5.0 CEQA CONSIDERATIONS

5.1 IRREVERSIBLE AND IRRETRIEVABLE RESOURCE EFFECTS

CEQA Guidelines Section 15126.2(c) requires that environmental documents describe any significant irreversible environmental changes that would be caused by a proposed project. Section 15126.2(c) states:

> "Uses of nonrenewable resources during the initial and continued phases of the project may be irreversible since a large commitment of such resources makes removal or nonuse thereafter unlikely. Primary impacts and, particularly, secondary impacts (such as highway improvement which provides access to a previously inaccessible area) generally commit future generations to similar uses. Also irreversible damage can result from environmental accidents associated with the project. Irretrievable commitments of resources should be evaluated to assure that such current consumption is justified."

Resources would be used during construction and operation of the proposed project. Fossil fuel energy would be used during construction to produce and transport construction materials, transport construction equipment to and from the work site, and construct the ferry terminal and ancillary facilities. Other natural resources to produce glass, steel, concrete, and asphalt would be used to construct the ferry terminal and ancillary facilities. Operational use of resources would primarily be fossil fuel energy associated with vessel operation, and night lighting of the ferry terminal and adjacent areas. However, as noted in Section 4.14, Energy, the increase in fossil fuel energy consumption associated with construction and operation of the proposed project would not be substantial, wasteful, inefficient, or unnecessary. Automobile trips would also be reduced during operation of the ferry terminal, which would reduce fossil fuel energy use. Other natural resources used to construct the proposed project would generally not be retrievable, although some materials may be reused or recycled. However, the quantity of these resources that would be used would not be significant, and they are generally not in short supply.

Removal or nonuse of the proposed ferry terminal is unlikely, particularly since capital construction costs are estimated to be approximately $17 million to $20 million dollars (2007 dollars; refer to Section 2.5). Costs would also be associated with reclaiming the land should the ferry terminal be abandoned at a future date. It is possible that the ferry terminal could have other maritime uses in the future; however, these are also likely to involve resource use. Therefore, while not impossible, it is assumed that the land developed for ferry terminal use would represent an irreversible and irretrievable commitment of land resources. However, the proposed project would not result in the conversion of previously undeveloped land, because all of the alternative sites are along developed areas of the foreshore. Site A (Berkeley Marina) and Site B (Berkeley Fishing Pier) are more developed and committed to maritime use. The shorelines near Site C (Gilman Street) and Site D (Buchanan Street) are armored with concrete debris, and fill overlays Bay Mud offshore. The Eastshore State Park General Plan (CDPR,

2002) indicates that the shoreline adjacent to Site C (Gilman Street) should be restored in the future.

Irreversible environmental damage may also result from environmental accidents caused by a project. Environmental accidents that may occur during construction and operation of the proposed project include accidental spills or releases of hazardous materials (e.g., fuels and oils), and the release of any contaminated material found in dredged sediments or soils excavated to construct landside facilities. These potential impacts are described in Section 4.10 and Section 4.12, and mitigation measures are identified such as preparing and implementing a hazardous waste management plan, a contaminated materials sampling and analysis plan, and a contaminated materials removal plan, if necessary. Implementation of these mitigation measures would reduce these potential impacts to a less-than-significant level. Therefore, irreversible environmental damage is not anticipated.

The proposed ferry terminal would not consume a substantial quantity of resources such as fossil fuel energy, and these resources would not be used in a wasteful, inefficient, or unnecessary manner. While not impossible, it is assumed that the land developed for the ferry terminal would represent an irreversible and irretrievable commitment of land resources given capital construction costs. However, the proposed project would not result in the conversion of previously undeveloped land, because all of the alternative sites are along developed areas of the foreshore. Implementation of mitigation measures identified in this EIS/EIR would reduce potential impacts associated with environmental accidents, and irreversible environmental damage is not anticipated. The resource commitments described above are justified because they would result in improvements to the local and regional transit system, and reduce automobile trips and associated fossil fuel energy use. These benefits are expected to outweigh the costs of the permanent commitment of resources described above.

5.2 CUMULATIVE EFFECTS

CEQA Guidelines Section 15130 requires that environmental documents include a discussion of cumulative impacts. Cumulative impacts are two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts (CEQA, Section 15355, 1992). The individual effects may be changes resulting from a single project or a number of separate projects. The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonably foreseeable probable future projects. Cumulative impacts can result from individually minor but collectively significant projects taking place over a period of time. CEQA Guidelines Section 15130(b) indicates that either a list-based approach or a projections-based approach may be used evaluate cumulative impacts. The list-based approach considers a list of past, present, and probable future projects producing related or cumulative impacts. The projections-based approach considers regional or areawide conditions contributing to cumulative impacts.

NEPA and FTA guidelines require that regional growth projections from the Metropolitan Planning Organization be used as input for evaluating the cumulative impacts of transportation projects for future year conditions. In the San Francisco Bay Area, the MTC maintains a regional travel demand forecast model that uses the regional population and employment growth forecasts by ABAG.

As indicated in the introduction to Chapter 4, Caltrans used a projections-based approach tailored to the specific conditions of the project study area (Caltrans, 2005). The 2030 cumulative analysis follows the Caltrans methodology, but also incorporates a list of projects potentially producing related or cumulative impacts. The approved development projects listed below have been identified based on recent environmental studies and actions conducted by the cities of Berkeley and Albany, as well as correspondence with the respective planning departments:

1. Read Building (2039 4th Street)
2. 700 University Mixed-Use
3. West Berkeley Bowl
4. Gilman Street Playing Fields
5. Trader Joe's (University/Martin Luther King Way)
6. University Village

This method of analysis satisfies both NEPA and CEQA requirements to evaluate the proposed project's contribution to the effect on the environment caused by the accumulation of past, present, and reasonably foreseeable projects. The evaluation of potential cumulative impacts associated with the project is discussed in each of the technical analysis sections in Chapter 4. This evaluation of potential cumulative impacts identified significant transportation and circulation impacts. No other cumulatively significant impacts were identified. Potentially significant cumulative transportation and circulation impacts are as follows:

- **Alternative C:** Cumulative traffic impacts at Alternative C would produce an incremental increase in traffic sufficient to adversely affect Intersection 12 (Gilman Street and San Pablo Avenue), which is expected to operate at LOS F in 2030. Ferry traffic would increase the v/c ratio by 0.01, the defined impact threshold.

