Section 3.8
Hazards and Hazardous Materials

SECTION SUMMARY

The NOI/NOP (Appendix A of this Draft EIS/EIR) determined that impacts related to encountering existing hazardous materials (soil and groundwater) could be potentially significant, and these impacts are addressed in the EIS/EIR in Section 3.7, Groundwater and Soils. The NOI/NOP (in the Initial Study Checklist Items VIII.a.) also determined that potential impacts related to accidents, spills, and emergency evacuation plans would be less than significant. Because the Initial Study Checklist does not address potential impacts related to terrorism, this section focuses on the potential for the construction and operation of the proposed Project and alternatives to result in increased risk due to terrorism at the Port of Los Angeles (Port).

Section 3.8, Hazards and Hazardous Materials, provides the following:

- a description of existing environmental setting in the Port area;
- a description of applicable program and regulations regarding Port security and terrorism;
- a discussion on the methodology used to determine whether the proposed Project or alternatives would adversely change the existing physical conditions or increase the risks of terrorism;
- an impact analysis of the proposed Project and alternatives; and
- a description of any mitigation measures proposed to reduce any potential impacts and residual impacts, as applicable.

Key Points of Section 3.8:

The proposed Project would increase the throughput capacity of an existing container terminal, and its operations would be consistent with other uses and container terminals in the proposed Project area. Neither the implementation of the proposed Project nor any of the alternatives would result in a significant impact to hazards and hazardous materials under either CEQA or NEPA as the proposed Project and its alternatives would not increase the risk or frequency of potential acts of terrorism.

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3.8.1 Introduction

The NOI/NOP (Appendix A of this Draft EIS/EIR) determined that potential impacts related to accidents, spills, and evacuation plans would be less than significant. The NOI/NOP determined that impacts related to encountering existing hazardous materials (soil and groundwater) could be potentially significant, and these impacts are addressed in the EIS/EIR in Section 3.7, Groundwater and Soils. Although the Initial Study Checklist does not address potential impacts related to terrorism, because of the potential for increased risk of terrorism at the Port, this section is included in this EIS/EIR and focuses on the potential for the construction and operation of the proposed Project and alternatives to result in increases in the potential of terrorism.

3.8.2 Environmental Setting

This section presents a discussion of existing risks and security related issues, infrastructure and measures in place to minimize the potential for terrorism risks at the Project site and vicinity. The proposed Project would expand the existing terminal and deepen the existing berths to increase throughput from 1.24 million TEUs in 2013 to approximately 2.38 million TEUs by 2038. The proposed Project includes various new parcels within the proposed expansion areas. The 23-acre expansion contains vacant parcels as well as general industrial buildings associated with the former StarKist Tuna Plant, the former Canner's Steam Company Plant, an electrical substation, and portions of Terminal Way, Barracuda Street, Tuna Street, and Ways Street. Although these expansion areas do contribute to the working Port, they are not considered to be terrorist targets as they do not constitute a substantial economic or iconic asset.

3.8.2.1 Homeland Security

Terrorism Risk

Prior to the events of September 11, 2001, the prospect of a terrorist attack on a U.S. port facility or a commercial vessel in a U.S. port would have been considered highly speculative under CEQA and NEPA and not analyzed. The climate of the world today has an additional unknown factor for consideration (i.e., terrorism). A terrorist action could be the cause of events, such as hazardous materials release and/or explosion. There are limited data available to indicate the likelihood of a terrorist attack aimed at the Port or the Project site; therefore, the probability component of the analysis contains a considerable amount of uncertainty.

Application of Risk Principles

Terrorism risk can be generally defined by the combined factors of threat, vulnerability, and consequence. In this context, terrorism risk represents the expected consequences of terrorist actions taking into account the likelihood that these actions will be attempted. Of the three elements of risk, the threat of a terrorist action cannot be directly affected by activities in the Port. The vulnerability of the Port and of individual cargo terminals can be reduced by implementing security measures. The consequences of a terrorist action can, to some extent, also be affected by certain measures, such as emergency response preparations.

Terrorism Risk Associated with Port Cargo Facilities

Port facilities could be subject to terrorist actions from the land, air, or water; of which are attempts to disrupt cargo operations. The cargo facilities in the Port are the locations where cargo moving through the international supply chain is transferred between vessels and land transportation using either road tractor-trailers or railroad. Because Port functions are critical to the international supply chain and to the U.S. economy, it is possible that these facilities could be targeted for terrorist actions. During operational periods, people on these terminals are generally limited to terminal staff members, longshore workers, and truck drivers. There is no public access to these terminals.

Further, the Transportation Worker Identification Credential (TWIC) program that was established by Congress through the Maritime Transportation Security Act (MTSA) is in force at the Port. This program is part of an effort to ensure that the nation's ports are secure against people who could pose a security threat. To obtain a credential, an individual must provide a digital photograph, along with biometric information such as fingerprints, and pass a security threat assessment, which includes a criminal background check, conducted by the Transportation Security Administration (TSA).

Terrorism Risk Associated with Commercial Vessels

Commercial vessels within the Port could be subject to terrorist action while at berth or during transit. These vessels could be subject to several types of actions, including an attack from the land, from the surface of the water, or from beneath the surface of the water or from the air. During their transit within the Port, these large vessels are highly restricted in their maneuverability. Container ships are not attractive targets in terms of loss of life or producing large fires and explosions; rather, an attack on a container ship would likely be economic in nature and designed to disrupt Port operations. A catastrophic attack on a vessel in Port waters could block key channels and disrupt commerce, thus resulting in potential economic losses.

There have been very few examples of terrorist actions attempted against large commercial vessels since September 11, 2001. On October 6, 2002, a terrorist attack was attempted against the French-flagged crude oil tanker Limburg. At the time the Limburg was carrying 397,000 barrels (bbl) of crude oil from Iran to Malaysia. The ship was attacked off the coast of Yemen by a small boat laden with explosives. The Limburg caught fire and approximately 90,000 bbl of crude oil leaked into the Gulf of Aden. The Limburg did not sink. She was salvaged, repaired and returned to service under the new name Maritime Jewel.

Terrorism Risk Associated with Containerized Cargo

Containerized cargo represents a substantial segment of maritime commerce and is the focus of much of the attention regarding seaport security. Containers are used to transport a wide variety of goods. A large container ship can carry anywhere between 5,000 and 18,000 containers, several hundred of which might be offloaded at a given port. Once offloaded from ships, containers are transferred to rail cars or tractor-trailers.

Intermodal cargo containers could be used to transport a harmful device into the Port with the intention to harm another location, such as a highly populated and/or economically important region. This could include a weapon of mass destruction, or a conventional explosive device. The likelihood of such an attack would be based on the desire to cause

harm to the Port and/or the desire to use a container as a vehicle to hide a device for use at a different location. The probability of an attack would have no relationship to project-related throughput. Cargo containers represent only one of many potential methods to smuggle weapons of mass destruction and, with current security initiatives, may be less desirable than other established smuggling routes (e.g., land-based ports of entry, cross-border tunnels and/or illegal vessel transportation).

