3.7

HAZARDS AND HAZARDOUS MATERIALS

3.7.1 Introduction

This section addresses the existing conditions and applicable regulations related to hazards and hazardous materials, as well as potential impacts associated with existing and introduced hazards and hazardous materials related to the proposed Project and its alternatives. Additionally, this section discusses potential impacts from releases of hazardous materials to the environment as well as impacts on public health and safety posed by the proposed Project and its alternatives. These potential impacts include fires, explosions, and releases of hazardous materials, as well as the environmental consequences of terrorism actions, associated with construction and operation of the proposed facilities. For impacts associated with known or suspected soil or groundwater contamination in the area of the proposed Project please refer to Section 3.6, "Groundwater and Soils" and Appendix H for the Preliminary Hazardous Materials Assessment. For impacts associated to health from air pollutants please refer to Section 3.2, "Air Quality and Meteorology."

3.7.2 Environmental Setting

3.7.2.1 Hazardous Materials

Hazardous materials are generally the raw materials for a product or process that may be classified as toxic, flammable, corrosive, or reactive. Hazardous materials that may be stored, handled, or transported at the Port include the following classifications:

- corrosive materials—solids, liquids, or gases that can damage living material or cause fire;
- explosive materials—any compound that is classified by the National Fire Protection Association (NFPA) as an A, B, or C explosive;

- oxidizing materials—any element or compound that yields oxygen or reacts when subjected to water, heat, or fire conditions;
- toxic materials—gases, liquids, or solids that may create a hazard to life or health by ingestion, inhalation, or absorption through the skin;
- unstable materials—those materials that react from heat, shock, friction, contamination, etc., and are capable of violent decomposition or autoreaction but are not designed primarily to be explosives;
- radioactive materials—those materials that undergo spontaneous emission of radiation from decaying atomic nuclei; and
- water-reactive materials—those materials that react violently or dangerously upon exposure to water or moisture.

3.7.2.2 Existing Public Emergency Services

Emergency response/fire protection for the Port is provided by LAFD; landside and waterside security is provided primarily by the Port Police, in addition to the United States Coast Guard (USCG). Two large fireboats and three small fireboats are strategically placed within Los Angeles Harbor. There are also fire stations equipped with fire trucks located within the Port and nearby in the communities of Wilmington and San Pedro. Public services are discussed in detail in Section 3.13, "Utilities and Public Services."

Additionally, the West Coast and Alaskan Tsunami Warning Center (WCATWC) operates the federal data collection and warning system for tsunami hazards in its area of responsibility (AOR), which includes the West, Alaskan, Atlantic, and Gulf coasts of the United States as well as the east and west coasts of Canada. WCATWC collects seismic data from various seismic networks throughout its AOR. This data is processed, automatically and interactively, to quickly determine the tsunami potential of an earthquake, and bulletins are issued based initially on this first analysis of seismic data. If a tsunami could have been generated, sea level data, tsunami models, and historical tsunami information are analyzed to estimate impact level (NOAA National Weather Service 2008).

WCATWC issues tsunami warnings within 10 minutes of an earthquake occurrence when a potentially tsunami-producing earthquake is greater than 7.0 on the Richter in the Pacific AOR. Warnings also may be issued when potentially tsunami-producing earthquakes (greater than 7.5) outside the AOR occur and are likely to affect the AOR. The geographic extent of the warning is based on the size of the earthquake, tsunami travel times throughout the AOR, and expected impact zones (NOAA National Weather Service 2008).

Tsunami bulletins and warnings are broadcast by WCATWC through standard National Weather Service (NWS) dissemination methods such as NOAA Weather Radio All Hazards, the Emergency Alert System, and the Emergency Managers Weather Information Network. State emergency service agencies receive the

message through FEMA's National Warning System and the NOAA Weather Wire Service. The states immediately pass warnings to local jurisdictions (NOAA National Weather Service 2008). The USCG also relays the message via radio. The City of Los Angeles General Plan Public Safety Element identifies the entire Port as an area that could be affected by a tsunami and inundation (City of Los Angeles Planning Department 1996). LAHD is in the process of creating a port-wide emergency notification system to warn of tsunamis and other emergency situations (Malin pers. comm. 2008a).

3.7.2.3 Existing Port Operational Hazards

3.7.2.3.1 Cargo and Liquid Bulk Facility Operations

Hazardous materials that are to be transported are stored in individual containers specifically manufactured for storing and transporting hazardous materials. In addition, shipping companies prepare, package, and label hazardous materials shipments in accordance with federal requirements (49 CFR 170–179) to facilitate surface transport of the containers. All hazardous materials in containers are required to be properly manifested. Hazardous material manifests for inbound containerized hazardous materials are reviewed and approved by the Port Police and LAFD before the materials can be unloaded.

There are three liquid bulk facilities within Planning Area (PA) 2, the West Bank (Table 3.7-1 and Figure 2-3).

Table 3.7-1. Liquid Bulk Facilities within the West Channel and West Bank Areas

Facility	*Approximate Storage Volume (gallons)*	*Number of Tanks*
Westway Terminal	25, 206, 000	134
Jankovich fueling station	251,000	6
Mike's fueling station	237,850	5

There are no liquid bulk facilities within PA 1, West Channel/Cabrillo Beach, or PA 3, the West Turning Basin. However, these planning areas experience some current risk due to the periodic trucking and railing of hazardous materials via the SP Railyard to serve the three liquid bulk fuel facilities.

There are two liquid bulk fuel facilities owned and operated by ExxonMobil in two different areas of PA 7. The tank capacities are a total of 807,649 barrels in Area 1 and 882,754 barrels in Area 2. The materials stored in these tanks include: Crude Oil (heavy, heavy sour, SJV Cold Lake, Lost Hills Light, various blends), Light Cycle Oil, Vacuum Gas Oil (Heavy), Clarified Slurry Oil, Vacuum Gas Oil (Light), Gasoline (finished and unfinished), Diesel Fuel, JP-8, Alkylate, and Raffinate (Kingston pers. comm. 2008).

Jankovich & Son Fueling Station

The Jankovich & Son (Jankovich) fueling station is located at Berth 74 in PA 2, at the southern end of Ports O'Call, where it meets with the mouth of the SP Slip. It comprises approximately 1 acre of land and less than 1 acre of water. The facility has been in operation for longer than 75 years; it began operation in 1933. The existing equipment, tanks, and facilities have been added over the years. It has been reported that one of the fuel pumps operating today dates back to the early days of the facility. The Jankovich & Son Application for a Discretionary Project (ADP) identified that the site is in need of new equipment, safety upgrades, and repairs to existing equipment (Jankovich & Son 2006). It is currently improved with six aboveground storage tanks (Nos. 6 through 11) for bulk liquid storage contained within two earthen dikes, which act as secondary containment systems in case of spills. Dike No. 1 contains a single 100,000-gallon fixed-roof tank (No. 6) that is used to store diesel fuel. Dike No. 2 contains five fixed-roof tanks; tanks 8, 9, 10, and 11 are used to store diesel fuel, and all have 25,000-gallon capacities. Tank No. 7 has a 15,000-gallon capacity and is used to store gasoline. Approximately 30 people are employed by the fueling station. The current lease for the Jankovich fueling station expired in 2007 (Reese Chambers 2008).

The Jankovich fueling station generally handles two commodities: gasoline and diesel. Gasoline is considered a flammable liquid, and diesel is considered a combustible liquid. Flammable materials have a flash point below 100 degrees Fahrenheit; while combustible products have a flash point between 100 degrees Fahrenheit and 200 degrees Fahrenheit. Flash point is defined as the lowest temperature at which a liquid can form an ignitable mixture in air near the surface of the liquid. The lower the flash point, the easier it is to ignite the material. Therefore, gasoline is slightly easier to ignite at the surface of the liquid than diesel. Based on this information, the Jankovich fueling station has an existing hazardous footprint per the Port's Risk Management Plan (RMP) that overlaps with the Ports O'Call development and the open space next to the fueling station (Reese Chambers 2008). This overlap constitutes an existing risk to vulnerable populations that use the Ports O'Call area should the Jankovich fueling station have an accidental release, spill, or explosion of the hazardous materials they regularly handle and store.

Mike's Main Channel Fueling Station

Mike's Main Channel (Mike's) fueling station is located at Berth 72 on the south side of the SP Slip, by the Municipal Fish Market in PA 2. It occupies less than 1 acre, including waterfront and wharf. It currently has five aboveground storage tanks, with capacities ranging from 500 to 200,000 gallons. The existing operations provide fuel to recreational boaters within Los Angeles Harbor. Mike's fueling station, which employs two people, handles clear diesel, lube oil, red dye diesel, and waste lube oil.

Since Mike's fueling station currently handles and stores hazardous materials, defined by the Port as materials with flashpoints below 140 degrees (F), it has an existing hazardous footprint per the Port's RMP. However, the RMP does not

identify any currently existing vulnerable resources within the vicinity of the existing hazardous materials footprint for Mike's fueling station.

Westway Terminal

The Westway Terminal is located at the mouth of the Port facility at Berths 70–71, on Signal Street, in PA 2. It has a total area of approximately 14.3 acres and is improved with bulk liquid storage tanks and other necessary improvements.

In 1996, GATX sold the facility to Westway Terminal Company. In 2000, the former Pennzoil site, along the northern boundary of the Westway Terminal site, was acquired by Westway and made a part of the terminal. Westway's current occupancy and operations will cease no later than February 2009.

The Westway Terminal has 134 tanks, each containing between 12,012 and 1,470,000 gallons of bulk liquid chemicals. The terminal's total capacity is 25,206,000 gallons. It is served by rail, truck, and ships and typically handles the following commodities: amines, acids, alcohols, caustic soda, solvents, vegetable oils, lubricant base, fuel additives, glycols, ketones, acetates, and phthalates. Some of these commodities are considered flammable and combustible. Caustic soda materials are also considered corrosive and can be classified as toxic by inhalation and irritants to the skin and eyes. Since the Westway Terminal currently handles and stores hazardous materials, it has an existing hazardous footprint per the Port's RMP. However, currently there are no existing vulnerable resources as defined by the RMP within the vicinity of the existing hazardous footprint of the Westway Terminal.

Additionally, the SP Railyard, which currently stores rail containers from Westway Terminal, is an existing hazard that would have similar characteristics as a hazardous materials storage facility, but with reduced hazard footprints due to the number of rail cars that can be stored at this site.

Berth 240 Parcel 3

Berth 240 was used as early as 1918 by Southwest Shipbuilding Company, which occupied the site until 1921. From 1921 to 1981, the site was occupied by Bethlehem Shipbuilding Corporation Ltd., Bethlehem Steel Company-Shipbuilding Division-San Pedro Yard, and Bethlehem Pacific Coast Steel Corporation. In 1981, Southwest Marine replaced Bethlehem and operated ship repair, retrofit, and demolition operations at Berth 240. Southwest Marine historically subdivided Berth 240 into four Parcels. Generally, this area was used for ship repair, machining, sandblasting and painting, woodwork, pipefitting, and other related support activities, and there are some structures currently located at the berth. Currently, Berth 240 is vacant and no tenant is conducting operations; therefore, it does not have a hazardous footprint per the Port RMP (Ragland pers. comm. 2008).

The entire site of Berth 240 has known groundwater and soil contamination specifically PCBs and various heavy metals. Some of the Berth 240 is currently

fenced off due to the PCB contamination. As required by CalEPA's Brownfields MOA, LAHD is in the process of submitting a request of oversight to DTSC and RWQCB. Refer to Section 3.6, "Groundwater and Soils," for further discussion on the existing known contamination at Berth 240 (Foley pers. comm. 2008).

3.7.2.4 Homeland Security of the Port

3.7.2.4.1 Terrorism

Prior to the events of September 11, 2001, the prospect of a terrorist action on a U.S. port facility or a commercial vessel in a U.S. port would have been considered highly speculative under CEQA and dropped from further analysis. The climate of the world today has added an unknown factor for consideration; i.e., terrorism. There are limited data available to indicate how likely or unlikely a terrorist action aimed at the Port or the proposed Project would be; therefore, the probability of a risk of a terrorist action cannot be evaluated accurately without a considerable amount of uncertainty. Nonetheless, this fact does not invalidate the analysis contained herein. A terrorist action could be the cause of events described in this section such as hazardous materials release and/or explosion. The potential impact of a hazardous materials release, explosion, or spill would remain as described herein.

Application of Risk Principles

Terrorism risk can be generally defined by three combined factors:

- threat,
- vulnerability, and
- consequence.

In the context of examining the likelihood of hazardous materials releases, spills, or explosions within the Port, the terrorism risk represents the expected consequences of terrorist actions taking into account the likelihood that these actions would be attempted, and the likelihood that they would be successful. Of the three elements of risk, the threat of a terrorist action cannot be directly affected by activities within the Port. The vulnerability of the Port and of individual cargo terminals can be reduced by implementing security measures. The expected consequences of a terrorist action (i.e., release, spill, or explosion of hazardous materials) can be also affected by or reduced by certain measures such as implementing security measures and emergency response preparations.

3.7.2.4.2 Terrorism Related to Cruise Facilities

The existing World Cruise Center, located in the Inner Harbor, is where cruise passengers embark or disembark. Depending on the number of cruise ships calling on the Port, there could be thousands of people within these terminals over an 8-hour period. These facilities could be subject to terrorist actions from the land or the water. There could be attempts to disrupt cruise operations through various types of actions against on-land terminals.

Those cruise vessels calling on the Port could also be subject to terrorist action while at berth or during transit. These vessels could be subject to several types of actions, including an action from the land, from the surface of the water, or from beneath the surface of the water. During their transit within the harbor, these large vessels are highly restricted in their maneuverability.

In 2005, 11.5 million passengers around the world embarked on a cruise; of these, an estimated 9.1 million were U.S. residents, accounting for 79% of the industry's global passengers (International Cruise Lines Association 2005). In 2006, the Port had 258 cruise ship calls and approximately 1,150,548 passengers. The peak month for the Port is January, when it receives 14% of its annual traffic. In 2006, peak-month passengers totaled 138,066 people. Long-term growth patterns for the Port include increasing the number of calls to 275 by 2015 and 287 by 2037. This outcome would equate to approximately 1.5 million passengers by 2015 and 2.2 million passengers by 2037 (Chase pers. comm. 2007).

The existing World Cruise Center consists of two dedicated cruise terminals to support Berths 91–92 and 93 A/B. These terminals are operated by Pacific Cruise Ship Terminals through an agreement with LAHD (Chase pers. comm. 2007). The terminal serving Berths 91–92 occupies approximately 46,750 square feet; it is not capable of providing two-way operations for a cruise ship since there is limited space to control passenger baggage. Berth 93 is a large two-story structure capable of processing disembarking passengers while simultaneously checking in passengers (Bermello Ajamil & Partners 2006). Passengers and terminal employees are physically separated from one another by floors. Passengers are allowed only on the upper floor; the lower floor is used by terminal employees for warehousing the ships' stores (Chase pers. comm. 2007).

There are a number of different terminal employees who perform different functions while a cruise ship is in port. Luggage and stores are handled by longshoremen. Approximately 50 longshoremen per ship load and unload the luggage and ship's stores. All luggage and stores must be appropriately screened prior to entry into the terminal area. Approximately 20 trucks make deliveries between 6 a.m. and 9 a.m. to each ship while it is in port. Additionally, there are 75 ground support people, 30 security guards, 20 Federal Inspection Services (FIS) personnel, and 10 terminal management personnel per ship (Chase pers. comm. 2007).

Some hazardous materials are stored on the lower level of the terminal, such as solvents in drums or cases. Large amounts of chlorine are stored on the warehouse level for the cruise ships' pools. Fuels such as lube oil and bunker fuel are provided

via a barge on the waterside and are not stored on the warehouse level. (Chase pers. comm. 2008a.)

Typically, the oceans and cruise vessels have not historically been a focus of terrorist activity. According to the RAND Terrorism Database, seaborne actions have constituted only 2% of all international incidents over the last 30 years. This is attributed to the high costs and unpredictability associated with maritime terrorism that terrorist organizations must incur. The high cost and unpredictability associated with maritime terrorism have generally outweighed the potential benefits (i.e., economic and human damage) to terrorist organizations; therefore, there are relatively few examples of terrorist actions against cruise ships (Greenberg et al. 2006:11).

There have been three high-profile maritime terrorism incidents, from 1961 to 2004, against cruise ships. These include the hijacking of the *Santa Maria* (1961), which resulted in no deaths; the hijacking of the *Achille Lauro* (1985), which resulted in one death; and the targeting of cruise ships on the Nile (1992 to 1994), which resulted in no deaths (Greenberg et al. 2006:20:20). Furthermore, based on historical information, the median numbers for deaths and injuries per action are one and five, respectively, for maritime incidents (Greenberg et al. 2006:81:81).

However, there are several facets of the cruise liner industry that have particular relevance to the existing threat of terrorist actions after September 11, 2001, and the threat of future terrorist actions. Cruise ships cater to large numbers of people, primarily North American, confined in a single geographic space. Additionally, the cruise industry is making larger ships that carry many more people than they did in the past. Additionally, this industry reflects the type of Western materialism and affluence that terrorist organizations generally oppose (Greenberg et al. 2006:75). Finally, all cruise lines sail according to precise schedules and itineraries that can be accessed by anyone via the Internet or travel brochures (Greenberg et al. 2006:77:77).

To reduce overall vulnerability and consequences related to terrorist actions at the World Cruise Center or on visiting cruise vessels, LAHD and the USCG have instituted numerous security measures in the wake of the terrorist actions of September 11, 2001. The result is a layered approach to Port security that includes LAHD security programs and security programs and measures required by the federal government and enforced by the USCG for both the existing cruise terminals and visiting cruise ships. For further discussion of each of these security measures, refer to Section 3.7.3.4 below. Briefly summarized, the layered approach to Port security is guided by the following regulations and programs:

- implementing the measures in the Maritime Transportation Security Act (MTSA) of 2003;
- implementing the measures in the International Ship and Port Facility Security (ISPS) Code standards;
- implementing the Transportation Worker Identification Credential (TWIC) Program; and

- implementing Port security initiatives, such as expanding the Port Police, establishing a vehicle and cargo inspection team, among others.

Per this layered approach, the existing World Cruise Center has a Facility Security Plan (FSP), which is approved by the USCG, and a Facility Security Officer (FSO). The FSO is responsible for the implementation of the FSP and World Cruise Center compliance with all applicable security regulations. There is no public access to the existing cruise terminals and anyone entering these terminals as a passenger or as an employee of the cruise ship or Port must provide appropriate identification and proceed through appropriate screening. Before boarding their ship, the passengers and their luggage undergo screening much as they would at an airport. Only terminal employees are allowed in secure areas of the terminal, which are on the lower level (Chase pers. comm. 2007). All ships' stores undergo screening by the Port Police prior to entering the secure area of the terminal (Holmes pers. comm. 2007). All longshoremen and terminal employees participate in the Port's TWIC program and undergo a thorough background check prior to employment. While ships are not in port, two people per day, 24 hours a day, 365 days a year, patrol the terminal and terminal grounds to maintain the integrity of the facility and prevent a breach of security (Chase pers. comm. 2007).

3.7.2.5 Tsunami Hazards

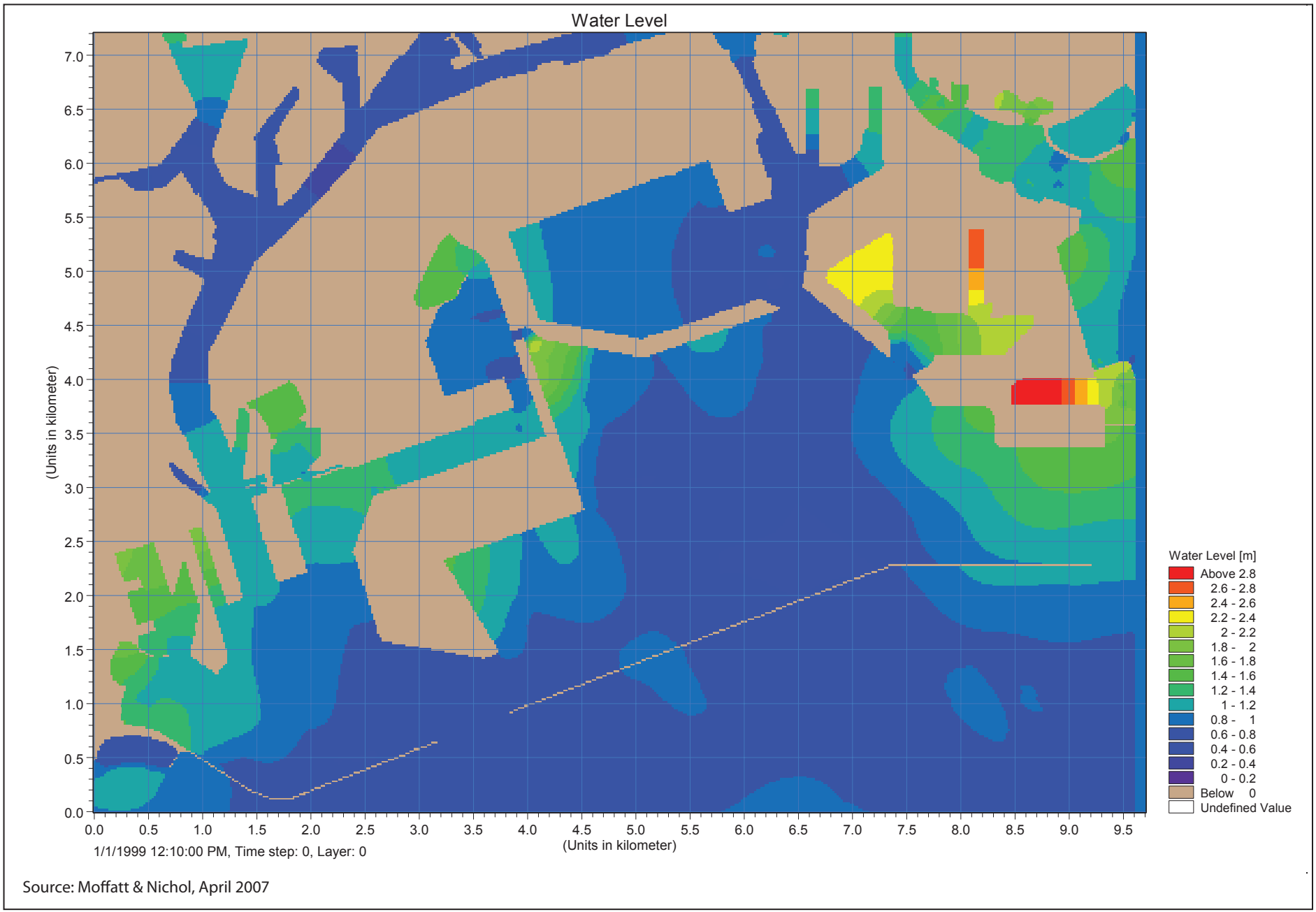
As discussed in Section 3.5, "Geology," there is the potential for a large tsunami to affect the Port. The Port is subject to diurnal tides, meaning two high tides and two low tides during a 24-hour period. The average of the lowest water level during low-tide periods each day is typically set as a benchmark of 0 feet (0 meters) and is defined as the mean lower low water (MLLW) Level. A model has been developed specifically for the Los Angeles and Long Beach Harbors (LA/LB Harbors) complex to predict tsunami wave heights. The model specifically examined seven different earthquake- and landslide-generated tsunami scenarios and considered local landfill configurations, bathymetric features, and the interaction of tsunami wave propagation to predict tsunami wave heights that could affect the harbor (Moffatt and Nichol 2007). The model predicts tsunami wave heights with respect to mean sea level (MSL) rather than MLLW, which is a reasonable, average condition under which a tsunami might occur (Moffatt and Nichol 2007).

The tsunami study identified the lowest deck elevations throughout the Port using various sources of data. It is assumed that these elevations can be used as proxies for certain areas of the proposed Project that are not specifically identified in the tsunami report (i.e., the Outer Harbor area). The grade elevations that are the lowest within the proposed project area are those surrounding the West Channel and in the Cabrillo Marina. These elevations are based on an aerial survey performed in February 1999 and information from the LAHD. The grade elevation is very low in the area immediately surrounding the West Channel; however, the adjacent buildings are set back from the waterfront and are elevated slightly (Moffatt and Nichol 2007). The lowest deck elevations identified in the tsunami study in the Port are shown in Table 3.7-2 below.

Table 3.7-2. Deck Elevations in the Proposed Project Area

Model Locations	*Proposed Project Land Uses in Model Locations*	*Adjacent Lowest Deck Elevations (meters above MSL)*
West Channel, including adjacent building setback	Waterfront promenade, Outer Harbor Cruise Terminal, Outer Harbor Park	2.19
West Channel, excluding adjacent building setback	Waterfront promenade, Outer Harbor Cruise Terminal, Outer Harbor Park	1.5
East Channel	Outer Harbor Cruise Terminal, Waterfront Red Car Line, Warehouse No. 1, demolition of Westway Terminal, waterfront promenade	3.41
Main Channel	Waterfront promenade, Ports O'Call improvements, 7th Street Harbor, Downtown Harbor, North Harbor, relocation of Los Angeles Maritime Institute (LAMI) and S.S. Lane Victory, Fishermen's Park	3.71

Based on the model, four out of the seven scenarios could result in tsunami-induced flooding in the proposed project area. Table 3.7-3 below shows the four scenarios that could lead to tsunami-induced flooding in the proposed project area. See Figures 3.7-1 through 3.7-4 for a depiction of the modeling results and the water level, in meters, above mean sea level.