- **Alternative D:** Cumulative traffic impacts would occur at San Pablo Avenue and Solano Avenue and at San Pablo Avenue and Marin Avenue. Ferry operation would substantially increase traffic at San Pablo Avenue and Solano Avenue, reducing LOS from E to F during the p.m. peak traffic hour. The v/c ratio at San Pablo Avenue and Marin Avenue would increase by 0.03, producing an adverse impact according to the defined impact criteria.

No cumulative impacts would occur for Alternatives A or B.

5.3 GROWTH INDUCING EFFECTS

NEPA and CEQA require environmental documents to include an evaluation of growth-inducing impacts.

NEPA Regulations Sections 1502.16 and 1508.8 require an environmental document to include an evaluation of indirect project impacts "…which are caused by the action and are later in time or farther removed in distance, but are still reasonably foreseeable. Indirect effects may include growth inducing effects and other effects related to induced changes in the pattern of land use, population density or growth rate, and related effects on air and water and other natural systems, including ecosystems" (NEPA Regulations Section 1508.8).

CEQA Guidelines Section 15126(d) states that environmental documents must:

> "Discuss the ways in which the proposed project could foster economic or population growth, or the construction of additional housing, either directly or indirectly, in the surrounding environment. Included in this are projects which would remove obstacles to population growth (a major expansion of a waste water treatment plant might, for example, allow for more construction in service areas). Increases in the population may tax existing community service facilities, requiring construction of new facilities that could cause significant environmental effects. Also discuss the characteristic of some projects which may encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively. It must not be assumed that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment."

This section provides the framework for a discussion of potential growth-inducing impacts, as follows:

- Would the project foster economic or population growth, or the construction of additional housing?
- Would the project remove obstacles to population growth?
- Would the project result in a population increase that may tax existing community service facilities, requiring construction of new facilities?
- Would the project encourage and facilitate other activities that could significantly affect the environment, either individually or cumulatively?

5.3.1 Economic or Population Growth

Because of the large available workforce within the San Francisco Bay Area, the majority of construction and operational workers will be hired from within the region, and they will not have to relocate for project construction or operation. Project operations would generate 30 full time jobs, not including administrative jobs. The resulting economic growth would be relatively small and considered insignificant in the large economy of the San Francisco Bay Area, or even

when considered within the local area where the project would be located (see Section 4.3, Socioeconomics).

People may also move into areas due to a perceived increase in the quality of life afforded by an increase in transit service. This is not likely to significantly affect population growth in the study area because the surrounding community is relatively developed and accessible by transit.

All of the alternative ferry terminal locations would serve areas that are generally developed with maritime or urban uses. Although the concentration of transit users at the proposed ferry terminal could encourage additional development or redevelopment of the surrounding area, no new development is being planned for the terminal areas. Local governments have the responsibility to make land use decisions about specific projects to ensure that they do not result in unplanned or unwanted growth.

For these reasons, project construction and operations would not foster substantial economic or population growth, or the construction of additional housing. Population increase as a result of the proposed project would not likely be significant relative to the number of people projected to move to the study area by 2035 (see Section 3.3, Socioeconomics). The proposed project may reduce potential impacts associated with this growth by improving transit service and reducing automobiles trips.

5.3.2 Remove Obstacles to Growth

A project may also be growth-inducing if it removes an impediment to growth through the construction of infrastructure or the provision of additional public services. These growth constraints may include utilities, roadways, and police or fire protection.

The four alternative ferry terminal locations are located in built up areas of Berkeley and Albany. The proposed project would require water and electrical services for operational activities; however, the increase in usage would be minimal and existing water and electricity infrastructure capacity is adequate. Connections to existing water and electricity infrastructure can be readily provided to the Berkeley Marina Site (Alternative A) and the Berkeley Fishing Pier Site (Alternative B). The Gilman Street Site (Alternative C) and Buchanan Street Site (Alternative D) would require the extension of existing water and electricity infrastructure south along the Buchanan Street right-of-way, and then east along the Gilman Street right-of-way (see Section 3.13, Utilities and Public Services). The lack of water and electricity infrastructure is not a significant constraint to growth in these two locations, and the minor infrastructure extension would not induce growth in these areas.

The proposed project is not anticipated to significantly increase the demand for local public services, including emergency medical transport, and police and fire protection. These local public services adequately serve the study area and no increase in capacity would be needed to accommodate the proposed project (see Section 3.13, Utilities and Public Services).

5.3.3 Require Construction of New Facilities

The proposed project is not anticipated to increase population significantly enough to require the construction of new community service facilities, such as schools, libraries, or parks (see Section 4.3, Socioeconomics; and Section 3.13, Utilities and Public Services).

5.3.4 Encourage and Facilitate Other Activities

The proposed project is not anticipated to significantly contribute to economic or population growth, or require construction of infrastructure or the provision of additional public services that would be growth-inducing.

5.4 CEQA SIGNIFICANCE CRITERIA

CEQA Guidelines Section 15126 indicates that an EIR must discuss significant environmental effects of a project. Significant effects on the environment are defined as "…substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance" (CEQA Guidelines Section 15382). CEQA does not include thresholds for determining whether effects on the environment are significant. CEQA Guidelines Section 15064 states that:

> "The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data. An ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting. For example, an activity which may not be significant in an urban area may be significant in a rural area."

CEQA Guidelines Appendix F and G include guidance to assist in the preparation of environmental documents. Criteria derived from these appendices are summarized in Table 5-1.

5.5 SUMMARY OF IMPACTS AND MITIGATION MEASURES

Table 5-2 presents a summary of significant and potentially significant impacts for each project alternative, the corresponding mitigation measures for each impact, and the significance level after mitigation. A detailed discussion of these impacts and mitigation measures is included in Chapter 4, Environmental Consequences.

5.6 UNAVOIDABLE SIGNIFICANT ADVERSE EFFECTS

CEQA Guidelines Section 15126.2(b) requires an EIR to include a discussion of any significant impacts, including those which can be mitigated but not reduced to a level of insignificance. CEQA also requires a discussion of impacts that cannot be alleviated without imposing an alternative design, their implications and the reasons why the project is being proposed,

notwithstanding their effect. All of the significant impacts identified in Chapter 4 can be mitigated to a less than significant level, except those summarized below.

Alternative A

- Traffic impact at University/West Frontage may be difficult to mitigate.

Alternative B

- Traffic impact at University/West Frontage may be difficult to mitigate.

Alternative C

- Cumulative traffic impact at Alternative C would produce sufficient incremental increase in traffic to adversely affect Intersection 12 (Gilman Street and San Pablo Avenue), which is expected to operate at LOS F in 2030. Ferry traffic would increase the v/c ratio by 0.01, the defined impact threshold.