3.8.2.2 Security Measures at the Port of Los Angeles

In an attempt to minimize the risk of terrorism, numerous security measures have been implemented in the Port in the wake of the terrorist attacks 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 Los Angeles Harbor Department (LAHD) and the Everport Container Terminal operator. Briefly summarized, the layered approach to Port security is guided by the following regulations and programs:

- Implementing the measures in the MTSA of 2003 (Title 33 CFR Parts 101-106);
- Implementing the measures in the International Ship and Port Facility Security (ISPS) Code adopted by the International Maritime Organization (IMO) in 2003;
- Implementing the TWIC Program; and
- Implementing Port security initiatives, such as expanding the Port Police, establishing a vehicle and cargo inspection team, among others.

Security Regulations

The MTSA resulted in maritime security regulations in 33 CFR 101–106. These regulations apply to cargo terminals in the Port, including at the Everport Container Terminal. Title 33 Part 105 requires that cargo terminals meet minimum security standards for physical security, access control, cargo handling security, and interaction with berthed vessels. These regulations require that terminal operators submit a Facility Security Plan to the U.S. Coast Guard (USCG) Captain of the Port for review and approval prior to conducting cargo operations. The requirements for submission of the security plans became effective on December 31, 2003. Operational compliance was required by July 1, 2004, and is reviewed and inspected annually by the USCG.

The ISPS Code was adopted by the IMO in 2003. This code requires both ships and ports to conduct vulnerability assessments and to develop security plans with the purpose of preventing and suppressing terrorism against ships, improving security aboard ships and ashore, and reducing risk to passengers, crew, and port personnel on board ships and in port areas, for vessels and cargo. The ISPS Code applies to all cargo vessels 300 gross tons or larger and ports servicing those regulated vessels, and it is very similar to the MTSA regulations.

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 in noncompliance with these security regulations, the USCG may not permit cargo operations and the terminal and/or vessel operators may

be subject to fines. In accordance with its responsibilities for land-based security under 33 CFR 105, the USCG may impose additional control measures related to security.

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

Everport Container Terminal Security Measures

Security at the Everport Container Terminal is conducted in accordance with an existing Facility Security Plan (in accordance with the MTSA) that was approved in December 2003 by the Captain of the Port for Sector Los Angeles-Long Beach, and audited by the USCG in 2015. The facility perimeter is defined by a fence line and dock face. The facility is defined as a Secure Area. Since the terminal boundaries would change under the proposed Project, the Facility Security Plan would require updating.

As part of the Facility Security Plan, the Everport Container Terminal uses required Maritime Security (MARSEC) Access Control Measures. MARSEC Levels are designed to easily communicate to the USCG and maritime industry partners any pre-planned scalable responses for credible threats. If the Secretary of Homeland Security issues a National Terrorism Advisory System Alert, the Commandant of the USCG would adjust the MARSEC Level, if appropriate, based on the commensurate risk and any potential maritime nexus.

MARSEC Levels are set to reflect the prevailing threat environment to the marine elements of the national transportation system, including ports, vessels, facilities, and critical assets and infrastructure located on or adjacent to waters subject to the jurisdiction of the U.S. MARSEC Levels apply to vessels, USCG-regulated facilities inside the U.S. and the USCG.

- MARSEC Level 1 means the level for which minimum appropriate security measures are maintained at all times.
- MARSEC Level 2 means the level for which appropriate additional protective security measures are maintained for a period of time as a result of heightened risk of a transportation security incident.
- MARSEC Level 3 means the level for which further specific protective security measures are maintained for a limited period of time when a transportation security incident is probable, imminent, or has occurred, although it may not be possible to identify the specific target.

MARSEC Level 1 generally applies in the absence of a National Terrorism Advisory System Alert or when the Commandant determines that the alert is not applicable to the Marine Transportation System. If an alert is applicable, the Commandant would consider a MARSEC Level change for the maritime industry, USCG, or both.

Vessel Security Measures

All cargo vessels 300 gross tons or larger that are flagged by IMO signatory nations adhere to the ISPS Code standards discussed in the Security Regulations section above. These requirements include the following:

- Ships must develop security plans that address monitoring and controlling access; monitoring the activities of people, cargo, and stores; and ensuring the security and availability of communications.
- Ships must have a Ship Security Officer.
- Ships must be provided with 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 that the ship security is under threat or has been compromised. For the west coast, this signal is received by the USCG Pacific Area Command Center in Alameda.
- International port facilities that ships visit must have a security plan, including focused security for areas having direct contact with ships.
- Ships may have certain equipment on board to help maintain or enhance the physical security of the ship, including:
    a. monitoring and controlling access;
    b. monitoring the activities of people and cargo;
    c. ensuring the security and availability of communications; and
    d. completing a Declaration of Security signed by the Facility Security Officer and Ship Security Officer that ensures that areas of security overlapping between the ship and facility are adequately addressed.
- Vessels flagged by nations that are not International Maritime Organization signatory are subject to special USCG vessel security boarding prior to entering port.

Each vessel must maintain an international ship security certificate (ISSC) that certifies compliance with ISPS code. Flag States must ensure that each vessel to which the ISPS Code applies is in compliance by conducting an onboard verification inspection. The inspection entails reviewing the vessel and crew's compliance with an approved Ship Security Plan (SSP). An ISSC is issued if the vessel is found to have no deficiencies (USCG, 2003). The USCG is responsible for issuing the certificates for vessels with US Ports of Registry.

Security Credentialing

The TWIC program is a TSA and USCG initiative to provide a tamper-resistant biometric security credential to (1) maritime workers who require unescorted access to secure areas of Port facilities and vessels regulated under the MTSA and (2) all USCG-credentialed merchant mariners. In order 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. Containers of hazardous materials are transported from the terminal via truck, and while in the Port, they are only handled by authorized workers. The TWIC program minimizes the potential for unauthorized handling of containers that contain hazardous materials and provides additional shoreside security at the terminal.

Cargo Security Measures

The U.S. Customs and Border Protection (CBP) is the federal agency with responsibility for the security of cargo being shipped into the U.S. and for screening and scanning cargo that is shipped through the Port. While neither the Everport Container Terminal nor the LAHD have responsibilities related to security scanning or screening of cargo entering the Port, the Port Police may inspect cargo if there is probable cause on a case-by-case basis.

CBP conducts several initiatives related to security of the supply chain. Through the Container Security Initiative program, CBP inspectors pre-screen U.S.-bound marine containers at foreign ports prior to loading vessels bound for U.S. ports. The Customs Trade Partnership Against Terrorism offers importers expedited processing of their cargo if they comply with CBP measures for securing their entire supply chain.

