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LOS ANGELES, LOS ANGELES CITY  
COUNCIL, PORT OF LOS ANGELES, THE  
CITY OF LOS ANGELES HARBOR  
DEPARTMENT, and THE LOS ANGELES  
BOARD OF HARBOR COMMISSIONERS

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**

**COUNTY OF SAN DIEGO, CENTRAL DIVISION**

NATURAL RESOURCES DEFENSE  
COUNCIL, INC., SAN PEDRO AND  
PENINSULA HOMEOWNERS  
COALITION, SAN PEDRO PENINSULA  
HOMEOWNERS UNITED, INC., EAST  
YARD COMMUNITIES FOR  
ENVIRONMENTAL JUSTICE and  
COALITION FOR CLEAN AIR, INC.,  
nonprofit corporations,

Petitioner/Plaintiffs

Case No. 37-2021-00023385-CU-TT-CTL

Assigned For All Purposes To:  
Hon. James Mangione, Dept. C-75

**DECLARATION OF LISA OCHSNER**

Actions Filed: September 16, 2020

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v.

CITY OF LOS ANGELES, PORT OF LOS ANGELES, LOS ANGELES BOARD OF ANGELES and LOS ANGELES BOARD OF HARBOR COMMISSIONERS, public entities,

Respondents.

CHINA SHIPPING (NORTH AMERICA) HOLDING CO. LTD, a Delaware corporation; COSCO SHIPPING (NORTH AMERICA), INC., a California corporation; WEST BASIN CONTAINER TERMINAL LLC, a Delaware corporation; CHINA COSCO SHIPPING CORPORATION LIMITED, a corporation; and DOES 1 THROUGH 50, inclusive,

Real Parties in Interest.

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT, a Public Entity,

Petitioner,

v.

CITY OF LOS ANGELES, a Public Entity; LOS ANGELES CITY COUNCIL, a Public Entity; the CITY OF LOS ANGELES HARBOR DEPARTMENT, a Public Entity; and the LOS ANGELES BOARD OF HARBOR COMMISSIONERS, a Public Entity,

Respondents.

CHINA SHIPPING (NORTH AMERICA) HOLDING CO. LTD, et al.

Real Parties in Interest.

Consolidated Case

1  
2 **DECLARATION OF LISA OCHSNER**

3 I, Lisa Ochsner, declare as follows:

4 1. I have been an employee at the Los Angeles Harbor Department, known as the Port  
5 of Los Angeles (“POLA”), since March 2008. My current position is Marine Environmental  
6 Manager, a position that I have held since April 2013.

7 2. As the Marine Environmental Manager, I oversee environmental compliance of Port  
8 tenant leases and permits, including but not limited to, mitigation measures and lease measures  
9 implemented through Mitigation Monitoring and Reporting Programs, environmental conditions  
10 imposed through project approvals, and other environmental requirements contained in tenant  
11 Environmental Compliance Plans.

12 3. The Port of Los Angeles is the leading seaport in North America in terms of shipping  
13 container volume and cargo value. POLA operates the Port to benefit maritime uses, and it  
14 functions as a landlord by leasing Port properties to more than 300 tenants. POLA is a department  
15 of the City of Los Angeles (also known as the Los Angeles Harbor Department) and is governed by  
16 the Los Angeles Board of Harbor Commissioners. POLA has seven major container terminals,  
17 including the terminal operated by China Shipping. China Shipping leases Berths 97-109 to operate  
18 the 142-acre Terminal. The China Shipping Terminal is operated by the West Basin Container  
19 Terminal Company (“WBCT”).

20 4. I have been involved with the China Shipping 2008 Environmental Impact Report  
21 (EIR) and the 2019 Supplemental Environmental Impact Report (“SEIR”) regarding compliance  
22 and monitoring under the California Environmental Quality Act (“CEQA”). The 2019 SEIR  
23 provided updated status of compliance with the mitigation measures as of the date of that document,  
24 and I have continued to monitor compliance since the 2019 SEIR was certified.

25 5. Pursuant to the Peremptory Writ of Mandate adopted and ordered on May 24, 2024  
26 by Judge Timothy Taylor, as modified by the May 2025 Ruling, I am responsible for overseeing  
27 compliance and reporting on all of the Mitigation Measures and Lease Measures of the Permit with  
28 China Shipping.