- Construction of a ferry terminal would not conform to the regulations of the Eastshore State Park General Plan.

- Ferry operations through Eastshore State Park aquatic parklands may not be permitted by the State and may not meet the U.S. DOT Section 4(f) stipulation that no feasible and prudent alternatives exist.

- Daily use of the ferry terminal at this site, as well as periodic maintenance dredging for continued ferry operation would not conform to the regulations of the Eastshore State Park General Plan.

- The Gilman Street site would require approximately 240,000 cubic yards of dredging through EBRPD and California State Parks Department of Parks and Recreation. Dredging could impact water quality in the aquatic parkland through mobilization of contaminated sediment.

- Ferry operations within the North Basin may disturb foraging or resting for special-status bird species, such as the burrowing owl, white-tailed kite, American peregrine falcon, osprey, and long-billed curlew. The repeated disturbance may cause these species to reduce their use of these locations for foraging and resting.

Alternative D

- Under existing conditions, Alternative D is expected to adversely affect San Pablo Avenue and Marin Avenue. Average vehicle delay during the p.m. peak traffic hour is projected to increase by 3.1 seconds, which exceeds the significance threshold for intersections that operate at LOS E.

- Cumulative (2030) traffic impacts would occur at San Pablo Avenue and Solano Avenue and at San Pablo Avenue and Marin Avenue. Ferry operation would substantially increase traffic at San Pablo Avenue and Solano Avenue, reducing LOS from E to F during the p.m. peak traffic hour. The v/c ratio San Pablo Avenue and Marin Avenue would increase by 0.03, producing an adverse impact according to the defined impact criteria.

- Construction of a ferry terminal would not conform to the regulations of the Eastshore State Park General Plan.

- Ferry operations through Eastshore State Park aquatic parklands may not be permitted by the State and may not meet the U.S. DOT Section 4(f) stipulation that no feasible and prudent alternatives exist.

- Daily use of the ferry terminal at this site, as well as periodic maintenance dredging for continued ferry operation would not conform to the regulations of the Eastshore State Park General Plan.

- The Buchanan site alternative would require the largest dredge volume, approximately 280,000 cubic yards through EBRPD and California State Parks Department of Parks and Recreation. Dredging could impact water quality in the aquatic parkland through mobilization of contaminated sediment.

- Ferry operations within the North Basin may disturb foraging or resting for special-status bird species, such as the burrowing owl, white-tailed kite, American peregrine falcon, osprey, and long-billed curlew. The repeated disturbance may cause these species to reduce their use of these locations for foraging and resting.

Table 5-1
Summary of CEQA Significance Thresholds

Impact Category	CEQA Significance Threshold	Source(s)
Transportation and Traffic	A significant impact would occur if the project would cause a substantial traffic increase in relation to the existing traffic load and street system capacity, exceed the established level of service, result in a changes to air traffic patterns, substantially increase transportation hazards, result in inadequate emergency access or parking, or conflict the adopted policies plans or goals that support alternative transportation.	State CEQA Guidelines, Appendix G
Circulation	On ACCMA Roadways, a significant impact would occur if the project would cause the LOS on roadways to reach LOS E, except where an intersection or roadway is already operating at LOS F. At Caltrans intersections, a significant impact would occur if the project would cause the LOS for I-80 interchange intersections and for San Pablo Avenue intersections to go above LOS C. If the intersection at LOS D, E, or F, then the existing level of service needs to be maintained. At the City of Berkeley and City of Albany intersections, a significant impact would occur if the project would cause City-controlled intersections to surpass LOS D. For those intersections that currently or are forecast to operate at LOS E or F without the project, significance criteria are defined depending upon the type of traffic control involved: • For signalized intersections a significant impact would occur if the project would cause an increase of 0.01 in the v/c ratio. • For unsignalized intersections in general, a significant impact would occur if the project would cause the intersection to reach LOS F, the peak hour signal warrant is met, and a minimum of 10 vehicles is added to the critical movement. Nevertheless, as delays increase dramatically once LOS F is reached, consideration is given to the number of new trips added by a project and other factors, such as the feasibility of alternative routes and the proximity of adjacent traffic signals. • For roundabouts intersections, Caltrans criteria was used to determine whether an impact is significant.	Caltrans, ACCMA, City of Berkeley
Parking	A significant impact would occur if on-street parking were displaced by the project or if the project reduced off-street parking to substantially affect access to residences, recreational uses, and businesses that could detrimentally affect their client base.	City of Berkeley, City of Albany
Public Transportation	A significant impact would occur if the project induces the AC Transit buses to exceed the load factor standard of 1.25. Buses that exceed this threshold are considered to be overcrowded. This standard applies to all AC Transit bus routes that would serve the project.	AC Transit
Bicycles and Pedestrians	A significant impact would occur if the project would result in significant overcrowding of public sidewalks or bicycle lanes, or if the project would create potentially hazardous conditions for pedestrians or bicyclists, or interfere with pedestrian and bicyclist accessibility to the project site and adjacent areas. A significant impact would occur also if the project disrupts or interferes with the Bay Trail.	Caltrans

Table 5-1
Summary of CEQA Significance Thresholds (Continued)

Impact Category	CEQA Significance Threshold	Source(s)
Land Use and Planning	A significant impact would occur if the project would physically divide an established community, have a substantial adverse impact upon the existing character of the project's vicinity or conflict with any applicable land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.	State CEQA Guidelines, Appendix G
Population and Housing	A significant impact would occur if the project would directly or indirectly induce substantial population growth or displace a substantial amount of existing housing or residents that would require the construction of replacement housing elsewhere. CEQA does not require a discussion of socioeconomic effects, except where these effects would result in physical changes, and states that social or economic effects should not be treated as significant unless there is a physical effect.	State CEQA Guidelines, Appendix G. CEQA Guidelines Sections 15064(e) and 15131
Public Services and Recreation	A significant impact would occur if the project would conflict with established recreational, educational, or religious uses; conflict with adopted plans and goals of the community; or create an additional demand for public service facilities, the expansion of which would result in significant environmental impact. A significant impact would occur if the project would significantly impact acceptable service ratios, response times, or other performance objectives for fire, police, school, parks, or other public facilities, or the project would increase the use of public facilities that would induce or accelerate substantial physical deterioration.	State CEQA Guidelines, Appendix G
Cultural Resources	A significant impact would occur if the project would cause a significant substantial adverse change in the significance of a historical resource or an archaeological resource, as defined in State CEQA Guidelines Section 15064.5. A significant impact would also occur if the project would directly or indirectly destroy a unique paleontological resource, site, or unique geologic feature or disturb any human remains.	State CEQA Guidelines, Appendix G
Aesthetics	A significant impact would occur if the project would have a significant substantial adverse effect on the scenic vista, cause substantial damage or degradation to scenic resources and the existing visual character and/or quality of the site, or create substantial light or glare that would adversely affect views in the project area.	State CEQA Guidelines, Appendix G
Utilities and Service Systems	A significant impact would occur if the project would exceed the Bay Area RWQCB's wastewater treatment requirements or if the project would require or result in construction of new water facilities, wastewater treatment facilities, or storm water drainage facilities, or expansion of existing storm, water, or wastewater facilities that could cause significant environmental effects. A significant impact would also occur if there were not sufficient water supplies available to serve the project from existing entitlements and resources or new or expanded entitlements were needed. A significant impact would also occur if the project's wastewater treatment provider does not have adequate capacity to serve the project's demands in addition to existing commitments, if the project is not served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs, or if the project does not comply with all local, state, and federal solid waste regulations.	State CEQA Guidelines, Appendix G