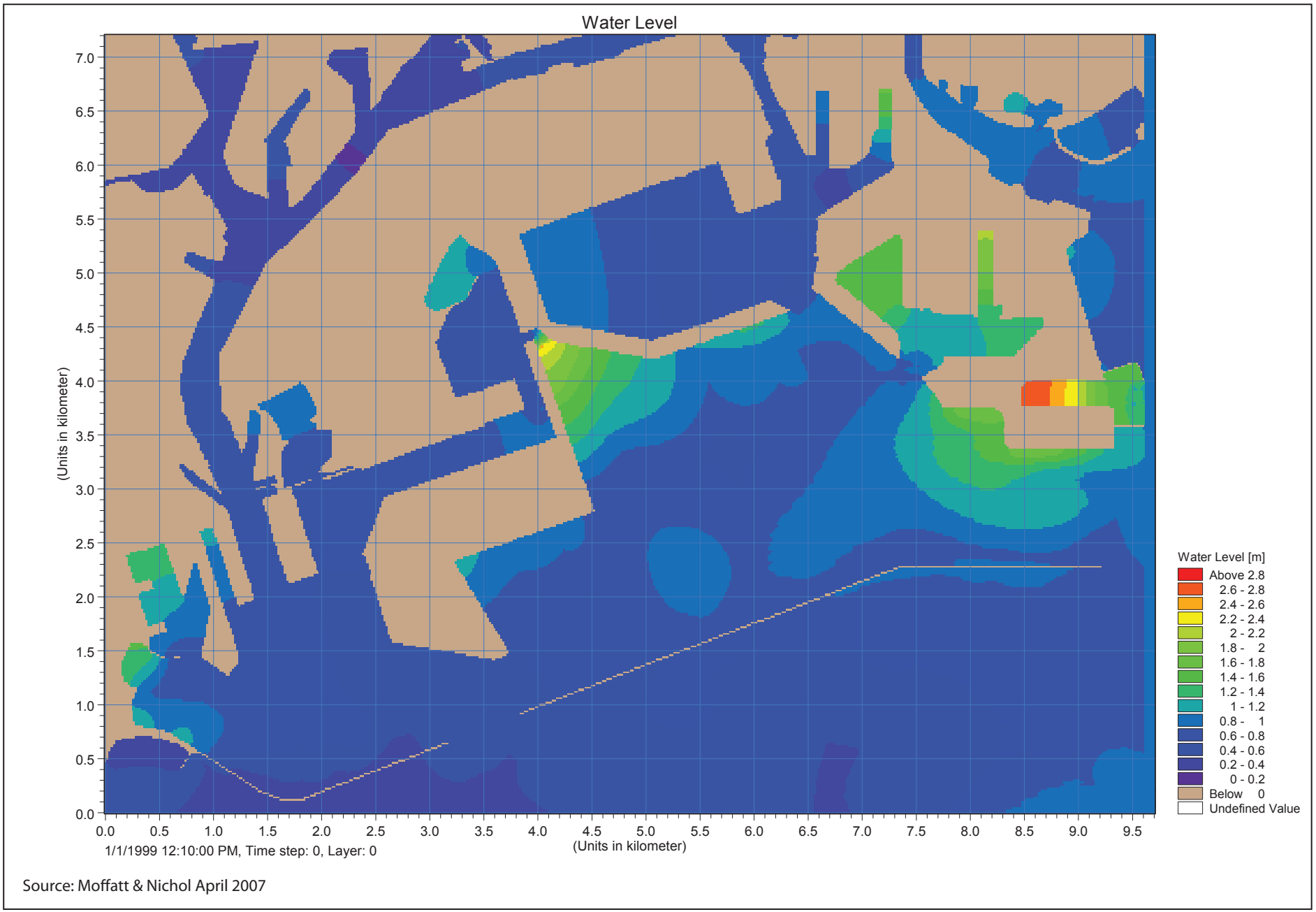


Source: Moffatt & Nichol, April 2007

01074.07 (2-7-08)

ICF Jones & Stokes
an ICF International Company

Figure 3.7-1
San Pedro Waterfront—
Maximum Water Levels for the Catalina Fault - 7 Segments Scenario



Source: Moffatt & Nichol April 2007

01074.07 (2-7-08)

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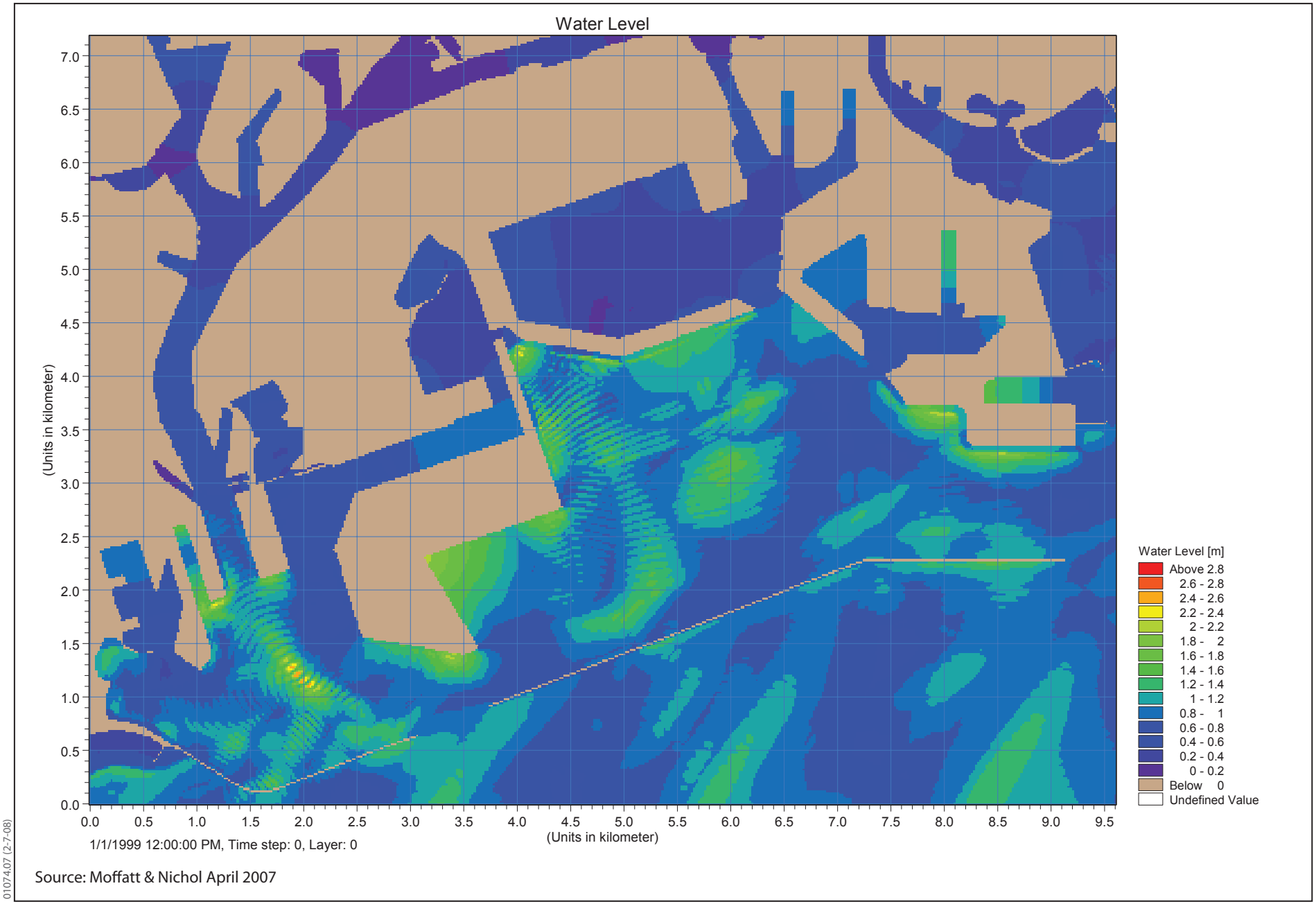
Figure 3.7-2
San Pedro Waterfront—
Maximum Water Levels for the Catalina Fault - 4 Segments Scenario



Source: Moffatt & Nichol April 2007

01074.07 (2-7-08)

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Figure 3.7-3
San Pedro Waterfront—
Maximum Water Levels for the Palos Verdes Landslide I Scenario

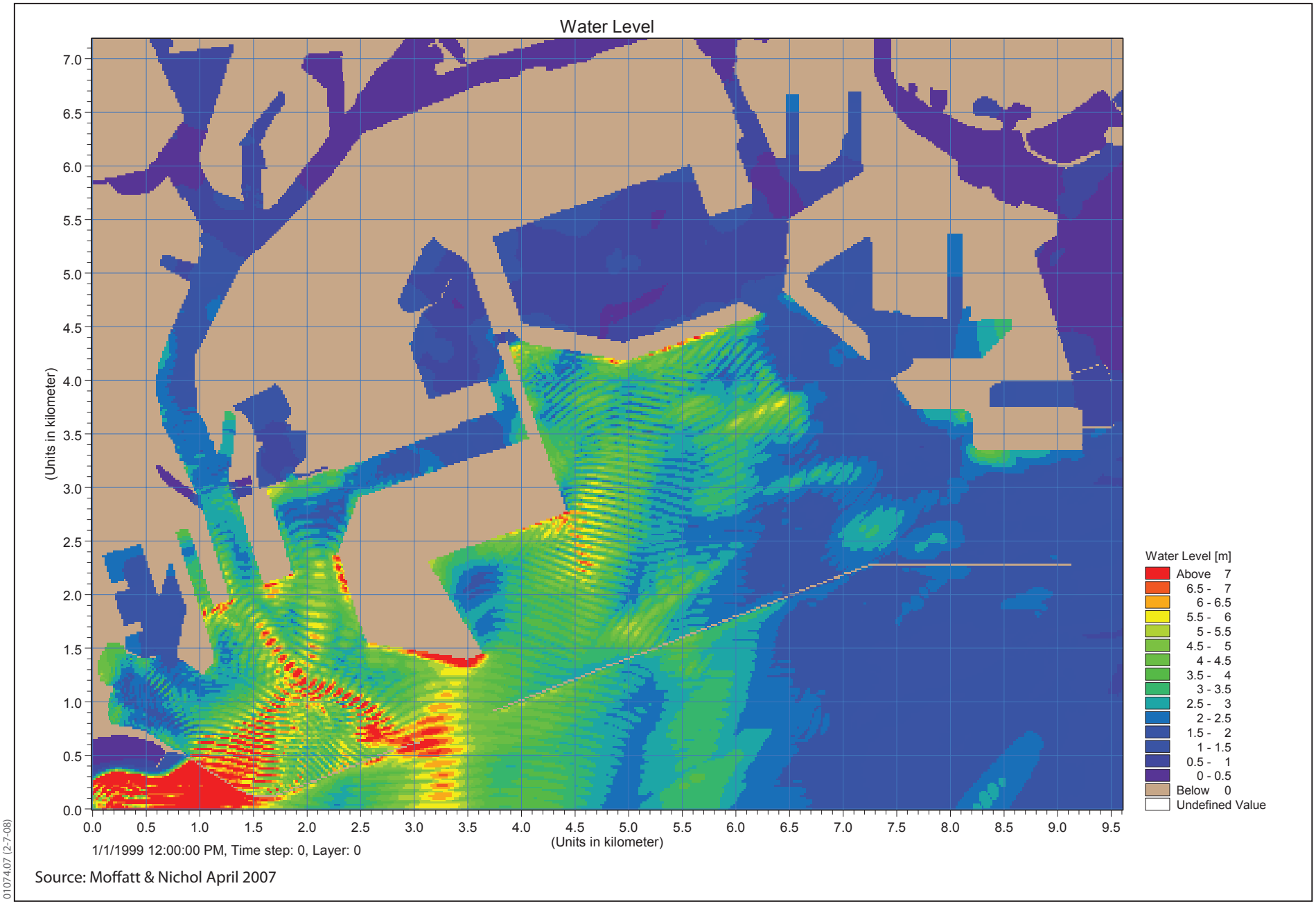

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Figure 3.7-4
San Pedro Waterfront—
Maximum Water Levels for the Palos Verdes Landslide II Scenario

Table 3.7-3. Modeled Conditions that Could Result in Tsunami-Induced Flooding

Model Scenario	*Description*	*Minimum Water Levels (meters above MSL) in the Proposed Project Area*	*Maximum Water Levels (meters above MSL) in the Proposed Project Area*
Catalina Fault (seven-segment scenario)	Tectonic tsunami source generated by a 7.6 earthquake located on the Catalina fault, line segment 7	0.2	2.0
Catalina Fault (four-segment scenario)	Tectonic tsunami source generated by a 7.6 earthquake on the Catalina fault, line segment 4	0.2	1.6
Palos Verdes Landslide I	Landslide tsunami sources generated by a submerged ocean slope failure	0.0	2.2
Palos Verdes Landslide II	Landslide tsunami sources generated by a submerged ocean slope failure	0.5	7.0

Based on these results of the model, there are certain areas of the proposed Project that not only could be exposed to tsunami-induced flooding but could also be exposed to overtopping of the existing deck elevation. Overtopping of the existing deck elevation is determined by identifying the maximum wave height above the MSL predicted by the model for the model locations (see Figures 3.7-1 through 3.7-4). If the maximum wave height above the MSL predicted by the model is greater than the adjacent lowest deck elevation, overtopping would occur at this location as predicted by the model. This provides a conservative estimate as to the locations within the proposed project area that would experience overtopping in the event of a tsunami generated under the conditions modeled. These locations that would experience overtopping are indicated in Table 3.7-4 below.

Table 3.7-4. Proposed Project Area Locations that Would Experience Overtopping by Tsunami-Induced Waves

Model Locations	*Adjacent Lowest Deck Elevation*	*Catalina Fault (seven-segment scenario)*	*Catalina Fault (four-segment scenario)*	*Palos Verdes Landslide I*	*Palos Verdes Landslide II*
West Channel, including adjacent building set back	2.19	1.2	0.8	0.6	**2.5**
West Channel, excluding adjacent building set back	1.5	1.2	0.8	0.6	**2.5**
East Channel	3.41	2.0	1.2	2.0	**3.5**
Main Channel	3.71	1.2	1.0	1.0	3.5
Notes: **Bold** text indicates areas that would experience overtopping. All provided values are in meters.					

The modeled Palos Verdes Landslide II conditions clearly pose the most risk of overtopping the decks of the model locations in the proposed project area. The Catalina fault (seven-segment scenario) conditions pose the most risk to the West Channel area, excluding the building set back, even though the model does not quite predict overtopping conditions.

3.7.3 Applicable Regulations

Regulations applicable to the proposed Project and its alternatives are designed to regulate hazardous materials and the release of these hazardous materials, as well as the security of the Port. These regulations also are designed to limit the risk of upset during the use, transport, handling, storage, and disposal of hazardous materials. Additionally, numerous security measures have been implemented in the Port in the wake of the terrorist actions of September 11, 2001. Federal, state, and local agencies, as well as private industry, have implemented and coordinated many security operations and physical security enhancements. The result is a layered approach to Port security that includes the security program of the LAHD, the World Cruise Facility, and the visiting cruise vessels. The Port is a landlord port, which allows it to lease its property to tenants who in turn operate their own facilities and businesses. Although LAHD is responsible for the overall protection of the Port, as well as reviewing tenant security operations, each tenant is individually and specifically required to comply with federal and state security and emergency regulations, which are enforced by government agencies, such as the USCG.

The proposed Project and alternatives would be subject to numerous federal, state, and local laws and regulations, including, but not limited to, those described below.

3.7.3.1 International and Federal

3.7.3.1.1 Resource Conservation and Recovery Act of 1976 (42 USC Sections 6901–6987)

The goal of the Resource Conservation and Recovery Act of 1976 (RCRA), a federal statute passed in 1976, is the protection of human health and the environment, the reduction of waste, the conservation of energy and natural resources, and the elimination of the generation of hazardous waste as expeditiously as possible. The Hazardous and Solid Waste Amendments of 1984 significantly expanded the scope of RCRA by adding new corrective action requirements, land disposal restrictions, and technical requirements. The corresponding regulations in 40 CFR 260–299 provide the general framework for managing hazardous waste, including requirements for entities that generate, store, transport, treat, and dispose of hazardous waste.

3.7.3.1.2 Department of Transportation Hazardous Materials Regulations (49 CFR Parts 100–185)

Department of Transportation (DOT) Hazardous Materials Regulations cover all aspects of hazardous materials packaging, handling, and transportation. Parts 172 (Emergency Response), 173 (Packaging Requirements), 174 (Rail Transportation), 176 (Vessel Transportation), 177 (Highway Transportation), 178 (Packaging Specifications), and 180 (Packaging Maintenance) would all apply to the proposed project activities.

3.7.3.1.3 The Hazardous Materials Transportation Act, 49 CFR 171, Subchapter C

DOT, the Federal Highway Administration (FHWA), and the Federal Railroad Administration regulate the transport of hazardous materials at the federal level. The Hazardous Materials Transportation Act (HMTA) requires carriers to report accidental releases of hazardous materials to DOT at the earliest practical moment. Other incidents that must be reported include deaths, injuries requiring hospitalization, and property damage exceeding $50,000.

3.7.3.1.4 Emergency Planning and Community Right-to-Know Act (42 USC 11001 et seq.)

Also known as Title III of the Superfund Amendments and Reauthorization Act (SARA), the Emergency Planning and Community Right-to-Know Act (EPCRA) was enacted by Congress as the national legislation on community safety. This law

was designated to help local communities protect public health, safety, and the environment from chemical hazards. To implement EPCRA, Congress required each state to appoint a State Emergency Response Commission (SERC). The SERCs were required to divide their states into Emergency Planning Districts and to name a Local Emergency Planning Committee (LEPC) for each district. EPCRA provides requirements for emergency release notification, chemical inventory reporting, and toxic release inventories for facilities that handle chemicals.

3.7.3.1.5 U.S. Coast Guard, 33 CFR

The USCG, through Title 33 (Navigation and Navigable Waters) and Title 46 (Shipping) of the CFR, is the federal agency responsible for vessel inspection, marine terminal operations safety, coordination of federal responses to marine emergencies, enforcement of marine pollution statutes, marine safety (navigation aids, etc.), and operation of the National Response Center for spill response and is the lead agency for offshore spill response. The USCG implemented a revised vessel boarding program in 1994 designed to identify and eliminate substandard ships from U.S. waters. The program pursues this goal by systematically targeting the relative risk of vessels and increasing the boarding frequency on high-risk (potentially substandard) vessels. Each vessel's relative risk is determined through the use of a matrix that factors the vessel's flag, owner, operator, classification society, vessel particulars, and violation history. Vessels are assigned a boarding priority from I to IV, with Priority I vessels being the potentially highest risk. The USCG is also responsible for reviewing marine terminal operations manuals and issuing Letters of Adequacy upon approval.

There are several sections of 33 CFR specifically applicable to the cruise ship components of the proposed Project and alternatives. These include, Section 6, Sections 101 to 106, and Section 165. 33 CFR Section 6 defines the security zones within the harbor. "Security zone" means all land, water, or land and water designated by the USCG Captain of the Port and deemed necessary to prevent damage to any vessel or waterfront facility and safeguard ports, harbors, territories, or waters of the U.S. To ensure the security of waterfront facilities at the Port, the USCG Captain of the Port may prescribe conditions and restrictions relating to the safety of waterfront facilities and vessels in port found necessary under existing circumstances.

The MTSA of 2003 resulted in maritime security regulations in 33 CFR 101–106. These regulations apply to cruise terminals within the Port, including the existing World Cruise Center terminal. 33 CFR 105 requires that cruise terminals meet minimum security standards for physical security, access control, cargo handling, and interaction with berthed vessels. These regulations require terminal operators to conduct a Facility Security Assessment (FSA), prepare an FSA report, and submit an FSP, which includes the FSA report, to the USCG Captain of the Port for review and approval prior to conducting operations. The requirements for submission of the security plans became effective on December 31, 2003. Operational compliance was required by July 1, 2004.

In July 2005, the Port tariff was modified to require all Port terminals subject to MTSA regulations to fully comply with these regulations and provide the Port with a copy of their approved FSP.

33 CFR 165.1152 and 165.1154 provide further definition and regulatory control regarding the security zones for cruise ships within the harbor. Cruise ships are defined in this section as passenger vessels for hire, except for ferry boats, more than 100 feet in length and authorized to carry more than 12 passengers, make voyages lasting more than 24 hours, and allow passengers to embark or disembark at the Port. The security zone for any vessel defined as a cruise ship under this section extends from the surface of the seafloor within a 100-yard (300-foot) radius around any cruise ship anchored or traveling within the harbor. Entry into this zone is prohibited unless authorized by the USCG Captain of the Port. Authorization into this area is regularly granted by the USCG Captain of the Port under current conditions to allow tugs, bunker fuel barges, and other ships to come alongside the existing visiting cruise ships. The 100-yard security zone also extends to those cruise vessels under way in the harbor, not simply moored. Currently, if a recreational, cargo, or other vessel is within the security zone when a cruise ship is in transit, that vessel must wait or obtain authorization to get under way by the USCG Captain of the Port until the cruise ship passes. The Port Police can assist the USCG in the patrol or enforcement of the security zone when cruise ships are moored and in transit. Finally, the USCG Captain of the Port has the authority to deviate from the requirements of these regulations.

3.7.3.1.6 ISPS

The ISPS Code was adopted by the International Maritime Organization (IMO) in 2003. This code requires both ships and ports to conduct vulnerability assessments and develop security plans with the purpose of preventing and suppressing terrorism against ships, improving security aboard ships and ashore, and reducing risks to passengers, crews, and port personnel onboard ships and in port areas. The ISPS Code applies to all passenger vessels of 500 gross tons or larger and ports servicing those regulated vessels and is very similar to the MTSA regulations. The ISPS Code does not specify specific measures that each port and ship must take to ensure the safety of the facility against security breaches because of the many different facility types and sizes. Instead, the code identifies a standardized framework for evaluating risk and enables the USCG to offset changes in threat levels with changes in vulnerability for ships and port facilities.

The USCG is responsible for enforcement of the MTSA and ISPS Code regulations discussed above. Due to the parallel nature of the MTSA and ISPS requirements, compliance with the MTSA is tantamount to compliance with the ISPS. If either the terminal or a vessel berthed at the terminal is found to be out of compliance with these security regulations, the USCG may not permit operations, and the terminal and/or vessel operators may be subject to fines. In accordance with its responsibilities for land-based security under Title 33 CFR 105, the USCG may impose additional control measures related to security.

3.7.3.2 State

3.7.3.2.1 Hazardous Waste Control Law (California Health and Safety Code, Chapter 6.5)

This statute is the basic hazardous waste law for California. The Hazardous Waste Control Law implements the federal RCRA cradle-to-grave waste management system in California. California hazardous waste regulations can be found in Title 22, Division 4.5, Environmental Health Standards for the Management of Hazardous Wastes. The program is administered by DTSC.

3.7.3.2.2 Hazardous Material Release Response Plans and Inventory Law (California Health and Safety Code, Chapter 6.95)

This state right-to-know law requires businesses to develop a Hazardous Material Management Plan or a business plan for hazardous materials emergencies if they handle more than 500 pounds, 55 gallons, or 200 cubic feet of hazardous materials. In addition, the business plan would include an inventory of all hazardous materials stored or handled at the facility above these thresholds. This law is designed to reduce the occurrence and severity of hazardous materials releases. The Hazardous Materials Management Plan or business plan must be submitted to the Certified Unified Program Agency (CUPA), which, in this case, is LAFD. The state has integrated the federal EPCRA reporting requirements into this law; once a facility is in compliance with the local administering agency requirements, submittals to other agencies are not required.

3.7.3.2.3 Other State Requirements

California regulates the management of hazardous wastes through Health and Safety Code Section 25100 et seq.; CCR Title 22, Division 4.5, Environmental Health Standards for the Management of Hazardous Wastes; as well as CCR Title 26, Toxics.

3.7.3.3 Regional and Local

3.7.3.3.1 Port Master Plan

Written to guide development within the Port, the PMP was certified in 1979 and was most recently revised in July 2002. The PMP was certified by the CCC and approved by the Board of Harbor Commissioners. The PMP preceded the Port Plan and divides the Port into nine individual Planning Areas (PAs). The proposed project site

is located within PA 1 (West Channel/Cabrillo Beach), PA 2 (West Bank), and PA 3 (West Turning Basin); a portion of the proposed project site is located within PA 7 (Terminal Island/Main Channel).

The PMP identifies several land use compatibility guidelines for the location of industrial uses located in PA 2. Under the short-term plans for PA 2, the PMP designates this area to be devoted to recreational as well as commercial, restaurant, and tourist-oriented facilities. Additionally, this area would support general cargo and dry and liquid bulk terminals. The long-range plans for PA 2 include the relocation of hazardous and potentially incompatible cargo operations to Terminal Island and its proposed southern extension. The development would then focus primarily on commercial, recreational, commercial fishing, nonhazardous cargo, and support activities.

The PMP also identified several land use compatibility guidelines for PA 7. Under the short-term plans for PA 7, land uses would continue to be oriented to commercial shipping, liquid bulk handling, and heavy industrial and commercial activities. No major changes to these land uses are identified for the long-range preferred uses in this area.

3.7.3.3.2 Port Risk Management Plan

The RMP, an element of the PMP, was adopted in 1983, per CCC requirements. The purpose of the RMP is to provide siting criteria related to vulnerable resources and handling and storage guidelines for potentially hazardous liquid bulk materials, such as crude oil, petroleum products, and chemicals. Liquid bulk materials are defined in the RMP as:

> …a cargo moved through the Ports in liquid bulk form, which is either flammable, explosive, or produces a flammable, toxic, or suffocating gas if released. Such cargos include crude oil, petroleum products, and many liquid chemicals. These do not include cargos packaged in drums, portable tanks as defined by the department of Transportation, Code of Federal Regulation, or other portable containers (Port of Los Angeles 2002).

Vulnerable resources are described as the personnel and facilities in the Port and adjacent areas, which are subject to the hazards at the Port. The description includes four types of vulnerable populations: residential, recreational, visitor, and the working populations at the Port.

The RMP and supporting documents, including the 1991 Hazardous Footprint Calculation Program Users' Manual, outlines the criteria to determine whether a facility is considered hazardous and the appropriate methodology to calculate the hazardous footprint. The hazardous footprint of a facility is defined by the RMP as the area within which a specified level of adverse effect is exceeded against a specified vulnerable resource.

The siting criteria include, but are not limited to, the following:

- No new vulnerable resources will be permitted to be located within the hazard footprint areas of existing or approved facilities handling hazardous liquid bulk cargoes except where overriding considerations apply.
- No new hazardous cargo facility will be permitted that creates an overlap of an existing or approved vulnerable resource except where overriding considerations apply.
- A modification or expansion that extends the hazardous footprint overlap of vulnerable resources will not be allowed except where overriding considerations apply.
- A modification that extends the life of the facility is permitted. However, the facility should meet with the Port to see what impact the RMP has on the facility. The facility should consider this plan before making any such modifications.

The RMP provides guidance for existing activities and future development of the Port to minimize or eliminate impacts on vulnerable resources from accidental releases. The overall objective of the RMP is to minimize or eliminate the overlaps of hazardous footprints and areas of substantial residential, visitor, recreational, and high density working populations and direct high economic impact facilities identified as hazardous.

3.7.3.3.3 Los Angeles Municipal Code (Fire Protection – Chapter 5, Section 57, Divisions 4 and 5)

These portions of the municipal code regulate the construction of buildings and other structures used to store flammable hazardous materials and the storage of these same materials. These sections ensure that the business is properly equipped and operates in a safe manner and in accordance with all applicable laws and regulations. These permits are issued by LAFD.

3.7.3.3.4 Los Angeles Municipal Code (Public Property – Chapter 6, Article 4)

This portion of the municipal code regulates the discharge of materials into the sanitary sewer and storm drains. It requires the construction of spill-containment structures to prevent the entry of forbidden materials, such as hazardous materials, into sanitary sewers and storm drains.

3.7.3.3.5 Emergency Response and Evacuation Plans

LAHD, along with the City of Los Angeles, LAFD, Los Angeles Police Department (LAPD), Port Police, and the USCG, is responsible for managing any emergency related to Port operations, depending on the severity of the emergency.

The City of Los Angeles Emergency Preparedness Department (EPD) provides citywide emergency leadership, continuity, and direction to enable the City of Los Angeles and all of the various city departments and divisions to respond to, recover from, and mitigate the impact of natural, man-made, or technological disasters upon its people or property (EPD 2008). The EPD has prepared a City of Los Angeles Emergency Operations Organization Manual that describes the organization, responsibilities, and priorities of all city departments and local agencies in case of an emergency (EPD 2006). The manual is maintained by EPD and is organized by type of emergency as well as by the city departments that are responsible for responding to certain emergencies. The manual includes the following sections applicable to the Port area:

- LAHD Plan,
- Hazardous Materials Annex, and
- Tsunami Response Plan Annex.

Generally, these various plans established the following emergency operational priorities for the Port:

- provide Port security,
- evacuate vessels for the safety of crew members,
- evacuate Port facilities and the Port area,
- regulate the movement and anchorage of vessels,
- establish liaison with other City/government agencies,
- procure and maintain emergency supplies and equipment,
- establish damage assessment and prioritization procedures,
- identify shelter facilities, and
- provide employee emergency preparedness training.

Specifically, the LAHD Plan of the City of Los Angeles Emergency Operations Organization Manual identifies very general initial policies and procedures for LAHD to respond in the event of any emergency.

The Hazardous Materials Annex contains information regarding the chain of command and the general organization of any response to a hazardous material release anywhere in the City, including the Port area (EPD 1993). It includes an emergency checklist for LAHD to follow should a hazardous materials release occur within the Port area. The checklist identifies specific pre-event, response, and recovery action items and identifies the respective LAHD divisions (i.e., Port Police) that are responsible for carrying out the action items.

Specifically, the Tsunami Response Plan Annex identifies the Port area as a Tsunami Inundation Zone and outlines policies and procedures of nine different City departments (including LAHD, LAPD, LAFD, and EMD) in event of a tsunami

(EPD 2007). The Tsunami Response Plan identifies evacuation routes for the San Pedro area and the harbor area and specifies evacuation locations to which evacuees should retreat. The plan identifies that the mission of LAHD with respect to a tsunami is to provide employees, tenants, and the public with a safe, well-planned, and organized method of evacuating the Port district. It outlines several actions that the Port Police are responsible for, including following the established evacuation checklist, evacuating the affected Tsunami Inundation Zone, and activating notification procedures. The divisional organization and basic functions that would support the Tsunami Response Plan for the Port area are consistent with the emergency plan and procedures of LAHD.

The City of Los Angeles and the Port are planning to adopt the Standardized Emergency Management System (SEMS). SEMS is used to manage responses to multi-agency and multi-jurisdiction emergencies and facilitate communications and coordination among all levels of the system and among all responding agencies. Additionally, a new emergency management process that incorporates Homeland Security's National Incident Management System (NIMS) and Incident Command System (ICS) and the application of standardized procedures and preparedness measures will be used within the City (LAHD 2008).

Aside from the emergency response plans EPD maintains, LAHD itself maintains emergency response and evacuation plans. The Homeland Security Division of LAHD is responsible for maintaining and implementing the LAHD's Emergency Procedures Plan. This plan was last revised in July 2000. The Homeland Security Division is currently updating the plan to account for changes in the Port's emergency procedures and to modify the plan's format to a new format prescribed by EPD (LAHD 2007). LAHD's Emergency Procedures Plan references LAHD's evacuation plan. The evacuation plan is maintained and implemented by the Port Police and in consultation with the Homeland Security Division and the USCG. LAHD's evacuation plan is also currently being updated (Malin pers. comm. 2008a).

Finally, each tenant at the Port, including existing cruise terminals, cargo terminals, bulk fuel storage facilities, and the Ports O'Call businesses, is responsible for maintaining its own emergency response plan (Malin pers. comm. 2008a). These must comply with emergency and security regulations enforced by LAFD, the Port Police, the Homeland Security Division, and the USCG.

3.7.3.3.6 Other Regional and Local Requirements

The Safety Element of the City of Los Angeles General Plan addresses the issue of protection of residents from unreasonable risks associated with natural disasters (e.g., fires, floods, and earthquakes). The Safety Element provides a contextual framework for understanding the relationship among hazard mitigation, response to a natural disaster, and initial recovery from a natural disaster.

Vessel Traffic Service (VTS) is a public/private partnership service for the Ports of Los Angeles and Long Beach. VTS is jointly operated and managed by the Marine Exchange of Southern California (a nonprofit corporation) and the USCG Captain of

the Port. VTS is a cooperative effort of the State of California, USCG, Marine Exchange of Southern California, and the Ports of Los Angeles and Long Beach and is under the authority of California Government Code Section 8670.21, Harbors and Navigation Code Sections 445–449.5, and the port tariffs of Los Angeles and Long Beach.

