project. The Port shall provide $1.4 million, as determined by the POLB CGP funding level methodology.

Table 1. Summary of Mitigation Measures (Cont'd)

	Global Climate Change (Cont'd)
19	**Mitigation Measure GCC-9: Indirect GHG Emission Avoidance and Mitigation.** The Port shall minimize indirect GHG emissions through measures that reduce or avoid electricity consumption at the facility. Such measures may include, but are not limited to, the use of low-energy demand lighting (e.g., fluorescent or light-emitting diode [LED]), and use of energy-efficient floodlights. To identify future opportunities to reduce indirect GHG emissions, the Port shall conduct a third-party energy audit every 5 years and install innovative power-saving technologies where feasible, such as power factor correction systems and lighting power regulators. Such systems help to maximize usable electric current and eliminate wasted electricity, thereby lowering overall electricity use.

APPLICABILITY OF MITIGATION MEASURES TO PROJECT ALTERNATIVES

While it is not known at this time which of the Project alternatives, if any, would be approved by Board of Harbor Commissioners, approval of the Project will be contingent upon a commitment to accomplishing the mitigation measures identified in the Final EIR. While the severity of environmental impacts may vary depending on the alternative to be implemented, all mitigation measures applicable to the proposed Project (12th Street Alternative) are also applicable to the 10th Street Alternative and 9th Street Alternative as well as design variations of the 12th Street and 10th Street Alternatives.

MITIGATION MONITORING AND REPORTING PROGRAM PROCEDURES

The designated POLB Environmental Monitor assigned to the Pier B On-Dock Rail Support Facility Project, or Designee, will track and document compliance with mitigation measures, note any problems that may result, and take appropriate action to remedy problems. Specific responsibilities of the POLB Environmental Monitor or Designee are:

- Coordination of all mitigation monitoring activities;
- Management of the preparation, approval, and filing of monitoring or permit compliance reports;
- Maintenance of records concerning the status of all mitigation measures;
- Retaining a file containing documentation of the completion of all mitigation measures;
- Quality control assurance of field monitoring personnel;
- Coordination with regulatory agencies for compliance with mitigation and permit requirements;
- Reviewing and recommending acceptance and certification of implementation documentation;
- Serving as the point of contact for interested parties or surrounding property owners who wish to register complaints; and
- Documenting observations of unsafe conditions or environmental violations, and identifying any necessary corrective actions.

MITIGATION AND MONITORING REPORTING PLAN COMPLETION FORMS

The MMRP includes a Completion Form for each mitigation measure shown on a separate page. For each mitigation measure, the MMRP Completion Form identifies the following:

- Required action;
- When the action is required to be taken;
- Agency responsible for action;
- Agency responsible for tracking the action;
- Specific action(s) to ensure implementation of the mitigation measure;
- Submittal date;
- Person verifying implementation (name and title);
- Attachments required to verify implementation; and
- Comments made by verifying personnel.

The agency responsible for taking the action (i.e., POLB Engineering Services) will submit the appropriate completion form with attachments to the agency responsible for tracking the action (POLB Planning Division). By his or her signature, the POLB Planning Division representative verifies that each mitigation measure has been implemented.

MITIGATION AND MONITORING ANNUAL REPORTING

This MMRP will require an annual report within the first year of Project approval (including during design activities) and then annually thereafter. The MMRP will document compliance with implementing the mitigation measures included in the Final EIR, Project HDP and construction contracts.

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Pier B On-Dock Rail Support Facility Project

Mitigation Monitoring and Reporting Program Completion Forms

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Pier B On-Dock Rail Support Facility Project
Mitigation Monitoring and Reporting Program Completion Form

Mitigation Measure AQ-1: On-Road Construction Trucks

Required Action: All on-road heavy-duty trucks with a fifth-wheel tractor/trailer and a gross vehicle weight rating (GVWR) of 19,500 pounds or more transporting materials to and from the construction site shall meet United States Environmental Protection Agency (EPA) 2010 on-road heavy-duty diesel engine emission standards.

When Required: Daily during all construction activities.

Agency Responsible for Action: POLB Engineering Services.

Agency Responsible for Tracking: POLB Construction Management and Environmental Planning Division.

Action (i): POLB Engineering Services to include this requirement in Project construction specifications and bid process.

Action (ii): POLB Construction Management Division to verify that on-road heavy-duty trucks with a fifth-wheel tractor/trailer and a GVWR of 19,500 pounds or more have current vehicle registration and meet United States Environmental Protection Agency (EPA) 2010 on-road heavy-duty diesel engine emission standards.