Port of Los Angeles Security Initiatives

In 2014, the Port of Los Angeles updated its five-year Strategic Plan for 2012–2017 (POLA, 2014), which focuses on three key result areas: competitive operations, strong relationships, and financial strength. In support of one of the strategic objectives identified in this plan, "increase stakeholder and community awareness and support," the plan includes an initiative under Objective 2 (An Efficient, Secure and Environmentally Sustainable Supply Chain) related to strengthening security measures, as follows:

> *Initiative 2*
>
> Implement security and public safety strategies that support goods movement and mitigate risk.
>
> **Metrics:**
>
> a. Number of vessel and terminal safety inspections
>
> b. Number and effectiveness of joint preparedness exercises

The modern goods movement process requires that ports be prepared for a variety of incidents, from natural disasters to potential acts of terror. The LAHD reduces risks related to goods movement through regular inspections of facilities. The Port also works to prevent incidents and improve their response to incidents by holding joint preparedness exercises with supply chain partners for a variety of potential incidents (e.g., active shooter, hazmat release, seismic event). The Port tracks the effectiveness of these joint exercises in order to maximize its response efforts to an actual incident, should one occur.

3.8.3 Applicable Regulations

As described earlier, numerous security measures have been implemented in the Port area in the wake of the terrorist actions of September 11, 2001. 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 agencies such as the USCG and Los Angeles Fire Department (LAFD).

3.8.3.1 Other Requirements

As detailed in Section 3.9, Marine Transportation, of this EIS/EIR, the 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 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.

The risk of terrorism and any resultant environmental effects, when such risks are relevant and reasonably foreseeable, must be considered during preparation of environmental documents under NEPA (U.S. Court of Appeals for the 9th Circuit in *San Luis Obispo Mothers for Peace, et al. v. Nuclear Regulatory Commission* [449 F.3d 1016 (9th Cir. 2006)]). The decision by the court held that the risk of terrorist attack was within the foreseeable chain of causation and dealt with likely *physical* effects of that terrorism.

3.8.4 Impacts and Mitigation Measures

3.8.4.1 Methodology

Analysis of risk of upset is based primarily on potential frequencies of occurrence for various events and upset conditions as established by historical data. The risk climate of the world today has added an additional unknown factor for consideration - terrorism. There are limited data available to indicate the likelihood of a terrorist attack aimed at the Port or the proposed Project or alternatives and, therefore, the probability component of a risk analysis 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 other events, such as hazardous materials release and/or explosion. The potential impact of those events would remain as described herein. Due to the uncertainty in calculating probabilities associated with terrorism risks, such risks are evaluated herein qualitatively.

CEQA Baseline

Section 15125 of the CEQA Guidelines requires EIRs to include a description of the physical environmental conditions in the vicinity of a project that exist at the time of the NOP. These environmental conditions normally would constitute the baseline physical conditions by which the CEQA lead agency determines if an impact is significant. The NOP for the proposed Project was published in October 2014. For purposes of this Draft EIS/EIR, the CEQA baseline takes into account the throughput for the 12-month calendar year preceding NOP publication (January through December 2013) in order to provide a representative characterization of terminal activity levels throughout the complete calendar year preceding the release of the NOP. In 2013, the Everport Container Terminal encompassed approximately 205 acres (180 acres under its long-term lease plus an additional 25 acres on month-to-month space assignment), supported eight cranes, handled approximately 1.24 million TEUs, and had 166 vessel calls. The CEQA baseline conditions are also described in Section 2.7.1 and summarized in Table 2-1 in Chapter 2, Project Description.

The CEQA baseline represents the setting at a fixed point in time. The CEQA baseline differs from the No Project Alternative (Alternative 2) in that the No Project Alternative addresses what is likely to happen at the Project site over time, starting from the existing conditions. Therefore, the No Project Alternative allows for growth at the Project site that could be expected to occur without additional approvals, whereas the CEQA baseline does not.

NEPA Baseline

For purposes of this Draft EIS/EIR, the evaluation of significance under NEPA is defined by comparing the proposed Project or other alternatives to the NEPA baseline. The NEPA baseline conditions are described in Section 2.7.2 and summarized in Table 2-1 in Chapter 2, Project Description. The NEPA baseline condition for determining significance of impacts includes the full range of construction and operational activities the applicant could implement and is likely to implement absent a federal action, in this case the issuance of a DA permit.

Unlike the CEQA baseline, which is defined by conditions at a point in time, the NEPA baseline is not bound by statute to a "flat" or "no-growth" scenario. Instead, the NEPA baseline is dynamic and includes increases in operations that are projected to occur absent a federal permit. Federal permit decisions focus on direct impacts of the proposed Project permit area to the aquatic environment, as well as indirect and cumulative impacts in the uplands determined to be within the scope of federal control and responsibility. Significance of the proposed Project or the alternatives under NEPA is determined by comparing the proposed Project or the alternatives to the NEPA baseline.

The NEPA baseline, for purposes of this Draft EIS/EIR, is the same as the No Federal Action Alternative. Under the No Federal Action Alternative (Alternative 1), no dredging, dredged material disposal, in-water pile installation, or crane raising or installation would occur, and the existing terminal capacity would not be increased. The No Federal Action Alternative includes the installation of AMP vaults along the wharf and the addition of 23.5 acres of additional backlands (addition of the 1.5-acre area at the southern end of the terminal and the 22-acre backland expansion area) to improve efficiency (these improvements could occur absent a federal permit).

The NEPA baseline assumes that by 2038, the terminal would handle up to approximately 1,818,000 TEUs annually, accommodate 208 annual ship calls at two existing berths, and utilize eight cranes.

3.8.4.2 Thresholds of Significance

Criteria for determining the significance of impacts related to hazards and hazardous materials are based on the *L.A. CEQA Thresholds Guide* (City of Los Angeles, 2006) and federal and state standards, regulations, and guidelines. The proposed Project or an alternative would have a significant impact related to hazards and hazardous materials if:

RISK-1: Proposed Project- or alternative-related terminal modifications would result in a measurable increase in the probability of a terrorist attack, which would result in adverse consequences to the proposed Project site and nearby areas.

3.8.4.3 Impact Determination

Proposed Project

Impact RISK-1: Proposed Project–related terminal modifications would not result in a measurable increase in the probability of a terrorist attack and would not result in adverse consequences to the Project site and nearby areas.