Table 5-1
Summary of CEQA Significance Thresholds (Continued)

Impact Category	CEQA Significance Threshold	Source(s)
Geology and Soils	A significant impact would occur if the project would expose people or structures to large geological hazards, like the rupture of a known earthquake fault, strong seismic ground failure, or landslides. A significant impact would also occur if the project resulted in substantial soil erosion or loss of topsoil, if the project is located on an unstable or expansive soils or geologic units that would result in substantial risk, or if the project has soils that cannot adequately support the use of septic tanks or alternative waste water disposal systems where sewers are not available.	State CEQA Guidelines, Appendix G
Hydrology and Water Quality	A significant impact would occur if the project would violate any water quality standards or waste discharge requirements, substantially deplete groundwater supplies, interfere substantially with groundwater recharge, substantially alter the existing drainage pattern of the area, substantially increase the rate and/or amount of surface runoff, degrade water quality, or place structures within a 100-year flood hazard area.	State CEQA Guidelines, Appendix G
Biological Resources	A significant impact would occur if the project would have a substantial adverse effect on any candidate species, sensitive species, special-status species, riparian habitat, or other sensitive natural community as identified in local or regional plans, policies, regulations, or by the CDFG or the USFWS. A significant impact would also occur if the project would have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the CWA, or interfere substantially with the movement of native resident migratory fish, wildlife species, or established native resident migratory wildlife corridors, or impede the use of native wildlife nursery sites. A significant impact would also occur if the project would conflict with local policies or ordinances that protect biological resources, or conflict with provisions of any adopted conservation plans.	State CEQA Guidelines, Appendix G
Hazards and Hazardous Materials	A significant impact would occur if the project would create a significant hazard to the public or environment through the routine transport, use, or disposal of hazardous material or a significant hazard to the public or environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Also, if the project would emit hazardous emissions or handle hazardous substances within ¼ mile of an existing or proposed school, a significant impact would occur. A significant impact would also occur if the project is located on a site compiled pursuant to Government Code 65962.4 and would create a significant hazard, or if the project would impair implementation of an adopted emergency response or evacuation plan. Also, if the project would expose people or structures to a significant risk of loss, a significant impact would occur.	State CEQA Guidelines, Appendix G

Table 5-1
Summary of CEQA Significance Thresholds (Continued)

Impact Category	CEQA Significance Threshold	Source(s)
Air Quality	A significant impact would occur if the project would violate an air quality standard or conflict and/or obstruct with the implementation of the BAAQMD Clean Air Plan and the City of Albany's Climate Protection Program, expose sensitive receptors to substantial pollutant concentrates, create objectionable odors that could affect a substantial amount of people, or contribute significantly to an existing or projected air quality violations. Also, construction and operational emissions generated from the proposed project would result in significant air quality impacts (BAAQMD, 1999) if: • Construction (short-term temporary emissions): – Control measures recommended by the BAAQMD are not incorporated into the project design or applied to project construction. • Operation (long-term continual emissions): – Mobile-source emissions (local to the proposed project) of CO violate or contribute substantially to a violation of the NAAQS or CAAQS; – Project emissions of ROG, NO_X, or PM_{10} exceed BAAQMD mass emissions thresholds of 15 tons per year or 80 pounds per day; – The proposed project exposes members of the public to objectionable odors; – The proposed project has the potential to expose sensitive receptors (including residential areas) or the general public to substantial incremental increases in TAC emissions that exceed 10 chances per million of excess cancer risk for the MEI and/or a hazard index of 1 for non-cancer risk for the MEI; and – The proposed project would be considered to have a significant cumulative air quality impact if it would individually have a significant air quality impact. For any project that does not individually have significant operational air quality impacts, the determination of significant cumulative impacts should be based on an evaluation of the consistency of the project with the local and regional air quality plans.	State CEQA Guidelines, Appendix G BAAQMD
Noise	A significant impact would occur if the project would: • Result in an overall noise level at the noise sensitive land uses of 65 dB CNEL or more; • Result in an overall increase in noise level at the noise sensitive land uses of 3 dB or more; • Cause stationary noise sources exceed the prescribed criteria listed within the Noise Ordinance for either level or duration; or • Conflict with any other locally applicable policies protecting noise sensitive land uses.	State CEQA Guidelines, Appendix G
Energy	A significant impact would occur if the project would result in any of the following: • a substantial increase in energy consumption per passenger trip; • a wasteful, inefficient, or unnecessary consumption of energy; or • a significant demand on regional energy supply or requirement of substantial additional capacity.	State CEQA Guidelines, Appendix F