Submittal Date:

Verified By:	**Title:**

Attachments:

Comments:

Pier B On-Dock Rail Support Facility Project
Mitigation Monitoring and Reporting Program Completion Form

Mitigation Measure AQ-2: Tier 4 Construction Equipment

Required Action: All self-propelled, diesel-fueled off-road construction equipment 25 horsepower (hp) or greater shall meet United States Environmental Protection Agency (EPA)/California Air Resources Board (CARB) Tier 4 off-road engine emission standards.

When Required: During all construction activities.

Agency Responsible for Action: POLB Engineering Services.

Agency Responsible for Tracking: POLB Construction Management Division and Environmental Planning Division.

Action (i): POLB Engineering Services to include this requirement in Project construction specifications and bid process.

Action (ii): POLB Construction Management Division to verify that self-propelled, diesel-fueled off-road construction equipment 25 hp or greater meet United States EPA/CARB Tier 4 engine emission standards. A copy of each unit's certified tiered specification and any required CARB or South Coast Air Quality Management District (SCAQMD) operating permit will be made available at the time each piece of equipment is mobilized.

Submittal Date:

Verified By:	**Title:**

Attachments:

Comments:

Pier B On-Dock Rail Support Facility Project
Mitigation Monitoring and Reporting Program Completion Form

Mitigation Measure AQ-3: Off-Road Construction Equipment

Required Action: Off-road diesel-powered construction equipment shall comply with the following:

- Maintain all construction equipment according to manufacturer's specifications.
- Construction equipment shall not idle for more than 5 minutes when not in use.
- High-pressure fuel injectors shall be installed on construction equipment vehicles.

When Required: Daily during all construction activities.

Agency Responsible for Action: POLB Engineering Services.

Agency Responsible for Tracking: POLB Construction Management Division and Environmental Planning Division.

Action (i): POLB Engineering Services to include requirements in Project construction specifications and bid process.

Action (ii): Construction Management Division to verify that off-road diesel-powered construction equipment are in good maintenance condition, do not idle more than 5 minutes when in use, and that high-pressure fuel injectors are installed.

Submittal Date:

Verified By:	**Title:**

Attachments:

Comments:

Pier B On-Dock Rail Support Facility Project
Mitigation Monitoring and Reporting Program Completion Form

Mitigation Measure AQ-4: Increased Watering Frequency for Fugitive Dust Control

Required Action: Construction site watering, required by SCAQMD Rule 403, shall be increased such that the watering interval is no greater than 2.1 hours. This measure would increase the fugitive dust emissions control from 61 to 74 percent.

When Required: During all construction activities involving groundwork (i.e., moving dirt).

Agency Responsible for Action: POLB Engineering Services.

Agency Responsible for Tracking: POLB Construction Management Division and Environmental Planning Division.

Action (i): POLB Engineering Services to include these requirements in Project construction specifications and bid process.

Action (ii): POLB Construction Management Division to verify that contractor is implementing emission reduction measures including construction site watering at the above specified intervals.

Submittal Date:

Verified By:	**Title:**

Attachments:

Comments:

Pier B On-Dock Rail Support Facility Project
Mitigation Monitoring and Reporting Program Completion Form

Mitigation Measure AQ-5: Additional Fugitive Dust Control

Required Action: Contractors shall:

- Apply approved nontoxic chemical soil stabilizers according to manufacturers' specifications to all inactive construction areas or replace groundcover in disturbed areas.
- Provide temporary wind fencing around sites being graded or cleared.
- Cover truck loads that haul dirt, sand, or gravel or maintain at least 2 feet of freeboard in accordance with Section 23114 of the California Vehicle Code.
- Install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off tires of vehicles and any equipment leaving the construction site.
- Suspend all soil disturbance activities when winds exceed 25 miles per hour (mph) or when visible dust plumes emanate from the site and stabilize all disturbed areas.

When Required: During all construction activities.

Agency Responsible for Action: POLB Engineering Services.

Agency Responsible for Tracking: POLB Construction Management Division and Environmental Planning Division.

Action (i): POLB Engineering Services to include each of the above requirements in Project construction specifications and bid process.

Action (ii): POLB Construction Management Division to verify that each of the above requirements are carried out during each construction phase.