3.7.3.4 Existing Security Measures at the Port

3.7.3.4.1 World Cruise Center Terminal Security Measures

The existing World Cruise Center terminal is subject to the USCG maritime security regulations (33 CFR and ISPS) discussed in Sections 3.7.3.1.5 and 3.7.3.1.6 above. In compliance with these regulations, the terminal submitted an FSA and FSP to the USCG Captain of the Port for review and approval. The FSP for the existing World Cruise Center terminal was approved by the USCG in 2004. The details of the FSP are sensitive due to security concerns and therefore are not presented in this EIR/EIS. The MTSA in general requires the following:

- Designate an FSO with general knowledge of current security threats and patterns and risk assessment methodology, with responsibility to implement and periodically update the FSP and FSA and perform an annual audit for the life of the proposed project.
- Conduct an FSA to identify site vulnerabilities, possible security threats, consequences of an action, and facility protective measures.
- Develop an FSP based on the FSA, with procedures for responding to transportation security incidents; notify and coordinate with local, state, and federal authorities; prevent unauthorized access; implement measures and install equipment to prevent or deter dangerous substances and devices; and conduct training and evacuation.
- Implement scalable security measures to provide increasing levels of security at increasing Maritime Security (MARSEC) levels for facility access control, restricted areas, cargo handling, vessel stores and bunkers, and monitoring.
- Conduct security exercises at least once each calendar year and drills at least every 3 months.
- Require mandatory reporting of all security breaches and incidents.

Security training is conducted for the terminal operator's FSO and associated security personnel as well as the terminal operator's employees. This consists of awareness training and basic security guard training; there are annual refresher courses. Labor is trained by the Pacific Maritime Association.

3.7.3.4.2 Existing Vessel Security Measures

All passenger vessels 500 gross tons or larger that are flagged by IMO signatory nations adhere to the ISPS Code standards discussed in Section 3.7.3.1.6. These requirements include the following:

- Develop security plans that address monitoring and controlling access; monitor the activities of people, cargo, and stores; and ensure the security and availability of communications.
- Have a Ship Security Officer (SSO).
- Provide a ship security alert system. These systems transmit ship-to-shore security alerts to a competent authority designated by the Flag State Administration, which may communicate the company name, identify the ship, establish its location, and indicate whether the ship's security is under threat or has been compromised. For the West Coast, this signal is received by the USCG's Pacific Area Command Center in Alameda, California.
- For international port facilities, have a security plan, including focused security for areas having direct contact with ships.
- Have equipment onboard to help maintain or enhance the physical security of the ship.
- Monitor and control access.
- Monitor the activities of people and cargo.
- Ensure the security and availability of communications.
- Complete a Declaration of Security signed by the FSO and SSO, which ensures that areas of security overlapping between the ship and facility are adequately addressed.
- Require that vessels flagged by nations that are not IMO signatories be subject to special USCG vessel security boarding prior to entering port.

3.7.3.4.3 Existing Security Credentialing

The TWIC program is a Transportation Security Administration (TSA) and USCG initiative that includes issuance of a tamper-resistant biometric credential to maritime workers requiring unescorted access to secure areas of port facilities and vessels regulated under the MTSA. The TWIC program minimizes the potential for unauthorized handling of containers that contain hazardous materials and provides additional shoreside security at the terminal. To obtain a TWIC, an individual must successfully pass a security threat assessment conducted by TSA. This assessment includes a criminal history check and a citizenship or immigration status check of all applicants. LAHD is currently involved in initial implementation of the TWIC program, including a series of field tests at selected Port terminals.

3.7.3.4.4 Existing Port Security Initiatives

LAHD is not subject to the international or federal security regulations discussed in above. However, all terminal tenants at the Port are subject to these regulations. The Port has a number of security initiatives underway. These initiatives include significant expansion of the Port Police, which would result in additional police vehicles on the streets and police boats on the water.

The initiatives in this area identified for implementation in fiscal year 2006 to 2007 include:

- expanding Port Police enhancement of its communications capabilities,
- establishing a 24-hour two-vessel presence,
- establishing a vehicle and cargo inspection team,
- establishing a Port Police substation in Wilmington,
- enhancing recruiting and retention of Port Police personnel,
- expanding Port Police communications capabilities to include the addition of dedicated tactical frequencies, and
- enhancing security at Port-owned facilities.

In the area of homeland security, the Port will continue to embrace technology while focusing its efforts on those areas of particular interest to the Port. Current Port homeland security initiatives include:

- upgrading security at the World Cruise Center,
- expanding the Port's waterside camera system,
- establishing restricted areas for noncommercial vehicles and vessels,
- installing additional shoreside cameras at critical locations,
- working with TSA to implement the TWIC program,
- promoting increased scanning at overseas ports,
- updating long-range security plans for the Port,
- developing a security awareness training program, and
- enhancing outreach to constituents.

3.7.4 Impacts and Mitigation Measures

3.7.4.1 Methodology

The potential impacts from proposed Project-related emergency preparedness procedures and releases of hazardous materials into the environment, which could affect public health and safety, are qualitatively evaluated using the context of existing federal, state, regional, and local regulations and policies. Additionally, risk analysis studies for certain components of the proposed Project (e.g., the Jankovich fueling station) are incorporated into the evaluation.

Upset Due to Terrorism

Analysis of the risk of upset is based primarily on potential frequencies of occurrence for various events and upset conditions as established by historical data. The climate of the world today has added an additional unknown factor for consideration, i.e., terrorism. There are limited data available to indicate the likelihood of a terrorist attack aimed at the Port or the proposed Project; therefore, the probability component of the analysis described above contains a considerable amount of uncertainty. Nonetheless, this fact does not invalidate the analysis contained herein. Terrorism can be viewed as a potential trigger that could initiate events described in this section such as hazardous materials release and/or explosion. The potential impact of those events, once triggered by whatever means, would remain as described herein.

3.7.4.1.1 Analytical Framework

According to the *L.A. CEQA Thresholds Guide* (City of Los Angeles 2006), the determination of significance for emergency preparedness and human health hazards would be made on a case-by-case basis, considering the following factors:

- the regulatory framework for emergency preparedness and the health hazard(s);
- the probable frequency and severity of consequences to people or property as a result of a potential accidental release of a hazardous substance or explosion;
- the degree to which the project may require a new, or interfere with an existing emergency response or evacuation plan and the severity of the consequences;
- the degree to which project design will reduce the frequency or severity of a potential accidental release of a hazardous substance or explosion;
- the probable frequency and severity of consequences to people from exposure to health hazard(s); and
- the degree to which the project design would reduce the frequency of exposure or severity of consequences of exposure to health hazard(s).

3.7.4.2 Thresholds of Significance

The following factors are used to determine significance for related to emergency preparedness and the release of hazardous material(s).

RISK-1: A project would have a significant impact if it would not comply with applicable federal, state, regional, and local security and safety regulations, and LAHD policies guiding Port development.

RISK-2: A project would have a significant impact if it would substantially interfere with an existing emergency response or evacuation plan or require a new emergency or evacuation plan, thereby increasing the risk of injury or death.

RISK-3: A project would have a significant impact if it would result in an increased public health and safety concern as a result of an accidental spill, release, or explosion of hazardous material(s) due to a tsunami.

RISK-4: A project would have a significant impact if it would result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous material(s) due to a terrorist action.

RISK- 5: A project would have a significant impact if it would substantially increase the likelihood of an accidental spill, release, or explosion of hazardous material(s) as a result of project-related modifications.

3.7.4.3 Impacts and Mitigation

3.7.4.3.1 Proposed Project

Impact RISK-1a: Construction of the proposed Project would comply with applicable safety and security regulations and policies guiding development within the Port.

The demolition, dredging, and construction of proposed project elements would require construction equipment that could spill oil, gas, or fluids during the normal usage or during refueling. This could result in potential health and safety impacts on construction personnel and people and property occupying operational portions of the proposed project area (e.g., the Los Angeles Maritime Museum, existing Ports O'Call commercial development).

As described above in Section 3.7.3.1, the proposed Project is subject to numerous regulations for constructing the proposed facilities. For example, construction and demolition would be completed in accordance with RCRA, Hazardous and Solid Waste Act (HSWA), Comprehensive Environmental Response, Compensation, and

Liability Act (CERCLA), CCR Title 22 and Title 26, and the California Hazardous Waste Control Law, which would govern proper containment, spill control, and disposal of hazardous waste generated during demolition and construction activities. Implementation of increased inventory accountability, spill prevention controls, and waste disposal controls associated with these regulations would limit both the frequency and severity of potential releases of hazardous materials.

Potential releases of hazardous substances during demolition and/or construction would be addressed through EPCRA, which is administered in California by SERC, and the Hazardous Material Release Response Plans and Inventory Law. In addition, demolition and construction would be completed in accordance with the Los Angeles Municipal Fire Code, which regulates the construction of buildings and other structures used to store flammable hazardous materials, and the Los Angeles Municipal Public Property Code, which regulates the discharge of materials into the sanitary sewer and storm drain. The latter requires the construction of spill-containment structures to prevent the entry of forbidden materials, such as hazardous materials, into sanitary sewers and storm drains. LAHD maintains compliance with these federal, state, and local laws through a variety of methods, including internal compliance reviews, preparation of regulatory plans, and agency oversight. LAHD has implemented various plans and programs to ensure compliance with these regulations. These regulations must be adhered to during design and construction of the proposed Project. Implementation of increased spill prevention controls, spill release notification requirements, and waste disposal controls associated with these regulations would limit the potential releases of hazardous materials.

Standard BMPs would also be used during construction and demolition activities to minimize runoff of contaminants, in compliance with the State General Permit for Stormwater Discharges Associated with Construction Activity (Water Quality Order 99-08-DWQ) and the project-specific Stormwater Pollution Prevention Plan (SWPPP) (see Section 3.14, "Water Quality, Sediments, and Oceanography," for more information). Construction/demolition activities would be conducted using BMPs in accordance with City guidelines, as detailed in the Development Best Management Practices Handbook (City of Los Angeles 2004). Applicable BMPs include, but are not limited to, vehicle and equipment fueling and maintenance; material delivery, storage, and use; spill prevention and control; solid and hazardous waste management; and contaminated soil management. Proposed project plans and specifications would be reviewed by LAFD for conformance to the Los Angeles Municipal Fire Code as a standard practice. Implementation of increased spill prevention controls associated with these BMPs would limit the potential releases of hazardous materials.

The Port RMP primarily deals with handling, storage, and transport of hazardous liquid bulk cargo. The RMP is used as a means for judiciously managing, controlling, and directing proposed developments in order to prevent, insure, and protect against and minimize the risk of loss or significant adverse impacts due to potential hazards (Port of Los Angeles 2002). The hazardous materials that would be handled during the construction and demolition activities would not fall within the description of liquid bulk materials or cargo as defined by the RMP used to regulate the development of hazardous facilities within the Port. Any hazardous materials

used during construction and demolition activities would likely be packaged in drums, fuel tanks of equipment, or other portable containers (i.e., fuel tankers). Therefore, the RMP is not applicable to the construction and demolition phases of the proposed Project, but rather the operation phase of the proposed Project. Refer to Risk-1b below for a further discussion of the RMP as it relates to the proposed Project.

CEQA Impact Determination

Construction and demolition activities for the proposed Project would involve the handling and use of certain amounts of hazardous materials. This handling would comply with all applicable regulations discussed above. The potential consequences of construction-related spills are generally reduced when compared to other accidental spills and releases. This is generally because the amount of hazardous material released during a construction-related spill is small, as the volume in any single piece of construction equipment is generally less than 50 gallons, and fuel trucks are limited to 10,000 gallons or less. Construction-related spills of hazardous materials are not uncommon, but the enforcement of construction and demolition standards, including BMPs by appropriate local and state agencies (i.e., Port Police, LAFD, and LAHD) would minimize the potential for an accidental release of petroleum products and/or hazardous materials or explosions during construction. Therefore, under CEQA, the construction of the proposed Project would comply with applicable security and safety regulations and/or LAHD policies guiding Port development, and impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

The proposed Project would include in-water and waterside construction activities, such as the cutting and dredging of three new harbors, construction of a waterfront promenade over water, and additional wharf work at the Outer Harbor, as well as the construction of the Outer Harbor Cruise Terminals to support the additional wharf work at the Outer Harbor. This work would not be done under the NEPA baseline conditions. Therefore, to determine the NEPA impacts, only the proposed project in-water and waterside impacts are evaluated and compared to no water work (under the NEPA baseline conditions). Using this comparison, construction and demolition impacts under NEPA would be less than significant, as defined in the CEQA determination above.

The proposed Project would result in increased susceptibility to accidental spills or releases of hazardous materials during construction compared to the NEPA baseline conditions since under the NEPA baseline scenario, this water work would not occur.

The potential consequences of construction-related spills are generally reduced when compared to other accidental spills and releases. This is generally because the amount of hazardous material released during a construction related spill is small, as the volume in any single piece of construction equipment is generally less than 50 gallons, and fuel trucks are limited to 10,000 gallons or less. Construction-related spills of hazardous materials are not uncommon. Any accidental releases, spills, or explosions of hazardous materials during construction or demolition activities would be manageable as they would be responded to immediately during the construction activities due to the fact that construction accidents tend to be small and localized in nature. Furthermore, the enforcement of construction and demolition standards, including BMPs by appropriate local and state agencies (i.e., Port Police, LAFD, LAHD), would minimize the potential for an accidental release of petroleum products and/or hazardous materials or explosions during construction. Therefore, under NEPA, the construction of the proposed Project would comply with applicable security and safety regulations and/or LAHD policies guiding Port development. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-2a: Construction of the proposed Project would not substantially interfere with an existing emergency response or evacuation plan, thereby increasing the risk of injury or death.

Emergency response and evacuation planning is the responsibility of the Homeland Security Division, the Port Police, LAPD, LAFD, and USCG. The proposed project construction and demolition activities would be subject to emergency response and evacuation systems implemented by the Port Police and LAFD. During construction and/or demolition activities, LAFD would require that adequate vehicular access to the proposed project area be provided and maintained. This would be ensured and enforced via the construction traffic control plan required for the proposed Project. Additionally, LAFD would be responsible for waterside first response in the event of an emergency, deploying their fireboats if need be. The USCG and Port Police would also support LAFD in the event of a waterside emergency. For further discussion of the construction traffic control plan, refer to Section 3.11, "Transportation and Circulation (Ground)."

Prior to commencement of construction/demolition activities, all plans would be reviewed by LAFD to ensure adequate access is maintained throughout the proposed project construction/demolition work.

CEQA Impact Determination

Proposed project contractors would be required to adhere to all Homeland Security, Port Police, and LAFD emergency response and evacuation regulations, ensuring compliance with existing emergency response plans. Therefore, under CEQA, construction/demolition activities would not substantially interfere with an existing emergency response or evacuation plan or increase the risk of injury or death. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

The proposed project in-water and waterside construction activities would result in increased susceptibility to accidental spills or releases of hazardous materials during construction compared to NEPA baseline conditions. Proposed project contractors would be required to adhere to all Homeland Security, Port Police, LAFD, and USCG emergency response and evacuation regulations, ensuring compliance with existing emergency response plans. Therefore, under NEPA, construction/demolition activities would not substantially interfere with an existing emergency response or evacuation plan or increase the risk of injury or death. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-3a: Construction of the proposed Project would not result in a substantial increase in public health and safety concerns as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.

As discussed in Section 3.5, "Geology," and under the "Tsunami Hazards" heading above, there is the potential for a large tsunami to affect the Port. Impacts due to seismically induced tsunamis and seiches are typical for the entire California coastline. The Port is subject to diurnal tides, meaning two high tides and two low tides during a 24-hour period. The average of the lowest water level during low-tide periods each day is typically set as a benchmark of 0 feet (0 meters) and is defined as

the MLLW level. A model has been developed specifically for the LA/LB Harbors to predict tsunami wave heights (Moffatt and Nichol 2007).

The proposed Project is located between 1.5 meters above MSL and 3.41 meters above MSL; therefore, there is a risk of coastal flooding and deck overtopping during a tsunami. This, in turn, could lead to an accidental release, spill, or explosion of hazardous material(s) during construction activities. The tsunami model indicates that Palos Verdes Landslide II conditions pose the most risk of overtopping the decks of the model locations in the proposed project area, including the East and West Channels. The Catalina fault (seven-segment scenario) conditions that were modeled pose the most risk to the West Channel area, excluding the building set back, even though the model does not quite predict overtopping conditions. However, the potential for a major tsunami is very low during the life of the construction of the proposed Project (see Section 3.5, "Geology," for additional information on the probability of a major tsunami).

CEQA Impact Determination

Although impacts due to seismically induced tsunamis and seiches are typical for the entire California coastline, these impacts would not be increased by the construction of the proposed Project. The potential is very low for a major tsunami to occur that would cause the kind of results predicted in the tsunami model study (see Section 3.5, "Geology," for additional information on the probability of a major tsunami). Additionally, the potential consequences of such accidents would be small due to the localized, short-term nature of the releases. The volume of spilled fuel is also expected to be relatively low. While there would be fuel-containing equipment present during construction, most equipment would be equipped with watertight tanks, with the most likely scenario being the infiltration of water into the tank and fuel combustion chambers and very little fuel spilled. Thus, the volume spilled in the event of a tsunami would likely be less than 10,000 gallons, which is a manageable amount to clean up that would not result in significant environmental impacts. Therefore, under CEQA, construction and/or demolition activities would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Impacts due to seismically induced tsunamis and seiches are typical for the entire California coastline and would not be increased by construction of the proposed Project. Because the proposed Project is located between 1.5 meters above MSL and

3.41 meters above MSL, there is a risk of coastal flooding during a tsunami, which, in turn, could lead to an accidental release, spill, or explosion of hazardous material(s) during construction activities involving water work. However, a major tsunami is not expected during the life of the construction of the proposed Project (see Section 3.5, "Geology," for additional information on the probability of a major tsunami). Additionally, the potential consequences of such accidents would be small due to the localized, short-term nature of the releases and the relatively low volume of hazardous materials that could be spilled. Therefore, under NEPA, construction/demolition activities would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

RISK-4a: Construction of the proposed Project would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action.

As discussed previously in Section 3.7.2.4, "Homeland Security of the Port," the risk of terrorism can be generally defined by the combination of three factors:

- threat of a terrorist action (which includes the likelihood of action);
- vulnerability of a particular facility to a terrorist action; and,
- consequence(s) of a terrorist action.

Of the three elements of risk, the threat of a terrorist action cannot be directly affected by construction activities within the Port. LAHD has no control over the capability, decision-making, or intentions of a terrorist organization that is planning to inflict damage and harm on the Port; therefore, LAHD cannot control the threat of a terrorist action against the construction activities of the proposed Project. However, simply because the threat of a terrorist action cannot be quantified does not mean it does not currently exist. In fact, the possibility of a terrorist action against the Port exists as part of the baseline, because of its maritime operations and the existing cruise facilities and cruise vessels. However, the threat of a terrorist action is not likely to appreciably change over the existing baseline during construction or demolition activities of the proposed Project.

As discussed in Impact RISK-1a, and described in Section 3.7.3.1, the proposed Project is subject to numerous regulations for constructing the proposed facilities. Implementation of increased spill prevention controls, spill release notification

requirements, and waste disposal controls associated with these regulations would limit the releases of hazardous materials. Proposed project construction plans and specifications would be reviewed by LAFD for conformance to the Los Angeles Municipal Fire Code as a standard practice.

CEQA Impact Determination

Construction and demolition activities for the proposed Project would involve the handling and use of certain amounts of hazardous materials. The potential consequences of a spill, release, or explosion of the hazardous materials due to a terrorist action are generally reduced when compared to other accidents, due to the fact that generally the amount of hazardous material released during construction or demolition activities is small. Generally the volume in any single piece of construction equipment is generally less than 50 gallons and fuel trucks are limited to 10,000 gallons or less. The enforcement of construction and demolition standards, including BMPs by appropriate local and state agencies (i.e., Port Police, LAFD, and LAHD) would minimize the potential for a release or explosion of hazardous materials during construction due to a terrorist action. Furthermore, the enforcement of construction and demolition standards, including BMPs by appropriate local and state agencies (i.e., Port Police, LAFD, LAHD), would minimize the potential for a spill, release, or explosion of hazardous materials or during construction due to a terrorist action. Under CEQA, the construction of the proposed Project would comply with applicable security and safety regulations (See Section 3.7.3, "Applicable Regulation," above) and/or LAHD policies guiding Port development; reducing the vulnerability of construction activities to terrorist actions. Therefore, under CEQA, construction and/or demolition activities would not result in a substantial increased in the likelihood of a spill, release, or explosion of hazardous material(s) due to a terrorist action. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

The proposed Project would result in increased susceptibility to spills or releases of hazardous materials during construction due to a terrorist action when compared to the NEPA baseline conditions. However, due to the short-term, localized nature of construction-related releases and the fact that the releases are generally never more than 10,000 gallons (the maximum amount a fuel truck can hold), the consequences of the releases due to a terrorist action would not result in significant impacts. Any releases, spills, or explosions of hazardous materials during construction or demolition activities due to a terrorist action would be relatively manageable as they would be responded to immediately during the construction activities due to the fact that construction accidents tend to be small and localized in nature. Furthermore, the

enforcement of construction and demolition standards, including BMPs by appropriate local and state agencies (i.e., Port Police, LAFD, LAHD), would minimize the potential for an accidental release of petroleum products and/or hazardous materials or explosions during construction. Under NEPA, the in-water construction and demolition of the proposed Project would comply with applicable security and safety regulations and/or LAHD policies guiding Port development; reducing the vulnerability of construction activities to terrorist actions. Impacts would be less than significant under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-5a: Construction of the proposed Project would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials as a result of modifications related to the proposed Project.

The following components of the proposed Project could result in hazardous material impacts:

- general construction throughout the proposed project area,
- North Harbor and Inner Harbor parking structure construction due to presence of the naval surge line,
- removal of industrial uses in PA2, and
- decommissioning of the Jankovich fueling station.

General Construction

Potential short-term hazards include construction activities that involve the transport of fuels, lubricating fluids, solvents, and other potentially hazardous material. Additionally, construction equipment could spill oil, gas, or fluids during normal usage or during refueling, resulting in potential health and safety impacts on construction personnel and others.

Although construction-related spills of hazardous materials are not uncommon, the potential consequences of such accidents are generally small due to the localized, short-term nature of the releases. The volume of the spills would be relatively small due to the fact that the volume in any single vehicle is generally less than 50 gallons, and fuel trucks are limited to 10,000 gallons or less. Additionally, quantities of hazardous materials that exceed the thresholds provided in Chapter 6.95 of the California Health and Safety Code would be subject to a Release Response Plan

(RRP) and a Hazardous Materials Inventory (HMI). BMPs and Los Angeles Municipal Code regulations (Chapter 5, Section 57, Divisions 4 and 5; Chapter 6, Article 4) would also govern construction and demolition activities. Federal and state regulations that govern the storage of hazardous materials in containers (i.e., the types of materials and the size of packages containing hazardous materials) and the separation of containers holding hazardous materials would limit the potential adverse impacts of contamination to a relatively small area. As such, all hazardous materials used during construction of the proposed Project would be used and stored in compliance with applicable state and federal requirements.

Standard BMPs would also be used during construction and demolition activities to minimize runoff of contaminants, in compliance with the State General Permit for Stormwater Discharges Associated with Construction Activity (Water Quality Order 99-08-DWQ) and the proposed project-specific SWPPP (see Section 3.14, "Water Quality, Sediments, and Oceanography," for more information). These may include, but would not be limited to, temporary sediment basins, spill prevention and control, solid waste management, contaminated soil management, concrete waste management, sanitary-septic waste management, and other construction practices implemented by the Port. Therefore, compliance with applicable laws and regulations governing the use, storage, and transportation of hazardous materials would minimize the potential for significant accidental spills, releases, or explosions of hazardous materials to occur and affect public health and safety during construction of the proposed Project.

North Harbor and Inner Harbor Parking Structure Construction

An existing 18-inch Navy fuel surge pipeline extends from the Vincent Thomas Bridge/Harbor Boulevard intersection, and runs from north to south, terminating at a vault located at $5^{th}/6^{th}$ Street and Harbor Boulevard. The surge pipeline is part of a much larger Navy jet fuel pipeline used to transfer fuel from Pier 12 to the Defense Fuel Supply Point (DFSP) in San Pedro. The surge pipeline is not a main pipeline, and it used only in case of overflow or difficulties in the main pipelines. LAHD is currently in discussions with the Navy to abandon and remove the pipeline.

The proposed Project includes the construction of the North Harbor and Inner Harbor parking structure. The North Harbor would be constructed between existing Berths 87 and 90. It would require a 5.7-acre water cut, which would include the excavation and dredging of approximately 442,000 cubic yards to a depth of 25 feet. The construction of the Inner Harbor parking structure would take place where the existing surface parking currently exists for the World Cruise Center.

The surge pipeline runs underneath both the proposed North Harbor cut and the Inner Harbor parking structure. The surge pipeline currently is placed at a depth that is shallower than the proposed dredging and excavating depth of 25 feet for the North Harbor. However, the surge pipeline is placed at a depth shallower than the proposed cut and excavation for the Inner Harbor parking structure. Furthermore, the Inner Harbor parking structure cannot be placed above the surge pipeline. Therefore, the existing surge pipeline would have to be abandoned and removed.

The abandonment and removal of the pipeline would include the submittal of a work plan to the California State Fire Marshall (CSFM) and other applicable agencies, as appropriate. The surge pipeline would be drained of all fluids, cleaned, flushed, and then capped. Materials from the purged surge pipeline would be characterized for disposal and disposed of at an appropriately certified hazardous waste facility. Testing would occur prior to the abandonment of the surge pipeline and prior to any excavation of the North Harbor. Should contamination be found, appropriate remediation would occur prior to or concurrent with construction, under approval of the appropriate oversight agency. Implementation of Mitigation Measure GW-1c would reduce impacts to less than significant levels (See Section 3.6, "Groundwater and Soils," and Appendix H, Ninyo & Moore's technical study, for additional details regarding the abandonment and removal of the pipeline.)

Removal of Industrial Uses in the PA 2

The construction of the proposed Project includes the removal of a number of industrial uses currently present in the proposed project area, including: the decommissioning and, the decommissioning and removal of Westway Terminal at Berths 70–71 and the removal of the SP Railyard. The potential for hazardous materials spills, releases, or explosions during the decommissioning of these sites currently exists. However, the decommissioning of these sites would require the adherence to EPCRA, LAFD regulations, and other state and federal regulations and guidelines governing the decommissioning and remediation of hazardous materials and providing oversight and prevention techniques for the decommissioning. See Chapter 3.6, "Groundwater and Soils," for a full discussion of the regulations governing existing ground and soil contamination in the proposed Project area. Additionally, the decommissioning would include remediation efforts to remove the known or suspected hazardous groundwater and soil contamination at the site. For a full discussion of the existing hazardous groundwater and soil contamination at these sites, please refer to Chapter 3.6, "Groundwater and Soils." Any spill or release during the decommissioning of the sites would be relatively minor compared to the hazardous contamination that is already known or suspected to exist at the sites.

Decommissioning of the Jankovich & Son Fueling Station

The Jankovich fueling station located at Berth 74 would be decommissioned under the proposed Project. The tanks would be removed once they are emptied and removed of fuel products. The site would be evaluated for groundwater and soil contamination and if need be, the site would be remediated. The potential for hazardous materials spills, releases, or explosions during the decommissioning of the Jankovich fueling station does exist. However, the decommissioning would require adherence to EPCRA, LAFD regulations, and other state and federal regulations and guidelines governing the decommissioning and remediation of hazardous materials. These agencies and regulations would provide oversight and prevention techniques for the decommissioning of the Jankovich fueling station. See Chapter 3.6, "Groundwater and Soils," for a full discussion of the regulations governing existing ground and soil contamination in the proposed Project area and for a further discussion on the potential of groundwater and soil contamination at the Jankovich fueling station. The decommissioning of the fueling station would begin

in June 2009 and is expected to take approximately 1 year. No other proposed project components (i.e., Fishermen's Park) would be constructed within the hazardous footprint of the Jankovich fueling station until it had been fully decommissioned.

CEQA Impact Determination

Construction and demolition activities for the proposed Project would not involve the handling of significant amounts of hazardous materials beyond those needed for said activities. Furthermore, implementation of construction and demolition standards, including BMPs, and compliance with the state and federal requirements for the transport, handling, and storage of any hazardous materials during construction and demolition phases would minimize the potential for an accidental release of petroleum products and/or hazardous materials and/or explosion during the construction/demolition activities. The decommissioning of Westway Terminal, the SP Railyard, and the Jankovich fueling station would require the adherence to EPCRA, LAFD regulations, and other state and federal regulations and guidelines governing the decommissioning and remediation of hazardous materials and providing oversight and prevention techniques for the decommissioning. Additionally, the decommissioning would include remediation efforts as part of the proposed Project to remove the known or suspected hazardous groundwater and soil contamination at the site. See Chapter 3.6, "Groundwater and Soils," for a full discussion of the regulations governing existing ground and soil contamination and remediation in the proposed Project area.

The abandonment and removal of the Navy fuel surge pipeline would occur as described above. The abandonment and removal of the surge pipeline could result in a hazardous material spill, release, or explosion. Impacts associated with abandonment and removal of the surge pipeline would be significant prior to mitigation. Implementation of Mitigation Measure MM GW-1c, identified in Section 3.6, "Groundwater and Soils," would reduce impacts to less-than-significant levels.

Mitigation Measures

Implement Mitigation Measure MM GW-1c (see Section 3.6, "Groundwater and Soils").

