

3.0

AFFECTED ENVIRONMENT AND ENVIRONMENTAL ANALYSIS

1 This chapter discusses the terminology used in this document and the National
2 Environmental Policy Act (NEPA) and the California Environmental Quality Act
3 (CEQA) requirements related to the alternatives analysis. The sections following
4 Section 3.0 contain a discussion of the possible effects of the proposed Project and its
5 alternatives for the specific environmental issue (or resource) areas identified by the
6 United States Army Corps of Engineers (USACE) and the Los Angeles Harbor
7 Department (LAHD). Sections 3.1 through 3.15 discuss both environmental issues
8 found to be potentially significant and those found not to be significant.

9 To assist the reader in comparing information about the various environmental issues,
10 Sections 3.1 through 3.15 each present the following information for their specific issue
11 area:

- 12 • Introduction
- 13 • Environmental Setting
- 14 • Applicable Regulations
- 15 • Impact Assessment Methodology
- 16 • CEQA and NEPA Baseline
- 17 • Significance Criteria (i.e., the criteria against which the significance of impacts is
18 judged)
- 19 • Impacts and Mitigation Measures of the proposed Project and Alternatives
- 20 • Mitigation Monitoring
- 21 • Significant Unavoidable Impacts

22 A comparison of the results of impact analyses is presented in Chapter 6. The Project
23 alternatives are compared to the proposed Project and CEQA and NEPA Baselines, and
24 ranked relative to each other based on anticipated impacts for each resource area to
25 determine the environmentally preferred and environmentally superior alternative. The
26 CEQA and NEPA Baselines and their application to analysis of potential impacts from

1 the proposed Project and alternatives is explained in detail in Section 1.5.5 and Section
2 2.6 in this Draft Supplemental Environmental Impact Statement/Subsequent
3 Environmental Impact Report (SEIS/SEIR).

4 **3.0.1 Terminology Used in This Environmental** 5 **Analysis**

6 In evaluating the potential impacts of the proposed Project and the Project alternatives,
7 the level of significance is determined by applying the threshold of significance
8 (significance criteria) presented for each resource evaluation area. The following terms
9 are used to describe each impact:

- 10 • *No Impact*: A designation of no impact is given when no adverse changes in the
11 environment are expected.
- 12 • *Less Than Significant Impact*: A less-than-significant impact would be identified
13 when the proposed Project or alternatives would cause no substantial adverse
14 change in the environment, i.e., the impact would not reach the threshold of
15 significance.
- 16 • *Significant Impact*: A significant (but mitigable, or avoidable) impact would create a
17 substantial or potentially substantial adverse change in any of the physical
18 conditions within the area affected by the proposed Project or alternatives. Such an
19 impact would exceed the applicable significance threshold established by NEPA
20 and CEQA, but would be reduced to a less than significant level by application of a
21 mitigation measure.
- 22 • *Significant Unavoidable Impact*: As required by Section 15126.2(b) of the CEQA
23 Guidelines, this is used when a residual impact that would cause a substantial
24 adverse effect on the environment – which may or may not be reduced somewhat –
25 could not be reduced to a less than significant level through any feasible mitigation
26 measure(s).
- 27 • *Beneficial Effect*: The proposed Project or alternatives would create a positive
28 change in any of the physical conditions in the affected resource area.
- 29 • *Mitigation*: This refers to measures that would be implemented to avoid or lessen
30 potentially significant impacts. The mitigation measures would be proposed as a
31 condition of project approval and would be monitored to ensure compliance and
32 implementation. Mitigation includes:
 - 33 ○ Avoiding the impact altogether by not taking a certain action or parts of an
34 action;
 - 35 ○ Minimizing the impact by limiting the degree or magnitude of the action and its
36 implementation;
 - 37 ○ Rectifying the impact by repairing, rehabilitating, or restoring the affected
38 environment;
 - 39 ○ Reducing or eliminating the impact over time by preservation and maintenance
40 operations during the life of the action; and
 - 41 ○ Compensating for the impact by replacing or providing substitute resources or
42 environments.

- *Residual Impacts*: This is the level of impact after the implementation of mitigation measures.

3.0.2 Requirements to Evaluate Alternatives

NEPA (40 CFR 1502.14[a]) and CEQA Guidelines 15126.6 require that an Environmental Impact Statement (EIS) and an Environmental Impact Report (EIR) describe a range of reasonable alternatives to the proposed Project, or to the location of the proposed Project, that could feasibly attain most of the basic objectives of the proposed Project but would avoid or substantially lessen any significant environmental impacts. The EIR should compare merits of the alternatives and determine an environmentally superior alternative. Section 2.5 of this SEIS/SEIR sets forth potential alternatives to the proposed Project and evaluates their suitability, as required by CEQA Guidelines Section 15126.6. Section 1.5.7 and Section 6.2 of this Draft SEIS/SEIR describe the detailed requirements to evaluate alternatives.

The information presented in this Draft SEIS/SEIR specific to impacts to the aquatic environment would be used by the USACE as part of any proposed permit action subject to jurisdiction on Section 404 of the Clean Water Act (CWA).

3.0.3 Description of Environmental Setting

CEQA Guidelines section 15125(a) states that the description of the environmental setting shall be no longer than is necessary to an understanding of the significant effects of the proposed project and its alternative. Likewise, Council on Environmental Quality (CEQ) NEPA Regulations Section 1502.15 states that data and analyses in an EIS shall be commensurate with the importance of the impact, with less important material summarized, consolidated, or simply referenced and that agencies should concentrate attention on important issues. As documented in Section 2.5.2.1, the No Federal Action/No Project Alternative analysis includes estimated increases in throughput at three existing marine terminals (LAHD Berths 238-240, Port of Long Beach Berths 76-78, and Port of Long Beach Berths 84-87), but no new construction, ground disturbance or changes in existing land use at these terminals or at their associated storage facilities and pipelines (i.e., only at the Pier 400 site). Therefore, resources for which potential adverse impacts are typically caused by new construction, ground disturbance, and changes in land use will, in the case of this analysis, require minimal descriptions of the environmental settings associated with each of the existing marine terminals. The environmental setting for each of the three existing marine terminals includes the previously developed berths, dredged channel areas, and terminal facilities, and the related structures, facilities and equipment on each of the port sites, as well as on- and off-site pipelines and storage tanks that accommodate the crude oil prior to reaching nearby refineries.

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