Submittal Date:

Verified By:	**Title:**

Attachments:

Comments:

Pier B On-Dock Rail Support Facility Project
Mitigation Monitoring and Reporting Program Completion Form

Mitigation Measure AQ-6: Cumulative Air Quality Impact Reduction Program

Required Action: To reduce cumulative air quality impacts associated with operation of the proposed Project, the Port shall require the Project to contribute $149,757 to the Community Grants Program.

When Required: Within 30 days after Project Opening.

Agency Responsible for Action: POLB Environmental Planning Division.

Agency Responsible for Tracking: POLB Environmental Planning Division.

Action: POLB Environmental Planning Division to ensure the timing of the payments determined by the methodology described in the EIR be made by the later of the following two dates: (a) the date that the Port issues a Notice to Proceed (NTP) or otherwise authorizes commencement of construction on the Pier B On-Dock Rail Support Facility Project construction contract, or (b) the date that the Pier B On-Dock Rail Support Facility Final EIR is conclusively determined to be valid, either by operation of California PRC Section 21167.2 or by final judgement or final adjudication.

Submittal Date:

Verified By:	**Title:**

Attachments:

Comments:

Pier B On-Dock Rail Support Facility Project
Mitigation Monitoring and Reporting Program Completion Form

Mitigation Measure BIO-1: Protection of Bats

Required Action: To avoid harm to bats from modifications to bridges that may provide roosting or breeding habitat, the following procedure will be followed:

- Prior to the start of construction on the Dominguez Channel rail bridge, a qualified bat specialist shall conduct a pre-construction bat survey of the construction work zone.
- If bats, or evidence of bats, are found or if bats are determined to be potentially present, the bridge will be inspected no more than 7 days before any disturbance to confirm the presence of roosting bats.
- The bat specialist will have authority to stop construction activity likely to be disruptive of breeding or roosting. The bat specialist would identify an appropriate course of action for the POLB to follow. Example actions are: (a) precluding bat access from the existing bridge before work proceeds; (b) establishing an appropriate buffer area; and (c) monitoring work to ensure that bats are not killed or substantially disturbed.
- Weekly reports to the POLB Environmental Planning Division and California Department of Fish and Wildlife (CDFW) shall be provided, describing monitoring actions, relevant observations, and any protective actions taken.

When Required: Prior to, and during (if warranted), construction work on or beneath the Dominguez Channel rail bridge.

Agency Responsible for Action: POLB Engineering Services.

Agency Responsible for Tracking: POLB Construction Management Division and Environmental Planning Division.

Action (i): POLB Engineering Services to include in Project construction specifications and bid process a requirement for a qualified bat specialist (biologist) to conduct a pre-construction bat survey at the Dominguez Channel rail bridge construction zone.

Action (ii): POLB Construction Management Division to verify that a pre-construction bat survey has been carried prior to construction on or beneath the Dominguez Channel rail bridge; and that bat protection measures, if warranted, are carried out during construction at this location.

Submittal Date:

Verified By:	**Title:**

Attachments:

Comments:

Mitigation Measure BIO-2: Protection of Migratory Birds

Required Action: To minimize effects on nesting migratory birds, construction activities that include the removal of trees, shrubs, or structures that may support the nests of protected birds will follow the requirements of the Migratory Bird Treaty Act (MBTA). If construction activities occur during the bird breeding season (February 15 through August 31), a qualified ornithologist shall survey trees, shrubs, and structures to be removed, not more than 3 days prior to removal. If the ornithologist detects any occupied nests or nesting behavior, the POLB shall conspicuously flag off the area(s) and provide a minimum buffer of 100 feet (300 feet for raptors) between the nest and limits of construction. Construction crews will be instructed to avoid any activities in this zone. Construction activities could resume within the buffer at the direction of the ornithologist when fledglings have left the nest or if the nest is abandoned.

When Required: For construction activities scheduled to occur between February 15 and August 31 of any year in areas with vegetation that may support nesting of protected birds.

Agency Responsible for Action: POLB Engineering Services.

Agency Responsible for Tracking: POLB Construction Management Division and Environmental Planning Division.

Action (i): POLB Engineering Services to include requirements for a qualified ornithologist to conduct a pre-construction bird survey in construction areas that contain trees, shrubs, and other structures that support nesting birds that would be removed.

Action (ii): In the event occupied nests are identified, or nesting behavior detected, in the construction area, POLB Engineering Services to retain a qualified ornithologist to:

- Establish a buffer zone between the nest(s) and limits of construction;
- Instruct construction crews to avoid any activities in this zone;
- Periodically monitor progress of nesting activities;
- Notify POLB Construction Management Division and the POLB Environmental Planning Division when fledglings have left the nest or if the nest is abandoned so that construction activities may resume in the affected area; and
- Prepare a written report to document monitoring activities.