Table 5-2
Summary of Significant and Potentially Significant Impacts

EIR/EIS Section	Environmental Area/Impacts	Alternatives	Impacts	Mitigation	Level of Significance After Mitigation
4.1	**Transportation and Circulation**				
	Traffic	No-Action	**Impact:** Existing – 8 of 17 key intersections have substandard operation without project; Future (2030) – 9 of 17 intersections have substandard operation without project.		
		Alternative A	**Impact:** Existing – 3 of 17 key intersections have substandard operations with project; Future (2030) – 0 of 17 intersections have substandard operation with project.	**Mitigation:** Existing – signal timing and intersection design modifications; Future (2030) – none required.	**Existing:** Less than significant, except at University/Frontage Road, which may not be mitigated completely.
		Alternative B	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	**Existing:** Refer to Alternative A.
		Alternative C	**Impact:** Existing – 0 of 17 key intersections have substandard operation with project; Future (2030) – 2 of 17 intersections have substandard operation with project.	**Mitigation:** Existing – None required; Future (2030) – None identified.	**Future (2030):** Unavoidable Significant Impact.
		Alternative D	**Impact:** Existing – 1 of 17 key intersections have substandard operation with project; Future (2030) – 2 of 17 intersections have substandard operation with project.	**Mitigation:** Existing – Signal timing and intersection design modifications.	**Future (2030):** Unavoidable Significant Impact.
	Parking	Alternative A	**Impact:** Potential to displace existing parking for nearby businesses or residents during construction. This would be an adverse impact.	**Mitigation:** Alternative parking would be provided, including signage.	Less than Significant
			Impact: Potential to displace existing parking for nearby businesses or residents during operations. This would be an adverse impact.	**Mitigation:** Parking supply measures, such as provision of additional parking spaces, enforcement of free parking, and a parking availability information system would minimize impacts to a less-than-significant level. WETA would negotiate agreement with property owners for control and responsibility of the designated parking areas. As a part of the FEIS, WETA will develop and implement a Parking Mitigation Plan that addresses potential parking impacts on adjacent uses, particularly nearby businesses.	Less than Significant

Table 5-2
Summary of Significant and Potentially Significant Impacts (Continued)

EIR/EIS Section	Environmental Area/Impacts	Alternatives	Impacts	Mitigation	Level of Significance After Mitigation
4.1 (cont'd)	Parking (cont'd)	Alternative B	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant
		Alternative C	None identified		
		Alternative D	None identified		
	Transit	Alternative A	**Impact:** AC Transit service standards would not be affected.	**Mitigation:** None required.	
		Alternative B	**Impact:** Potential to adversely affect transit operations during construction.	**Mitigation:** Flagmen at the construction and staging areas.	Less than Significant
			Impact: AC Transit service standards would not be affected.	**Mitigation:** None required.	
		Alternative C	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	
		Alternative D	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	
	Bicyclists and Pedestrians	Alternative A	**Impact:** Potential to adversely affect bicycle and pedestrian circulation during construction. Construction could cause temporary closure of sidewalks and pathways, narrowing of adjacent roadways, and/or degradation of paving surfaces, thereby disrupting bicycle and pedestrian access. This would be an adverse impact.	**Mitigation:** Access to sidewalks and pathways would be maintained by minimizing closings and providing suitable alternatives during closures. Pavement surfaces would be maintained in the construction zone and appropriate temporary detour signage would be used.	Less than Significant
		Alternative B	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant
		Alternative C	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant
		Alternative D	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant
4.2	**Land Use**	Alternative A	None identified		
		Alternative B	None identified		
		Alternative C	**Impact:** The potential to conflict with existing plans, policies and regulations that govern the areas at and near the ferry terminal alternatives.	**Mitigation:** Implementation of eelgrass mitigations included in Section 4.9, Biological Resources, would result in compliance with Transportation Policy 5 in the San Francisco Bay Plan.	Less than Significant

Table 5-2
Summary of Significant and Potentially Significant Impacts (Continued)

EIR/EIS Section	Environmental Area/Impacts	Alternatives	Impacts	Mitigation	Level of Significance After Mitigation
4.2 (cont'd)	**Land Use (cont'd)**	Alternative C	**Impact:** The potential to conflict with existing plans, policies and regulations that govern the areas at and near the ferry terminal alternatives, in particular compatibility with Eastshore State Park General Plan.	**Mitigation:** Construction of a ferry terminal on lands under the jurisdiction of the Eastshore State Park General Plan is not permitted, and the Park District has stated that such a project would be difficult to implement. Therefore, this impact cannot be mitigated to a less-than-significant level.	Significant and Unavoidable
		Alternative D	**Impact:** Refer to second impact for Alternative C.	**Mitigation:** Refer to second impact for Alternative C.	Significant and Unavoidable
4.3	**Socioeconomics**	All Alternatives	All impacts less than significant		
4.4	**Parklands and Recreational Facilities**	Alternative A	None identified		
		Alternative B	None identified		
		Alternative C	**Impact:** Construction activities at the site would impact "Aquatic Parklands" of Eastshore State Park. According to the Eastshore State Park General Plan, "the park resource must be fully restored to its original condition at the completion of construction and the temporary use of the parkland must terminate before the end of the construction period." Construction of a ferry terminal would not conform to these regulations. This is an adverse impact.	**Mitigation:** No mitigation for this impact has been identified.	Unavoidable Significant Impact

Table 5-2
Summary of Significant and Potentially Significant Impacts (Continued)

EIR/EIS Section	Environmental Area/Impacts	Alternatives	Impacts	Mitigation	Level of Significance After Mitigation
4.4 (cont'd)	**Parklands and Recreational Facilities (cont'd)**	Alternative C (cont'd)	**Impact:** Daily use of the ferry terminal at this site, as well as periodic maintenance dredging for continued ferry operation, would not conform to the regulations of the Eastshore State Park General Plan, and in conformance with Section 4(f) requirements must determine that no feasible and prudent alternatives exist. Also, it is unlikely that a documented agreement to permit this use of the aquatic parkland will be authorized by state officials. This is considered an adverse impact.	**Mitigation:** No mitigation for this impact has been identified.	Unavoidable Significant Impact
		Alternative D	**Impact:** Refer to Alternative C.	**Mitigation:** Refer to Alternative C.	Unavoidable Significant Impact
4.5	**Aesthetics and Visual Resources**	All Alternatives	All impacts less than significant		
4.6	**Cultural Resources**	Alternative A	**Impact:** The potential to adversely affect unknown archaeological resources during construction.	**Mitigation:** If, during the course of construction within the project area any prehistoric or historic cultural resources (e.g., large amounts of shell, dark soil residues, lithic material, or historic refuse) are discovered, all work in the vicinity must halt, and a qualified archaeologist shall be notified to assess the significance of the find according to CEQA Guidelines Section 5064.5. If any find is determined to be significant, the project proponent and the archaeologist will meet to determine the appropriate avoidance measures or other appropriate mitigation.	Less than Significant

Table 5-2
Summary of Significant and Potentially Significant Impacts (Continued)