Risk of Terrorist Actions

Construction

The Project site is primarily an existing container terminal, which would not constitute a new potential target for terrorists. The probability of a terrorist attack on the proposed Project facilities is not likely to appreciably change during construction compared to existing conditions. It is possible that the increase in construction vessel traffic in the vicinity of the Everport Container Terminal could lead to a greater opportunity of a terrorist attack by providing increased chances for unauthorized terminal access and smuggling of harmful devices into the terminal. However, existing Port security measures, terminal security, and construction site controls would counter this potential increase in unauthorized access to the terminal. Construction of the Project improvements would occur concurrent with terminal operations. The in-water work (installation of king piles, sheet piles, and dredging) would be staged along the berths such that one vessel would still be able to dock along the wharf at any time. Improvements to the additional backland areas (1.5-acre and 22-acre areas) would occur in designated construction work areas with controlled access. Therefore, the risks associated with terrorism discussed in Section 3.8.1.1 would apply to the terminal during this period. Such risks are addressed in the discussion of operational impacts below. Existing Port and security measures at the Everport Container Terminal would help minimize the risk of a terrorist attack and counter any potential increase in unauthorized access to the terminal. The Port has a layered approach to security that includes the security program of LAHD and the existing Project site. The vulnerability of the Port and of individual cargo terminals, including the Everport Container Terminal, can be reduced by implementing security measures, and the potential consequences of a terrorist action could be affected by certain measures, such as emergency response preparations.

Compliance with maritime security regulations, including the MTSA and ISPS Code, would minimize any potential increase in the risk of terrorist attacks during construction of the proposed Project. The MTSA regulations specify for cargo terminals minimum security standards for physical security, access control, cargo handling security, and interaction with berthed vessels, and they require that terminal operators submit a Facility Security Plan to the USCG Captain of the Port for review and approval prior to conducting cargo operations. The ISPS Code regulations require both ships and ports to conduct vulnerability assessments and to develop security plans with the purpose of preventing and suppressing terrorism against ships, improving security aboard ships and ashore, and reducing risk to passengers, crew, and Port personnel on board ships and in port areas, for vessels and cargo.

Implementation and enforcement of the above security measures would serve to counter any potential increase in risks of a terrorist attack at the Everport Container Terminal.

Operation

As described above, the Everport Container Terminal security must comply with maritime security regulations, including the MTSA and ISPS Code, as well as conduct security in accordance with an existing Facility Security Plan. The Everport Container Terminal's Facility Security Plan was approved by the Captain of the Port for Sector Los Angeles-Long Beach in 2003 and audited again in 2015. In addition, Everport Container Terminal uses mandatory MARSEC Access Control Measures. MARSEC levels are set to reflect the prevailing threat environment to the marine elements of the national transportation system and are designed for easy communication with the USCG and maritime industry partners on any pre-planned scalable responses for credible threats. Further, all cargo vessels 300 gross tons or larger that are flagged by IMO signatory nations adhere to ISPS code requirements as discussed above and detailed in Section 3.8.1.2. LAHD currently implements the TWIC program, which includes issuance of a tamper-resistant biometric credential to maritime workers to minimize the potential for unauthorized handling of containers and provides additional shoreside security at the terminal. The U.S. CBP enforces screening and scanning checks to ensure security of cargo being shipped into the U.S. Further, LAHD continues to improve Port security measures. For instance, in its latest update to its five-year Strategic Plan for 2012–2017 (POLA, 2014), LAHD describes an initiative related to strengthening security measures, and maximizing the Port's ability to respond to incidents, should they occur (see Section 3.8.1.2 above for additional details on the initiative).

The probability of a terrorist attack on the proposed Project facilities is not likely to appreciably change during operation compared to existing conditions. The Project site is an existing container terminal and would not constitute a new potential target for terrorists. Operation of the proposed Project would support higher container throughput and make the terminal more efficient, but the terminal improvements are not expected to make the existing Everport Container Terminal increase the risk for terrorist activity. It is possible that the increase in throughput or vessel traffic at the terminal as a result of the proposed Project could lead to a greater opportunity of a terrorist attack by providing increased chances for unauthorized terminal access and smuggling of harmful devices into the terminal; however, existing ISPS measures undertaken internationally and Port security measures as described above under construction impacts would counter the potential for increase in unauthorized access to the terminal. Further, the likelihood of such an event would not be affected by proposed Project-related throughput increases, but would depend on the terrorist's desired outcome and the ability of safeguards and security measures to thwart the attack, which are elements that are unaffected by the throughput increases or other operational activities under the proposed Project. Container ships are not attractive targets in terms of loss of life or producing large fires and explosions. Also, containers represent only one of many potential methods to smuggle harmful weapons (e.g., weapons of mass destruction or conventional explosive devices) into or through the Port. With current security initiatives, cargo containers may actually be less desirable than other established smuggling routes (e.g., land-based ports of entry, cross-border tunnels, illegal vessel transportation). Thus, increased terminal activity under the proposed Project is not expected to measurably increase the probability of a terrorist attack.

Consequences of Terrorist Attack

The potential consequences of a terrorist action on a container terminal could be catastrophic, specifically in terms of environmental and economic impacts. It could

block key road access points and waterways and result in economic disruption. These impacts would likely be limited to the area surrounding the point of attack and would be responded to by emergency response providers.

A terrorist action involving a container vessel while at berth may result in a fuel and/or commodity spill and associated environmental damage to the environment (e.g., temporary degradation of water quality and damage to marine biological resources). Within the Port, a terrorist action could block key waterways and result in economic disruption. Container ships typically carry up to 5,000 bbl of fuel oil, but would not be full when arriving at the Port. Fuel spills resulting from a terrorist attack on a container ship or terminal would be limited to the area surrounding the point of attack and would be contained by the relevant oil spill response contractor.

The consequences associated with the smuggling of weapons of mass destruction could be substantial in terms of impacts to the environment and public health and safety. However, the consequences of a weapon of mass destruction attack would not be affected by the proposed Project (i.e., same consequences with or without the proposed Project). Furthermore, the likelihood of such an event would not be increased by proposed Project-related infrastructure or throughput increases, but would depend on the terrorist's desired outcome and the ability of safeguards to thwart it, which are elements that are unaffected by the proposed Project. Cargo containers represent only one of many potential methods to smuggle weapons of mass destruction and, with current security initiatives, (see Section 3.8.1.2) may be less plausible than other established smuggling routes (e.g., land-based ports of entry, cross-border tunnels, and illegal vessel transportation).

Any increase in the volume of container vessels visiting the Project site would not change the probability or consequences of a terrorist attack on the Everport Container Terminal because the terminal is already considered a potential economic target, and increased throughput is not expected to increase the potential risk of an attack or the potential mode to smuggle a weapon into the U.S., nor would the proposed Project increase the severity of a potential terrorist action.