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

The in-water and waterside work impacts under NEPA would be less than significant for the following component of the proposed Project as analyzed above in the CEQA determination:

- general construction.

The in-water and waterside work impacts under NEPA would be significant for the following component of the proposed Project as analyzed above in the CEQA determination:

- North Harbor.

Implementation of Mitigation Measure MM GW-1c would reduce impacts to less-than-significant levels.

Mitigation Measures

Implement Mitigation Measure MM GW-1c.

Residual Impacts

Impacts would be less than significant.

Impact RISK-1b: Operation of the proposed Project would comply with applicable safety and security regulations and policies guiding development within the Port.

The following components of the proposed Project could be affected by the applicable safety and security regulations or risk assessment policies guiding the development of the Port:

- cruise terminals and cruise vessels,
- the Jankovich fueling station,
- new fueling facility at Berth 240,
- removal of industrial uses in the area, and
- Mike's fueling station.

These proposed project components are evaluated for their consistency with the applicable regulations and policies guiding development within the Port below.

Cruise Terminals and Cruise Vessels

As described above, in Section 3.7.3.1.5, the USCG is responsible for enforcement of CFR Title 33 and MTSA and ISPS code regulations. Additionally, the USCG coordinates with tenant facilities and the Port to provide guidance and recommendations for the compliance and implementation of MTSA and ISPS requirements.

Under the proposed Project, the World Cruise Center would continue to comply with all applicable security regulations as it currently does. The Outer Harbor Cruise Terminals and Outer Harbor cruise berths would be required to comply with all of the requirements of Title 33, MTSA, and the ISPS. These requirements would be fully

enforced by the USCG. The Outer Harbor Cruise Terminals would be required to submit an FSA and FSP to the USCG 60 days prior to operation. The Outer Harbor Cruise Terminals could not operate without an approved FSA and FSP from the USCG (Gooding pers. comm. 2008).

The landside and waterside security measures of the proposed Outer Harbor Cruise Terminals would be similar to that of the World Cruise Center. The proposed terminal would have landside security by segregating the terminal employees and the cruise ship passengers. All embarking passengers and their luggage would be screened in a secure location prior to boarding the ship. Operationally, this would occur much as the screening of passengers at an airport; the passengers would undergo metal detection and their luggage would be x-rayed. Additionally, all passengers would be required to show picture identification and tickets prior to boarding the ship. The facility would have secure areas where only terminal employees would be allowed, and only ship stores that had undergone screening by Port authorities prior to entering the secure area would be allowed. All longshoremen and terminal employees would participate in the Port's TWIC program, and all would undergo a thorough background check prior to their employment. Full video surveillance covering land and sea would be incorporated into the security of the terminal as well as Automatic Intrusion Detection Devices (e.g., sensors) and security lighting. The terminal would also employ security guards on the premises 24 hours a day 7 days a week, even when a ship is not in call to maintain the integrity of the facility and prevent a breach of security. Finally, Port Police would actively patrol and investigate the area on a regular schedule, as they do currently with the World Cruise Center.

The proposed Outer Harbor Cruise Terminals and berths would incorporate various waterside security measures to comply with the security regulations and the CFR Title 33 security zone for cruise ships. When a cruise ship is in transit to or from the Outer Harbor Berths a 100-yard (300-foot) security zone would be required around the cruise ship. This is a current security requirement for all existing cargo and cruise ships within the Port and is fully enforceable by the USCG. If a recreational vessel is underway when a cruise ship is in transit to or from Berths 45 to 47, there would be an average delay of 15 minutes to one hour (depending on the location of the cruise ship) until the recreational vessel could safely maneuver around the 100-yard in-transit security zone (Gooding pers. comm. 2008). Currently, delays exist at Angles Gate and the Outer Harbor when cruise ships and cargo vessels are under way in the main channel to and from their existing berths. The existing recreational vessels must currently abide by the security zone requirements (Gooding pers. comm. 2008).

The Outer Harbor Cruise Terminal FSA/FSP would be approved by the USCG prior to operation. The USCG is committed to working with the Port regarding Outer Harbor security and maintaining access to the marinas located to the northwest of the Outer Harbor Cruise berths. Pending approval by the USCG, the FSA/FSP for the Outer Harbor Cruise Terminal would incorporate a secured and movable floating security barrier. A secured security barrier would be located perpendicular to at Berths 45–47. A movable floating security barrier would extend from the secured barrier and be located parallel to the cruise ship after the cruise ship had docked. It

would take approximately one hour to have the cruise ship dock and move the movable floating barrier into place parallel to the cruise ship (Cummings pers. comm. 2008). The secured and movable floating security barrier would prevent any recreational vessels using the West Channel area, including the Cabrillo Marina(s), from being within 25 yards, (75 feet) of the docked cruise ship's bow or port sides. The 25-yard secure and moving floating security barrier would maintain the waterside security of the docked cruise ship, while allowing recreational boaters to access the marinas when the cruise ship is at berth (Gooding pers. comm. 2008). The 25-yard secure and movable floating security barrier would be enforced by the USCG. The secured and movable barrier would be formalized in the FSA and FSP of the Outer Harbor Cruise Terminals, which would ultimately require approval by the USCG prior to operation of the terminal and the berth.

See Figure 3.7-5, which depicts the 100 yard (300 foot) security zone required while a cruise ship is in transit without the secured and floating barrier, and the 25 yard (75 foot) security zone with the secured and movable floating barrier.

Cruise ships docked at Berths 49–50 would not have a floating security barrier, and cargo, recreational, and other in-transit vessels would be required to maintain the standard radius from the docked cruise ships, similar to docked cruise ship standards at the existing berths serving the existing World Cruise Center.

Jankovich & Son Fueling Station

The Jankovich fueling station, an industrial use located at Berth 74 in PA 2, would be decommissioned under the proposed Project. The tanks would be removed, the site would be evaluated for groundwater and soil contamination, and, if need be, the site would be remediated. The decommissioning would begin with construction of the waterfront promenade and would take approximately 1 year. No other components of the proposed Project (e.g., Fishermen's Park or commercial uses) would be constructed within the hazardous footprint of the Jankovich fueling station until the site is fully decommissioned. For a further discussion on the potential for groundwater and soil contamination at the Jankovich site, please refer to Section 3.6, "Groundwater and Soils."

The removal of the Jankovich fueling station at Berth 74 in PA 2 complies with the PMP and the Port RMP. The PMP calls for the long-range plans for PA 2 to include the relocation of hazardous and potentially incompatible cargo operations to Terminal Island and its proposed southern extension. The development of PA 2 would then be allowed to focus primarily on commercial, recreational, commercial fishing, and nonhazardous cargo and support activities. The removal of the fueling station supports this long-range plan for PA 2 by relocating an industrial area and opening up the site to potential reuse with commercial, recreational, or nonhazardous activity.

Additionally, the removal of the Jankovich fueling station complies with the Port's RMP. The purpose of the RMP is to provide siting criteria related to vulnerable resources and the handling and storage of potentially hazardous cargo, such as crude oil, petroleum products, and chemicals. The RMP provides guidance for existing

activities and future development of the Port to minimize or eliminate impacts on vulnerable resources from accidental releases. The RMP specifically states that a modification or expansion that extends the hazardous footprint of a hazardous facility and overlaps with vulnerable resources would not be allowed except where overriding considerations apply. The removal of the Jankovich fueling station would remove the hazardous footprint of the facility and would allow for the development of Ports O'Call next to the former fueling station site without the associated hazardous risks of the Jankovich fueling station.

New Fueling Facility at Berth 240 Parcel 3

A new fueling station would be located on an existing upland site next to Berth 240 in PA 7. This new fueling station would require in-water and upland improvements to Berth 240. Waterside construction would include the development of approximately 6,400 square feet of new floating docks, to be supported by 46 new piles (see Figure 2-13 for a conceptual layout for the proposed facilities at Berth 240). The upland improvements at Berth 240 proposed under the proposed Project would include new storage tanks, new equipment and infrastructure, and spill control dikes that meet UL 142 specifications for aboveground tanks. The mix of products and tank sizes include

- one 120,000-gallon ultra-low-sulfur diesel tank,
- one 50,400-gallon bio-diesel tank, and
- one 6,000-gallon gas tank.

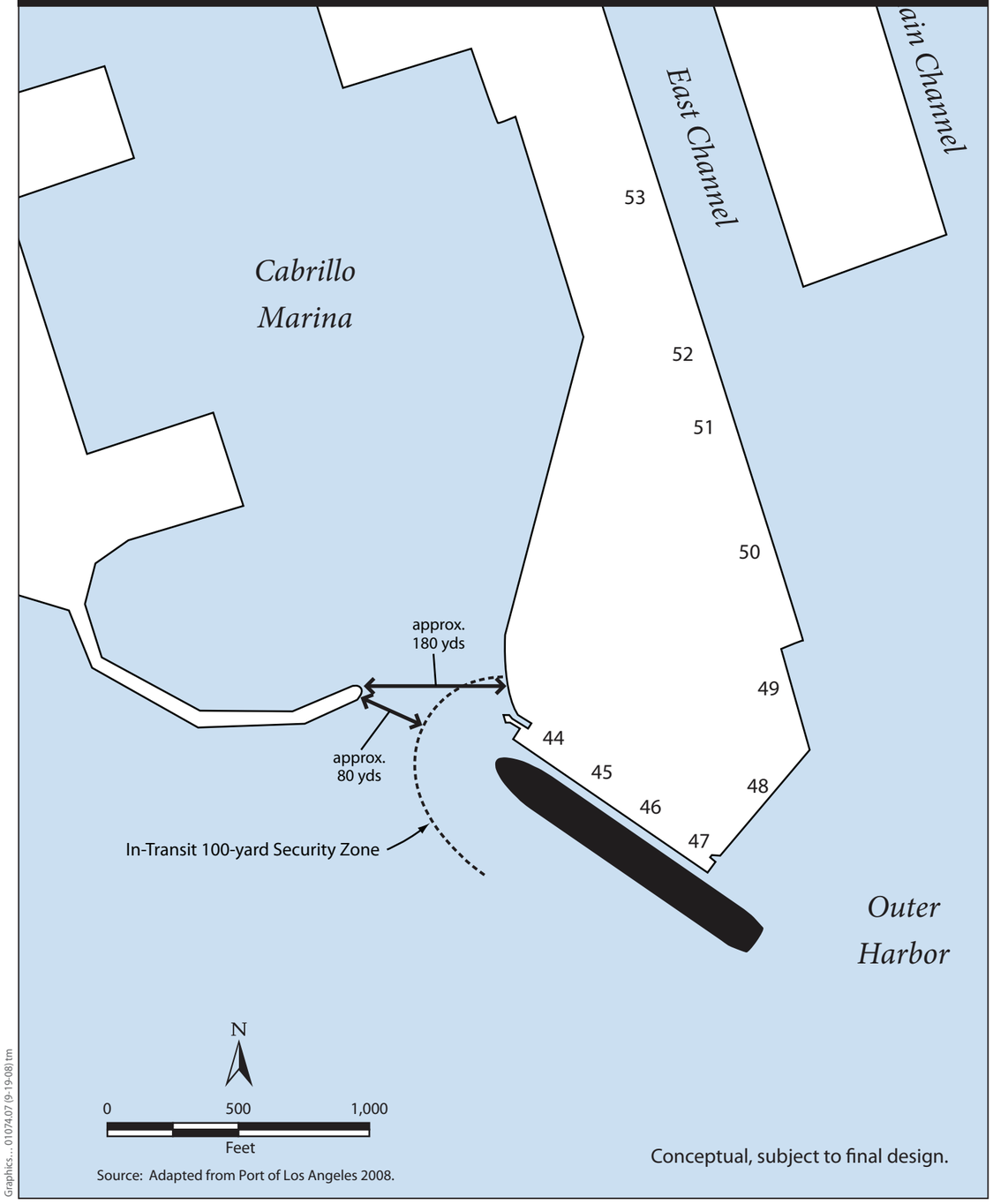
No specific tenant has been identified for the new fueling station at Berth 240. The specific tenant would be determined through a public Request for Proposal (RFP) process. Construction of the new fueling station is anticipated to start in June 2009, with the opening to occur in June 2010. This new fueling station would replace the Jankovich operations within the Port. Remediation of the existing contamination at Berth 240 would be required prior to the operation of the new fueling facility. For a further discussion of the existing contamination at Berth 240 please refer to Chapter 3.6, "Groundwater and Soils."

Berth 240 Parcel 3 is located in PA 7, which is an area specifically designated for commercial shipping and related maritime activities. Specifically, the land uses in this area are related to liquid bulk handling and heavy industrial and commercial activities. Additionally, the new fuel facility would be subject to the requirements of the RMP. There are currently no existing vulnerable populations or resources in PA 7. Therefore, the proposed fuel facility in this area would be an appropriate land use per the PMP.

Removal of Other Industrial Uses in PA 2

Under the proposed Project, several other industrial uses would be removed in PA 2. These include Westway Terminal and the SP Railyard. Demolition activities for the Westway Terminal are expected to begin in February 2009 and conclude in February 2010. All of the tanks, existing infrastructure, and buildings would be completely

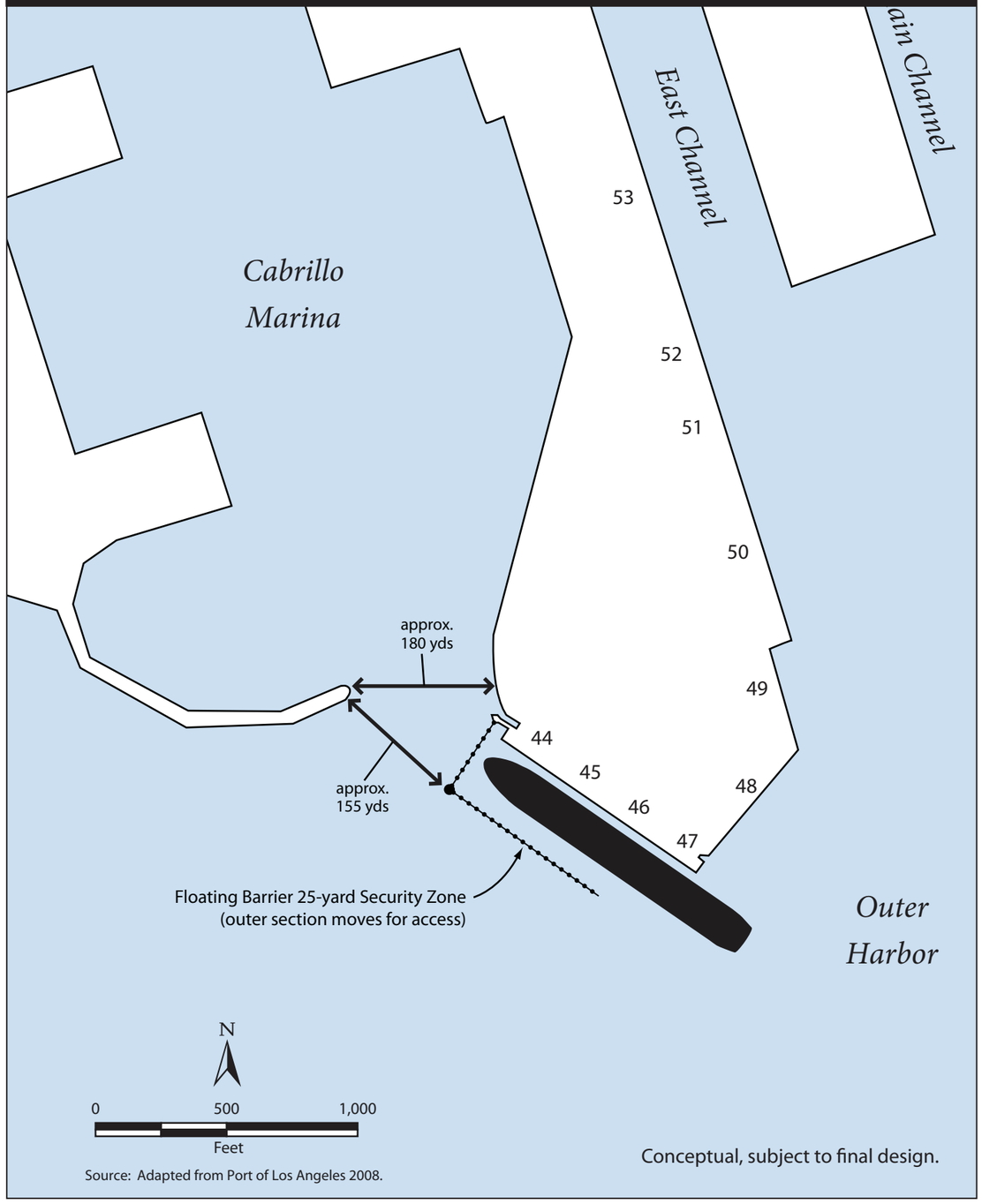
SCENARIO A



Conceptual, subject to final design.

Source: Adapted from Port of Los Angeles 2008.

SCENARIO B



Conceptual, subject to final design.

Source: Adapted from Port of Los Angeles 2008.

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Figure 3.7-5
Entrance to Cabrillo Marina

removed from the Westway Terminal site. The site would be evaluated for groundwater and soil contamination and would be remediated under a separate environmental review process. For a further discussion on the potential of groundwater and soil contamination at the Westway Terminal location, please refer to Section 3.6, "Groundwater and Soils." The site would remain vacant for the short term but may be used for research and development, institutional, or a public use in the future. Any future project identified for the site would be evaluated under subsequent CEQA/NEPA documents as required by the specific project elements.

The SP Railyard currently comprises approximately 7 acres between 7th Street and the SP Slip, at the bottom of the bluff east of Harbor Boulevard. The SP Railyard is used primarily for storing rail cars for the Westway Terminal operation. The SP Railyard would be removed as part of the proposed Project, starting in August 2009 and ending in February 2010. The former site would have two uses: the 1,652-space Ports O'Call parking structures and the 17,000-square-foot Waterfront Red Car Maintenance Facility.

The demolition and removal of Westway Terminal and the SP Railyard would physically remove two industrial uses from PA 2 and allow the former sites to be developed for a use better suited for the community of San Pedro and the public. The demolition of Westway Terminal complies with the PMP, which calls for the long-range plans for PA 2 to include the relocation of hazardous and potentially incompatible cargo operations to Terminal Island and its proposed southern extension. Additionally, the demolition of Westway Terminal supports the Port's RMP because it removes a potential risk to vulnerable populations located west of the Main Channel. The removal of the SP Railyard and the relocation of the Waterfront Red Car Maintenance Facility would also be consistent with the de-industrialization proposed for PA 2 in the PMP. It would allow San Pedro Park to be created at the existing Waterfront Red Car Maintenance Facility, which is currently located at the intersection of Miner Street and 22nd Street, and be relocated to the existing SP Railyard.

Mike's Fueling Station

Under the proposed Project, Mike's fueling station would continue operating in its existing location and the waterfront promenade would operate within the general vicinity of Mike's fueling station. It currently has five aboveground storage tanks, with capacities ranging from 500 gallons to 200,000 gallons. It currently handles several different types of hazardous materials, including clear diesel, lube oil, red dye diesel, and waste lube oil. It was recently upgraded and meets all current safety codes and environmental regulations for the handling, storage, and distribution of hazardous materials (Grzesick pers. comm. 2007). The waterfront promenade would bring visitors and the public within close proximity to the existing hazardous footprint to Mike's fueling station. As discussed in Section 3.7.2.3.1 above, Mike's fueling station currently handles and stores materials with a range of flashpoints, including materials with flashpoints below 140 degrees. Materials with flashpoints below 140 degrees are considered to pose a significant risk and are deemed hazardous per the Port's RMP. Therefore, the continued operation of Mike's fueling

station next to the proposed waterfront promenade would not be consistent with the Port's RMP and would pose a hazard to vulnerable resources.

CEQA Impact Determination

The operation of the proposed Project would comply with applicable federal and Port security regulations regarding cruise facilities and cruise vessels. The World Cruise Center and all visiting cruise ships currently comply with all applicable security regulations and would continue to comply with security regulations. The Outer Harbor Cruise Terminals would be required to have an FSA and an FSP or the USCG will not allow it to operate (Gooding pers. comm. 2008). Additionally, any new cruise ship calling at the Outer Harbor would be required to comply with internal Port security initiatives; the MTSA of 2003, including 33 CFR 105; as well as the ISPS, all of which are enforceable by the USCG and LAHD's Homeland Security Division.

The decommissioning of the Jankovich fueling station, Westway Terminal, and the SP Railyard would comply with the PMP and the RMP. Impacts associated with the decommissioning of these three industrial uses would be beneficial to the entire area and would reduce the potential for an accidental release, explosion, or spill. Mike's fueling station currently complies with all safety and environmental regulations and remains as it currently exists under the proposed Project. Therefore, there would not be an increased risk of an accidental spill, release, or explosion at this facility.

The proximity of the visiting public and recreators (defined as vulnerable populations under the Port's RMP) to Mike's fueling station via the proposed waterfront promenade would not comply with the RMP with respect to locating vulnerable resources near existing or approved facilities handling hazardous liquid bulk cargos. Therefore, the operation of the proposed Project would not comply with applicable safety regulations (e.g. RMP) and impacts would be significant. Implementation of Mitigation Measure MM RISK-1 would reduce impacts to less-than-significant levels.

Mitigation Measures

MM RISK-1. Removal of all hazardous materials with flashpoints below 140 degrees from Mike's fueling Station. Mike's fueling station will cease to handle hazardous materials with flashpoints below 140 degrees per the letter sent from LAHD to Mike Albano dated June 16, 2008, regarding the successor permit to revocable permit No. 98-14 prior to the operation of the proposed waterfront promenade. Products with a flashpoint below 140 degrees will not be permitted within the project area (i.e., San Pedro Waterfront Project area). The successor permit to RP No. 98-14 to allow the operation for Mike's fueling station and continued lease of Mike's fueling station will only allow handling of products above said threshold. Prior to the operation of the waterfront promenade, Mike's fueling station will submit written confirmation identifying the complete removal of all hazardous materials on site with a flashpoint below 140 degrees as directed by the letter dated June 16, 2008. At the time of the written confirmation, Mike's fueling

station will also provide copies all Material Safety Data Sheets (MSDS) for each product stored in bulk on site.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

To determine the NEPA impacts only, operation of the proposed Project's in-water components and their impacts are analyzed and evaluated against the impacts that would result under NEPA baseline conditions (i.e., no operation of in-water components). The NEPA determination includes only the operation of in-water components and does not evaluate any other component that is not either in the water or reliant on in-water operation (e.g., the Outer Harbor Cruise Terminals are reliant on the Outer Harbor berths).

The following proposed project components were evaluated against the NEPA baseline to determine the operational impacts:

- Outer Harbor Cruise Terminals and vessels,
- new fueling facility at Berth 240, and,
- Mike's fueling station.

Under NEPA, operational impacts for the Outer Harbor Cruise Terminals and new fueling facility at Berth 240 would be the same as described under the CEQA impact determination and would be less than significant. Additionally, the operational impacts for Mike's fueling station would also be the same under NEPA as analyzed in the CEQA analysis above; therefore, impacts associated with Mike's fueling station would be significant. Implementation of Mitigation Measure MM RISK-1 would reduce impacts to less-than-significant levels.

Mitigation Measures

Implement Mitigation Measure MM RISK-1.

Residual Impacts

Impacts would be less than significant.

Impact RISK-2b: Operation of the proposed Project would not substantially interfere with an existing emergency response or evacuation plan or require a new emergency or evacuation plan, thereby increasing the risk of injury or death.

The operation of the proposed Project is designed specifically to draw visitors and the public to the harbor area. It incorporates many elements that would attract visitors, including

- new commercial, retail, and restaurant development in Ports O'Call;
- Ports O'Call conference center;
- Waterfront promenade and the California Coastal Trail (CCT);
- San Pedro Park;
- Fishermen's Park;
- Outer Harbor Park;
- enhancement of John S. Gibson Park;
- Downtown Civic Fountain and the Town Square;
- expansion of the Waterfront Red Car Line;
- construction of visitor centers for the *Ralph J. Scott* and the *S.S. Lane Victory*;
- street improvements designed to improve traffic flow and access to the waterfront; and
- Outer Harbor Cruise Terminals (200,000 square feet) with two cruise berths (Berths 45–47 and Berths 49–50).

The following emergency plans apply to the Port area:

- LAHD's Emergency Operations and Organization Manual of September 2006,
- The Tsunami Response Plan Annex of the Emergency Operations and Organization Manual of September 2007,
- Hazardous Materials Annex of the Emergency Department Master Plan and Procedures of December 1993,
- LAHD's Emergency Procedures Plan of July 2000, and
- LAHD's evacuation plans.

The City of Los Angeles' LAHD Emergency Operations and Organization Manual, the Tsunami Response Plan Annex, and the Hazardous Materials Annex provide general emergency response guidance to all City departments, including LAHD. LAHD is responsible for following this guidance in the event of an emergency. Furthermore, LAFD and the Port Police would be able to provide adequate

emergency response services during operation of the proposed Project (see Section 3.13, "Utilities and Public Services," for more information regarding police and fire response capabilities). The proposed project components would also be subject to emergency response and evacuation systems implemented by LAFD. LAFD would review all plans to ensure that adequate access to the proposed project vicinity is maintained. Therefore, the proposed Project would not substantially interfere with the existing LAHD plan, Tsunami Response Plan, or Hazardous Materials Annex.

Homeland Security Division for LAHD maintains the control of LAHD's Emergency Procedures Plan and is responsible for the current update of the plan. This plan is designed to provide overall guidance on how the department responds to general emergencies, including guidance for LAHD employees. It is meant to identify procedures and organize operations during general emergencies at locations where LAHD employees work. The Emergency Procedures Plan does not address tenant locations or the emergency procedures for those locations (Malin pers. comm. 2008b).

The proposed Project would expand recreational and visitor opportunities at the Port. It would provide locations for tenants to rent, including Ports O'Call and the Outer Harbor Cruise Terminals, which support recreational and visitor populations. The proposed Project does not actually include any specific locations for LAHD employees to work. Since the LAHD Emergency Procedures Plan is related to locations where LAHD employees work, it is not applicable to the elements identified in the proposed Project.

Tenants of the Port are required to have their own emergency management plans. Therefore, all new tenants under the proposed Project would be required to have their own emergency response plans (Malin pers. comm. 2008b). Additionally, the operator of the Outer Harbor Cruise Terminals would be required to create a security plan, subject to approval by the USCG, just as the existing World Cruise Center operates under its own approved security plan. Although the security plan is not specifically an emergency response or evacuation plan, it does provide for securing cruise facilities against emergencies related to terrorism. These requirements and the adequacy of the tenant emergency plans would be enforced by LAFD, the Port Police, the Homeland Security Division of LAHD, and the USCG. Therefore, the proposed Project would not substantially interfere with existing emergency response plans for the existing tenants of the proposed Project but would require new emergency responses plans for some of the new tenants.

Port evacuation plans are maintained and managed by the Area Maritime Security Evacuation Committee (AMSEC) and cover all areas encompassed by the Ports of Los Angeles and Long Beach, which includes the proposed project area. These plans are being revised and are updated on an as-needed basis by the committee. Additionally, LAHD is currently developing an Emergency Notification System that would support Port evacuation plans. Port Police is responsible for implementing the evacuation plans. There is sensitive security material in them, so they are not available to the public (Malin pers. comm. 2008a).

CEQA Impact Determination

Although the proposed Project is designed to and would likely bring a large number of visitors to the waterfront area, the current emergency preparedness plans would accommodate the proposed Project. Additionally, any new tenant would be required to implement and follow its own emergency management plans, which would be enforced by LAHD and LAFD. Furthermore, LAHD is in the process of updating the evacuation plan and establishing an Emergency Notification System, which would include the proposed project area and assist with the notification and evacuation of the increase in visitors to the waterfront. Therefore, under CEQA, the operation of the proposed Project would not substantially interfere with an existing emergency response or evacuation plan or require a new emergency response or evacuation plan. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Impacts of the proposed Project under NEPA would be less than significant as defined in the CEQA determination above for waterside proposed project elements.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-3b: Operation of the proposed Project would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.

As discussed in Section 3.5, "Geology," there is the potential for a large tsunami to affect the Port. The Port is subject to diurnal tides, meaning two high tides and two low tides during a 24-hour period. The average of the lowest water level during low-tide periods each day is typically set as a benchmark of 0 feet (0 meters) and is defined as MLLW. A model has been developed specifically for the LA/LB Harbors complex to predict tsunami wave heights. The model specifically examines seven different earthquake- and landslide-generated tsunami scenarios and incorporates consideration of the localized landfill configurations, bathymetric features, and the

interaction of tsunami wave propagation to predict tsunami wave heights that could affect the harbor (Moffatt and Nichol 2007). The model predicts tsunami wave heights with respect to MSL rather than MLLW and, therefore, can be considered a reasonable average condition under which a tsunami might occur.

Overall, operation of the proposed Project would generally remove many of the most likely sources for accidental release, spills, or explosions in the event of a tsunami rather than add to the potential sources. Operation of the proposed Project would remove the following potential sources of release, spill, or explosion of hazardous material(s) in the event of a tsunami: the Jankovich fueling station at Berth 72 and the Westway Terminal located at Berths 70–71. It would also relocate the majority of the Ports O'Call slips to Cabrillo Marina Phase II. Mike's fueling station would be the only industrial use in the PA 2 to remain at its existing location in its existing capacity. However, the removal of these elements from the proposed project area would reduce the amount of hazardous materials available to be released in the proposed project area in the event of a tsunami.