EIR/EIS Section	Environmental Area/Impacts	Alternatives	Impacts	Mitigation	Level of Significance After Mitigation
4.6 (cont'd)	**Cultural Resources (cont'd)**	Alternative A (cont'd)		If human skeletal remains are uncovered during project construction, the project proponent (depending on the project component) will immediately halt work, contact the Alameda County coroner to evaluate the remains, and follow the procedures and protocols set forth in Section 15064.5 (e)(1) of the CEQA Guidelines. If the County coroner determines that the remains are Native American, the project proponent will contact the NAHC, in accordance with Health and Safety Code Section 7050.5, subdivision (c), and PRC 5097.98 (as amended by AB 2641). In accordance with PRC 5097.98, the landowner shall ensure that, according to generally accepted cultural or archaeological standards or practices, the immediate vicinity of the Native American human remains is not damaged or disturbed by further development activity until the landowner has discussed and conferred, as prescribed in this section (PRC 5097.98), with the most likely descendents regarding their recommendations, if applicable, taking into account the possibility of multiple human remains.	
		Alternative B	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant
		Alternative C	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant
		Alternative D	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant

Table 5-2
Summary of Significant and Potentially Significant Impacts (Continued)

EIR/EIS Section	Environmental Area/Impacts	Alternatives	Impacts	Mitigation	Level of Significance After Mitigation
4.6 (cont'd)	**Cultural Resources (cont'd)**	Alternative A	**Impact:** The project could adversely affect unidentified paleontological resources	**Mitigation:** In the event that paleontological resources are discovered, the project proponent (depending on the project component) will notify a qualified paleontologist. The paleontologist will document the discovery as needed, evaluate the potential resource, and assess the significance of the find under the criteria set forth in CEQA Guidelines Section 15064.5. If fossil or fossil bearing deposits are discovered during construction, excavations within 50 feet of the find will be temporarily halted or diverted until the discovery is examined by a qualified paleontologist (in accordance with Society of Vertebrate Paleontology standards [Society of Vertebrate Paleontology, 1995]). The paleontologist will notify the appropriate agencies to determine procedures that would be followed before construction is allowed to resume at the location of the find. If the project proponent determines that avoidance is not feasible, the paleontologist will prepare an excavation plan for mitigating the effect of the project on the qualities that make the resource important. The plan will be submitted to the project proponent for review and approval prior to implementation.	Less than Significant
		Alternative B	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant
		Alternative C	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant
		Alternative D	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant

Table 5-2
Summary of Significant and Potentially Significant Impacts (Continued)

EIR/EIS Section	Environmental Area/Impacts	Alternatives	Impacts	Mitigation	Level of Significance After Mitigation
4.7	**Air Quality**	Alternative A	**Impact:** Construction of the terminal will result in short-term impacts to the existing air quality in the area. These impacts include temporary increases in emissions of CO, CO_2, NO_x, PM_{10}, $PM_{2.5}$, ROG, and SO_x. Impacts of construction to air quality are considered to be adverse.	**Mitigation:** When and where feasible, BAAQMD-recommended mitigation measures will be implemented to reduce the emissions generated from construction equipment exhaust.	Less than Significant
		Alternative B	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant
		Alternative C	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant
		Alternative D	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant
4.8	**Noise and Vibration**	Alternative A	**Impact:** Noise due to pile driving could impact fish. Pile driving for the terminal facility would include small-diameter concrete piles, such as those used for the San Mateo Bridge. It is therefore not expected that significant fish mortalities would result from pile driving. Harmful sound pressures may still occur, which could produce adverse temporary effects on fish.	**Mitigation:** Underwater sound monitoring would be conducted if estimated sound pressure levels could approach those that may harm fish (e.g., 180 dB). Measures to reduce sound pressure levels in surrounding waters, such as bubble jackets surrounding the piles, may have to be deployed if sound pressure levels exceed those that could harm fish.	Less than Significant
			Impact: Transiting ferries could disturb marine mammal resting and foraging.	**Mitigation:** Disturbance by ferries to foraging marine mammals is expected to be similar to existing boat traffic. NMFS guidelines would be followed to minimize acoustic disturbance on nearby mammals, and no adverse impact would be created.	Less than Significant
			Impact: Construction noise could impact existing noise-sensitive users adjacent to the ferry terminal site.	**Mitigation:** Steps outlined in the Construction Noise Ordinance for the City of Berkeley must be followed.	Less than Significant

Table 5-2
Summary of Significant and Potentially Significant Impacts (Continued)

EIR/EIS Section	Environmental Area/Impacts	Alternatives	Impacts	Mitigation	Level of Significance After Mitigation
4.8 (cont'd)	**Noise and Vibration (cont'd)**	Alternative B	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant
		Alternative C	**Impact:** Refer to the first two impacts noted for Alternative A. No noise-sensitive receptors are located adjacent to the site.	**Mitigation:** Refer to Alternative A.	Less than Significant
		Alternative D	**Impact:** Refer to Alternative C.	**Mitigation:** Refer to Alternative A.	Less than Significant
4.9	**Biological Resources**	Eelgrass – Alternative A	None identified		
		Eelgrass – Alternative B	None identified		
		Eelgrass – Alternative C	**Impact:** Project construction would result in the disturbance of the Eelgrass Mitigation pilot project for the East Span Bay Bridge construction south of Gilman Street, with the potential to expand northward, eventually encompassing 15 acres.	**Mitigation:** Because the eelgrass disturbance would be within an existing mitigation plot, suitable compensatory mitigation (mitigation ratio up to 1:10) would be designed in consultation with appropriate state and federal agencies such as the USACE, U.S. EPA, CDFG, BCDC, and the San Francisco Bay RWQCB. A mitigation plan would include monitoring and evaluating the success of the mitigation effort, and an approved contingency plan negotiated with appropriate state and federal agencies if the mitigation fails. It is important to note that there is little data available on replacement of eelgrass in the Bay.	Less than Significant, if mitigation is successful
		Eelgrass – Alternative D	**Impact:** Refer to Alternative C.	**Mitigation:** Refer to Alternative C.	Less than Significant

Table 5-2
Summary of Significant and Potentially Significant Impacts (Continued)

EIR/EIS Section	Environmental Area/Impacts	Alternatives	Impacts	Mitigation	Level of Significance After Mitigation
4.9 (cont'd)	**Biological Resources (cont'd)**	Dredging – Alternative A	**Impact:** Dredging could adversely impact the California least tern, a listed species.	**Mitigation:** The LTMS contains a dredging work window for California least terns that applies to the area from the Berkeley Marina south to San Lorenzo Creek. The work window is between August 1 and November 30. Dredging during this time period would reduce impacts to this listed species and no consultation with USFWS would be required. If this work window cannot be adhered to, WTA would enter into consultation with USFWS to obtain an incidental take permit as necessary. This permit may include specifications for monitoring and other mitigation measures to reduce impacts during dredging activities. The DMMO agencies have indicated that minimizing dredging is preferable.	Less than Significant
			Impact: Dredging could affect Pacific herring spawning.	**Mitigation:** Dredging would not occur between December 1 and March 1 unless a CDFG waiver were obtained.	Less than Significant
			Impact: Construction activities may remove native oysters.	**Mitigation:** WETA would work with interested resource agencies to determine whether native oysters would be adversely affected by dredging. WETA may agree to conduct pre-construction surveys for native oysters at the Marina site. WETA would consult with the resource agencies to determine whether mitigation measures are required to re-establish the affected beds.	Less than Significant
		Dredging – Alternative B	**Impact:** Refer to the dredging impacts listed for Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant
		Dredging – Alternative C	**Impact:** Refer to the dredging impacts listed for Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant
			Impact: Dredging can spread invasive nonnative species, such as smooth cordgrass.	**Mitigation:** Identified strands of cordgrass would be removed prior to dredging and construction of pier.	Less than Significant