CEQA Impact Determination

Construction

The potential for unauthorized access to the terminal site during construction by land, water, and/or air is limited. Existing Port and terminal security measures, as well as construction site access controls, would counter any potential increase in unauthorized access to the terminal site through the use of vehicles or vessels. The potential for a terrorist attack that would result in catastrophic consequences to areas near the Project site during the construction period is considered extraordinarily improbable given the limited construction duration, the limited access to the construction areas, Port-wide and terminal security measures, and standard construction coordination efforts. Thus, Project construction is not expected to measurably increase either the frequency or severity of a potential terrorist attack relative to CEQA baseline conditions, and impacts would be less than significant under CEQA.

Operation

The proposed Project would not change the vulnerability of the Everport Container Terminal or increase the severity of the consequences of a potential terrorist attack relative to baseline conditions. The environmental consequences of a terrorist action,

including threats to human health arising from the action and from the release, explosion, or spill of hazardous materials would not substantially change as a result of the proposed Project. Security initiatives have improved both terminal and cargo security, and have resulted in enhanced cargo screening. Therefore, potential impacts associated with a potential terrorist attack on the Everport Container Terminal are considered less than significant under CEQA.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Construction

The potential for unauthorized access to the terminal site during construction by land, water, and/or air is limited, as ISPS controls, Port and terminal security measures, and construction site access controls would counter any potential increase in unauthorized access to the terminal site through the use of vehicles or vessels. The potential for a terrorist attack that would result in catastrophic consequences (greater than 100 injuries or 10 fatalities) to areas near the Project site during the construction period is considered extraordinarily improbable given the limited construction duration, Port-wide and terminal security measures, and the limited access to the construction areas. Thus, Project construction is not expected to measurably increase either the frequency or severity of a terrorist attack relative to NEPA baseline conditions, and impacts would be less than significant under NEPA.

Operation

The proposed Project would not change the vulnerability of the project area or increase the severity of the consequences of a terrorist attack relative to NEPA baseline conditions, as discussed above. The environmental consequences of a terrorist action, including threats to human health arising from the action and from the release, explosion, or spill of hazardous materials would not substantially change as a result of the proposed Project. Security initiatives have improved both terminal and cargo security, and have resulted in enhanced cargo screening. Therefore, potential impacts associated with a potential terrorist attack on the Everport Container Terminal are considered less than significant under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Alternative 1 – No Federal Action

Alternative 1 is a NEPA-required No Action Alternative for purposes of this Draft EIS/EIR. Alternative 1 includes the activities that would occur absent a DA permit and

could include improvements that require a local permit. Absent a DA permit, no dredging, dredged material disposal, in-water pile installation, raising existing or new crane installation would occur. The existing terminal's ability to handle larger ships would be facilitated by activities that require a DA permit for waterside activities. Therefore, without the activities that address the constraints of the terminal's berths, the existing terminal berth capacity would not be increased. The No Federal Action Alternative includes five new AMP vaults and 23.5 acres of additional backlands to improve efficiency, which could occur absent a federal permit.

The terminal site under Alternative 1 would continue to operate as an approximately 229-acre container terminal where cargo containers are loaded to/from vessels, temporarily stored on backlands, and transferred to/from trucks or on-dock rail. Based on the throughput projections, the Project site is expected to operate at its capacity of approximately 1,818,000 TEUs by 2038.

Impact RISK-1: Alternative 1–related terminal modifications would not result in a measurable increase in the probability of a terrorist attack and would not result in adverse consequences to the Project site and nearby areas.

CEQA Impact Determination

Construction

Construction of Alternative 1 would result in similar probability of a terrorist attack as described for the proposed Project: it is not likely to appreciably change over existing conditions. Under Alternative 1, the existing container terminal would expand by 23.5 acres; however, the terminal would not constitute a new potential target for terrorists. The potential for unauthorized access to the terminal site during construction by land, water, and/or air is limited. Compliance with maritime security regulations, including the MTSA and ISPS Code, and implementation and enforcement of existing Port and terminal security measures by LAHD, Everport, and U.S. CBP would counter any potential increase in unauthorized access to the terminal site due to construction vehicular traffic during the planned upland construction activities. Berths 226-232 would remain operational during backland construction; therefore, the risks associated with terrorism discussed in Section 3.8.1.1 and discussed under the proposed Project above would also apply to the terminal during construction of Alternative 1. The potential for a terrorist attack that could result in catastrophic consequences (greater than 100 injuries or 10 fatalities) to areas near the site during the construction period is considered extraordinarily improbable given the limited construction duration, the limited access to the construction areas, Port-wide and terminal security measures, and standard construction coordination efforts. Thus, construction under Alternative 1 is not expected to measurably increase either the frequency or severity of a terrorist attack relative to CEQA baseline conditions and impacts would be less than significant under CEQA.

Operation

Similar to the proposed Project, terminal operations under Alternative 1 would not change the probability or consequences of a terrorist attack on the terminal, because the terminal is already considered a potential economic target, and increased throughput is not expected to affect any motivation for a potential attack. The risks associated with terrorism discussed under the proposed Project above would also apply to the Everport

Container Terminal during operation of Alternative 1. Compliance with maritime security regulations, including the MTSA and ISPS Code, would minimize any potential increase in the risk of terrorist attacks during operation of Alternative 1. Implementation and enforcement of security measures by LAHD, Everport, and U.S. CBP would serve to counter the potential for an increase in unauthorized access to the terminal due to increased throughput and vessel traffic and help minimize any potential increase in risk of a terrorist attack. As with the proposed Project, Alternative 1 would not change the severity of the consequences of a terrorist action on a container terminal relative to baseline conditions, which could be catastrophic, specifically in terms of environmental and economic impacts. However, these impacts would likely be limited to the area surrounding the point of attack and would be responded to by emergency response providers. Security initiatives have improved both terminal and cargo security and have resulted in enhanced cargo screening. Therefore, potential impacts associated with a potential terrorist attack on the Everport Container Terminal are considered less than significant under CEQA.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Alternative 1 would include only the addition and improvement of 23.5 acres of backlands. Alternative 1 would involve the same construction activities and operations as would occur under the NEPA baseline. Therefore, there would be no incremental difference between Alternative 1 and the NEPA baseline. Consequently, Alternative 1 would result in no impact under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

No impacts would occur.

Alternative 2 – No Project

Alternative 2 is a CEQA-only alternative. The No Project Alternative is not evaluated under NEPA because NEPA requires an evaluation of the No Federal Action Alternative (see Section 2.9.1.2), which is Alternative 1 analyzed above. Section 15126.6(e) of the State CEQA Guidelines requires the analysis of a no-project alternative. This No Project analysis must discuss the existing conditions as well as what would be reasonably expected to occur in the foreseeable future if the proposed Project is not approved.

Under Alternative 2, no construction activities would occur in water or in water-side or backland areas. LAHD would not implement any terminal improvements or increases in backland acreage. No new cranes or raising of the existing cranes would be implemented and no dredging would occur. The current lease that expires in 2028 has an option to

extend for 10 additional years, therefore, terminal operation under Alternative 2 would continue through 2038.