Submittal Date:

Verified By:	**Title:**

Attachments:

Comments:

Pier B On-Dock Rail Support Facility Project
Mitigation Monitoring and Reporting Program Completion Form

Mitigation Measure CR-1: Paleontological Monitoring

Required Action: A paleontological monitoring program shall be implemented during earthmoving that requires excavation at or below 5 feet of depth, or where fossiliferous or older alluvium material is encountered.

When Required: During any excavation at or below 5 feet of depth or where fossiliferous or older alluvium material is encountered.

Agency Responsible for Action: POLB Engineering Services.

Agency Responsible for Tracking: POLB Construction Management Division and Environmental Planning Division.

Action (i): POLB Engineering Services to determine if any excavation at or below 5 feet of depth is required. POLB Engineering Services to also determine, based on site-specific geotechnical investigation (to be prepared), if any fossiliferous or older alluvium material will be encountered during construction.

Action (ii): For these work zones, POLB Engineering Services will include a requirement for contractor to provide a qualified vertebrate paleontologist contractor to provide paleontological monitoring services. These requirements shall be included in Project construction specifications and bid process.

Action (iii): POLB Construction Management Division to verify that selected contractor has included services of a qualified paleontologist in its contract.

Submittal Date:

Verified By:	**Title:**

Attachments:

Comments:

Mitigation Measure CR-2: Inadvertent Discovery of Paleontological Resources

Required Action: In the event that construction activities encounter potentially fossiliferous materials, work in the immediate vicinity will be temporarily halted until a qualified vertebrate paleontologist can evaluate the discovery and implement appropriate treatment measures.

The paleontologist would determine if the paleontological material should be salvaged, identified, and permanently preserved. Any fossils recovered will be cleaned and prepared to the point of identification, sorted, and catalogued. Prepared fossils, along with copies of all pertinent field notes, photos, and maps, will be deposited into an accredited museum repository by a qualified paleontologist, who will also prepare a report of findings for the POLB. If it can be demonstrated that the project will cause damage to these resources, reasonable efforts shall be made to permit any or all of the resource to be scientifically removed, or it shall be preserved in situ (left in an undisturbed state). In situ preservation may include the following options (or equivalent measures): amending construction plans to avoid the resources; setting aside sites containing these resources by deeding them into permanent conservation easements; capping or covering these resources with a protective layer of soil before building on the sites; incorporating green space or other open space into the project to leave these resources undisturbed and to provide a protective cover over them; and avoiding public disclosure of the location of these resources until or unless the site is adequately protected from vandalism or theft.

All fossils shall be documented in a detailed Paleontological Mitigation Report. Fossils recovered from the field or by processing shall be prepared; identified; and, along with accompanying field notes, maps, and photographs, accessioned into the collections of a designated accredited museum such as the Natural History Museum of Los Angeles County or the San Diego Natural History Museum.

When Required: During all earthwork activities and when potentially fossiliferous material is unearthed.

Agency Responsible for Action: POLB Engineering Services.

Agency Responsible for Tracking: POLB Construction Management Division and Environmental Planning Division.

Action (i): POLB Engineering Services to include a requirement for its construction contractor to provide a qualified paleontologist (on-call) in its Project construction specifications.

Action (ii): POLB Construction Management Division to ensure that selected contractor has a qualified paleontologist available as needed.

Action (iii): POLB Engineering Services to ensure that adequate funding is available for curation of fossils recovered from the construction site and preparation of a Paleontological Mitigation Report.

Submittal Date:

Verified By:	**Title:**

Attachments:

Comments:

Pier B On-Dock Rail Support Facility Project
Mitigation Monitoring and Reporting Program Completion Form

Mitigation Measure GCC-1: Leadership in Energy and Environmental Design

Required Action: If new buildings constructed as part of the proposed Project meet COLB Green Building Policy criteria, Leadership in Energy and Environmental Design (LEED) certification shall be sought. COLB exempts buildings of less than 7,500 square feet of occupied space from its Green Building Policy.

When Required: During Final Design of New Buildings 7,500 square feet or more in size.

Agency Responsible for Action: POLB Engineering Services.

Agency Responsible for Tracking: POLB Engineering Services and Environmental Planning Division.

Action (i): POLB Engineering Services shall include a LEED certification requirement for new buildings 7,500 square feet or more in size in its Project construction specifications and bid processes.