Table 5-2
Summary of Significant and Potentially Significant Impacts (Continued)

EIR/EIS Section	Environmental Area/Impacts	Alternatives	Impacts	Mitigation	Level of Significance After Mitigation
4.9 (cont'd)	**Biological Resources (cont'd)**	Dredging – Alternative D	**Impact:** Refer to the dredging impacts listed for Alternative C.	**Mitigation:** Refer to Alternative C.	Less than Significant
		Fish – Alternative A	**Impact:** Special-status fish species with the potential to be affected by project construction include central California steelhead, winter run chinook salmon, and green sturgeon. These species may be adversely affected by dredging activity.	**Mitigation:** NMFS would be informally consulted as to any seasonal restrictions on pile driving or other measures to avoid take of listed species. If mitigation that avoids take cannot be implemented, then WTA would enter into formal consultation with NMFS to obtain an incidental take permit.	Less than Significant
		Fish – Alternative B	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant
		Fish – Alternative C	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant
		Fish – Alternative D	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant
		Birds – Alternative A	No impacts identified		
		Birds – Alternative B	No impacts identified		
		Birds – Alternative C	**Impact:** Ongoing ferry traffic could disturb roosting and foraging water waterfowl in the vicinity and may decrease use of project areas by sensitive bird species. Ferry operations within the North Basin may disturb foraging or resting for special-status bird species, such as the burrowing owl, white-tailed kite, American peregrine falcon, osprey, and long-billed curlew. The repeated disturbance may cause these species to reduce their use of these locations for foraging and resting, constituting an unavoidable adverse impact.	**Mitigation:** No mitigation for this impact has been identified.	Unavoidable Significant impact

Table 5-2
Summary of Significant and Potentially Significant Impacts (Continued)

EIR/EIS Section	Environmental Area/Impacts	Alternatives	Impacts	Mitigation	Level of Significance After Mitigation
4.9 (cont'd)	**Biological Resources (cont'd)**	Birds – Alternative D	**Impact:** Refer to Alternative C.	**Mitigation:** Refer to Alternative C.	Unavoidable Significant impact
		Bird Habitat – Alternative A	No impacts identified		
		Bird Habitat – Alternative B	No impacts identified		
		Bird Habitat – Alternative C	**Impact:** Sensitive shorelines and ecosystems within the North Basin could be eroded by ferry wakes, resulting in adverse impacts to habitat used for avian resting, foraging, or nesting.	**Mitigation:** A no-wake policy within the North Basin would reduce erosion of tidal wetlands, bayflats, and sandy beaches.	Less than Significant
		Bird Habitat – Alternative D	**Impact:** Refer to Alternative C.	**Mitigation:** Refer to Alternative C.	Less than Significant
4.10	**Water Resources**	Alternative A	**Impact:** Dredging could impact water quality through mobilization of contaminated sediment. Approximately 110,000 cubic yards of dredging would be required in the channel approaching the Berkeley Marina and in the Berkeley Marina.	**Mitigation:** As required by the DMMO, a SAP would be submitted prior to dredging. DMMO agencies have indicated that minimizing dredging is preferable.	Less than significant
			Impact: Onshore construction could cause stormwater contamination.	**Mitigation:** Construction would be done in accordance with NPDES General Permits, which require implementation of Best Management Practices.	
			Impact: Dredging could affect the capacity of the San Francisco Deep Ocean disposal site.	**Mitigation:** Evaluate potential disposal within the Bay at an upland facility, or beneficial reuse.	
			Impact: Inadvertent fuel spills from construction or operation would affect water quality.	**Mitigation:** Hazardous waste management plan and solid waste management plan will govern the storage and disposal of hazardous materials. All vehicles and construction equipment will be inspected to ensure no leaking fluids occur.	

Table 5-2
Summary of Significant and Potentially Significant Impacts (Continued)

EIR/EIS Section	Environmental Area/Impacts	Alternatives	Impacts	Mitigation	Level of Significance After Mitigation
4.10 (cont'd)	**Water Resources (cont'd)**	Alternative A (cont'd)	**Impact:** Stormwater runoff at the terminal site and parking area could degrade water quality.	**Mitigation:** Gravel or permeable pavement would be used so rainwater could permeate into underlying soil.	
		Alternative B	**Impact:** Dredging could impact water quality through mobilization of contaminated sediment. Approximately 150,000 cubic yards of dredging would be required along the channel to the Berkeley Fishing Pier.	**Mitigation:** Refer to Alternative A.	Less than Significant
			Impact: Refer to the second, third, fourth, and fifth impacts for Alternative A.	**Mitigation:** Refer to Alternative A.	
		Alternative C	**Impact:** Dredging could impact water quality through mobilization of contaminated sediment. A ferry route to the Gilman Street site would require approximately 240,000 cubic yards of dredging along the channel and terminal turning basin. The EBRPD and California State Parks Department of Parks and Recreation indicated that even with mitigation measures, dredging within aquatic parklands of Eastshore State Park would still be considered an adverse impact.	**Mitigation:** No mitigation for this impact has been identified.	Unavoidable Significant impact
			Impact: Refer to the second, third, fourth, and fifth impacts for Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant

Table 5-2
Summary of Significant and Potentially Significant Impacts (Continued)