Under the No Project Alternative, the existing Everport Container Terminal would continue to operate as an approximately 205-acre container terminal. Based on the throughput projections for the Port, the Project site is expected to operate at its capacity of approximately 1,818,000 TEUs with 208 annual ship calls by 2038.

Impact RISK-1: Alternative 2 would not result in a measurable increase in the probability of a terrorist attack and would not result in adverse consequences to the Project site and nearby areas.

CEQA Impact Determination

Construction

Alternative 2 would not result in any construction-related activities so there would be no construction impacts under CEQA.

Operation

Similar to the proposed Project, terminal operations under Alternative 2 would not change the probability or consequences of a terrorist attack on the terminal because it is already considered a potential economic target, and increased throughput is not expected to affect any motivation for a potential attack. The risks associated with terrorism discussed under the proposed Project above would also apply to the terminal during operations under Alternative 2. Compliance with maritime security regulations, including the MTSA and ISPS Code, as well as Port-wide and terminal security measures would minimize any potential increase in the risk of terrorist attacks during operation of Alternative 2. Implementation and enforcement of security measures by LAHD, Everport, and U.S. CBP would serve to counter the potential for increase in unauthorized access to the terminal due to increased throughput and vessel traffic and help minimize any potential increase in risk of a terrorist attack. As with the proposed Project, Alternative 2 would not change the severity of the consequences of a terrorist action on a container terminal relative to baseline conditions, specifically in terms of environmental and economic impacts. However, these impacts would likely be limited to the area surrounding the point of attack and would be responded to by emergency response providers. Security initiatives have improved both terminal and cargo security, and have resulted in enhanced cargo screening. Therefore, potential impacts associated with a potential terrorist attack on the Everport Container Terminal are considered less than significant under CEQA.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

The impacts of the No Project Alternative are not required to be analyzed under NEPA. NEPA requires the analysis of a No Federal Action Alternative (see Alternative 1).

Mitigation Measures

Mitigation measures are not applicable.

Residual Impacts

An impact determination is not applicable.

Alternative 3 – Reduced Project: Reduced Wharf Improvements

Under Alternative 3, there would be two operating berths after construction, similar to the proposed Project; but Berths 230-232 would remain at the existing depth (-45 feet plus two feet of overdepth tolerance), which would eliminate the need for sheet pile placement at this operating berth. Under this alternative, dredging along Berths 226-229 would occur as described for the proposed Project. This alternative would require less dredging (by approximately 8,000 cubic yards for a total of about 30,000 cubic yards) and less sheet pile driving and a slightly shorter construction period than the proposed Project. Based on the throughput projections, this alternative is expected to operate at its capacity of approximately 2,225,000 TEUs by 2038, similar to the proposed Project. However, while the terminal could handle similar levels of cargo, the reduced project alternative would not achieve the same level of efficient operations as achieved by the proposed Project. This alternative would include the raising of up to five existing cranes and five new cranes. Berths 226-229 would accommodate the largest vessels (16,000 TEUs). The existing design depth that would remain at Berths 230-232 would only be capable of handling vessels up to 8,000 TEUs. Other proposed Project elements, such as installation of AMP and backland improvements would be implemented under this alternative. Under this alternative, 208 vessels would call on the terminal by 2038, which is the same number or annual vessel calls as the proposed Project.

Impact RISK-1: Alternative 3–related terminal modifications would not result in a measurable increase in the probability of a terrorist attack and would not result in adverse consequences to the Project site and nearby areas.

CEQA Impact Determination

Construction

Construction of Alternative 3 would result in similar probability of a terrorist attack as described for the proposed Project: it is not likely to appreciably change over existing conditions. Under Alternative 3, the existing container terminal would expand by 23.5 acres; however, the terminal would not constitute a new potential target for terrorists.

The potential for unauthorized access to the terminal site during construction by land, water, and/or air is limited due to construction site access controls and Port and terminal security measures. Compliance with maritime security regulations, including the MTSA and ISPS Code and implementation and enforcement of existing Port and terminal security measures by LAHD, Everport, and U.S. CBP would counter any potential increase in unauthorized access to the terminal site due to construction vehicular traffic during planned construction activities. The Everport Container Terminal under Alternative 3 would operate during the construction period; therefore, the risks associated with terrorism discussed in Section 3.8.1.1 and under the proposed Project above would also apply to the terminal during construction under Alternative 3. The potential for a

terrorist attack that could result in catastrophic consequences (greater than 100 injuries or 10 fatalities) to the site during the construction period is considered extraordinarily improbable given the limited construction duration, the limited access to the construction areas, Port-wide and terminal security measures, and standard construction coordination efforts. Thus, construction under Alternative 3 is not expected to measurably increase either the frequency or severity of a terrorist attack relative to CEQA baseline conditions. Impacts would be less than significant under CEQA.

Operation

Similar to the proposed Project, terminal operations under Alternative 3 would not change the probability or severity of consequences of a terrorist attack on the terminal, because it is already considered a potential economic target, and increased throughput is not expected to affect any motivation for a potential attack. The risks associated with terrorism discussed under the proposed Project above would also apply to the terminal during operation of Alternative 3. Compliance with maritime security regulations, including the MTSA and ISPS Code, as well as terminal security measures would minimize any potential increase in the risk of terrorist attacks during operation of Alternative 3. Implementation and enforcement of security measures by LAHD, Everport, and U.S. CBP would serve to counter the potential for increase in unauthorized access to the terminal due to increased throughput and vessel traffic and help minimize any potential increase in risk of a terrorist attack. As with the proposed Project, Alternative 3 would not change the severity of the consequences of a terrorist action on a container terminal, which could be catastrophic, specifically in terms of environmental and economic impacts. However, these impacts would likely be limited to the area surrounding the point of attack and would be responded to by emergency response providers. Security initiatives have improved both terminal and cargo security and have resulted in enhanced cargo screening. Therefore, potential impacts associated with a potential terrorist attack on the Everport Container Terminal under Alternative 3 are considered less than significant under CEQA.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Construction

The potential for unauthorized access to the terminal site during construction by land, water, and/or air is limited, as ISPS controls, Port and terminal security measures, and construction site access controls, would counter any potential increase in unauthorized access to the terminal site through the use of vehicles or vessels. The potential for a terrorist attack that would result in catastrophic consequences (greater than 100 injuries or 10 fatalities) to areas near the Alternative 3 site during the construction period is considered extraordinarily improbable given the limited construction duration, Port-wide and terminal security measures, and the limited access to the construction areas. Thus, construction under Alternative 3 is not expected to measurably increase either the frequency or severity of a terrorist attack relative to NEPA baseline conditions. Impacts would be less than significant under NEPA.