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2           6.       Attached hereto as Exhibit A is a spreadsheet that lists the full description and  
3 summarizes the compliance status of each Mitigation Measure and Lease Measure. All Mitigation  
4 Measure and Lease Measures that have been completed are identified in red for easy reference.

5           7.       Pursuant to a signed agreement between China Shipping and WBCT (which was  
6 attached as Exhibit B to my declaration submitted on July 30, 2024), China Shipping appointed  
7 WBCT as the authorized agent to report on the compliance of all Mitigation Measures and Lease  
8 Measures in accordance with the 5<sup>th</sup> and 6<sup>th</sup> Amendment to Permit 999. Based on my information  
9 and belief, there have been no changes to this agreement during this reporting period and WBCT  
10 continues to be the authorized agent for China Shipping to report on the compliance for the  
11 Mitigation Measures and Lease Measures discussed herein.

12           8.       Attached hereto as Exhibit B are the executed bi-annual Compliance Forms signed  
13 by WBCT as China Shipping’s authorized agent under penalty of perjury regarding the status of  
14 each Mitigation Measure and Lease Measure of the Permit that is the responsibility of China  
15 Shipping in whole or in part. Included in the Compliance Forms are the reports WBCT files for the  
16 Terminal in compliance with the California Air Resources Board (“CARB”) At-Berth Regulations.<sup>1</sup>  
17 The CARB At-Berth Regulations require that all vessels capable of using Alternative Maritime Power  
18 (“AMP”) shore power do so unless not possible due to specific safety concerns, power outages,  
19 equipment failures or operational issues. The At-Berth Regulations require terminal and vessel  
20 operators to submit data to CARB to demonstrate compliance with its requirements. As managers of  
21 the terminal for China Shipping, WBCT submits these reports to POLA pursuant to the terms of the  
22 China Shipping permit with POLA.

23           9.       Attached hereto as Exhibit C are the verification documents supporting the status of  
24 each Mitigation Measure that is the responsibility of the Harbor Department in whole or in part.

25           10.      Attached hereto as Exhibits D and E are the additional verification documents  
26 supporting the status of Mitigation Measure AQ-9.

27           11.      This Declaration, along with Exhibits, will be posted on the Port of Los Angeles  
28 Website at <https://www.portoflosangeles.org/environment/environmental-documents> under the

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<sup>1</sup> Cal. Code Regs., tit. 17, § 93130 et seq.

1  
2 project title heading “Berths 97-109 [China Shipping] Container Terminal Project – Certified” and  
3 document title heading “Compliance Reports on Status of Mitigation Measures and Lease  
4 Measures” dated July 30, 2025.

5 12. As to each Mitigation Measure and Lease Measure that have not been completed,  
6 are ongoing or have been started, the following is a description of the current status of compliance  
7 for the reporting period ending on June 30, 2025, unless otherwise specified.

8 a. Mitigation Measure AES-1 Landscaping. The status of this measure is in  
9 compliance for this reporting period. Item #1 in the measure is the Front St Beautification  
10 Project, which was completed on July 11, 2024. Item #2 of the measure is part of the Pacific  
11 Avenue Beautification Project, which was completed on March 12, 2007. Item #2 includes  
12 elements of the North Gaffey Street Beautification Project. Phase 1 was completed on April  
13 11, 2011 and Phase 2 construction began on March 3, 2025 and is expected to be completed  
14 by April 2026. (Exh. C.)

15 b. Mitigation Measure AES-2 Crane Color. The status of this measure is  
16 completed. There is no new information for this reporting period.

17 c. Mitigation Measure AES-3 Beautification Plans. The status of this measure  
18 is in compliance for this reporting period. For the beautification plan improvements along  
19 the upper portions of the Channel Street corridor, refer to MM AES-1 which includes Front  
20 Street Beautification (completed), Pacific Avenue Beautification (completed), and the  
21 North Gaffey Street Beautification projects (Phase 1 completed, Phase 2 under construction  
22 through April 2026). For the removal of three billboards and possible acquisition of a truck  
23 resale facility at 1002 N. Pacific Avenue in San Pedro, these items are all completed.

24 d. Mitigation Measure AES-4 Plaza Park. The status of this measure is  
25 completed. There is no new information for this reporting period.