Action (ii): POLB Engineering Services shall participate in efforts to obtain LEED certification for new buildings 7,500 square feet or more in size.

Submittal Date:

Verified By:	**Title:**

Attachments:

Comments:

Pier B On-Dock Rail Support Facility Project
Mitigation Monitoring and Reporting Program Completion Form

Mitigation Measure GCC-2: Recycling of Construction Materials

Required Action: Pursuant to the POLB Administrative Directive (Sustainable Business Practices), construction debris must be recycled, reused, or otherwise diverted from landfills to the maximum extent possible. Recyclable construction waste generated by the Project shall be taken to an accredited recycling center.

When Required: During demolition and construction activities.

Agency Responsible for Action: POLB Engineering Services and Construction Management Divisions.

Agency Responsible for Tracking: POLB Construction Management Division and Environmental Planning Division.

Action (i): POLB Engineering Services to include requirements for recycling of construction materials in its Project construction specifications and bid processes.

Action (ii): POLB Construction Management Division to ensure that construction materials are being recycled during demolition and other construction activities.

Submittal Date:

Verified By:	**Title:**

Attachments:

Comments:

Mitigation Measure GCC-3: Recycling and Sustainable Business Practices

Required Action: During operation, the Port shall follow recycling objectives and measures established by the Port's Administrative Directive (Sustainable Business Practices). In general, products made with recycled materials require less energy and raw materials to produce than products made with unrecycled or raw materials. This mitigation measure also includes energy conservation practices, purchasing of "Green" products, energy-efficient lighting, low-volatile organic compound (VOC) paint and finishes, and use of recycled or remanufactured carpeting and office furnishings. This directive also includes minimizing the use of paper and plastic, reusing materials and equipment, and proper disposal of alkaline batteries.

When Required: During Operation of the Pier B Rail Yard.

Agency Responsible for Action: POLB and Pacific Harbor Line (PHL).

Agency Responsible for Tracking: POLB Environmental Planning Division.

Action (i): POLB Engineering Services to include requirements for recycling objectives and measures in its Project construction specifications and bid processes.

Action (ii): POLB Environmental Planning Division shall ensure that PHL is practicing recycling objectives and measures, to the extent feasible and practical, in routine operation of the rail yard.

Submittal Date:

Verified By:	**Title:**

Attachments:

Comments:

Pier B On-Dock Rail Support Facility Project
Mitigation Monitoring and Reporting Program Completion Form

Mitigation Measure GCC-4: Xeriscaping

Required Action: Water conservation features, including drought-tolerant plant materials, are required for all projects undertaken in the Port. Xeriscape landscaping shall incorporate the use of water conservation features including, but not limited to, drought-tolerant plants; hardscape; permeable material such as concrete, asphalt, and pavers; recycled material such as concrete, gravel, granite, and shredded redwood; and drip irrigation systems and timers.

When Required: During Project Design (prior to acceptance of Final Design).

Agency Responsible for Action: POLB Engineering Services and Construction Management Divisions.

Agency Responsible for Tracking: POLB Engineering Services and Environmental Planning Division.

Action (i): POLB Engineering Services to include xeriscape landscaping in Project construction specifications and bid process.

Action (ii): POLB Construction Management Division to verify that xeriscape landscaping is installed in accordance with construction specifications.

Submittal Date:

Verified By:	**Title:**

Attachments:

Comments:

Pier B On-Dock Rail Support Facility Project
Mitigation Monitoring and Reporting Program Completion Form

Mitigation Measure GCC-5: Tree Planting

Required Action: The Port shall plant shade trees around the main office and maintenance buildings in accordance with species identified in the Green Port Long Beach Sustainable Landscape Palette and POLB Sustainable Development Guidelines.

When Required: During Project Design (prior to acceptance of Final Design) and During Construction.

Agency Responsible for Action: POLB Engineering Services and Construction Management Divisions.

Agency Responsible for Tracking: POLB Engineering Services, Maintenance Division and Environmental Planning Division.

Action (i): POLB Engineering Services to include planting of shade trees in Project construction specifications and bid process for main office and maintenance buildings.

Action (ii): POLB Construction Management Division to verify that planting of shade trees is accomplished in accordance with construction specifications.

Submittal Date:

Verified By:	**Title:**

Attachments:

Comments:

Pier B On-Dock Rail Support Facility Project
Mitigation Monitoring and Reporting Program Completion Form

Mitigation Measure GCC-6: Tree Planting – Transportation Corridors

Required Action: The Port shall plant new shade trees on Port-controlled lands adjacent to the roads that lead into the facility, to the extent practicable, consistent with safety and other land use considerations.