Operation

Alternative 3 would not change the vulnerability of the project area or increase the severity of the consequences of a terrorist attack relative to NEPA baseline conditions. The environmental consequences of a terrorist action, including threats to human health arising from the action and from the release, explosion, or spill of hazardous materials would not substantially change as a result of Alternative 3. Security initiatives have improved both terminal and cargo security and have resulted in enhanced cargo screening. Therefore, potential impacts associated with a potential terrorist attack on the Everport Container Terminal are considered less than significant under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Alternative 4 – Reduced Project: No Backland Improvements

Under Alternative 4 there would be two operating berths after construction, similar to the proposed Project. This alternative would require the same dredging as the proposed Project. Up to five existing cranes would be raised and five new cranes installed, as well as AMP. This alternative would not include any backland expansion. Based on the throughput projections, this alternative is expected to operate at its capacity of 2,115,133 TEUs by 2038, slightly less than the proposed Project. However, while the terminal could handle similar levels of cargo, this reduced project alternative would not achieve the same level of efficient operations as achieved by the proposed Project. This alternative would accommodate the largest vessels (16,000 TEUs) at Berths 226-229. The new design depth at Berths 230-232 would be capable of handling vessels up to 10,000 TEUs. Under this alternative, 208 vessels would call on the terminal in 2038, which is the same as the proposed Project.

Impact RISK-1: Alternative 4–related terminal modifications would not result in a measurable increase in the probability of a terrorist attack and would not result in adverse consequences to the Project site and nearby areas.

CEQA Impact Determination

Construction

Construction of Alternative 4 would result in similar probability of a terrorist attack as described for the proposed Project: it is not likely to appreciably change over existing conditions. Under Alternative 4, the berths would be dredged; however, the terminal would not constitute a new potential target for terrorists.

The potential for unauthorized access to the terminal site during construction by land, water, and/or air is limited due to construction site access controls and Port and terminal security measures. Compliance with maritime security regulations, including the MTSA and ISPS Code and implementation and enforcement of existing Port and terminal security measures by LAHD, Everport, and U.S. CBP would counter any potential increase in unauthorized access to the terminal site due to construction vehicular traffic

during planned construction activities. The Everport Container Terminal under Alternative 4 would operate during the construction period; therefore, the risks associated with terrorism discussed in Section 3.8.1.1 and under the proposed Project above would also apply to the terminal during construction under Alternative 4. The potential for a terrorist attack that could result in catastrophic consequences (greater than 100 injuries or 10 fatalities) to areas near the terminal during the construction period is considered extraordinarily improbable given the limited construction duration, the limited access to the construction areas, Port-wide and terminal security measures, and standard construction coordination efforts. Thus, construction under Alternative 4 is not expected to measurably increase either the frequency or severity of a terrorist attack relative to CEQA baseline conditions. Impacts would be less than significant under CEQA.

Operation

Similar to the proposed Project, terminal operations under Alternative 4 would not change the probability or consequences of a terrorist attack on the terminal, because it is already considered a potential economic target, and increased throughput is not expected to affect any motivation for a potential attack. The risks associated with terrorism discussed under the proposed Project above would also apply to the terminal during operation of Alternative 4. Compliance with maritime security regulations, including the MTSA and ISPS Code, as well as terminal security measures, would minimize any potential increase in the risk of terrorist attacks during operation of Alternative 4. Implementation and enforcement of security measures by LAHD, Everport, and U.S. CBP would serve to counter the potential for increase in unauthorized access to the terminal due to increased throughput and vessel traffic and help minimize any potential increase in risk of a terrorist attack. As with the proposed Project, Alternative 4 would not change the severity of the consequences of a terrorist action on a container terminal, which could be catastrophic, specifically in terms of environmental and economic impacts. However, these impacts would likely be limited to the area surrounding the point of attack and would be responded to by emergency response providers. Security initiatives have improved both terminal and cargo security and have resulted in enhanced cargo screening. Therefore, potential impacts associated with a potential terrorist attack on the Everport Container Terminal under Alternative 4 are considered less than significant under CEQA.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Construction

The potential for unauthorized access to the terminal site during construction by land, water, and/or air is limited, as ISPS controls, Port and terminal security measures, and construction site access controls would counter any potential increase in unauthorized access to the terminal site through the use of vehicles or vessels. The potential for a terrorist attack that would result in catastrophic consequences (greater than 100 injuries or 10 fatalities) to areas near the Alternative 4 site during the construction period is considered extraordinarily improbable given the limited construction duration, Port-wide

and terminal security measures, and the limited access to the construction areas. Thus, construction under Alternative 4 is not expected to measurably increase either the frequency or severity of a terrorist attack relative to NEPA baseline conditions. Impacts would be less than significant under NEPA.

Operation

Alternative 4 would not change the vulnerability of the project area or increase the severity of the consequences of a terrorist attack relative to NEPA baseline conditions. The environmental consequences of a terrorist action, including threats to human health arising from the action and from the release, explosion, or spill of hazardous materials would not substantially change as a result of Alternative 4. Security initiatives have improved both terminal and cargo security, and have resulted in enhanced cargo screening. Therefore, potential impacts associated with a potential terrorist attack on the Everport Container Terminal are considered less than significant under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Alternative 5 – Expanded On-Dock Railyard: Wharf and Backland Improvements with an Expanded TICTF

Alternative 5 would be the same as the proposed Project but with an additional on-dock rail track at the TICTF. Under Alternative 5, there would be two operating berths after construction and the terminal would add 23.5 acres of backlands, similar to the proposed Project. This alternative would require the same dredging as the proposed Project. This alternative would accommodate the largest vessels (16,000 TEUs) at Berths 226-229. The new design depth at Berths 230-232 would be capable of handling vessels up to 10,000 TEUs. Based on the throughput projections, this alternative is expected to operate at its capacity of 2,379,525 TEUs by 2038. Under this project alternative, the terminal could handle the same level of cargo as the proposed Project but would have added capacity at the TICTF and be able to transport a greater number of containers via rail than the proposed Project. Under this alternative, 208 vessels would call on the terminal in 2038, which is the same as the proposed Project.

Impact RISK-1: Alternative 5–related terminal modifications would not result in a measurable increase in the probability of a terrorist attack and would not result in adverse consequences to the Project site and nearby areas.

CEQA Impact Determination

Construction

Construction of Alternative 5 would result in similar probability of a terrorist attack as described for the proposed Project: it is not likely to appreciably change over existing conditions. Under Alternative 5, the existing container terminal would expand by 23.5 acres and add a new on-dock rail line at the TICTF; however, the terminal would not constitute a new potential target for terrorists.