26 e. Mitigation Measure AQ-1 Harbor Craft Used During Construction. The  
27 status of this measure is completed. There is no new information for this reporting period.  
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f. Mitigation Measure AQ-2 Cargo Ships For Delivery of Terminal Cranes. The status of this measure is completed. There is no new information for this reporting period.

g. Mitigation Measure AQ-3 Fleet Modernization for On-Road Trucks. The status of this measure is completed. There is no new information for this reporting period.

h. Mitigation Measure AQ-4 Fleet Modernization for Construction Equipment. The status of this measure is completed. There is no new information for this reporting period.

i. Mitigation Measure AQ-5 Best Management Practices. The status of this measure is completed. There is no new information for this reporting period.

j. Mitigation Measure AQ-6 Additional Fugitive Dust Controls. The status of this measure is completed. There is no new information for this reporting period.

k. Mitigation Measure AQ-7 General Mitigation Measure. The status of this measure is completed. There is no new information for this reporting period.

l. Mitigation Measure AQ-8 Special Precautions Near Sensitive Sites. The status of this measure is completed. There is no new information for this reporting period.

m. Mitigation Measure AQ-9 Alternative Maritime Power (AMP). The status of this measure is not in compliance for this reporting period, as explained below. According to information is derived from WBCT’s reporting to the California Air Resources Board (“CARB Report”) and POLA’s review of documentation regarding the vessels calling at the terminal that are subject to the mitigation measure, which includes vessels owned by China Shipping and vessels retrofitted for AMP, all AMP-capable vessels used AMP at a 100-percent compliance rate during the reporting period from January 2, 2025 through June 30, 2025. (Exh. B, 0054-0055, 0114-0212). However, two vessel visits had discrepancies in the reported time for connecting to AMP so that it cannot be confirmed that they connected within two hours after being “Ready to Work” (as defined in California Code of Regulations, Title 17, section 93130.2, subdivision (b)(63)). Due to discrepancies for these

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2 two vessel visits (described below), POLA reports the compliance status for MM AQ-9 as  
3 “not in compliance” for this reporting period.

4 The CARB Report listed eighteen (18) vessel visits that reported an “exception”:  
5 seven visits (7) were for safety and emergency events including power disruptions, weather,  
6 faulty electrical equipment, and a vault explosion; one visit (1) was for a “vessel incident  
7 event”; and ten visits (10) were for vessel commissioning, which were all ultimately  
8 successful and used shore power after the commissioning. (Exh. B, 0114-0212.) The vessel  
9 incident event reported was a safety issue due to incomplete lashing for securing cargo on  
10 the vessel that made it unsafe for the vessel to connect to AMP until the cargo was secured.  
11 Although the vessel operator identified this as “vessel incident report” the CARB Report,  
12 the information provided demonstrates that the delay in connection was due to safety issue  
13 and, thus, qualifies a valid exception to MM AQ-9. (Exh. B, 0157-0163.) Accordingly, the  
14 documentation shows that all 18 vessel visits reported valid exceptions to MM AQ-9. This  
15 documentation further demonstrates that, although the vessel operators claimed valid  
16 exceptions on the CARB Report, the vessels ultimately connected to AMP while hoteling  
17 at the terminal. All 18 of these “exceptions” are counted in the 100% compliance rate  
18 because these vessels either initially or eventually used shore power during the vessel visit  
19 as evidenced by the documentation provided with this report.

20 In addition, MM AQ-9 and the CARB At-Berth Regulations require that vessels  
21 connect to AMP within a two-hour window of being “Ready to Work” (as defined in  
22 California Code of Regulations, Title 17, section 93130.2, subdivision (b)(63)). POLA  
23 conducted a review of available data to determine compliance with this provision. The  
24 connection and disconnection to shore power (AMP) are performed by the vessel and  
25 terminal operators. During connection and disconnection, a POLA employee designated as a  
26 Person in Charge (“PIC”) is present. POLA vessel pilots, called Port Pilots, also assist the  
27 vessel operator when arriving and leaving the terminal. POLA maintains records of these  
28 activities and cross-references its own records with those submitted by WBCT as necessary  
to ensure that the mitigation reporting is complete and accurate. POLA does not capture a

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2 “Ready to Work” time, but, for those vessels that did not connect to AMP within two hours  
3 of arrival, POLA provides documents evidencing the time that the Port PIC arrived at the  
4 vessel to coordinate with the Ship PIC, inspect the vessel, complete the pre-power transfer  
5 conference, and clear the vessel to be “Ready to Work.”