When Required: During Project Design (prior to acceptance of Final Design) and During Construction.

Agency Responsible for Action: POLB Engineering Services and Construction Management Divisions.

Agency Responsible for Tracking: POLB Engineering Services and POLB Environmental Planning Division.

Action (i): POLB Engineering Services to include planting of shade trees (along roadways) in Project construction specifications and bid process for main office and maintenance buildings.

Action (ii): POLB Construction Management Division to verify that planting of shade trees (along roadways) is accomplished in accordance with construction specifications.

Submittal Date:

Verified By:	**Title:**

Attachments:

Comments:

Pier B On-Dock Rail Support Facility Project
Mitigation Monitoring and Reporting Program Completion Form

Mitigation Measure GCC-7: Employee Carpooling

Required Action: The Port and construction contractors shall encourage construction and facility employees to carpool or to use public transportation. These employers shall provide incentives to promote the measure, such as preferential parking for carpoolers or vanpool subsidies, and they shall provide information to employees regarding the benefits of alternative transportation methods.

When Required: During Project construction and operations.

Agency Responsible for Action: POLB Engineering Services and Construction Management Divisions.

Agency Responsible for Tracking: POLB Environmental Planning Division.

Action (i): POLB Engineering Services to include requirements for employee carpooling and use of public transportation in its Project construction specifications and bid processes.

Action (ii): POLB Construction Management Division to ensure that employee carpooling and use of public transportation is encouraged during demolition and construction activities.

Action (iii): POLB Environmental Planning Division shall ensure that PHL is encouraging employee carpooling and use of public transportation, to the extent feasible and practical, in routine operation of the rail yard.

Submittal Date:

Verified By:	**Title:**

Attachments:

Comments:

Pier B On-Dock Rail Support Facility Project
Mitigation Monitoring and Reporting Program Completion Form

Mitigation Measure GCC-8: Community Grants Program

Required Action: The Port will implement and fund the Community Grants Program (CGP) to partially address the cumulative greenhouse gas (GHG) impacts of the proposed Project. The Port shall provide $1.4 million, as determined by the POLB CGP funding-level methodology.

When Required: Within 30 days after Project Opening.

Agency Responsible for Action: POLB Environmental Planning Division.

Agency Responsible for Tracking: POLB Environmental Planning Division.

Action: POLB Environmental Planning Division to ensure the timing of the payments determined by the methodology described in the EIR be made by the later of the following two dates: (a) the date that the Port issues a Notice to Proceed (NTP) or otherwise authorizes commencement of construction on the Pier B On-Dock Rail Support Facility Project construction contract, or (b) the date that the Pier B On-Dock Rail Support Facility Final EIR is conclusively determined to be valid, either by operation of California PRC Section 21167.2 or by final judgement or final adjudication.

Submittal Date:

Verified By:	**Title:**

Attachments:

Comments:

Pier B On-Dock Rail Support Facility Project
Mitigation Monitoring and Reporting Program Completion Form

Mitigation Measure GCC-9: Indirect GHG Emission Avoidance

Required Action: The Port shall minimize indirect greenhouse gas (GHG) emissions through measures that reduce or avoid electricity consumption at the facility. Such measures may include, but are not limited to, the use of low-energy demand lightings (e.g., fluorescent or light-emitting diode [LED]), and use of energy-efficient floodlights.

To identify future opportunities to reduce indirect GHG emissions, the Port shall conduct a third-party energy audit every 5 years and install innovative power-saving technologies where feasible, such as power factor correction systems and lighting power regulators.

When Required: During facility engineering and design and prior to acceptance of final design drawings. In addition, an energy audit would be conducted 5 years after operation initiates at new facilities.

Agency Responsible for Action: POLB Engineering Services.

Agency Responsible for Tracking: POLB Engineering Services, Construction Management Division, and Environmental Planning Division.

Action (i): POLB Engineering Services to include requirements for measures that reduce or avoid electricity consumption in Project construction specifications and bid process.

Action (ii): POLB Construction Management Division to verify that energy conservation measures have been installed in accordance with construction specifications.

Action (iii): POLB Engineering Services and Environmental Division to ensure that a third-party energy audit is conducted every 5 years after the start of facility operations, and that innovative power-saving technologies are implanted and installed where feasible.

Submittal Date:

Verified By:	**Title:**

Attachments:

Comments:

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