

Attachment 1
Findings of Fact and Statement of Overriding Considerations

Suggested Mitigation Measures (MMs) and/or Alternatives

The following is a list of comments that contain suggested mitigation measures (MMs) and/or alternatives. All these suggested MMs and alternatives were suggested to reduce Air Quality and Biology impacts along with suggested mitigation measures (MMs) and/or alternatives related to Environmental Justice and Alternatives. For all suggested mitigation measures and/or alternatives found infeasible, the Findings of Fact includes an infeasibility determination.

Mitigation Measures and/or Alternatives added to the Final EIR

Air Quality

Construction (Impact AQ-2 and AQ-3):

USEPA-4: Work with CARB, EPA and SCAQMD to identify additional measures

USEPA-6: Construction equipment meeting Tier 4 or better

SCAQMD-1: Tier 4 NO_x Standards

SCAQMD-2: 2007 NO_x Standards meeting Level 3 emission reductions

SCAQMD-4: Tier 3 and Tier 4 Harbor Craft

SCAQMD-5: Additional Fugitive Dust Control measures

SCAQMD-6: Additional BMPs

HRA

USEPA-12: Mitigations to reduce Health Risk

Biology:

Construction (Impact BIO-)

LACDRP-2: Mitigation for Pickleweed

Cumulative Analysis

Cumulative Projects List

PCAC-14: Add additional projects to cumulative projects list

CPRV-3: Add additional projects to cumulative projects list

Cumulative Impact REC-2

WM-4: Cumulative impacts to recreation from Eelgrass Habitat Area

Environmental Justice

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PCAC-17: Impact analysis must comply with federal, state, and local environmental justice laws

Alternatives

CBYC-1: Remove Rock Dike
CBYC-2: Alternative Locations for Eelgrass Habitat
DN-2: Remove Rock Dike
PH-1: Remove Rock Dike
PH-2: Alternative Locations for Eelgrass Habitat
PH-3: Remove Rock Dike
PH-5: Alternative Locations for Eelgrass Habitat
PH-8: Remove Rock Dike
USEPA-15: Add LA-3 as a disposal site

Mitigation Measures and/or Alternatives found to be Infeasible

Air Quality

Construction (Impact AQ-2 and AQ-3):

CPRV-2: Rail rather than trucks to move dredge material
KWJM-7: Port-wide mitigation to reduce air pollution
NRDC-5: Low sulfur fuel use in ocean-going vessels
NRDC-6: Require ships to implement Best Available Control Technology (BACT)
NRDC-7: Port should transfer to electrified rail
SCAQMD-3: Require all dredges to be electric
USEPA-7: Additional measures in the event of exceptions to MM AQ-2.1 and AQ-2.2

Construction (Impact AQ-6):

NRDC-8: Mitigation for greenhouse gases

Health Risk Analysis (Impact AQ-2 and AQ-3):

USEPA-5: Include a more robust HRA
USEPA-12: Mitigations to reduce Health Risk

Environmental Justice

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USEPA-1: Port-wide HIA
USEPA-2: Port-wide HIA
USEPA-11: Port wide HIA

Cumulative Analysis

Cumulative Impact AQ-5

USEPA-1: Cumulative impacts to human health from construction emissions
NRDC-3: Cumulative impacts to human health from construction emissions

Alternatives

CRPV-2: Rail transport of dredge material for inland disposal
KWJM-3: Deepening of southeast side of Pier 400
KWJM-5: Relocation shallow water habitat
LACDRP-1: No ocean disposal (all landside) Alternative
LACDRP-4: Reconfigure the Jetty
PH-13: Sequester contaminated soil from Cabrillo Bay Marina in proposed fills
PH-16: Dispose contaminated sediments at different
SPPHC-6: Dispose contaminated sediments at upland toxic land storage site
WBOA-2: CAD within inner harbor
WBOA-3: CAD inside the Breakwater
WBOA-4: CAD outside the Breakwater
WBOA-6: Sequester contaminated soil from Cabrillo Bay Marina in proposed fills
WM-5: Sequester contaminated soil from Cabrillo Bay Marina in proposed fills