6 Of the vessel visits which did not claim an exception, there were six (6) that did  
7 not connect to AMP within two hours of *vessel arrival*, and POLA conducted a review of  
8 the available information for those vessel visits. (Exh. D.) Three of the six vessel visits  
9 (30 Maersk Shriving, 359 YM Unanimity, and 64 YM Upward) transferred to shore power  
10 within two hours of the vessel being “Ready to Work,” in compliance with MM AQ-9 and  
11 the CARB At-Berth Regulations. Two of the vessel visits (31 Little Dolphin and 55 MSC  
12 Elodie) had discrepancies between the information provided in the WBCT Spreadsheet  
13 and the POLA paperwork. For 31 Little Dolphin, the WBCT Spreadsheet shows that the  
14 vessel connected to AMP on time (within two hours after being deemed “Ready to  
15 Work”); however, the Port paperwork reports that the vessel did not connect to AMP until  
16 28 minutes after the two-hour timeframe. For 55 Elodie, the WBCT Spreadsheet states it  
17 connected to AMP 8 minutes later than the two-hour timeframe; the POLA paperwork  
18 shows it connected to AMP within the two-hour timeframe. For both the 31 Little Dolphin  
19 and 55 Elodie vessel visit, no explanation was provided for these discrepancies and POLA  
20 has no information on what would have caused any delay in connection, if such delay  
21 occurred. Because POLA cannot confirm that the vessels connected within two hours of  
22 being “Ready to Work” during the vessel visits and cannot determine if an applicable  
23 exception would apply, POLA is treating these vessel visits as not being in compliance  
24 with MM AQ-9 for this reporting period.

25 For the sixth vessel visit, 68 Little Dolphin, a problem was identified during the  
26 pre-power transfer conference with the cable reel that required repair. The repairs took  
27 approximately three hours. Although the vessel operator did not report this delay as an  
28 exception in the CARB Report, the information provided demonstrates that the delay in  
connection was due to an equipment failure and, thus, qualifies a valid exception to MM

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2 AQ-9. (Ex. D, 0340-0342.) The vessel eventually connected to AMP and is counted in the  
3 100% compliance rate.

4 MM AQ-9 and the CARB At-Berth Regulations also require that vessels not  
5 disconnect from AMP more than one hour before “Pilot on Board” assumes navigational  
6 control to prepare for vessel departure (as defined in California Code of Regulations, Title  
7 17, section 93130.2, subdivision (b)(58)). POLA conducted a review of available data to  
8 determine compliance with this provision. Of the vessel visits which did not claim an  
9 exception, there were thirty seven (37) vessels that stopped emissions control more than one  
10 hour before of *vessel departure*, and POLA conducted a review of the available information  
11 for those vessel visits. For those vessel visits, AMP was not stopped until the Port Pilot was  
12 on board, or was stopped within one hour of the Port Pilot’s arrival, in compliance with MM  
13 AQ-9 and the CARB At-Berth Regulations. (Exh. D.)

14 In addition, the report includes four (4) vessels that utilized an equivalent CARB-  
15 approved emission control strategy (“CAECS”) that are included as additional information  
16 for CARB reporting purposes only. Two of the four vessels used CAECS twice (for a total  
17 of six vessel visits). WBCT informed the Harbor Department that these four vessels were  
18 not retrofitted for AMP and were not owned, chartered, or operated by China Shipping.  
19 (See Exh. E.) The Harbor Department confirmed these vessels were not AMP-capable by  
20 running queries the vessels in the Port’s Environmental Database, which showed that these  
21 vessels had not previously used shore power. This information supported WBCT’s  
22 conclusion that the vessels were not AMP-capable. and, thus, are not included in  
23 determining compliance with MM AQ-9.