The proposed Berth 240 fueling station would be developed on Terminal Island and would carry a similar amount and mix of fuel as the current Jankovich fueling station at Ports O'Call. However, the proposed fueling station would be built to higher standards with upgrades that would not occur at the existing Jankovich facility. This facility could be subject to tsunami hazards, but compared to the existing Jankovich facility, the impacts would be less due to the location away from Ports O'Call and modernization of the facilities.

The proposed Project would introduce two large cruise ship berths in the Outer Harbor, as well as at the Outer Harbor Cruise Terminals. The Outer Harbor Cruise Terminals would store hazardous materials, as the existing World Cruise Center does today, such as relatively small amounts of chlorine (for the pools on the cruise ships) and the cruise ships would contain petroleum products. However, any hazardous materials in the Outer Harbor Cruise Terminals would be handled and stored in compliance with all appropriate state and federal regulations and would be secured. Additionally, under the California Health and Safety Code, Chapter 6.95, if the terminals handle more than 500 pounds, 55 gallons, or 200 cubic feet of hazardous materials, they are required to develop a Hazardous Materials Management Plan for the appropriate handling, storage, and transport of those hazards materials. This plan must be submitted to LAFD for review and approval.

If cruise ships were in port during a tsunami event, they could be damaged and spill or release hazardous materials, primarily fuel. The existing cruise ships carry approximately 5,000 tons of bunker fuel and 300 tons of low-sulfur diesel (Chase pers. comm. 2008b). Bunker fuel is technically any fuel that is used aboard ships; it is normally a low-grade heavy fuel. While ships in the future that would call on the Port would be expected to be larger in size, they would not require significantly more bunker fuel or diesel; therefore, they would carry approximately the same amount of fuel and diesel as the existing cruise ships (Chase pers. comm. 2008b). However, cruise ships, which are built with safety foremost in mind, incorporate redundancy in their design. This includes hulls that are double-lined and, in many cases, interiors that are compartmentalized with watertight systems. These designs not only make the ship difficult to sink, but they also make the hulls difficult to breach.

Potential environmental damage due to the spill, release, or explosion of hazardous materials, such as chlorine, bunker fuel, or diesel, as a consequence of a tsunami could include degradation of the water quality, damage to marine and biological resources, and the injury or loss of life for passengers, cruise ship employees, or terminal employees. Additionally, if there were to be an explosion, any associated fire could result in impacts on local air quality.

CEQA Impact Determination

Designing new facilities based on existing building codes may not prevent substantial damage to structures from coastal flooding as a result of tsunamis or seiches. Impacts due to seismically induced tsunamis and seiches would be the same for the entire California coastline and would not increase through operation of the proposed Project. However because the proposed Project would be located between 1.5 meters above MSL and 3.41 meters above MSL, there is a risk of coastal flooding during a tsunami, which, in turn, could lead to an accidental release, spill, or explosion of hazardous material(s). Since the proposed Project would remove a number of industrial uses that could potentially cause a release, spill, or explosion of a hazardous material in the event of a tsunami, operation of the proposed Project would generally reduce the potential for a release, spill, or explosion of hazardous materials. Relocation of the slips by Ports O'Call would not completely remove the risk associated with any vessels that may spill hazardous materials in the event of a tsunami, but since these slips currently exist and are part of the baseline, the relocation would not increase the risk of a spill over the current conditions. Additionally, the risk associated with Mike's fueling station would remain as the existing baseline, since the facility would remain in its existing location at its existing capacity. Therefore, the risk of an accidental spill, release, or explosion at Mike's fueling station due to a tsunami would not increase over the baseline and would remain the same. Furthermore, the design of the cruise ships would serve to reduce a full breach of the hull in the event of a tsunami. Therefore, under CEQA, the proposed Project would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Impacts of the proposed Project under NEPA for the cruise terminals and the cruise ships would be less than significant as defined in the CEQA determination for the components above.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-4b: Operation of the proposed Project would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action.

As discussed previously in Section 3.7.2.4, "Homeland Security of the Port," the risk of terrorism can be generally defined by the combination of three factors:

- threat of a terrorist action (which includes the likelihood of action);
- vulnerability of a particular facility to a terrorist action; and
- consequence(s) of a terrorist action.

There are limited data available to indicate how likely or unlikely a terrorist action aimed at the Port or the proposed Project would be, and therefore the probability component of a risk analysis of terrorism cannot be evaluated accurately without a considerable amount of uncertainty. However, simply because the likelihood of a terrorist action cannot be quantified, that does not mean that the threat does not exist. In fact, the possibility of a terrorist action against the Port exists because of its maritime operations and the existing cruise facilities and cruise vessels.

The proposed Project would increase the number of operating cruise terminals and cruise ships within the Port. Increasing the number of cruise facilities and cruise ships would not appreciably change the likelihood of a terrorist action, since the likelihood of a terrorist action is dependent on the motivation and decision-making of a terrorist organization and LAHD has no control over these factors. Therefore, the likelihood of a terrorist action would remain a possibility for the proposed Project, just as it does under existing conditions at the Port.

The remaining two components related to the risk of terrorism, vulnerability and consequences, can be qualitatively defined and evaluated within the context of a release, spill, or explosion of hazardous materials. The vulnerability of cruise terminals and cruise ships to terrorist actions can be described within the context of the procedures and policies in place to specifically safeguard the Port, cruise terminals, and passengers and employees against a terrorist action and specifically discourage or avert a terrorist action. As described under Section 3.7.3.4.1, "World Cruise Center Terminal Security Measures," the Port, the existing cruise terminal operations, and the existing cruise ships must comply with all of the requirements outlined in Title 33, the MTSA, and the ISPS, which are enforceable by the USCG and the LAHD's Homeland Security Division. Additionally, they must comply with

existing internal Port security initiatives. As discussed under Impact RISK-1b, operations at the proposed cruise terminals and berths would also be required to comply with the same requirements, including a requirement to develop an FSA and FSP. Prior to operation, the Outer Harbor Cruise Terminals would need the USCG to approve the FSA and FSP (Gooding pers. comm. 2008). The proposed Project would comply with all existing applicable security and safety regulations, which are fully enforceable by the Port and the USCG and reduce the vulnerability of cruise operations to a terrorist action.

The consequences of a terrorist action can be described in the context of the population that could be targeted, the types of actions that could be employed against that population, and the types of hazardous materials present that could be released during the action.

There are two existing cruise terminals at the World Cruise Center. The proposed Project would add two additional Outer Harbor Cruise Terminals to accommodate the two proposed Outer Harbor berths. The proposed Project would increase the total number of vessel calls in 2015 by 17 calls over the total calls for 2006 for a total of 275 vessel calls. The proposed Project would increase the total number of calls in 2037 by 24 calls over the total calls for 2006 for a total of 282 vessel calls. During this time, cruise ships would increase in size, which would, therefore, increase maximum daily passenger throughput at the Outer Harbor Cruise Terminals. Maximum daily passenger throughput is governed by berth capacity and projected ship size. Maximum daily passenger throughput would increase by 6,389 in 2015, for a total of 20,959, and by 9,449 in 2037, for a total of 23,989.

Terrorism is considered an action that could have environmental and economic consequences at the Port. There are several general scenarios that apply to the cruise industry and are highlighted by intelligence analysts and security experts in their analytical forecasting. These actions could cause the release, spill, or explosion of a hazardous material stored either at the cruise terminal or on the cruise ship itself (Greenberg et al. 2006). These scenarios include:

- attacking/sinking a cruise ship using a boatborne improvised explosive device (e.g., a small boat is loaded with high explosives and rammed into a ship and detonated);
- attacking/sinking a ship with a submersible parasitic device (e.g., divers place a high-explosive device on the hull of a ship in an effort to sink the vessel);
- bombing onboard a ship (e.g., a suicide bomber boards a ship and detonates a bomb in an effort to kill or injure passengers); or
- standoff action on ship using artillery (e.g., perpetrators attack a ship from land or sea in an effort to kill or injure passengers) (Greenberg et al. 2006).

The current cruise vessels and facilities, as well as the projected cruise facilities, would be susceptible to one or more of these scenarios, which could ultimately spill, release, or explode hazardous material(s). The existing World Cruise Center does contain relatively small amounts of hazardous materials (e.g., chlorine), and under the proposed Project it is expected to maintain the existing volumes of hazardous

materials. The proposed Outer Harbor Cruise Terminals would also carry similar hazardous materials (e.g., chlorine). These hazardous materials would be regulated by the federal and state hazardous materials laws discussed in Section 3.7.3.1 above and would be stored, maintained, and handled in a manner intended to prevent a large release or spill.

The primary hazardous material contained on board the existing cruise ships and the proposed cruise ships while in port would be fuel. The existing cruise ships carry approximately 5,000 tons of bunker fuel and 300 tons of low-sulfur diesel fuel. While ships in the future that would call on the Port are expected to be larger in size, they would not require significantly more bunker fuel or diesel and, therefore, would carry relatively the same amount of fuel and diesel as the existing cruise ships due to the same general tours that are projected (Chase pers. comm. 2008b).

Potential environmental damage due to the spill, release, or explosion of hazardous materials, such as chlorine, bunker fuel, or diesel, as a consequence of one of these scenarios could include degradation of water quality, damage to marine and biological resources, and injury or loss of life for passengers, cruise ship employees, or terminal employees. Additionally, if there should be an explosion, any associated fire could result in impacts on local air quality.

Potential economic damage due to the spill, release, or explosion of hazardous materials as a consequence of a terrorist action could include blocking key waterways, such as the entrance to the Port, to prohibit the daily business of the Port. Additionally, it could mean fewer cruise ship passengers and an overall decline in the cruise industry at the Port.

The environmental consequences of a terrorist action, including casualties arising from the release, explosion, or spill of hazardous materials, would remain relatively the same for the proposed Project when compared to the existing conditions. It is highly unlikely that any of the four general terrorism scenarios described above would result in substantially more damage to property or harm to people as a result of hazardous materials spills, releases or explosions when compared with existing conditions. The proposed Project would reduce the vulnerability of the cruise terminal by implementing the security measures discussed above, which would reduce the consequences of a release, spill, or explosion of hazardous materials. Furthermore, any hazardous materials at the cruise terminal would be stored subject to the applicable state and federal laws, which are designed to first prevent hazardous materials spills, releases, and explosions, and second reduce the consequences of a hazardous material spill, release, or explosion.

The reduction in vulnerability to any of the newer, larger cruise ships due to the required security measures discussed above would serve to protect the increased number of passengers expected under the proposed Project. This reduction of vulnerability would work to reduce the consequences should any action be attempted. Furthermore, it is unlikely that a terrorist action would result in the loss of an entire cruise ship when in Port, based on the historical data regarding the frequency of actions against cruise ships (less than 2% of the maritime terrorist actions in the past 30 years) and the number of casualties and injuries during those actions (median

number of casualties and injuries per action are one and five respectively). And although the cruise ships visiting the two proposed Outer Harbor berths would be larger than the cruise ships today, they are not likely to contain significantly more amounts of fuel than the cruise ships do today. This means there would be approximately the same amount of fuel under the proposed Project that could be released during a terrorist action. Finally, the proposed cruise ships would have the same safety and integrity standards as the existing cruise ships, if not better standards, and it would continue to be very difficult to penetrate the hull of the ships to cause a spill or release of fuel.

The development of the Berth 240 fueling station would replace the existing Jankovich fueling station and represents a reduced risk compared to existing conditions by relocating the risk further away from vulnerable resources.

CEQA Impact Determination

Although the proposed Project would increase the number of cruise terminals, cruise berths, and visiting cruise vessels to the Port, it would ultimately not substantially increase the vulnerability of these facilities or the seriousness of the consequences over the existing conditions. The environmental consequences of a terrorist action, including casualties arising from the action and from the release, explosion, or spill of hazardous materials, would remain relatively the same due to a relative small increase in the number of vessels and the existing safeguards and security that would be in place. Therefore, under CEQA, operation of the proposed Project would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous material(s) due to a terrorist action. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

The operation of the Outer Harbor Cruise Terminals and berths would not substantially increase the likelihood of a hazardous material(s) spill, release, or explosion due to a terrorist action based on the CEQA determination above. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-5b: Operation of the proposed Project would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials as a result of modifications related to the proposed Project.

The following proposed project components are sources of hazardous materials within the proposed project area and therefore could be affected by the potential to spill, release, or explode hazardous materials:

- cruise terminals and cruise vessels,
- Ports O'Call,
- removal of industrial uses in PA 2,
- decommissioning of the Jankovich fueling station,
- new fueling facility at Berth 240, and
- Mike's fueling station.

These proposed project components are individually evaluated below as to whether they would substantially increase the likelihood of accidental hazardous material releases, spills, or explosions.

Cruise Terminals and Cruise Vessels

The existing World Cruise Center does contain relatively small amounts of hazardous materials (e.g., chlorine), and under the proposed Project it is expected to maintain the existing volumes of hazardous materials. The proposed Outer Harbor Cruise Terminals would also carry similar hazardous materials (e.g., chlorine). These hazardous materials would be regulated by the federal and state hazardous materials laws discussed in Section 3.7.3.1 above and would be stored, maintained, and handled in a manner intended to prevent a large hazardous materials release or spill.

The primary hazardous material contained on board the existing cruise ships and the proposed cruise ships while in port would be fuel. The existing cruise ships carry approximately 5,000 tons of bunker fuel and 300 tons of low-sulfur diesel. While ships in the future that would call on the Port are expected to be larger in size, they would not require significantly more bunker fuel or diesel and, therefore, would carry relatively the same amount of fuel and diesel as the existing cruise ships (Chase pers. comm. 2008b).

Potential environmental damage due to the accidental spill, release, or explosion of hazardous materials, such as chlorine, bunker fuel, or diesel could include degradation of water quality, damage to marine and biological resources, and injury

or loss of life for passengers, cruise ship employees, or terminal employees. Additionally, if there should be an explosion, any associated fire could result in impacts on local air quality. Although the proposed Project would increase the number of cruise terminals, cruise berths, and visiting cruise vessels to the Port, it would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials.

Ports O'Call

The proposed Project would include the redevelopment and operation of the existing 150,000 square feet of commercial space, the operation an additional 150,000 square feet of commercial space, and the operation a 75,000 square feet of conference center. The operation of the Ports O'Call under the proposed Project would not include the handling, transporting, or storing hazardous materials or hazardous wastes.

The existing commercial and restaurant uses in the Ports O'Call likely use small amounts of materials that could be considered hazardous, such as cleaning supplies and bleach, in the normal course of business. These existing businesses are currently required to comply with all local, state, and federal regulations regarding the use, storage, and handling of these hazardous materials. These regulations are enforced by agencies such as LAFD, OSHA, CalEPA, and EPA. The operation of the Ports O'Call under the proposed Project would also use similar hazardous materials during the normal course of business and would also be required to comply with local, state, and federal regulations on the use, handling, and storage of these materials. Enforcement of these regulations would be performed by LAFD, OSHA, CalEPA, and EPA.

Although the square footage of Ports O'Call would expand under the proposed Project and include a new conference center, any daily use of hazardous materials such as bleach or other cleaning supplies would remain relatively the same. All businesses operating within Ports O'Call, including the conference center, would be required to comply with all applicable regulations regarding any hazardous material they used during the normal course of business. The quantities that these businesses would use would be relatively small, as most cleaning supplies do not come in anything larger than a 50 gallon drum, and therefore any accidental spill, release or explosion would be short-term and localized. The use, handling, and storage of the supplies would be controlled by a number of local, state, and federal agencies including, among others, the LAFD, CalEPA, the California Occupational Health and Safety Administration, and EPA.

Removal of Industrial Uses in the Area

The operation of the proposed Project includes the removal of a number of industrial uses currently present in the proposed project area, including: the decommissioning and, the decommissioning and removal of Westway Terminal at Berths 70–71 and the removal of the SP Railyard. The removal of these uses as part of the proposed Project would reduce the potential for any of them to accidentally release, spill, or otherwise explode hazardous materials. Additionally, the removal of these industrial

uses would allow for the development of uses that would benefit the public. Any hazards associated from soil and groundwater contamination at Westway Terminal and the SP Railyard is discussed in Section 3.6, "Groundwater and Soils."

Decommissioning of the Jankovich & Son Fueling Station

The Jankovich fueling station located at Berth 74 would be decommissioned under the proposed Project. The decommissioning of the fueling station would begin in June 2009 and is expected to take approximately 1 year. No other components of the proposed Project (i.e., Fishermen's Park) would be constructed within the hazardous footprint of the fueling station until it had been fully decommissioned. Once the Jankovich site has been fully decommissioned, it would eliminate potential for it to accidentally release, spill, or otherwise explode hazardous materials to occur on this site. Additionally, the decommissioning of it would allow for the development of uses that would benefit the public.

New Fueling Station Facility Berth 240 Parcel 3

A new fueling station would be located at Berth 240, Parcel 3. No specific tenant has been identified, the tenant would be determined through a public RFP process. Construction of the new fueling station is anticipated to start January 2011, with the opening to occur in June of 2012. This new fueling station would serve to replace the loss of the Jankovich fueling station within the Port and would be developed with more modern facilities that meet current standards and requirements. Since this site is serving as a replacement for the decommissioned Jankovich site, it is not creating a new risk or increasing the risk of a hazardous materials spill, release, or explosion. Furthermore it is not located near any vulnerable resources as defined by the Port's RMP Therefore, this site is not actually creating a new hazard or risk capable of releasing, spilling, or exploding hazardous materials.

Mike's Fueling Station

Under the proposed Project, Mike's fueling station would continue operating in its existing location. It currently has five aboveground storage tanks with capacities ranging from 500 gallons to 200,000 gallons. It currently handles several different types of hazardous materials including clear diesel, lube oil, red dye diesel, and waste lube oil. It recently was upgraded and meets all current safety codes and environmental regulations for the handling, storage, and distribution of hazardous materials (Grzesick pers. comm. 2007). These regulations are intended to reduce the risk and the consequences associated with an accidental hazardous materials release, spill, or explosion. Furthermore, the risk associated with Mike's fueling station would be reduced when compared to the existing baseline. Although the facility would continue to remain in its existing location, it would not continue to handle hazardous materials with flashpoints below 140 degrees per MM RISK-1. The risk of an accidental spill, release, or explosion at Mike's fueling station would not increase over the existing baseline, and the risk would actually be reduced. Therefore, the proposed Project would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials.

CEQA Impact Determination

Although the proposed Project would increase the number of cruise terminals, cruise berths, and visiting cruise vessels to the Port, it would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials resulting in a significant impact. Additionally, the proposed expansion of the square footage in the Ports O'Call area, including the addition of a conference center, would not substantially increase the likelihood of an accidental hazardous material spill, release, or explosion involving people or property as a result of modifications related to the proposed Project. The existing cruise facility would continue to comply with existing state and federal regulations regarding the use, storage, and handling of hazardous materials. Any new tenant of the expanded Ports O'Call and the Outer Harbor Cruise Terminals would also be required to comply with these same regulations regarding any hazardous materials stored, used, and handled, whether it is cleaning products or chlorine stored for cruise ship pools. These regulations are in place to minimize spills, releases, and explosions of hazardous materials and would serve to reduce the risk associated with any slight increase in use of these materials within the existing cruise facility, the two new Outer Harbor Cruise Terminals, and the expanded Ports O'Call area.

The removal of the Jankovich fueling station, Westway Terminal, and the SP Railyard from the proposed project area would be a beneficial operational impact of the proposed Project. The removal of these three industrial areas would result in a reduction of the likelihood of an accidental hazardous material spill, release, or explosion in the area. Additionally, the new fueling facility at Berth 240 would serve as a replacement of the Jankovich fueling station. Furthermore, it would fully comply with all existing storage regulations; something which the Jankovich fueling station currently does not do and thus continues to pose a hazardous materials explosion, spill, or release risk. Therefore, the operation of the new fueling facility at Berth 240 would not increase the likelihood of an accidental hazardous material spill, release, or explosion.

Finally, Mike's fueling station currently meets all safety and environmental standards for the handling and storing of hazardous materials and would not expand or increase its inventory of materials. Mike's fueling station currently handles hazardous materials with a flashpoint below 140 degrees, which would result in significant explosion hazards to users of the proposed promenade. Therefore, there would be a substantial increase in the potential for a hazardous materials spill, release, or explosion at Mike's fueling station prior to mitigation.

Mitigation Measures

Implement Mitigation Measure MM RISK-1.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

The in-water operation impacts under NEPA would be less than significant for the following components of the proposed Project:

- Outer Harbor Cruise Terminals and cruise vessels, and
- new fueling facility at Berth 240, Parcel 3.

The operation of the proposed Outer Harbor Cruise Terminals and berths would not substantially increase the likelihood of a hazardous material spill, release, or explosion based on the CEQA analysis of these components described above. However, operation of the promenade adjacent to Mike's fueling station would constitute a significant impact under NEPA.

Mitigation Measures

Implement Mitigation Measure MM RISK-1.

Residual Impacts

Impacts would be less than significant.

3.7.4.3.2 Alternative 1—Alternative Development Scenario 1

Alternative 1 differs from the proposed Project in regards to hazards and hazardous materials in that Alternative 1 would include:

- demolishing Inner Harbor Terminal for Berth 91 to rebuild a 200,000-square-foot terminal to serve the Inner Harbor berths;
- constructing and operating only one new 1,250-foot-long cruise berth in the Outer Harbor at Berths 45–47, as opposed to two Outer Harbor cruise berths at Berths 45–47 and Berths 49–50 under the proposed Project. Alternative 1 would therefore have a total of three cruise berths as opposed to four under the proposed Project; and
- constructing and operating one 100,000-square-foot Outer Harbor Cruise Terminal, as opposed to two Outer Harbor Cruise Terminals totaling 200,000 square feet under the proposed Project.

Impact RISK-1a: Construction of Alternative 1 would comply with applicable safety and security regulations and policies guiding development within the Port.

Impacts associated with construction of Alternative 1 would be slightly less than those discussed for the proposed Project. The reduction of one Outer Harbor Cruise Terminal and berth reduces the need for compliance with safety regulations under

Alternative 1. However, overall impacts would be the same as the proposed Project as described below. Construction activities related to Alternative 1 would be required to comply with the same security and safety regulations as the proposed Project.

CEQA Impact Determination

The demolition and construction of Alternative 1 would involve the handling and use of less hazardous materials because the construction and demolition involved with Alternative 1 is less than that required for the proposed Project. The Outer Harbor Cruise Terminal would be 100,000 square feet less than the proposed Project and there would be only one Outer Harbor berth at Berths 45–47, as opposed to a 200,000-square-foot Outer Harbor Terminal and two Outer Harbor berths included under the proposed Project. Under CEQA, the construction of Alternative 1 would comply with applicable security and safety regulations and/or LAHD policies guiding Port development, and impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Under NEPA, the construction of Alternative 1 would comply with applicable security and safety regulations and/or LAHD policies guiding Port development as described in the CEQA analysis above. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-2a: Construction of Alternative 1 would not substantially interfere with an existing emergency response or evacuation plan, thereby increasing the risk of injury or death.

Alternative 1 construction and demolition activities would be subject to the same emergency response and evacuation systems implemented by the Port Police and LAFD as the proposed Project.

CEQA Impact Determination

Alternative 1 construction and demolition activities would be the same as the proposed Project and would not substantially interfere with an existing emergency response or evacuation plan or increase the risk of injury or death. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Under NEPA, the construction and demolition activities under Alternative 1 would not substantially interfere with an existing emergency response or evacuation plan or increase the risk of injury or death as described above in the CEQA analysis. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-3a: Construction of Alternative 1 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.

Alternative 1 would include one fewer cruise terminal and one fewer berth in the Outer Harbor, when compared to the proposed Project. This generally reduces impacts from tsunami.

The analysis conducted for the construction of the proposed Project regarding the accidental release, spill, or explosion of hazardous materials due to a tsunami is also applicable to Alternative 1.

CEQA Impact Determination

Similar to the proposed Project, construction/demolition activities associated with Alternative 1 would not result in a substantial increased public health and safety

concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Similar to the proposed Project, Alternative 1 construction and demolition activities would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami. Impacts would be less than significant under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-4a: Construction of Alternative 1 would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action.

Alternative 1 has one fewer terminal and one fewer berth than the proposed Project. This would generally reduce terrorist targets compared to the proposed Project; however, overall impacts remain the same as the proposed Project because the likelihood of a spill, release, or explosion of hazardous materials would not change. Thus, the threat of a terrorist action would not appreciably change over the existing baseline during construction or demolition activities of Alternative 1. Alternative 1 is subject to the same regulations for constructing the proposed facilities as the proposed Project.

CEQA Impact Determination

The construction of Alternative 1 would generally be the same as what would be required under the proposed Project. Construction and demolition activities for Alternative 1 would involve the handling and use of similar amounts of hazardous materials, and the potential consequences of a spill, release, or explosion of the hazardous materials due to a terrorist action would be comparable to the proposed Project. Similar to the proposed Project, the enforcement of construction and

demolition standards, including BMPs by appropriate local and state agencies (i.e., Port Police, LAFD, and LAHD), would minimize the potential for a spill, release, or explosion of hazardous materials or during construction due to a terrorist action for Alternative 1. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Similar to the proposed Project, Alternative 1 would result in increased susceptibility to accidental spills or releases of hazardous materials during construction due to a terrorist action when compared to the NEPA baseline conditions. Under NEPA, the in-water construction and demolition of the proposed Project would comply with applicable security and safety regulations and/or LAHD policies guiding Port development; reducing the vulnerability of construction activities to terrorist actions. Impacts would be less than significant under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-5a: Construction of Alternative 1 would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials as a result of modifications related to Alternative 1.

The project components that could result in hazardous material impacts for the proposed Project would also result in impacts for Alternative 1 (general construction, North Harbor and Inner Harbor parking structure construction due to presence of the existing surge pipeline, removal of industrial uses in the area, and decommissioning of the Jankovich fueling station). The abandonment and removal of the Navy fuel surge pipeline would occur under Alternative 1 as described under the proposed Project and would require the same mitigation to reduce impacts.

CEQA Impact Determination

Construction and demolition activities of Alternative 1 would be the same as the proposed Project and would not involve the handling of significant amounts of

hazardous materials beyond those needed for the proposed construction and/or demolition activities. Impacts associated with abandonment and removal of the surge pipeline would be significant. Implementation of Mitigation Measure MM GW-1c would reduce impacts to a less-than-significant level.

Mitigation Measures

Implement Mitigation Measure MM GW-1c.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

The in-water work impacts under NEPA would be the same as those for the proposed Project. Therefore, impacts associated with the abandonment and removal of the surge pipeline would be significant. Implementation of Mitigation Measure MM GW-1c would reduce impacts to a less-than-significant level.

Mitigation Measures

Implement Mitigation Measure MM GW-1c.

Residual Impacts

Impacts would be less than significant.

Impact RISK-1b: Operation of Alternative 1 would comply with applicable safety and security regulations and policies guiding development within the Port.

Alternative 1involves similar project components would be affected by the applicable safety and security regulations or risk assessment policies guiding the development of the Port as the proposed Project. The exceptions involve the demolition and redevelopment of the Berth 91 cruise terminal and the development of a single Outer Harbor Cruise Terminal and berth at Berths 45–47. This would be a reduction of one berth and 100,000 square feet of terminal for the Outer Harbor when compared to the proposed Project. Under this alternative, the Inner Harbor Cruise Terminal and Outer Harbor Cruise Terminals and berth would comply with all of the requirements of the MTSA and the ISPS, and would be required to and would develop an FSA and as FSP in order to operate. Therefore, impacts under Alternative 1 would be the same as the proposed Project.

CEQA Impact Determination

Similar to the proposed Project, Alternative 1 impacts would be less than significant for the Jankovich fueling station, Berth 240 fueling facility, the removal of industrial

uses, and the Outer Harbor Cruise Terminal and Berths. However, also similar to the proposed Project, continued operation of Mike's fueling station is considered significant as it would not comply with applicable safety regulations (e.g.: RMP). Alternative 1 would locate the hazardous materials stored and handled by Mike's fueling station within close proximity to vulnerable populations via the water front promenade. Therefore, impacts would be significant. Implementation of Mitigation Measure MM RISK-1 would reduce impacts to less-than-significant levels.

Mitigation Measures

Implement Mitigation Measure MM RISK-1.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

The in-water and waterside work impacts under NEPA would be significant for the waterfront promenade of Alternative 1 as analyzed above in the CEQA determination above. Alternative 1 would locate the hazardous materials stored and handled by Mike's fueling station within close proximity to vulnerable populations via the water front promenade. Therefore, impacts would be significant. Implementation of Mitigation Measure MM RISK-1 would reduce impacts to less-than-significant levels.

Mitigation Measures

Implement Mitigation Measure MM RISK-1.

Residual Impacts

Impacts would be less than significant.

Impact RISK-2b: Operation of Alternative 1 would not substantially interfere with an existing emergency response or evacuation plan, or require a new emergency or evacuation plan, thereby increasing the risk of injury or death.

Alternative 1 incorporates most of the same elements of the proposed Project that would attract visitors to the waterfront. The difference between Alternative 1 and the proposed Project include the following visitor-attracting elements:

- demolition of existing Inner Harbor Cruise Terminal at Berth 91 and redevelopment of the terminal to 200,000 square feet for Berths 91–92; and

- one Outer Harbor Cruise Terminal (100,000 square feet) with one additional cruise berth (Berths 45–47).