EIR/EIS Section	Environmental Area/Impacts	Alternatives	Impacts	Mitigation	Level of Significance After Mitigation
4.10 (cont'd)	**Water Resources (cont'd)**	Alternative D	**Impact:** Dredging could impact water quality through mobilization of contaminated sediment. A ferry route to the Buchanan site would require approximately 280,000 cubic yards of dredging along the channel and terminal turning basin. The EBRPD and California State Parks Department of Parks and Recreation indicated that even with mitigation measures, dredging within aquatic parklands of Eastshore State Park would still be considered an adverse impact.	**Mitigation:** No mitigation for this impact has been identified.	Unavoidable Significant impact
			Impact: Refer to the second, third, fourth, and fifth impacts for Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant
4.11	**Geology and Soils**	Alternative A	**Impact:** Seismic shaking could damage facilities and/or injure people.	**Mitigation:** Terminal facilities shall be designed and constructed at a minimum to "Essential Structure" standards as well as the seismic design requirements for ground shaking specified in the Uniform Building Code for Seismic Zone 4. Additionally, to satisfy the provisions of the 1998 CBC, these facilities shall be designed to withstand ground motions equating to approximately a 500-year return period (10 percent probability of exceedence in 50 years). For design purposes, site-specific ground motions shall be calculated for the project.	Less than Significant

Table 5-2
Summary of Significant and Potentially Significant Impacts (Continued)

EIR/EIS Section	Environmental Area/Impacts	Alternatives	Impacts	Mitigation	Level of Significance After Mitigation
4.11 (cont'd)	**Geology and Soils (cont'd)**	Alternative A (cont'd)	**Impact:** Liquefaction or lateral spreading could damage facilities and/or injure people. Liquefaction of soils occurs when loose, cohesionless soils become saturated, temporarily losing shear strength during strong ground shaking. Significant factors that affect soil liquefaction potential are grain-size distribution, relative density, degree of saturation, the initial stresses acting on the soils, and the characteristics of the earthquake, such as the intensity and duration of the ground shaking. All of the study area along the shoreline in the region of the alternatives is potentially prone to liquefaction an adverse impact. In addition to liquefaction, other potential hazards in the study area include compaction consolidation (settlement) and seismically-induced settlement. Dissipation of excess pore pressure generated by ground shaking will produce volume changes within the liquefied soil layers, which would be manifested at the ground surface as settlement.	**Mitigation:** A program of site-specific exploratory borings and accompanying laboratory testing will be required to delineate any potentially liquefiable materials underneath potential terminal sites. These geotechnical investigations will also be required for consideration prior to foundation design. Potentially liquefiable deposits will either have to be removed or engineered (dewatered or densified) to reduce their liquefaction potential.	Less than Significant
			Impact: Subsidence could damage facilities**.**	**Mitigation:** Previous Mitigation applies.	Less than Significant
		Alternative B	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant
		Alternative C	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant
		Alternative D	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant

Table 5-2
Summary of Significant and Potentially Significant Impacts (Continued)

EIR/EIS Section	Environmental Area/Impacts	Alternatives	Impacts	Mitigation	Level of Significance After Mitigation
4.12	**Hazardous Materials**	Alternative A	**Impact:** Accidental spills or releases of hazardous materials (e.g., fuels and oils) during construction of the proposed terminal (offshore) and associated parking area (onshore) could potentially create a hazard to the public or the environment. This is considered an adverse impact.	**Mitigation:** Mitigation measures to address potential releases are presented in Section 4.10, Water Resources.	Less than Significant
			Impact: Contaminated water from fill material exposed during grading could migrate offsite.	**Mitigation:** If it is determined that contaminated fill would be exposed during construction, a Soil Management Plan would be prepared, identifying engineering controls to be used to mitigate migration of potentially contaminated material offsite via fugitive dust emissions or erosion.	Less than Significant
		Alternative B	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant
			Impact: Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant
		Alternative C	**Impact:** Demolition of structures containing lead-based paints and asbestos could expose the public and the environment to these contaminants, an adverse impact.	**Mitigation:** Prior to any demolition activities of the horse stables/barns a lead-based paint and asbestos survey would be conducted. Required abatement would be conducted by properly licensed abatement contractors.	Less than Significant
		Alternative D	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant

Table 5-2
Summary of Significant and Potentially Significant Impacts (Continued)

EIR/EIS Section	Environmental Area/Impacts	Alternatives	Impacts	Mitigation	Level of Significance After Mitigation
4.13	**Utilities and Public Services**				
	Fire Protection	Alternative A	**Impact:** Implementation of the project alternative would require enhanced fire protection facilities. Currently, the Berkeley Marina has limited fire protection infrastructure onsite, consisting of fire hydrants, standpipes, and fire extinguishers. The ferry terminal itself would have to adhere to the California Building and Fire Codes with respect to fire sprinklers and emergency access. Implementation of the Berkeley Marina or Berkeley Fishing Pier project alternatives would result in the need for upgraded fire protection facilities at the Berkeley Marina. Therefore, a potentially adverse impact is anticipated.	**Mitigation:** The project proponent shall consult with the BFD on acceptable mitigation measures to provide an adequate standard of fire protection at the site.	Less than Significant
		Alternative B	**Impact:** Implementation of the project alternative would require fire protection facilities.	**Mitigation:** The ferry terminal itself would have to adhere to the California Building and Fire Codes with respect to fire sprinklers and emergency access. The project proponent shall consult with the BFD on acceptable mitigation measures to provide an adequate standard of fire protection at the site.	Less than Significant

Table 5-2
Summary of Significant and Potentially Significant Impacts (Continued)

EIR/EIS Section	Environmental Area/Impacts	Alternatives	Impacts	Mitigation	Level of Significance After Mitigation
4.13 (cont'd)	Fire Protection (cont'd)	Alternative C	**Impact:** Implementation of the project alternative would require fire protection facilities.	**Mitigation:** The ferry terminal itself would have to adhere to the California Building and Fire Codes with respect to fire sprinklers and emergency access. The project proponent shall consult with the Berkeley Fire Department on acceptable mitigation measures to provide an adequate standard of fire protection at the site.	Less than Significant
		Alternative D	**Impact:** Implementation of the project alternative would require fire protection facilities.	**Mitigation:** The ferry terminal itself would have to adhere to the California Building and Fire Codes with respect to fire sprinklers and emergency access the project proponent shall consult with the AFD on acceptable mitigation measures to provide an adequate standard of fire protection at the site.	Less than Significant
	Gas, Electricity, Sanitary Sewer	Alternative A	I**mpact:** Construction activities could come into contact with utility lines, and an adverse impact could occur.	**Mitigation:** Prior to the start of construction activities, the project proponent shall consult with public utility providers who have infrastructure in the immediate vicinity of the site to determine the exact location and depth of utility lines.	Less than Significant
		Alternative B	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant
		Alternative C	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant
		Alternative D	**Impact:** Refer to Alternative A.	**Mitigation:** Refer to Alternative A.	Less than Significant
4.14	**Energy**	All Alternatives	All impacts less than significant		

Note:
Impacts determined to be less than significant without mitigation are not included in this table.