The potential for unauthorized access to the terminal site during construction by land, water, and/or air is limited due to construction site access controls and Port and terminal security measures. Compliance with maritime security regulations, including the MTSA and ISPS Code, and implementation and enforcement of existing Port and terminal security measures by LAHD, Everport, and U.S. CBP would counter any potential increase in unauthorized access to the terminal site due to construction vehicular traffic during planned construction activities. The Everport Container Terminal under Alternative 5 would operate during the construction period; therefore, the risks associated with terrorism discussed in Section 3.8.1.1 and under the proposed Project above would also apply to the terminal during construction under Alternative 5. The potential for a terrorist attack that could result in catastrophic consequences (greater than 100 injuries or 10 fatalities) to areas near the Alternative 5 site during the construction period is considered extraordinarily improbable given the limited construction duration, the limited access to the construction areas, Port-wide and terminal security measures, and standard construction coordination efforts. Thus, construction under Alternative 5 is not expected to measurably increase either the frequency or severity of a terrorist attack relative to CEQA baseline conditions. Impacts would be less than significant under CEQA.

Operation

Similar to the proposed Project, terminal operations under Alternative 5 would not change the probability or consequences of a terrorist attack on the terminal because it is already considered a potential economic target, and increased throughput is not expected to affect any motivation for a potential attack. The risks associated with terrorism discussed under the proposed Project above would also apply to the terminal during operation of Alternative 5. Compliance with maritime security regulations, including the MTSA and ISPS Code as well as terminal security measures would minimize any potential increase in the risk of terrorist attacks during operation of Alternative 5. Implementation and enforcement of security measures by LAHD, Everport, and U.S. CBP would serve to counter the potential for increase in unauthorized access to the terminal due to increased throughput and vessel traffic and help minimize any potential increase in risk of a terrorist attack. As with the proposed Project, Alternative 5 would not change the severity of the consequences of a terrorist action on a container terminal, which could be catastrophic, specifically in terms of environmental and economic impacts. However, these impacts would likely be limited to the area surrounding the point of attack and would be responded to by emergency response providers. Potential impacts to the environment are addressed in specific resource sections, including Section 3.2, Air Quality and Meteorology; Section 3.3, Biological Resources; and Section 3.11, Water Quality, Sediments, and Oceanography. Security initiatives have improved both terminal and cargo security and have resulted in enhanced cargo screening. Therefore, potential impacts associated with a potential terrorist attack on the Everport Container Terminal under Alternative 5 are considered less than significant under CEQA.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

NEPA Impact Determination

Construction

The potential for unauthorized access to the terminal site during construction by land, water, and/or air is limited, as ISPS controls, Port and terminal security measures, and construction site access controls, would counter any potential increase in unauthorized access to the terminal site through the use of vehicles or vessels. The potential for a terrorist attack that would result in catastrophic consequences (greater than 100 injuries or 10 fatalities) to areas near the Alternative 5 site during the construction period is considered extraordinarily improbable given the limited construction duration, Port-wide and terminal security measures, and the limited access to the construction areas. Thus, construction under Alternative 5 is not expected to measurably increase either the frequency or severity of a terrorist attack relative to NEPA baseline conditions. Impacts would be less than significant under NEPA.

Operation

Alternative 5 would not change the vulnerability of the project area or increase the severity of the consequences of a terrorist attack relative to NEPA baseline conditions. The environmental consequences of a terrorist action, including threats to human health arising from the action and from the release, explosion, or spill of hazardous materials would not substantially change as a result of Alternative 5. Security initiatives have improved both terminal and cargo security and have resulted in enhanced cargo screening. Therefore, potential impacts associated with a potential terrorist attack on the Everport Container Terminal are considered less than significant under NEPA.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

3.8.4.4 Summary of Impact Determinations

Table 3.8-1 presents a summary of the CEQA and NEPA impact determinations of the proposed Project and alternatives related to Hazards (i.e., risk of upset associated with terrorism), as described above. This table is meant to allow easy comparison between the potential impacts of the proposed Project and alternatives with respect to this resource. Identified potential impacts may be based on federal, state, or City significance criteria; LAHD criteria; and the scientific judgment of the report preparers.

For each impact threshold, 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 3.8-1: 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	Residual Impacts after Mitigation
Proposed Project	**RISK-1:** Proposed Project–related terminal modifications would not result in a measurable increase in the probability of a terrorist attack and would not result in adverse consequences to the Project site and nearby areas.	CEQA: Less than significant	CEQA: No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	NEPA: No mitigation is required.	NEPA: Less than significant
Alternative 1 – No Federal Action	**RISK-1**: Alternative 1–related terminal modifications would not result in a measurable increase in the probability of a terrorist attack and would not result in adverse consequences to the Project site and nearby areas.	CEQA: Less than significant	CEQA: No mitigation is required.	CEQA: Less than significant
		NEPA: No impact	NEPA: No mitigation is required.	NEPA: No impact
Alternative 2 – No Project	**RISK-1:** Alternative 2 would not result in a measurable increase in the probability of a terrorist attack and would not result in adverse consequences to the Project site and nearby areas.	CEQA: Construction: No impact Operation: Less than significant	CEQA: No mitigation is required.	CEQA: Construction: No impact Operation: Less than significant
		NEPA: Not applicable	NEPA: Mitigation not applicable	NEPA: Not applicable
Alternative 3 – Reduced Project: Reduced Wharf Improvements	**RISK-1**: Alternative 3–related terminal modifications would not result in a measurable increase in the probability of a terrorist attack and would not result in adverse consequences to the Project site and nearby areas.	CEQA: Less than significant	CEQA: No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	NEPA: No mitigation is required.	NEPA: Less than significant
Alternative 4 – Reduced Project: No Backland Improvements	**RISK-1:** Alternative 4–related terminal modifications would not result in a measurable increase in the probability of a terrorist attack and would not result in adverse consequences to the Project site and nearby areas.	CEQA: Less than significant	CEQA: No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	NEPA: No mitigation is required.	NEPA: Less than significant

Table 3.8-1: 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	Residual Impacts after Mitigation
Alternative 5 – Expanded On-Dock Railyard: Wharf and Backland Improvements with an Expanded TICTF	**RISK-1:** Alternative 5–related terminal modifications would not result in a measurable increase in the probability of a terrorist attack and would not result in adverse consequences to the Project site and nearby areas.	CEQA: Less than significant	CEQA: No mitigation is required.	CEQA: Less than significant
		NEPA: Less than significant	NEPA: No mitigation is required.	NEPA: Less than significant

3.8.4.5 Mitigation Monitoring

Neither the proposed Project nor any of the alternatives would result in significant impacts on Hazards and Hazardous Materials. Therefore, no mitigation measures nor monitoring is required.

3.8.5 Significant Unavoidable Impacts

No significant unavoidable impacts or risks related to Hazards and Hazardous Materials would occur as a result of construction or operation of the proposed Project or alternatives.

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