The impacts associated with these plans under the proposed Project are the same as under Alternative 1. Although Alternative 1 calls for a newly developed cruise terminal in the Inner Harbor and a reduction in the number and the square footage of the Outer Harbor Cruise Terminal and berths, these changes would not change the conclusion of the proposed Project in regard to the emergency management plans. These cruise facilities would still be subject to the evacuation plan that is being updated and they would still be required to prepare their own emergency management plan. Therefore, all issues related to the existing emergency response or evacuation plans have been fully analyzed under the proposed Project and are applicable to Alternative 1.

CEQA Impact Determination

Under CEQA, the operation of Alternative 1 would not substantially interfere with an existing emergency response or evacuation plan, or require a new emergency response or evacuation plan, just as under the proposed Project. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Alternative 1 components would not substantially interfere with existing emergency response or evacuation plans, or require a new emergency response or evacuation plan under NEPA and therefore impacts would be less than significant as defined in the CEQA determination above.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-3b: Operation of Alternative 1 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.

Alternative 1 would include one fewer cruise terminal and one fewer berth in Outer Harbor, when compared to the proposed Project. This generally reduces operational impacts from a tsunami; however, overall impacts the same as the proposed Project. There would still be an Outer Harbor Cruise Terminal and berth that could be affected by a tsunami under the model simulations; however, the Main Channel never experiences substantial increases in MSL near the Inner Harbor and does not experience deck overtopping.

CEQA Impact Determination

The impacts associated with Alternative 1 in regard to the risk of spill, release, or explosion of hazardous materials due to a tsunami are similar to the proposed Project. Although, designing new facilities based on existing building codes may not prevent substantial damage to structures from coastal flooding as a result of tsunamis or seiches, the impacts due to seismically induced tsunamis and seiches are typical for the entire California coastline and would not be increased by operation of Alternative 1. Therefore, under CEQA, Alternative 1 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Alternative 1 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami and under NEPA. Therefore, impacts would be less than significant as defined in the CEQA determination above.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-4b: Operation of Alternative 1 would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous material due to a terrorist action.

The Outer Harbor cruise facilities under Alternative 1 are a reduction of the proposed Outer Harbor cruise facilities to one 100,000-square-foot Outer Harbor Cruise Terminal, and one cruise ship berth in the Outer Harbor. Furthermore, the Inner Harbor Cruise Terminal for Berth 91 would be rebuilt and operated as a 200,000-square-foot terminal to serve the Inner Harbor berths. Although there is a reduction in the scale of the Outer Harbor cruise facilities under Alternative 1, the impacts associated with the likelihood of a hazardous material(s) release, spill, or explosion due to terrorism would remain the same when compared to the existing baseline conditions.

CEQA Impact Determination

The impacts associated with the cruise terminal and cruise ship components of Alternative 1 are the same as for the proposed Project. Therefore, under CEQA, the operation of Alternative 1 would not result in a substantial increase in the likelihood of a release, spill, or explosion of hazardous materials due to a terrorist action. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

The operation of the Outer Harbor Cruise Terminal and Outer Harbor cruise berth would not substantially increase the likelihood of a hazardous material spill, release, or explosion due to a terrorist action, based on the CEQA determination above. Impacts would be less than significant under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-5b: Operation of Alternative 1 would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials as a result of modifications related to Alternative 1.

Alternative 1 contains components similar to the proposed Project that are sources of hazardous materials within the proposed project area and therefore could be affected by the potential to spill, release, or explode hazardous materials. The exception is the reduction of the proposed Outer Harbor cruise facilities, as discussed above. Impacts identified for the proposed Project would be reduced given these changes under Alternative 1, but overall impacts would be classified as the same, for all other Alternative 1 project components, including Mike's fueling station. This alternative would use, handle, and store hazardous materials that would be regulated by the federal and state hazardous materials laws, and would be stored, maintained, and handled in a manner intended to prevent a large release or spill.

CEQA Impact Determination

Alternative 1 would substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials. Impacts would be significant prior to mitigation.

Mitigation Measures

Implement Mitigation Measure MM RISK-1.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

The operation of Alternative 1 would result in reduced impacts compared to the proposed Project as a result of fewer cruise terminals and berths, and would not substantially increase the likelihood of a hazardous material spill, release, or explosion. Impacts related to Mike's fueling station would be significant under NEPA prior to mitigation.

Mitigation Measures

Implement Mitigation Measure MM RISK-1.

Residual Impacts

Impacts would be less than significant.

3.7.4.3.3 Alternative 2—Alternative Development Scenario 2

The construction and operation of Alternative 2 does not differ from the proposed Project in regards to hazard and hazardous materials since many of Alternative 2 components are the same as the proposed project components. Since the major project components of Alternative 2 that could be sources of hazardous materials spills, releases, or explosions within the proposed project area are the same as those for the proposed Project, the construction and operation of Alternative 2 does not differ from the proposed Project. See Section 3.7.4.3.1 for the full discussion of all hazardous and hazardous materials impacts under the proposed Project, which are equally applicable to Alternative 2.

Impact RISK-1a: Construction of Alternative 2 would comply with applicable safety and security regulations and policies guiding development within the Port.

Impacts are the same as described for the proposed Project.

CEQA Impact Determination

Impacts are less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Impacts are less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-2a: Construction of Alternative 2 would not substantially interfere with an existing emergency response or evacuation plan, thereby increasing the risk of injury or death.

Impacts are the same as described for the proposed Project.

CEQA Impact Determination

Impacts are less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Impacts are less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-3a: Construction of Alternative 2 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.

Impacts are the same as described for the proposed Project.

CEQA Impact Determination

Impacts are less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Impacts are less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-4a: Construction of Alternative 2 would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action.

Impacts are the same as described for the proposed Project.

CEQA Impact Determination

Impacts are less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Impacts are less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-5a: Construction of Alternative 2 would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials as a result of modifications related to Alternative 2.

Impacts are the same as described for the proposed Project. The abandonment and removal of the Navy fuel surge pipeline would occur under Alternative 2 as described under the proposed Project and would require the same mitigation to reduce impacts.

CEQA Impact Determination

Construction and demolition activities of Alternative 2 would be the same as under the proposed Project and would not involve the handling of significant amounts of hazardous materials beyond those needed for the proposed construction and/or demolition activities. Impacts associated with abandonment and removal of the surge pipeline would be significant. Implementation of Mitigation Measure MM GW-1c would reduce impacts to a less-than-significant level.

Mitigation Measures

Implement Mitigation Measure MM GW-1c.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

NEPA impacts associated with Alternative 2 would be the same as under the proposed Project. Impacts associated with abandonment and removal of the surge pipeline would be significant. Implementation of Mitigation Measure MM GW-1c would reduce impacts to a less-than-significant level.

Mitigation Measures

Implement Mitigation Measure MM GW-1c.

Residual Impacts

Impacts would be less than significant.

Impact RISK-1b: Operation of Alternative 2 would comply with applicable safety and security regulations and policies guiding development within the Port.

Impacts are the same as described for the proposed Project.

CEQA Impact Determination

Impacts would be less than significant with implementation of Mitigation Measure MM RISK-1.

Mitigation Measures

Implement Mitigation Measure MM RISK-1.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Impacts are the same as described for the proposed Project. Impacts would be less than significant with implementation of Mitigation Measure MM RISK-1.

Mitigation Measures

Implement Mitigation Measure MM RISK-1.

Residual Impacts

Impacts would be less than significant.

Impact RISK-2b: Operation of Alternative 2 would not substantially interfere with an existing emergency response or evacuation plan, or require a new emergency or evacuation plan, thereby increasing the risk of injury or death.

Impacts are the same as described for the proposed Project.

CEQA Impact Determination

Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Impacts are less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-3b: Operation of Alternative 2 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.

Impacts are the same as described for the proposed Project.

CEQA Impact Determination

Impacts are less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Impacts are less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-4b: Operation of Alternative 2 would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action.

Impacts are the same as described for the proposed Project.

CEQA Impact Determination

Impacts are less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-5b: Operation of Alternative 2 would not substantially increase the likelihood of an accidental hazardous material spill, release, or explosion as a result of modifications related to Alternative 2.

Impacts are the same as described for the proposed Project.

CEQA Impact Determination

Impacts would be significant.

Mitigation Measures

Implement Mitigation Measure MM RISK-1.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Impacts would be significant.

Mitigation Measures

Implement Mitigation Measure MM RISK-1.

Residual Impacts

Impacts would be less than significant.

3.7.4.3.4 Alternative 3—Alternative Development Scenario 3 (Reduced Project)

Alternative 3 differs from the proposed Project in regards to hazards and hazardous materials in that Alternative 3 would include:

- constructing and operating only one new 1,250-foot-long cruise berth in the Outer Harbor at Berths 45–47 (as in Alternative 1), as opposed to two Outer Harbor cruise berths at Berths 45–47 and Berths 49–50 (as in the proposed Project);
- constructing and operating one 100,000-square-foot Outer Harbor Cruise Terminal (as in Alternative 1), as opposed to two Outer Harbor Cruise Terminals totaling 200,000 feet (as in the proposed Project);
- demolishing and rebuilding 40,000 square feet of the existing 150,000 square feet at Ports O'Call and adding 37,500 square feet of new development for a total of 187,500 square feet of development, as opposed to a total of 375,000 square feet of development under the proposed Project; and
- locating the Waterfront Red Car Maintenance Facility at the former SP Railyard location, which is the same for the proposed Project, but also locating the Waterfront Red Car Museum at the SP Railyard near 7th Street.

Impact RISK-1a: Construction of Alternative 3 would comply with applicable safety and security regulations and policies guiding development within the Port.

Impacts associated with construction of Alternative 3 would be similar to those discussed for the proposed Project. The reduction of one Outer Harbor Cruise Terminal and berth reduces the need for compliance with safety regulations under Alternative 3. However, overall impacts would be the same as those for the proposed

Project, as described below. Construction activities related to Alternative 3 would be required to comply with the same security and safety regulations as the proposed Project.

CEQA Impact Determination

Construction and demolition activities for Alternative 3 would involve the handling and use of certain amounts of hazardous materials. However, the hazardous materials used would be less than those for the proposed Project since Alternative 3 would require less construction and demolition when compared to the proposed Project. Therefore, under CEQA, the construction of Alternative 3 would comply with applicable security and safety regulations and/or LAHD policies guiding Port development. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Alternative 3 construction activities would potentially create in-water hazards as compared to NEPA baseline conditions. However, Alternative 3 would result in less in-water construction and waterside construction than the proposed Project. Therefore, under NEPA, construction of Alternative 3 would comply with applicable security and safety regulations and/or LAHD policies guiding Port development, as under the proposed Project. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-2a: Construction of Alternative 3 would not substantially interfere with an existing emergency response or evacuation plan, thereby increasing the risk of injury or death.

Just as under the proposed Project, Alternative 3 construction and demolition activities would be subject to emergency response and evacuation systems implemented by the Port Police and LAFD.

CEQA Impact Determination

Alternative 3 construction and demolition activities would be the same as those for the proposed Project and would not substantially interfere with an existing emergency response or evacuation plan or increase the risk of injury or death. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Alternative 3 in-water construction activities would result in an increased susceptibility to accidental spills or releases of hazardous materials during construction, when compared to NEPA baseline conditions. Under NEPA, the construction and demolition activities Alternative 3 would not substantially interfere with an existing emergency response or evacuation plan or increase the risk of injury or death. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-3a: Construction of Alternative 3 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.

Alternative 3 would include one fewer cruise terminal and one fewer berth in the Outer Harbor, when compared to the proposed Project. This condition generally reduces impacts from tsunami. The analysis conducted for the construction of the proposed Project regarding the accidental release, spill, or explosion of hazardous materials due to a tsunami is also applicable to Alternative 3.

CEQA Impact Determination

As for the proposed Project, construction/demolition activities associated with Alternative 3 would not result in a substantial increased public health and safety

concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Under NEPA, Alternative 3 construction and demolition activities would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami, based on the CEQA determination above. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-4a: Construction of Alternative 3 would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action.

Alternative 3 would include the construction of one Outer Harbor Cruise Terminal and one Outer Harbor cruise berth. The existing World Cruise Center would remain the same under Alternative 3 and would not be demolished or rebuilt. Since Alternative 3 would include a reduction in the cruise facilities when compared to the proposed Project, the analysis conducted for RISK-4a for the proposed Project is applicable to the construction activities which would occur under Alternative 3. Thus, the threat of a terrorist action would not appreciably change over the existing baseline during construction or demolition activities of Alternative 3.

CEQA Impact Determination

Under CEQA, Alternative 3 impacts related to hazardous materials releases, spills, or explosions due to terrorist actions during the construction and demolition of Alternative 3 project components are the same as those for the proposed Project. Therefore, the construction of Alternative 3 would not substantially increase the likelihood of a spill, release, or explosion of hazardous material(s) due to a terrorist action. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Under NEPA, Alternative 3 impacts related to hazardous materials releases, spills, or explosions due to terrorist actions during the construction and demolition of Alternative 3 project components are the same as those for the proposed Project. Therefore, the construction of Alternative 3 would not substantially increase the likelihood of a spill, release, or explosion of hazardous material(s) due to a terrorist action. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-5a: Construction of Alternative 3 would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials as a result of modifications related to Alternative 3.

The same project components that could result in hazardous material impacts for the proposed Project would occur for Alternative 3 (general construction, North Harbor and Inner Harbor parking structure construction due to presence of naval fuel surge pipeline, removal of industrial uses in the area, and decommissioning of the Jankovich fueling station). However, these components are fully analyzed under RISK-5a of the proposed Project, as generally there is a reduction of construction and demolition activities for Alternative 3 when compared to the proposed Project. Therefore, refer to the proposed Project RISK-5a above for a further discussion related to hazardous material releases, spills, or explosions applicable to Alternative 3. The abandonment and removal of the surge pipeline would occur under Alternative 3 as described under the proposed Project and would require the same mitigation to reduce impacts.

CEQA Impact Determination

The construction and demolition impacts associated with Alternative 3 substantially increasing the likelihood of an accidental release, spill, or explosion of hazardous material would be reduced when compared to the proposed Project. Impacts

associated with abandonment and removal of the surge pipeline would be significant. Implementation of Mitigation Measure MM GW-1c would reduce impacts to a less-than-significant level.

Mitigation Measures

Implement Mitigation Measure MM GW-1c.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

The in-water work impacts under NEPA would be the same as those for the proposed Project. Impacts associated with abandonment and removal of the surge pipeline would be significant if appropriate cleanup and disposal measures are not adhered to. Implementation of Mitigation Measure MM GW-1c would reduce impacts to a less-than-significant level.

Mitigation Measures

Implement Mitigation Measure MM GW-1c.

Residual Impacts

Impacts would be less than significant.

Impact RISK-1b: Operation of Alternative 3 would comply with applicable safety and security regulations and policies guiding development within the Port.

Alternative 3 involves similar project components as the proposed Project and would be affected by the applicable safety and security regulations or risk assessment policies guiding the development of the Port. The exception involves the development of a single Outer Harbor Cruise Terminal and berth at Berths 45–47. This would be a reduction of one berth and 100,000 square feet of terminal for the Outer Harbor when compared to the proposed Project. Under this alternative, just as under the proposed Project, the Outer Harbor Cruise Terminal and berth would comply with all of the requirements of the MTSA and the ISPS. Therefore, it would be required to and would develop an FSA and an FSP approved by the USCG prior to operation. Thus, impacts under Alternative 3 would be the same as under the proposed Project.

CEQA Impact Determination

Since there is no difference between the Outer Harbor Cruise Terminal and berth proposed under Alternative 3 and the Outer Harbor Cruise Terminal and berth under

Alternative 1, the impacts related to the cruise terminals and berths under Alternative 3 are the same as those for Alternative 1. This includes the significant impact associated with locating the waterfront promenade within close proximity to Mike's fueling station. Therefore, Alternative 3 would not comply with all safety and security regulations and/or policies guiding development within the Port based on the analysis performed for the proposed Project and Alternative 1 and impacts would be significant. Implementation of Mitigation Measure MM RISK-1 would reduce impacts to less-than-significant levels.

Mitigation Measures

Implementation of Mitigation Measure MM RISK-1.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

The NEPA components would significant for Alternative 3 related to Mike's fueling station and the waterfront promenade. Impacts would be less than significant with implementation of Mitigation Measure MM RISK-1.

Mitigation Measures

Implement Mitigation Measure MM RISK-1.

Residual Impacts

Impacts would be less than significant.

Impact RISK-2b: Operation of Alternative 3 would not substantially interfere with an existing emergency response or evacuation plan, or require a new emergency or evacuation plan, thereby increasing the risk of injury or death.

Alternative 3 incorporates most of the same elements of the proposed Project that would attract visitors to the waterfront. The difference between Alternative 3 and the proposed Project include the following visitor attracting elements:

- reduction in Ports O'Call development, including the removal of the conference center; and,
- reduction in Outer Harbor cruise facilities, including Outer Harbor Cruise Terminal (one 100,000-square-foot terminal) with one additional cruise berth (Berths 45–47) as in Alternative 1.

The impacts associated with emergency response and evacuation plans under the proposed Project are the same as under Alternative 3. Although Alternative 3 calls for a reduction in the square footage of the Outer Harbor Cruise Terminal and berths and a reduction in square footage of Ports O'Call, these changes would not change the conclusion of the proposed Project in regards to the emergency management plans. These facilities would still be subject to the evacuation plan that is being updated by LAHD and they would be required to prepare their own emergency management plan. Therefore, all issues related to the existing emergency response or evacuation plans have been fully analyzed under RISK-1b of the proposed Project and are applicable to Alternative 3.

CEQA Impact Determination

Under CEQA, Alternative 3 impacts related to emergency response or evacuation plans within the Port are the same as those for the proposed Project. Therefore, Alternative 3 would not substantially interfere with an existing emergency response or evacuation plan or require a new emergency response or evacuation plan. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Alternative 3 in-water components would not substantially interfere with existing emergency response or evacuation plans, or require a new emergency response or evacuation plan under NEPA. Therefore impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-3b: Operation of Alternative 3 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.

The analysis conducted for the operations of the proposed Project regarding the accidental release, spill, or explosion of hazardous materials due to a tsunami is also

applicable to the Alternative 3 components. Alternative 3 would have a smaller Outer Harbor Cruise Terminal and only one cruise berth in the Outer Harbor when compared to the proposed Project. This generally reduces operational impacts from a tsunami; however, overall impacts are the same as those for the proposed Project. There would still be an Outer Harbor Terminal and berth that could be affected by a tsunami under the model simulations; however, the Main Channel never experiences substantial increases in MSL near the Inner Harbor and does not experience deck overtopping.

CEQA Impact Determination

The impacts associated with the proposed Project in regard to the risk of spill, release, or explosion of hazardous materials due to a tsunami are applicable to Alternative 3 and therefore are the same as those for the proposed Project. Although designing new facilities based on existing building codes may not prevent substantial damage to structures from coastal flooding as a result of tsunamis or seiches, impacts due to seismically induced tsunamis and seiches are typical for the entire California coastline and would not be increased by operation of Alternative 3. Therefore, under CEQA, Alternative 3 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Alternative 3 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami under NEPA. Therefore, impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-4b: Operation of Alternative 3 would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action.

There is no difference between the single 100,000-square-foot Outer Harbor Cruise Terminal and the single Outer Harbor cruise berth proposed under Alternative 3 and the single Outer Harbor Cruise Terminal and berth proposed under Alternative 1. Additionally, under Alternative 3 the existing World Cruise Center would remain in its existing location and in its existing condition, as under the proposed Project. Therefore, the Outer Harbor Cruise Terminal and cruise berth for Alternative 3 are fully analyzed under RISK-4b of Alternative 1 and the existing World Cruise Center facilities of Alternative 3 are analyzed under RISK-4b of the proposed Project.

CEQA Impact Determination

Impacts related to Alternative 3 for the Outer Harbor cruise facilities are the same as Alternative 1 and the impacts related to Alternative 3 for the existing World Cruise Center are the same as those for the proposed Project. Under CEQA, Alternative 3 would not result in a substantial increase in the likelihood of a hazardous material spill, release, or explosion due to a terrorist action. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

The operation of the Outer Harbor Cruise Terminals and berths would not substantially increase the likelihood of a hazardous material spill, release, or explosion due to a terrorist action based on the CEQA determination above. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-5b: Operation of Alternative 3 would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials as a result of modifications related Alternative 3.

Alternative 3 contains similar components as the proposed Project that are sources of hazardous materials within the proposed project area and therefore could be affected by the potential to spill, release, or explode hazardous materials. The exception is the reduction of the proposed Outer Harbor cruise facilities, as discussed above. Impacts identified for the proposed Project would be reduced given these changes under Alternative 3, but overall impacts would be classified as the same for all other Alternative 3 project components, including Mike's fueling station. This alternative would use, handle, and store hazardous materials that would be regulated by the federal and state hazardous materials laws, and would be stored, maintained, and handled in a manner intended to prevent a large release or spill.

CEQA Impact Determination

Alternative 3 would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials. Impacts related to exposure of hazards associated with Mike's fueling station would be significant.

Mitigation Measures

Implement Mitigation Measure MM RISK-1.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

The operation of Alternative 3 would result in reduced impacts compared to the proposed Project as a result of fewer cruise terminals and berths, and would not substantially increase the likelihood of a hazardous material spill, release, or explosion. Impacts would be significant under NEPA for Mike's fueling station.

Mitigation Measures

Implement Mitigation Measure MM RISK-1.

Residual Impacts

Impacts would be less than significant.

3.7.4.3.5 Alternative 4—Alternative Development Scenario 4

Alternative 4 differs from the proposed Project in regard to hazards and hazardous materials in that Alternative 4:

- eliminates the North Harbor and associated impacts related to surge pipeline;
- demolishes existing cruise terminal at Berth 91 and develops a new 200,000-square-foot terminal to serve Berths 91 and 87, (as in Alternative 1);
- locates the Waterfront Red Car Maintenance Facility and Museum at 13th Street bluff site; and
- eliminates the Outer Harbor Cruise Terminal(s) and berth(s).

Therefore, under Alternative 4 there are fewer in-water project components and project components that rely on in-water components (i.e., the Outer Harbor Cruise Terminal relies on the Outer Harbor berths) when compared to the proposed Project and Alternatives 1, 2, and 3.

Impact RISK-1a: Construction of Alternative 4 would comply with applicable safety and security regulations and policies guiding development within the Port.

Alternative 4 would generally require less construction and demolition than the proposed Project because Alternative 4 requires less in-water construction and does not include the North Harbor and Outer Harbor cruise facilities. The reduction of the Outer Harbor Cruise Terminals and berths reduces the need for compliance with safety regulations under Alternative 4. However, overall impacts would be the same as under the proposed Project, as described below. Construction activities related to Alternative 4 would be required to comply with the same security and safety regulations as the proposed Project.

CEQA Impact Determination

Construction and demolition activities for Alternative 4 would involve the handling and use of certain amounts of hazardous materials. However, the hazardous materials used would be less than those for the proposed Project, since Alternative 4 would require less construction and demolition when compared to the proposed Project. Furthermore, the construction of Alternative 4 would comply with applicable security and safety regulations and/or LAHD policies guiding Port development as identified under the project RISK-1a CEQA determination. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Alternative 4 would include in-water construction activities, such as the cut and dredging of two new harbors and construction of a waterfront promenade over waters. However, the in-water demolition and construction required under Alternative 4 would be much less than required for the proposed Project. Therefore, under NEPA, the construction of Alternative 4 would comply with applicable security and safety regulations and/or LAHD policies guiding Port development. Impacts under NEPA would be less than significant as defined in the CEQA determination above. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-2a: Construction of Alternative 4 would not substantially interfere with an existing emergency response or evacuation plan, thereby increasing the risk of injury or death.

Just as under the proposed Project, Alternative 4 construction and demolition activities would be subject to emergency response and evacuation systems implemented by the Port Police and LAFD.

CEQA Impact Determination

Alternative 4 construction and demolition activities would be the same as for the proposed Project and would not substantially interfere with an existing emergency response or evacuation plan or increase the risk of injury or death. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Alternative 4 in-water construction activities would result in an increased susceptibility to accidental spills or releases of hazardous materials during construction, when compared to NEPA baseline conditions. However, Alternative 4 contractors would be required to adhere to all Homeland Security, Port Police, LAFD, and USCG emergency response and evacuation regulations, ensuring compliance with existing emergency response plans during demolition, dredging, and construction. Therefore, under NEPA, the construction and demolition activities Alternative 4 would not substantially interfere with an existing emergency response or evacuation plan or increase the risk of injury or death. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-3a: Construction of Alternative 4 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.

The construction and demolition that would occur under Alternative 4 would generally be less than what would be required for the proposed Project. Although Alternative 4 includes the demolition of the Inner Harbor Cruise Terminal serving Berths 91–92 and would reconstruct it to 200,000 square feet, it would not include the construction of the North Harbor, Outer Harbor Cruise Terminal, or Outer Harbor cruise berths. Therefore, since Alternative 4 requires less construction and demolition than the proposed Project, the analysis conducted for RISK-3a for the proposed Project is applicable to the construction and demolition of Alternative 4.

CEQA Impact Determination

Construction and demolition for Alternative 4 is generally less than that for the proposed Project. Additionally, Alternative 4 would not include any construction in the Outer Harbor, which is an area that would experience higher water levels during a tsunami than other areas within the proposed Project. Furthermore, the potential consequences of such accidents would be small due to the localized, short-term nature of the releases and the relatively low volume of hazardous materials spilled. Therefore, under CEQA, construction and/or demolition activities of Alternative 4 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Under NEPA, Alternative 4 construction and demolition activities would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami, based on the CEQA determination above. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-4a: Construction of Alternative 4 would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action.

There is no difference between the demolition of the existing Inner Harbor Cruise Terminal and the construction of a new 200,000-square-foot Inner Harbor Cruise Terminal proposed under Alternative 4 and the 200,000-square-foot Inner Harbor Cruise Terminal proposed under Alternative 1. Alternative 4 eliminates the Outer Harbor Cruise Terminals and berths. This difference would generally reduce terrorist targets; however, overall impacts remain the same as those for the proposed Project. Thus, the threat of a terrorist action would not appreciably change over the existing baseline during construction or demolition activities of Alternative 4. Alternative 4 is subject to the same regulations for constructing the proposed facilities as the proposed Project.

CEQA Impact Determination

The construction of Alternative 4 would generally be the same as what would be required under the proposed Project. Construction and demolition activities for Alternative 4 would involve the handling and use of similar amounts of hazardous materials, and the potential consequences of a spill, release, or explosion of the hazardous materials due to a terrorist action would be comparable to the proposed Project. Similar to the proposed Project, the enforcement of construction and demolition standards, including BMPs by appropriate local and state agencies (i.e.,

Port Police, LAFD, LAHD), would minimize the potential for a spill, release, or explosion of hazardous materials or during construction due to a terrorist action for Alternative 4. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Similar to the proposed Project, Alternative 4 would result in increased susceptibility to accidental spills or releases of hazardous materials during construction due to a terrorist action when compared to the NEPA baseline conditions. Under NEPA, the in-water construction and demolition of the proposed Project would comply with applicable security and safety regulations and/or LAHD policies guiding Port development, reducing the vulnerability of construction activities to terrorist actions. Impacts would be less than significant under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-5a: Construction of Alternative 4 would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials as a result of modifications related to Alternative 4.

Alternative 4 would not include the construction of a North Harbor or the Outer Harbor Cruise Terminal and Outer Harbor cruise berths, as in the proposed Project. Although, Alternative 4 does not include the construction of the North Harbor, it still includes construction of the Inner Harbor parking structure; therefore, as under the proposed Project the existing Navy Fuel Surge pipeline would still need to be abandoned and removed. However, Alternative 4 would include the decommissioning of the Jankovich fueling station, as well as the removal of Westway Terminal and the SP Railyard, as in the proposed Project. Thus, there is a general reduction of construction and demolition activities for Alternative 4 when compared to the proposed Project. Therefore, the likelihood of an accidental spill, release, or explosion associated with Alternative 4 is fully analyzed under RISK-5a of the proposed Project.

CEQA Impact Determination

The construction and demolition impacts associated with Alternative 4 would generally be reduced when compared to the proposed Project; therefore Alternative 4 would have an overall reduction in the likelihood of an accidental spill, release, or explosion of hazardous materials. As under the proposed Project, impacts associated with abandonment and removal of the surge pipeline under Alternative 4 would be significant. Implementation of Mitigation Measure MM GW-1c would reduce impacts to a less-than-significant level.

Mitigation Measures

Implement Mitigation Measure MM GW-1c.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

The general construction in-water work impacts under NEPA would be significant as described for the proposed Project related to the abandonment and removal of the surge pipeline under Alternative 4. Therefore, NEPA impacts would be significant. Implementation of Mitigation Measure MM GW-1c would reduce impacts to a less-than-significant level.

Mitigation Measures

Implement Mitigation Measure MM GW-1c.

Residual Impacts

Impacts would be less than significant.

Impact RISK-1b: Operation of Alternative 4 would comply with applicable safety and security regulations and policies guiding development within the Port.

Alternative 4 involves similar project components as the proposed Project and would be affected by the applicable safety and security regulations or risk assessment policies guiding the development of the Port.

However, under Alternative 4 the development and operation of the Outer Harbor Cruise Terminal and berths would not occur. Since Alternative 4 is a reduction of the proposed operation of cruise facilities when compared to the proposed Project, it would eliminate the need for to comply with security regulations associated with the operation Outer Harbor Cruise Terminal and berth. The redevelopment and operation of the Inner Harbor Cruise Terminal under Alternative 4 would be the same

as under Alternative 1 and therefore would be subject to the same safety and security regulations. The redevelopment of the existing cruise terminal in the Inner Harbor for both Alternative 4 and Alternative 1 would have a beneficial effect by providing higher levels of safety and compliance. Therefore, the impacts associated with the Inner Harbor Cruise Terminal component under Alternative 4 would be reduced compared to those for the proposed Project.

CEQA Impact Determination

As for the proposed Project, Alternative 4 impacts would be less than significant for the Jankovich fueling station, Berth 240 fueling facility, and removal of industrial uses. As for Alternative 1, Alternative 4 impacts associated with the redevelopment and operation of the Inner Harbor Cruise Terminal would be less than significant. Finally, the continued operation of Mike's fueling station under Alternative 4, as with the proposed Project, is considered significant because it would not comply with applicable safety regulations. Therefore, impacts are significant. Implementation of Mitigation Measure MM RISK-1 would reduce impacts to less-than-significant levels.

Mitigation Measures

Implement Mitigation Measure MM RISK-1.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

The NEPA components would be significant for Alternative 4 based on the location of the waterfront promenade next to Mike's fueling station as described in the CEQA analysis above. Implementation of Mitigation Measure MM RISK-1 would reduce impacts to a less-than-significant level.

Mitigation Measures

Implement Mitigation Measure MM RISK-1.

Residual Impacts

Impacts would be less than significant.

Impact RISK-2b: Operation of Alternative 4 would not substantially interfere with an existing emergency response or evacuation plan, or require a new emergency or evacuation plan, thereby increasing the risk of injury or death.

Alternative 4 incorporates many of the same elements of the proposed Project that would attract visitors to the waterfront. The difference between Alternative 4 and the proposed Project includes demolition of existing Inner Harbor Cruise Terminal at Berth 91 and redevelopment of the Terminal to 200,000 square feet for Berths 91–92 and Berths 87–90.

The impacts associated with these plans under Alternative 4 are the same as under the proposed project. Although Alternative 4 calls for a new 200,000-square-foot Inner Harbor Cruise Terminal these changes would not alter the conclusion of the proposed Project in regards to the emergency management plans. This facility would still be subject to the evacuation plan that is being updated by LAHD, and it would be required to prepare its own emergency management plan. Furthermore, elimination of Outer Harbor Cruise Terminals and berths would reduce the emergency response and evacuation demands. Therefore, all issues related to the existing emergency response or evacuation plans have been fully analyzed under RISK-2b for the proposed Project and are applicable to Alternative 4.

CEQA Impact Determination

Under CEQA, Alternative 4 impacts related to emergency response or evacuation plans within the Port are the same as those for the proposed Project. Therefore, Alternative 4 would not substantially interfere with an existing emergency response or evacuation plan, or require a new emergency response or evacuation plan. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

The operation of Alternative 4 in-water components would not substantially interfere with existing emergency response or evacuation plans or require a new emergency response or evacuation plan under NEPA. Therefore, impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-3b: Operation of Alternative 4 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.

Alternative 4 would eliminate the Outer Harbor Cruise Terminals and berths when compared to the proposed Project. Therefore, Alternative 4 removes associated hazards due to tsunamis by removing the Outer Harbor Cruise Terminal and the Outer Harbor cruise berths from the design. The Main Channel would not experience substantial increases in MSL near the Inner Harbor and does not experience deck overtopping.

CEQA Impact Determination

Since Alternative 4 removes the Outer Harbor cruise facilities and the new 200,000-square-foot Inner Harbor Cruise Terminal would be relatively protected against the modeled tsunami scenarios, there would not be a substantial public health and safety concern as a result of hazardous materials being spilled or released during a tsunami. Therefore, under CEQA, Alternative 4 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Alternative 4 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami under NEPA. Therefore, impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-4b: Operation of Alternative 4 would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action.

Alternative 4 eliminates the potential terrorist targets associated with the proposed Outer Harbor cruise facilities. However, the Inner Harbor Cruise Terminal for Berth 91 would be rebuilt and operated as a 200,000-square-foot terminal to serve the Inner Harbor berths along with the existing terminal and berths. Although there is a reduction in the scale of the cruise facilities under Alternative 4, the impacts associated with the likelihood of a hazardous material(s) release, spill, or explosion due to terrorism would remain relatively the same when compared to the existing baseline conditions.

CEQA Impact Determination

The operation of Alternative 4 would not substantially increase the likelihood of an accidental hazardous material release and impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Alternative 4 cruise facilities (the operation of the newly rebuilt 200,000-square-foot Inner Harbor Cruise Terminal) would not operate within the water or would occur within the in-water project area (i.e., no dredging or filling). Impacts would be less than significant under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Impact RISK-5b: Operation of Alternative 4 would not substantially increase the likelihood of an accidental hazardous material spill, release, or explosion of hazardous materials as a result of modifications related to Alternative 4.

Alternative 4 contains components similar to those for the proposed Project that are sources of hazardous materials within the Project area and therefore could be affected by the potential to spill, release, or explode hazardous materials. The exception is the elimination of the proposed Outer Harbor cruise facilities. Impacts identified for the proposed Project would be reduced given these changes under Alternative 4, but overall impacts would be classified as the same for all other Alternative 4 project components, including Mike's fueling station. This alternative would use, handle, and store hazardous materials that would be regulated by the federal and state hazardous materials laws, and would be stored, maintained, and handled in a manner intended to prevent a large release or spill.

CEQA Impact Determination

Alternative 4 would substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials. Impacts would be significant.

Mitigation Measures

Implement Mitigation Measure MM RISK-1.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

The operation of Alternative 4 would result in reduced impacts compared to the proposed Project as a result of fewer cruise terminals and berths, and would not substantially increase the likelihood of a hazardous material spill, release, or explosion. Impacts would be significant under NEPA for Mike's fueling station.

Mitigation Measures

Implement Mitigation Measure MM RISK-1.

Residual Impacts

Impacts would be less than significant.

3.7.4.3.6 Alternative 5—No-Federal-Action Alternative

The No-Federal-Action Alternative eliminates all of the proposed project elements that would require a federal permit or other substantial federal interest. The federal project basically consists of all in-water construction and operation. Landside construction activities within 100 feet of the shoreline necessary to complete the in-water activities also would be within the USACE's regulatory purview, and therefore, these construction activities would not occur under Alternative 5.

Therefore, the following harbors, promenade, and open space proposed project elements would not exist under Alternative 5, as compared to the proposed Project:

- no North Harbor,
- no Downtown Harbor,
- no 7th Street Harbor,
- no 7th Street Pier,
- no new fuel station located at Berth 240, Parcel 3,
- no Outer Harbor Cruise Terminal or cruise berths, and
- no waterfront promenade constructed over water (i.e., Ports O'Call, Salt Marsh/Youth Camp, City Dock No. 1).

None of these proposed project elements would be constructed under Alternative 5 because they would require the involvement of the USACE for federal permitting purposes. However, all landside components included under the proposed Project would be constructed and operated as part of Alternative 5. These components include, but are not limited to the following:

- demolishing existing Berth 91 Cruise Terminal and building a new 200,000-square-foot cruise terminal (as in Alternative 1 and Alternative 4);
- develop Inner Harbor parking structure (as in Alternative 3);
- redeveloping and developing Ports O'Call, as in the proposed Project;
- removal of industrial uses in the area as in the proposed Project;
- retaining the operations of Jankovich fueling station in its existing location; and
- retaining Mike's fueling station in the existing location as in the proposed Project.

Impact RISK-1a: Construction of Alternative 5 would comply with applicable safety and security regulations and policies guiding development within the Port.

Alternative 5 would generally require less construction and demolition than the proposed Project because Alternative 5 does not include any in-water construction or

demolition and does not include building the Outer Harbor cruise facilities. However, the demolition and construction required to construct Alternative 5 would require construction equipment that could spill oil, gas, or fluids during the normal usage or during refueling. Since Alternative 5 requires less demolition and construction than the proposed Project, the scope of Alternative 5 has been fully analyzed with respect to the construction and demolition of Alternative 5 complying with applicable security, safety, and Port development regulations as under RISK-1a for the proposed Project. However, overall impacts would be the same as those for the proposed Project, as described below. Construction activities related to Alternative 1 would be required to comply with the same security and safety regulations as the proposed Project.

CEQA Impact Determination

Construction and demolition activities for Alternative 5 would involve the handling and use of certain amounts of hazardous materials. However, the hazardous materials used would be less than under the proposed Project since Alternative 5 would require less construction and demolition when compared to the proposed Project. Therefore, under CEQA, the construction of Alternative 5 would comply with applicable security and safety regulations and/or LAHD policies guiding Port development as identified under the proposed project RISK-1a CEQA determination. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Because the No-Federal-Action Alternative is identical to the NEPA baseline, this alternative would have no impact under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

No impacts would occur.

Impact RISK-2a: Construction of Alternative 5 would not substantially interfere with an existing emergency response or evacuation plan, thereby increasing the risk of injury or death.

The construction and demolition activities associated with Alternative 5 would be subject to the same emergency response and evacuation systems implemented by the Port Police and LAFD as those for the proposed Project.

CEQA Impact Determination

Alternative 5 construction activities would be subject to the same requirements as the proposed Project and would not substantially interfere with an existing emergency response or evacuation plan or increase the risk of injury or death. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Because the No-Federal-Action Alternative is identical to the NEPA baseline, this alternative would have no impact under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

No impacts would occur.

Impact RISK-3a: Construction of Alternative 5 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.

The construction and demolition that would occur under Alternative 5 would generally be much less than what would be required for the proposed Project. Although Alternative 5 includes the demolition of the Inner Harbor Cruise Terminal serving Berths 91–92 and would reconstruct it to 200,000 square feet, it would not include the construction of any in-water component such as the Outer Harbor Cruise

Terminal or Outer Harbor cruise berths. This fact generally reduces impacts from tsunami; however, overall impacts are the same as those for the proposed Project. The analysis conducted for the construction of the proposed Project regarding the accidental release, spill, or explosion of hazardous materials due to a tsunami is also applicable to Alternative 5.

CEQA Impact Determination

Alternative 5 generally represents a reduction of construction and demolition from the proposed Project. Additionally, Alternative 5 would not include any construction in the Outer Harbor, which is an area that would experience higher water levels during a tsunami than other areas within the proposed project area. Furthermore, the potential consequences of such accidents would be small due to the localized, short-term nature of the releases and the relatively low volume of hazardous materials spilled. As for the proposed Project, construction/demolition activities associated with Alternative 5 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Because the No-Federal-Action Alternative is identical to the NEPA baseline, this alternative would have no impact under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

No impacts would occur.

Impact RISK-4a: Construction of Alternative 5 would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action.

Alternative 5 (similar to Alternative 4) eliminates the Outer Harbor Cruise Terminals and berths, similar to Alternative 4, which would generally reduce terrorist targets. However, Inner Harbor cruise facilities would still exist. Thus, the threat of a terrorist

action would not appreciably change over the existing baseline during construction or demolition activities of Alternative 5. Alternative 5 is subject to the same regulations for constructing the proposed facilities as the proposed Project. Therefore, overall impacts remain the same as under the proposed Project.

CEQA Impact Determination

Under CEQA, Alternative 5 impacts related to hazardous materials releases, spills, or explosions due to terrorist actions during the construction and demolition of Alternative 5 project components are the same as those for Alternative 4. Construction and demolition activities for Alternative 5 would involve the handling and use of similar amounts of hazardous materials as under the proposed Project, and the potential consequences of a spill, release, or explosion of the hazardous materials due to a terrorist action would be comparable to those for the proposed Project. Similar to the proposed Project, the enforcement of construction and demolition standards, including BMPs by appropriate local and state agencies (i.e., Port Police, LAFD, LAHD), would minimize the potential for a spill, release, or explosion of hazardous materials or during construction due to a terrorist action for Alternative 5. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Because the No-Federal-Action Alternative is identical to the NEPA baseline, this alternative would have no impact under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

No impacts would occur.

Impact RISK-5a: Construction of Alternative 5 would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials as a result of modifications related to Alternative 5.

Alternative 5 would not include the construction of in-water elements or the Outer Harbor Cruise Terminal, as in the proposed Project. Although, Alternative 5 does not

include the construction of the North Harbor, it still includes construction of the Inner Harbor parking structure; therefore, as under the proposed Project, the existing Navy Fuel Surge pipeline would still need to be abandoned and removed. Additionally, this alternative does not include the decommissioning of the Jankovich fueling station, but would include the removal of Westway Terminal and the SP Railyard, as in the proposed Project. Thus, there is a reduction of construction and demolition activities for Alternative 5 when compared to those for the proposed Project. Since Alternative 5 requires less demolition and construction than the proposed Project, the scope of Alternative 5 has been fully analyzed under RISK 5a for the proposed Project. Refer to Impact RISK-4a above for further discussion related to hazardous material releases, spills, or explosions as applicable to Alternative 5.

CEQA Impact Determination

The construction and demolition impacts associated with Alternative 5 substantially increasing the likelihood of an accidental release, spill, or explosion of hazardous material would be reduced overall when compared to those for the proposed Project. The decommissioning of Westway Terminal and the SP Railyard would require adherence to EPCRA, LAFD regulations, and other state and federal regulations and guidelines governing the decommissioning and remediation of hazardous materials and providing oversight and prevention techniques for the decommissioning. Additionally, the decommissioning would include remediation efforts to remove the known or suspected hazardous groundwater and soil contamination at the site. See Section 3.6, "Groundwater and Soils," for a full discussion of the regulations governing existing ground and soil contamination and remediation in the proposed project area. As under the proposed Project, impacts associated with abandonment and removal of the surge pipeline under Alternative 5 would be significant. Implementation of Mitigation Measure MM GW-1c would reduce impacts to a less-than-significant level.

Mitigation Measures

Implement Mitigation Measure MM GW-1c.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Because the No-Federal-Action Alternative is identical to the NEPA baseline, this alternative would have no impact under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

No impacts would occur.

Impact RISK-1b: Operation of Alternative 5 would comply with applicable safety and security regulations and policies guiding development within the Port.

Although under Alternative 5 the development and operation of the Outer Harbor Cruise Terminals and berths would not occur, the operation of the Inner Harbor Cruise Terminals would be the same as under the proposed Project and would be subject to the same safety and security regulations. Elimination of the Outer Harbor Cruise Terminals and berths under Alternative 4 would completely remove the need to comply with safety requirements. Additionally, the redevelopment of the existing cruise terminal in Inner Harbor would have a beneficial effect by providing higher levels of safety and compliance.

However, under Alternative 5 the Jankovich fueling station would remain at the current location at Berth 74 and the new fuel facility at Berth 240 would not be built or operated. The Jankovich fueling station would not be upgraded and would operate under the existing conditions. It would continue to remain next to existing and proposed redevelopment in the Ports O'Call area. This alternative would subject users of Ports O'Call to significant safety risks associated with operations of the Jankovich fueling station in this location due to the hazardous footprint that extends well into the Ports O'Call area.

The PMP calls for the long-range plans for PA 2 to include the decommissioning and/or relocation of hazardous and potentially incompatible cargo operations to Terminal Island and its proposed southern extension. The development of PA 2 would then be allowed to focus primarily on commercial, recreational, commercial fishing, and nonhazardous cargo and support activities. The continued operation of the Jankovich fueling station does not support this long-range plan for PA 2, and would therefore be inconsistent with the Port Master Plan for PA 2.

Additionally, the continued operation of the Jankovich fueling station does not comply with the Port's RMP. The purpose of the RMP is to provide siting criteria for the storage and handling of potentially hazardous cargo such as crude oil, petroleum products, and chemicals relative to vulnerable resources. The RMP provides guidance for existing activities to minimize or eliminate the hazards to vulnerable resources from accidental releases. The RMP allows a modification that extends the life of an existing facility. However, the Jankovich fueling station has a hazardous footprint that overlaps with the existing Ports O'Call development and the existing open space next to the fueling station. Furthermore, the station has a hazardous footprint that would overlap with the proposed development of Ports O'Call. This would increase the risk to existing vulnerable populations, which would increase as part of the proposed Project and Alternative 5 due to redevelopment and expansion of Ports O'Call, who would use this area in the event of a hazardous material explosion at the Jankovich fueling station. The continued use of the facility would not remove

its hazardous footprint. Therefore, the continued operation of the Jankovich fueling station under Alternative 5 would not comply with the Port's RMP meant to guide development within the Port and would place vulnerable resources, as defined by the Port's RMP, at risk.

Finally, as with the proposed Project, under Alternative 5 Mike's fueling station would remain in place and the proposed waterfront promenade would be located within close proximity. Currently, Mike's fueling station stores, handles, and contains hazardous materials with flashpoints below 140 degrees. Materials with flashpoints below 140 degrees are considered to pose a significant risk and are deemed hazardous. Therefore, the continued operation of Mike's fueling station next to the proposed waterfront promenade would not be consistent with the Port's RMP and would pose a hazard to vulnerable resources.

CEQA Impact Determination

Alternative 5 impacts related to safety and security regulations and/or policies guiding development within the Port are the same as those for Alternative 1 and Alternative 4 for the redevelopment and operation of the Inner Harbor Cruise Terminal.

However, Alternative 5 differs from the proposed Project and the other alternatives with the continued operation of the Jankovich fueling station. The continued operation of the Jankovich fueling station would not differ from existing baseline conditions; however, continued operation of the facility would not comply with applicable policies guiding development within the Port, specifically the PMP and the Port RMP. Additionally, the proposed development within Ports O'Call would subject future commercial and recreational users to existing significant hazards. Furthermore, the proximity of the visiting public and recreational receptors (defined as vulnerable populations under the Port's RMP) to Mike's fueling station via the proposed waterfront promenade would not comply with the RMP with respect to locating vulnerable resources near existing or approved facilities handling hazardous liquid bulk cargos. Therefore, the operation of Alternative 5 would not comply with applicable safety regulations (e.g., RMP), and impacts would be significant. Implementation of Mitigation Measures MM RISK-1 and MM RISK-2 would reduce impacts to less-than-significant levels.

Mitigation Measures

Implement Mitigation Measure MM RISK-1.

MM RISK-2: Avoid development within the Jankovich fueling station hazard footprint. Any Ports O'Call development proposed under Alternative 5 will be developed outside of the hazardous footprint of the Jankovich fueling station. Furthermore, Fishermen's Park will not be developed within the hazardous footprint of the fueling station. This may be accomplished by developing the new uses outside of the hazard footprint, ceasing operations at the Jankovich fueling station, relocating the station, developing a blast barrier, relocating the aboveground storage tanks,

upgrading the equipment to bring the existing facilities into compliance with current safety and environmental standards, or some combination thereof.

Residual Impacts

Impacts would less than significant.

NEPA Impact Determination

Because the No-Federal-Action Alternative is identical to the NEPA baseline, this alternative would have no impact under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

No impacts would occur.

Impact RISK-2b: Operation of Alternative 5 would not substantially interfere with an existing emergency response or evacuation plan, or require a new emergency or evacuation plan, thereby increasing the risk of injury or death.

Alternative 5 does not incorporate as many public amenities to attract people to the waterfront as the proposed Project.

Although Alternative 5 calls for a new 200,000-square-foot Inner Harbor Cruise Terminal and removes the operation of all in-water project components including the Outer Harbor Cruise Terminals and berths, this alternative is subject to the same emergency management plans as the proposed Project. Therefore, all issues related to the existing emergency response or evacuation plans have been fully analyzed under RISK-2b for the proposed Project and are applicable to Alternative 5.

CEQA Impact Determination

Under CEQA, Alternative 5 impacts related to emergency response or evacuation plans within the Port are the same as those for the proposed Project. Therefore, Alternative 5 would not substantially interfere with an existing emergency response or evacuation plan or require a new emergency response or evacuation plan. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Because the No-Federal-Action Alternative is identical to the NEPA baseline, this alternative would have no impact under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

No impacts would occur.

Impact RISK-3b: Operation of Alternative 5 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.

The analysis conducted for the operations of the proposed Project and Alternative 1 regarding the accidental release, spill, or explosion of hazardous materials due to a tsunami is also applicable to the Alternative 5 components. Alternative 5 does not include an Outer Harbor Cruise Terminal or any Outer Harbor cruise berths. This factor generally reduces operational impacts from a tsunami; however, overall impacts are the same as under the proposed Project.

CEQA Impact Determination

Although designing new facilities based on existing building codes may not prevent substantial damage to structures from coastal flooding as a result of tsunamis or seiches, the impacts due to seismically induced tsunamis and seiches are typical for the entire California coastline and would not be increased by operation of Alternative 5. Since Alternative 5 removes the Outer Harbor cruise facilities and the new 200,000-square-foot Inner Harbor Cruise Terminal would be relatively protected against the modeled tsunami scenarios, there would not be a substantial public health and safety concern as a result of hazardous materials being spilled or released during a tsunami. Therefore, under CEQA, Alternative 5 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Because the No-Federal-Action Alternative is identical to the NEPA baseline, this alternative would have no impact under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

No impacts would occur.

Impact RISK-4b: Operation of Alternative 5 would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action.

Alternative 5 eliminates the Outer Harbor cruise facilities, and includes redevelopment of the Inner Harbor Cruise Terminal at Berth 91. This factor would generally reduce terrorist targets, but the risk associated with a terrorist action would remain for the Inner Harbor and would be the same as under the proposed Project when compared to the baseline conditions.

CEQA Impact Determination

Impacts related to hazardous materials releases, spills, or explosions due to terrorist actions during the operation of Alternative 5 project components are the same as under the proposed Project. Therefore, under CEQA, the operation of Alternative 5 would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous material(s) due to a terrorist action. Impacts would be less than significant.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Because the No-Federal-Action Alternative is identical to the NEPA baseline, this alternative would have no impact under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

No impacts would occur.

Impact RISK-5b: Operation of Alternative 5 would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials as a result of modifications related to Alternative 5.

Alternative 5 contains components similar to those for the proposed Project that are sources of hazardous materials within the proposed project area and therefore could be affected by the potential to spill, release, or explode hazardous materials. The exception is the elimination of the proposed Outer Harbor cruise facilities. Impacts identified for the proposed Project would be reduced given these changes under Alternative 5, but overall impacts would be classified as the same for all other Alternative 5 project components, including Mike's fueling station. This alternative would use, handle, and store hazardous materials that would be regulated by the federal and state hazardous materials laws, and would be stored, maintained, and handled in a manner intended to prevent a large release or spill.

However, under Alternative 5 the Jankovich fueling station would remain at the current location in PA 2 at the end of Ports O'Call at Berth 74. The facility has been in operation since 1933, and the existing equipment, tanks, and facilities have been added over the years. It is currently out of compliance with existing tank regulations. Furthermore, it needs a number of upgrades to bring it into compliance with existing safety standards. The site is in need of new equipment, safety upgrades, and repairs to replace existing equipment. Under Alternative 5, this facility would not be upgraded and would operate under the existing conditions on a holdover lease. Furthermore, under Alternative 5 the proposed development of Ports O'Call would proceed as planned, placing vulnerable resources as defined by the Port's RMP within the hazardous footprint of the Jankovich fueling station.

CEQA Impact Determination

The operational impacts of Alternative 5 related to the likelihood of an accidental spill, release, or explosion would be less than significant for most of the proposed project components, as discussed above. However, Alternative 5 would substantially increase the likelihood of an accidental hazardous material spill, release, or explosion involving people and property over the proposed Project because of the continued operation of the Jankovich fueling station at its existing location. Alternative 5 would not provide the benefits associated with the proposed Project of relocating the Jankovich fueling station. Additionally, under Alternative 5, Ports O'Call would be developed as under the proposed Project. Therefore, impacts would be significant.

Implementation of Mitigation Measure RISK-2 would reduce impacts to less-than-significant levels.

Mitigation Measures

Implement Mitigation Measure MM RISK-2.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Because the No-Federal-Action Alternative is identical to the NEPA baseline, this alternative would have no impact under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

No impacts would occur.

3.7.4.3.7 Alternative 6—No-Project Alternative

This alternative considers what would reasonably be expected to occur on the proposed project site if no LAHD or federal action would occur. LAHD would not issue any permits or discretionary approvals and would take no further action to construct or permit the construction of any portion of the proposed Project. The USACE would not issue any permits or discretionary approvals for dredge or fill actions, transport or ocean disposal of dredged material, or construction of wharves, and there would be no significance determinations under NEPA. This alternative would not allow implementation of the proposed Project or other physical improvements associated with the proposed Project. Under this alternative, no construction impacts would occur.

The following related projects and reasonably foreseeable actions would occur even if the proposed Project or one of the other alternatives is not approved:

- The cruise ship facilities would continue to operate with three berths in the Inner Harbor. The cruise operations would be brought under CAAP compliance as leases renew.
- The Jankovich fueling station would continue operations in its current location in Ports O'Call on a holdover lease.
- No new fuel facility would be constructed at Berth 240, Parcel 3.

- Mike's fueling station would remain on its holdover lease and the lease would not be renewed.
- The demolition of Westway Terminal would occur under a separate action under the oversight of DTSC.

Impacts RISK-1a, RISK-2a, RISK-3a, RISK-4a, and RISK-5a: Construction of Alternative 6

CEQA Impact Determination

Under the No-Project Alternative (Alternative 6), no development would occur within the proposed project area. Therefore, Alternative 6 would not result in or expose people to accidental release of hazardous materials, contamination of soil or water, and/or an accidental release from a fire or explosion, beyond those associated with current baseline conditions. Therefore, no construction impacts would occur under CEQA for RISK-1a, RISK-2a, RISK-3a, RISK-4a, and RISK-5a.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

This alternative is not applicable to NEPA.

Mitigation Measures

Not applicable.

Residual Impacts

Not applicable.

Impact RISK-1b: Operation of Alternative 6 would comply with applicable safety and security regulations and policies guiding development within the Port.

The existing World Cruise Facility is subject to USCG maritime security regulations discussed in Section 3.7.3.4.1. In compliance with these regulations, the terminal would continue to submit FSAs and FSPs to the USCG review and approval. The World Cruise Facility currently operates under the approved FSA/FSP. Security

measures would continue to occur at the existing terminals in accordance with existing regulations and Port security measures.

Under Alternative 6 the Jankovich fueling station would remain at the current location, in PA 2 at the end of Ports O'Call at Berth 74. It would not be upgraded and would operate under the existing conditions. It would continue to remain next to the Ports O'Call open space area and Ports O'Call buildings. The current hazard footprint exists, and this alternative does not result in changes to this condition.

Demolition activities for Westway Terminal would still occur but under a separate project with DTSC oversight. The site would be evaluated for groundwater and soil contamination and if need be, the site would be remediated. The site would remain vacant for the short term but would eventually be used for research and development or a public use. Any future project identified for the site would be evaluated under subsequent CEQA/NEPA as required by the specific project elements.

Under Alternative 6, Mike's fueling station would remain at the current location and would operate under the existing conditions. The current hazard footprint exists, but this alternative does not result in changes to this condition and no vulnerable populations (i.e., recreational receptors) would be introduced within close proximity to Mike's fueling station.

CEQA Impact Determination

Under Alternative 6 the existing World Cruise Facility would remain and would continue to serve three berths. It would continue to have an FSA and FSP or the USCG would not allow it to operate (Gooding pers. comm. 2008). Additionally, any new cruise ships calling at the existing World Cruise Center would be required to comply with internal Port security initiatives, MTSA of 2003 including 33 CFR 105, as well as ISPS, which are all enforceable by the USCG and LAHD's Homeland Security Division. Alternative 6 would therefore comply with applicable federal and Port security regulations regarding the existing cruise ship facilities and no impacts would occur.

The continued operation of the Jankovich fueling station would not differ from existing baseline conditions; however, continued operation of the facility would not comply with applicable policies guiding development within the Port, specifically the PMP and the Port RMP. However, since Jankovich would remain as it currently exists under Alternative 6, there is no difference between the CEQA baseline and Alternative 6. Therefore, since the CEQA baseline and Alternative 6 are the same, impacts would not occur.

Additionally, the continued operation of Mike's fueling station would not differ from existing baseline conditions; therefore, since the CEQA baseline and Alternative 6 are the same, impacts would not occur.

The demolition of Westway Terminal has a beneficial impact even if it is not occurring under the proposed Project. The demolition would physically remove an industrial use from PA 2 and allow the former site to be used for a use better suited

for the community of San Pedro and the public. Although the site would remain vacant for the short term it would eventually be used for research and development or another public use. Any future project identified for the site would be evaluated under subsequent CEQA/NEPA as required by the specific project elements. The demolition of Westway Terminal complies with the PMP, which calls for the long-range plans for PA 2 to include the relocation of hazardous and potentially incompatible cargo operations to Terminal Island and its proposed southern extension. Additionally, the demolition of Westway Terminal supports the Port's RMP, as it removes a potential risk to vulnerable populations located in west of the Main Channel. No impacts would occur.

Mitigation Measures

No mitigation is required.

Residual Impacts

No impacts would occur.

NEPA Impact Determination

This alternative is not applicable to NEPA.

Mitigation Measures

Not applicable.

Residual Impacts

Not applicable.

Impact RISK-2b: Operation of Alternative 6 would not substantially interfere with an existing emergency response or evacuation plan, or require a new emergency or evacuation plan, thereby increasing the risk of injury or death.

Tenants of the Port that are required to have their own emergency management plans would continue to be responsible for their emergency management plans under Alternative 6. The emergency response plans would continue to comply with all applicable requirements for developing, maintaining, and implementing an emergency response plan. Port evacuation plans are maintained and managed by AMSEC and cover all the area encompassing the Ports of Los Angeles and Long Beach, which includes the proposed project area. These plans are being revised and are updated on an as-needed basis by the committee. The Port Police implement the evacuation plans. Because they contain sensitive security material they are not

available to the public. These plans would be updated and would include the entire area of Alternative 6 (Malin pers. comm. 2008b).

CEQA Impact Determination

Under CEQA, the operation of Alternative 6 related to emergency response or evacuation plans within the Port would remain the same as existing conditions. Therefore, Alternative 6 would not substantially interfere with an existing emergency response or evacuation plan, or require a new emergency response or evacuation plan. No impacts would occur.

Mitigation Measures

No mitigation is required.

Residual Impacts

No impacts would occur.

NEPA Impact Determination

This alternative is not applicable to NEPA.

Mitigation Measures

Not applicable.

Residual Impacts

Not applicable.

Impact RISK-3b: Operation of Alternative 6 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.

The analysis conducted for the operations of the proposed Project regarding the accidental release, spill, or explosion of hazardous materials due to a tsunami is applicable to Alternative 6 components with respect to existing hazards to Port facilities. Alternative 6 would not introduce any new components into the area that do not currently exist. Additionally, the Jankovich fueling station would remain in its current location in the Main Channel. Furthermore, Alternative 6 would not introduce cruise ship facilities into the Outer Harbor, and the existing cruise facilities would remain in the same location in the Inner Harbor.

CEQA Impact Determination

Alternative 6 would not introduce substantially more potential sources over the existing conditions that could lead to the accidental spill, release, or explosion during a tsunami. Since Alternative 6 would not appreciably change the cruise facilities in the Inner Harbor from the existing conditions, the likelihood of an accidental release, spill, or explosion caused by a tsunami under Alternative 6 would be the same as under the existing conditions of today. Therefore, under CEQA, Alternative 6 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami. No impacts would occur.

Mitigation Measures

No mitigation is required.

Residual Impacts

No impacts would occur.

NEPA Impact Determination

This alternative is not applicable to NEPA.

Mitigation Measures

Not applicable.

Residual Impacts

Not applicable.

Impact RISK-4b: Operation of Alternative 6 would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous material(s) due to a terrorist action.

Alternative 6 includes the same Inner Harbor cruise facilities as compared to existing conditions. Therefore, the impacts associated with the likelihood of a hazardous material(s) release, spill, or explosion due to terrorism would remain the same when compared to the existing conditions. As previously discussed in the proposed Project analysis, the threat of a terrorist action against the Port cannot actually be quantitatively measured or even qualitatively described. Therefore, the likelihood of a terrorist action would remain as a possibility under Alternative 6 as it does under the existing conditions of the Port. The existing World Cruise Center would continue to comply with all applicable security requirements, as they do now. Therefore, the same level of reduction of vulnerability through the implementation of required security measures to a terrorist action would continue to occur under Alternative 6.

Alternative 6 would slightly increase the number of passengers over existing conditions, because it would include an ambient growth of the cruise industry over the next three decades. The same general scenarios used to describe the types of terrorist actions that could occur against the proposed Project would be the same for Alternative 6. Finally, the same hazardous materials present today would likely be present under Alternative 6. Alternative 6 would include essentially the same cruise elements when compared to the existing baseline conditions and the consequences of a terrorist action under the proposed Project are relatively the same as the existing conditions. Therefore, the environmental consequences of a terrorist action, including casualties arising from the action and from the release, explosion, or spill of hazardous materials, would remain relatively the same for Alternative 6 as it currently is for the existing cruise facilities and ships.

CEQA Impact Determination

The impacts associated with the likelihood of a hazardous material(s) release, spill, or explosion due to a terrorist action on the existing cruise terminals would remain the same when compared to the existing conditions. Under Alternative 6 the existing World Cruise Center and visiting cruise vessels would continue to comply with all existing applicable security and safety regulations as they do today. Therefore, the environmental consequences of a terrorist action, including casualties arising from the action and from the release, explosion, or spill of hazardous materials, would be the same for Alternative 6 as those that currently exist for the cruise facilities and ships. Therefore, under CEQA, the operation of Alternative 6 would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous material(s) due to a terrorist action. No impacts would occur.

Mitigation Measures

No mitigation is required.

Residual Impacts

No impacts would occur.

NEPA Impact Determination

This alternative is not applicable to NEPA.

Mitigation Measures

Not applicable.

Residual Impacts

Not applicable.

Impact RISK-5b: Operation of Alternative 6 would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous material(s) as a result of modifications related to the proposed Project.

Alternative 6 includes the same Inner Harbor cruise facilities as compared to existing conditions. Therefore, the impacts associated with the likelihood of an accidental hazardous material(s) release, spill, or explosion would remain the same when compared to the existing conditions. Alternative 6 would slightly increase the number of passengers over the existing conditions because it would include an ambient growth of the cruise industry over the next three decades. However, the existing cruise facilities would continue to comply with all federal, state, and local regulations regarding the handling, storage, and use of hazardous materials. These regulations exist to reduce the likelihood of an accidental spill, release, or explosion, and to reduce the consequences should an accidental release, spill, or explosion occur. The existing commercial and restaurant uses in the Ports O'Call would not change under Alternative 6. It is likely that the commercial and restaurant uses in Ports O'Call use small amounts of materials that could be considered hazardous, such as cleaning supplies and bleach, in the normal course of business. These existing businesses are currently required to comply with all local, state, and federal regulations regarding the use, storage, and handling of these hazardous materials. These regulations are enforced by agencies such as LAFD, OSHA, CalEPA, and EPA

As in Alternative 5, under Alternative 6 the Jankovich fueling station would remain at the current location, in PA 2 at the end of Ports O'Call at Berth 74. The facility has been in operation since 1933, and the existing equipment, tanks, and facilities have been added over the years. It is currently out of compliance with existing tank regulations. Furthermore, it needs a number of upgrades to bring it into compliance with existing safety standards. The site is in need of new equipment, safety upgrades, and repairs to replace existing equipment. Under Alternative 6, it would not be upgraded and would operate under the existing conditions on a holdover lease. Existing hazards would remain under this alternative, but would not change compared to existing baseline conditions.

Under Alternative 6, Mike's fueling station would remain at the current location and would operate under the existing conditions. The current hazard footprint exists, but this alternative does not result in changes to this condition and no vulnerable populations (i.e., recreational receptors) would be introduced within close proximity to Mike's fueling station.

Demolition activities for Westway Terminal would still occur but under a separate project with DTSC oversight. The site would be evaluated for groundwater and soil contamination and if need be, the site would be remediated. The site would remain vacant for the short term but would eventually be used for research and development or a public use. Any future project identified for the site would be evaluated under subsequent CEQA/NEPA as required by the specific project elements.

CEQA Impact Determination

The impacts associated with the likelihood of an accidental hazardous material(s) release, spill, or explosion at the existing cruise terminals would remain the same when compared to the existing conditions. No impacts would occur. Additionally, the continued operation of Mike's fueling station would not differ from existing baseline conditions; therefore, since the CEQA baseline and Alternative 6 are the same, impacts would not occur. Under Alternative 6, the removal Westway Terminal from PA 2 would be a beneficial, even if it is removed under a different project. This outcome would reduce the potential for accidental releases, spills, or explosions of hazardous materials. No impacts would occur. Alternative 6 would not provide the benefits associated with the proposed Project of relocating the Jankovich fueling station. However, since the station would remain as it currently exists under Alternative 6, there is no difference between the CEQA baseline and Alternative 6. Therefore, since the CEQA baseline and Alternative 6 are the same, impacts would not occur.

Mitigation Measures

No mitigation is required.

Residual Impacts

No impacts would occur.

NEPA Impact Determination

This alternative is not applicable to NEPA.

Mitigation Measures

Not applicable.

Residual Impacts

Not applicable.

3.7.4.3.8 Summary of Impact Determinations

Table 3.7-5 summarizes the CEQA and NEPA impact determinations of the proposed Project and its alternatives related to hazards and hazardous materials, as described in the detailed discussion in Sections 3.7.4.3.1 through 3.7.4.3.7. This table is meant to allow easy comparison between the potential impacts of the proposed Project and its alternatives with respect to hazards and hazardous materials. Identified potential impacts may be based on federal, state, and City of Los Angeles significance criteria, LAHD criteria, and the scientific judgment of the report preparers.

For each type of potential impact, the table describes the impact, notes the CEQA and NEPA impact determinations, describes any applicable mitigation measures, and notes the residual impacts (i.e., the impact remaining after mitigation). All impacts, whether significant or not, are included in this table.

Table 3.7-5. Summary Matrix of Potential Impacts and Mitigation Measures for *Hazards and Hazardous Materials* Associated with the Proposed Project and Alternatives

Alternative	*Environmental Impacts**	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
3.7 Hazards and Hazardous Materials				
Proposed Project	**RISK-1a:** Construction of the proposed Project would comply with applicable safety and security regulations and policies guiding development within the Port.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-2a: Construction of the proposed Project would not substantially interfere with an existing emergency response or evacuation plan, thereby increasing the risk of injury or death.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-3a: Construction of the proposed Project would not result in a substantial increase in public health and safety concerns as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-4a: Construction of the proposed Project would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant

Alternative	*Environmental Impacts**	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
	RISK-5a: Construction of the proposed Project would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials as a result of modifications related to the proposed Project.	CEQA: Significant	**MM GW-1c. Abandonment and removal of Navy fuel surge line.** The abandonment and removal of the pipeline will include the submittal of a work plan to the California State Fire Marshall (CSFM) and other applicable agencies, as appropriate. The portion of the fuel surge line to be excavated will be drained of all fluids, cleaned, flushed, and then capped. Materials from the purged fuel surge line will be characterized for disposal and disposed of at an appropriately certified hazardous waste facility. Testing will occur prior to the abandonment of the line and prior to any excavation of the North Harbor. Should contamination be found, appropriate remedial or removal action will occur prior to or concurrent with construction, under approval of the appropriate oversight agency. (See Section 3.6, "Groundwater and Soils.")	CEQA: Less than significant
		NEPA: Significant	Implement Mitigation Measure MM GW-1c.	NEPA: Less than significant
	RISK-1b: Operation of the proposed Project would comply with applicable safety and security regulations and policies guiding development within the Port.	CEQA: Significant	**MM RISK-1. Removal of all hazardous materials with flashpoints below 140 degrees from Mike's fueling Station.** Mike's fueling station will cease to handle hazardous materials with flashpoints below 140 degrees per the letter sent from LAHD to Mike Albano dated June 16, 2008, regarding the successor permit to revocable permit No. 98-14 prior to the operation of the proposed waterfront promenade. Products with a flashpoint below 140 degrees will not be permitted within the project area (i.e., San Pedro Waterfront Project area). The successor permit to RP No. 98-14 to allow the	CEQA: Less than significant

Alternative	*Environmental Impacts**	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
			operation for Mike's fueling station and continued lease of Mike's fueling station will only allow handling of products above said threshold. Prior to the operation of the waterfront promenade, Mike's fueling station will submit written confirmation identifying the complete removal of all hazardous materials on site with a flashpoint below 140 degrees as directed by the letter dated June 16, 2008. At the time of the written confirmation, Mike's fueling station will also provide copies all Material Safety Data Sheets (MSDS) for each product stored in bulk on site.	
		NEPA: Significant	Implement Mitigation Measure MM RISK-1.	NEPA: Less than significant
	RISK-2b: Operation of the proposed Project would not substantially interfere with an existing emergency response or evacuation plan or require a new emergency or evacuation plan, thereby increasing the risk of injury or death.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-3b: Operation of the proposed Project would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-4b: Operation of the	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant

Alternative	*Environmental Impacts**	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
	proposed Project would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action.	NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-5b: Operation of the proposed Project would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials as a result of modifications related to the proposed Project.	CEQA: Significant	Implement Mitigation Measure MM RISK-1.	CEQA: Less than significant
		NEPA: Significant	Implement Mitigation Measure MM RISK-1.	NEPA: Less than significant
Alternative 1	**RISK-1a:** Construction of Alternative 1 would comply with applicable safety and security regulations and policies guiding development within the Port.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-2a: Construction of Alternative 1 would not substantially interfere with an existing emergency response or evacuation plan, thereby increasing the risk of injury or death.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-3a: Construction of	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant

Alternative	*Environmental Impacts**	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
	Alternative 1 would not result in a substantial increased public health and safety concerns as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.	NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-4a: Construction of Alternative 1 would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-5a: Construction of Alternative 1 would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials as a result of modifications related to Alternative 1.	CEQA: Significant	Implement Mitigation Measure MM GW-1c.	CEQA: Less than significant
		NEPA: Significant	Implement Mitigation Measure MM GW-1c.	NEPA: Less than significant
	RISK-1b: Operation of Alternative 1 would comply with applicable safety and security regulations and policies guiding development within the Port.	CEQA: Significant	Implement Mitigation Measure MM RISK-1.	CEQA: Less than significant
		NEPA: Significant	Implement Mitigation Measure MM RISK-1.	NEPA: Less than significant
	RISK-2b: Operation of	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant

Alternative	*Environmental Impacts**	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
	Alternative 1 would not substantially interfere with an existing emergency response or evacuation plan or require a new emergency or evacuation plan, thereby increasing the risk of injury or death.	NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-3b: Operation of Alternative 1 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-4b: Operation of Alternative 1 would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-5b: Operation of Alternative 1 would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials as a result of modifications related to Alternative 1.	CEQA: Significant	Implement Mitigation Measure MM RISK-1.	CEQA: Less than significant
		NEPA: Significant	Implement Mitigation Measure MM RISK-1.	NEPA: Less than significant
Alternative 2	**RISK-1a:** Construction of	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant

Alternative	*Environmental Impacts**	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
	Alternative 2 would comply with applicable safety and security regulations and policies guiding development within the Port.	NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-2a: Construction of Alternative 2 would not substantially interfere with an existing emergency response or evacuation plan, thereby increasing the risk of injury or death.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-3a: Construction of Alternative 2 would not result in a substantial increased public health and safety concerns as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-4a: Construction of Alternative 2 would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-5a: Construction of	CEQA: Significant	Implement Mitigation Measure MM GW-1c.	CEQA: Less than significant

Alternative	*Environmental Impacts**	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
	Alternative 2 would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials as a result of modifications related to Alternative 2.	NEPA: Significant	Implement Mitigation Measure MM GW-1c.	NEPA: Less than significant
	RISK-1b: Operation of Alternative 2 would not comply with applicable safety and security regulations and policies guiding development within the Port.	CEQA: Significant	Implement Mitigation Measure MM RISK-1.	CEQA: Less than significant
		NEPA: Significant	Implement Mitigation Measure MM RISK-1.	NEPA: Less than significant
	RISK-2b: Operation of Alternative 2 would not substantially interfere with an existing emergency response or evacuation plan or require a new emergency or evacuation plan, thereby increasing the risk of injury or death.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-3b: Operation of Alternative 2 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-4b: Operation of	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant

Alternative	*Environmental Impacts**	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
	Alternative 2 would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action.	NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-5b: Operation of Alternative 2 would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials as a result of modifications related to Alternative 2.	CEQA: Significant	Implement Mitigation Measure MM RISK-1.	CEQA: Less than significant
		NEPA: Significant	Implement Mitigation Measure MM RISK-1.	NEPA: Less than significant
Alternative 3	**RISK-1a:** Construction of Alternative 3 would comply with applicable safety and security regulations and policies guiding development within the Port.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-2a: Construction of Alternative 3 would not substantially interfere with an existing emergency response or evacuation plan, thereby increasing the risk of injury or death.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-3a: Construction of	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant

Alternative	*Environmental Impacts**	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
	Alternative 3 would not result in a substantial increased public health and safety concerns as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.	NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-4a: Construction of Alternative 3 would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-5a: Construction of Alternative 3 would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials as a result of modifications related to Alternative 3.	CEQA: Significant	Implement Mitigation Measure MM GW-1c.	CEQA: Less than significant
		NEPA: Significant	Implement Mitigation Measure MM GW-1c.	NEPA: Less than significant
	RISK-1b: Operation of Alternative 3 would comply with applicable safety and security regulations and policies guiding development within the Port.	CEQA: Significant	Implement Mitigation Measure MM RISK-1.	CEQA: Less than significant
		NEPA: Significant	Implement Mitigation Measure MM RISK-1.	NEPA: Less than significant
	RISK-2b: Operation of	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant

Alternative	*Environmental Impacts**	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
	Alternative 3 would not substantially interfere with an existing emergency response or evacuation plan or require a new emergency or evacuation plan, thereby increasing the risk of injury or death.	NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-3b: Operation of Alternative 3 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-4b: Operation of Alternative 3 would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-5b: Operation of Alternative 3 would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials as a result of modifications related to Alternative 3.	CEQA: Significant	Implement Mitigation Measure MM RISK-1.	CEQA: Less than significant
		NEPA: Significant	Implement Mitigation Measure MM RISK-1.	NEPA: Less than significant
Alternative 4	**RISK-1a:** Construction of	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant

Alternative	*Environmental Impacts**	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
	Alternative 4 would comply with applicable safety and security regulations and policies guiding development within the Port.	NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-2a: Construction of Alternative 4 would not substantially interfere with an existing emergency response or evacuation plan, thereby increasing the risk of injury or death.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-3a: Construction of Alternative 4 would not result in a substantial increased public health and safety concerns as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-4a: Construction of Alternative 4 would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-5a: Construction of	CEQA: Significant	Implement Mitigation Measure MM GW-1c.	CEQA: Less than significant

Alternative	*Environmental Impacts**	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
	Alternative 4 would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials as a result of modifications related to Alternative 4.	NEPA: Significant	Implement Mitigation Measure MM GW-1c.	NEPA: Less than significant
	RISK-1b: Operation of Alternative 4 would comply with applicable safety and security regulations and policies guiding development within the Port.	CEQA: Significant	Implement Mitigation Measure MM RISK-1.	CEQA: Less than significant
		NEPA: Significant	Implement Mitigation Measure MM RISK-1.	NEPA: Less than significant
	RISK-2b: Operation of Alternative 4 would not substantially interfere with an existing emergency response or evacuation plan or require a new emergency or evacuation plan, thereby increasing the risk of injury or death.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-3b: Operation of Alternative 4 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-4b: Operation of	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant

Alternative	*Environmental Impacts**	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
	Alternative 4 would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action.	NEPA: Less than significant	No mitigation is required.	NEPA: Less than significant
	RISK-5b: Operation of Alternative 4 would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials as a result of modifications related to Alternative 4.	CEQA: Significant	Implement Mitigation Measure MM RISK-1.	CEQA: Less than significant
		NEPA: Significant	Implement Mitigation Measure MM RISK-1.	NEPA: Less than significant
Alternative 5	**RISK-1a:** Construction of Alternative 5 would comply with applicable safety and security regulations and policies guiding development within the Port.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: No impact	No mitigation is required.	NEPA: No impact
	RISK-2a: Construction of Alternative 5 would not substantially interfere with an existing emergency response or evacuation plan, thereby increasing the risk of injury or death.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: No impact	No mitigation is required.	NEPA: No impact
	RISK-3a: Construction of	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant

Alternative	*Environmental Impacts**	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
	Alternative 5 would not result in a substantial increased public health and safety concerns as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.	NEPA: No impacts	No mitigation is required.	NEPA: No impacts
	RISK-4a: Construction of Alternative 5 would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: No impacts	No mitigation is required.	NEPA: No impacts
	RISK-5a: Construction of Alternative 5 would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials as a result of modifications related to Alternative 5.	CEQA: Significant	Implement Mitigation Measure MM GW-1c.	CEQA: Less than significant
		NEPA: No impacts	No mitigation is required.	NEPA: No impacts
	RISK-1b: Operation of Alternative 5 would comply with applicable safety and security regulations and policies guiding development within the Port.	CEQA: Significant	Implement Mitigation Measure MM RISK-1. **MM RISK-2: Avoid development within the Jankovich fueling station hazard footprint.** Any Ports O'Call development proposed under Alternative 5 will be developed outside of the hazardous footprint of the Jankovich fueling station. Furthermore, Fishermen's Park will not be developed within the hazardous footprint of the fueling station. This may be accomplished by developing the new uses outside of the hazard footprint, ceasing	CEQA: Less than significant

Alternative	*Environmental Impacts**	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
			operations at the Jankovich fueling station, relocating the station, developing a blast barrier, relocating the aboveground storage tanks, upgrading the equipment to bring the existing facilities into compliance with current safety and environmental standards, or some combination thereof.	
		NEPA: No impact	No mitigation is required.	NEPA: No impact
	RISK-2b: Operation of Alternative 5 would not substantially interfere with an existing emergency response or evacuation plan or require a new emergency or evacuation plan, thereby increasing the risk of injury or death.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: No impact	No mitigation is required.	NEPA: No impact
	RISK-3b: Operation of Alternative 5 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: No impact	No mitigation is required.	NEPA: No impact
	RISK-4b: Operation of Alternative 5 would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous material(s) due to a terrorist action.	CEQA: Less than significant	No mitigation is required.	CEQA: Less than significant
		NEPA: No impact	No mitigation is required.	NEPA: No impact
	RISK-5b: Operation of	CEQA: Significant	Implement Mitigation Measure MM RISK-2.	CEQA: Less than significant

Alternative	*Environmental Impacts**	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
	Alternative 5 would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials as a result of modifications related to Alternative 5.	NEPA: No impact	No mitigation is required.	NEPA: No impact
Alternative 6	**RISK-1a:** Construction of Alternative 6 would comply with applicable safety and security regulations and policies guiding development within the Port.	CEQA: No impact	No mitigation is required.	CEQA: No impact
		NEPA: Not applicable†	Not applicable	NEPA: Not applicable
	RISK-2a: Construction of Alternative 6 would not substantially interfere with an existing emergency response or evacuation plan, thereby increasing the risk of injury or death.	CEQA: No impact	No mitigation is required.	CEQA: No impact
		NEPA: Not applicable	Not applicable	NEPA: Not applicable
	RISK-3a: Construction of Alternative 6 would not result in a substantial increased public health and safety concerns as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.	CEQA: No impact	No mitigation is required.	CEQA: No impact
		NEPA: Not applicable	Not applicable	NEPA: Not applicable
	RISK-4a: Construction of	CEQA: No impact	No mitigation is required.	CEQA: No impact

Alternative	*Environmental Impacts**	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
	Alternative 6 would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action.	NEPA: Not applicable	Not applicable	NEPA: Not applicable
	RISK-5a: Construction of Alternative 6 would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials as a result of modifications related to Alternative 6.	CEQA: No impact	No mitigation is required.	CEQA: No impact
		NEPA: Not applicable	Not applicable	NEPA: Not applicable
	RISK-1b: Operation of Alternative 6 would comply with applicable safety and security regulations and policies guiding development within the Port.	CEQA: No impact	No mitigation is required.	CEQA: No impact
		NEPA: Not applicable	Not applicable	NEPA: Not applicable
	RISK-2b: Operation of Alternative 6 would not substantially interfere with an existing emergency response or evacuation plan or require a new emergency or evacuation plan, thereby increasing the risk of injury or death.	CEQA: No impact	No mitigation is required.	CEQA: No impact
		NEPA: Not applicable	Not applicable	NEPA: Not applicable
	RISK-3b: Operation of	CEQA: No impact	No mitigation is required.	CEQA: No impact

Alternative	*Environmental Impacts**	*Impact Determination*	*Mitigation Measures*	*Impacts after Mitigation*
	Alternative 6 would not result in a substantial increased public health and safety concern as a result of the accidental release, spill, or explosion of hazardous materials due to a tsunami.	NEPA: Not applicable	Not applicable	NEPA: Not applicable
	RISK-4b: Operation of Alternative 6 would not result in a substantial increase in the likelihood of a spill, release, or explosion of hazardous materials due to a terrorist action.	CEQA: No impact	No mitigation is required.	CEQA: No impact
		NEPA: Not applicable	Not applicable	NEPA: Not applicable
	RISK-5b: Operation of Alternative 6 would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous materials as a result of modifications related to Alternative 6.	CEQA: No impact	No mitigation is required.	CEQA: No impact
		NEPA: Not applicable	Not applicable	NEPA: Not applicable

Notes:

* Impact descriptions for each of the alternatives are the same as for the proposed Project, unless otherwise noted.

† The term *not applicable* is used in cases where a particular impact is not identified as a CEQA- or NEPA-related issue in the threshold of significance criteria, or where there is no federal action requiring a NEPA determination of significance.

3.7.4.4 Mitigation Monitoring

Table 3.7-6. Mitigation Monitoring for Hazards and Hazardous Materials

Impact RISK-5a: Construction of the proposed Project would not substantially increase the likelihood of an accidental spill, release, or explosion of hazardous material(s) as a result of modifications related to the proposed Project. *(Also applies to Impact RISK-5a for Alternatives 1–5.)*	
Mitigation Measure	**MM GW-1c. Abandonment and removal of Navy fuel surge line.** The abandonment and removal of the pipeline will include the submittal of a work plan to the California State Fire Marshall (CSFM) and other applicable agencies, as appropriate. The portion of the fuel surge line to be excavated will be drained of all fluids, cleaned, flushed, and then capped. Materials from the purged fuel surge line will be characterized for disposal and disposed of at an appropriately certified hazardous waste facility. Testing will occur prior to the abandonment of the line and prior to any excavation of the North Harbor. Should contamination be found, appropriate remedial or removal action will occur prior to or concurrent with construction, under approval of the appropriate oversight agency.
Timing	During construction of the North Harbor.
Methodology	Prepare a work plan for the abandonment and removal of the pipeline and submit to the California State Fire Marshal for approval. No work will proceed until California State Fire Marshal has approved the work plan, then all work related to the abandonment and removal of the plan will follow the approved work plan.
Responsible Parties	LAHD will coordinate with the California State Fire Marshall.
Residual Impacts	Less than significant
Impact RISK-1b: Operation of the proposed Project would not comply with applicable safety and security regulations and policies guiding development within the Port. *(Also applies to Impact RISK-1b for Alternatives 1 to 4, and Impact RISK 5b for the proposed Project and Alternatives 1–4)*	
Mitigation Measure	**MM RISK-1. Removal of all hazardous materials with flashpoints below 140 degrees from Mike's fueling Station.** Mike's fueling station will cease to handle hazardous materials with flashpoints below 140 degrees per the letter sent from LAHD to Mike Albano dated June 16, 2008, regarding the successor permit to revocable permit No. 98-14 prior to the operation of the proposed waterfront promenade. Products with a flashpoint below 140 degrees will not be permitted within the project area (i.e., San Pedro Waterfront Project area). The successor permit to RP No. 98-14 to allow the operation for Mike's fueling station and continued lease of Mike's fueling station will only allow handling of products above said threshold. Prior to the operation of the waterfront promenade, Mike's fueling station will submit written confirmation identifying the complete removal of all hazardous materials on site with a flashpoint below 140 degrees as directed by the letter dated June 16, 2008. At the time of the written confirmation, Mike's fueling station will also provide copies all Material Safety Data Sheets (MSDS) for each product stored in bulk on site.

Timing	Prior to operation of the waterfront promenade
Methodology	LAHD notified Mike's fueling station of obligation to remove hazardous materials with flashpoints below 140 degrees in June 16, 2008 letter, Mike's fueling station will submit written confirmation identifying the complete removal of all hazardous materials on site with a flashpoint below 140 degrees prior to the operation of the waterfront promenade. At the time of the written confirmation, Mike's fueling station will also provide copies all Material Safety Data Sheets (MSDS) for each product stored in bulk on site
Responsible Parties	LAHD
Residual Impacts	Less than significant
Impact RISK-1b: Operation of Alternative 5 would not comply with applicable safety and security regulations and policies guiding development within the Port.	
Mitigation Measure	Implement Mitigation Measure MM RISK-1. **MM RISK-2: Avoid development within the Jankovich fueling station hazard footprint.** Any Ports O'Call development proposed under Alternative 5 will be developed outside of the hazardous footprint of the Jankovich fueling station. Furthermore, Fishermen's Park will not be developed within the hazardous footprint of the fueling station. This may be accomplished by developing the new uses outside of the hazard footprint, ceasing operations at the Jankovich fueling station, relocating the station, developing a blast barrier, relocating the aboveground storage tanks, upgrading the equipment to bring the existing facilities into compliance with current safety and environmental standards, or some combination thereof.
Timing	During construction of the North Harbor.
Methodology	Prepare a work plan for the abandonment and removal of the pipeline and submit to the California State Fire Marshal for approval. No work will proceed until California State Fire Marshal has approved the work plan, then all work related to the abandonment and removal of the plan will follow the approved work plan.
Responsible Parties	LAHD will coordinate with the California State Fire Marshall.
Residual Impacts	Less than significant

3.7.5 Significant Unavoidable Impacts

Neither the proposed Project nor any of the alternatives would result in significant and unavoidable impacts. All impacts would be less than significant or would be reduced to less-than-significant levels with the incorporation of mitigation measures identified for the proposed Project and alternatives.