24 n. Mitigation Measure AQ-10 Vessel Speed Reduction Program (VSRP). The  
25 status of this measure is not in compliance for this reporting period. According to data  
26 available to the Harbor Department within this reporting period for the time frame  
27 December 2024 through May 2025, 98% of vessels met the VSRP requirement at the 40  
28 nautical mile (nm) limit. However, there was one container vessel named “YM Utility”  
(vessel IMO number 9337470) that was found to not fully comply with VSRP during its

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2 arrival in February 2025 due to vessel speeds of 13 to 15 knots that exceeded the 12 knots  
3 requirement throughout the 20 and 40 nm limit zones. According to WBCT, a “Letter of  
4 Warning” was issued to the vessel operator in accordance with the Terminal Tariff. A  
5 second container vessel named “Maersk Biscayne” (vessel IMO number 9928190) was also  
6 found to not fully comply with the VSRP during its departure in December 2024 due to  
7 vessel speeds of 16 to 17 knots that exceeded the 12 knots requirement in the 30 and 40 nm  
8 limit zones. According to WBCT, a “Letter of Warning” was issued to the vessel operator  
9 in accordance with the Terminal Tariff. Since this is the second offense for the Maersk Line  
10 operator on record since the last one reported in September 2024, WBCT also issued a fine  
11 in the amount of \$1,060 pursuant to the Terminal Tariff as evidenced in the invoice  
12 documentation. (Exh. B, 0213-0220.) Vessel speed data for June 2025 was not available at  
13 the time of this report and will be included in the next status report.

14 o. Mitigation Measure AQ- 11 Low Sulfur Fuel. The status of this measure is  
15 completed. There is no new information for this reporting period.

16 p. Mitigation Measure AQ-12 Slide Valve. The status of this measure is in  
17 compliance for this reporting period. This measure applies to vessels with main engines  
18 manufactured by MAN-B&W with a keel laid date of 2004 or newer. MAN-B&W is the  
19 only engine manufacturer that introduced slide valves since early 2000; however, this  
20 technology was not used until 2004 when slide valves became more common on vessels  
21 with MAN-B&W engines. As reported by WBCT, all vessels with MAN B&W engines had  
22 slide valves and are compliant with the measure. This information is derived from the data  
23 available to the Harbor Department within this reporting period for the time frame  
24 December 2024 through May 2025. (Exh. B, 0222-0224.) Vessel data on slide valves for  
25 June 2025 was not available at the time of this report and will be included in the next status  
26 report.

27 q. Mitigation Measure AQ-13 Reroute Cleaner Ships. The status of this  
28 measure is in compliance for this reporting period. This measure requires that 75% of all  
ships calling to Berths 97-109 meet IMO MARPOL Annex VI NOx emissions limits for

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2 Category 3 engines. As reported by WBCT, 100% of vessel calls were made by vessels  
3 meeting IMO Tier I emissions limits or IMO Tier II emissions limits for category 3 marine  
4 engines. This information is derived from data available to the Harbor Department within  
5 this reporting period for the time frame December 2024 through May 2025. (Exh. B, 0225-  
6 0227.) Vessel data on engine tiers for June 2025 was not available at the time of this report  
7 and will be included in the next status report.

8 r. Mitigation Measure AQ-14 New Vessel Build. The status of this measure is  
9 in compliance for this reporting period. This measure requires China Shipping to confer  
10 with the ship designer and engine manufacturer to determine the feasibility of incorporating  
11 all emission reduction technology and/or design options when ordering new ships bound  
12 for the Port of Los Angeles. There is no new information to report on during this reporting  
13 period.

14 s. Mitigation Measure AQ-15 Yard Tractors. The status of this measure is in  
15 compliance for this reporting period. As reported in the Equipment Inventory and  
16 Purchasing Plan spreadsheet provided by WBCT, there are 137 yard tractors in operation at  
17 the terminal as shown in column "I" of the fleet detail tab; 103 of which currently meet the  
18 low NOx emission standard (see corresponding yard tractor tab that shows 80 model year  
19 2022 and 23 new model year 2024/2025 LPG yard tractors delivered in June 2025), and 34  
20 LPG units that are model year 2008 or newer (see corresponding yard tractor tab that shows  
21 34 model year 2008 and 2011 LPG yard tractors). This equipment satisfies the first phase  
22 in requirement of the measure. Within five years, WBCT will purchase 34 new yard tractors  
23 as shown in column "M" of the fleet detail tab, with a preference for zero emission battery  
24 electric units as noted in the color-coded footnote, to replace the remaining model year 2011  
25 and older units as shown in column "C" of the fleet detail tab. (Exh. B, 0232-0233.) This  
26 equipment will satisfy the second phase in requirement of the measure.

27 t. Mitigation Measure AQ-17 Yard Equipment at Berth 97-109 (Electric Yard  
28 Tractor Pilot Project). The status of this measure is in compliance for this reporting period.  
As reported by WBCT, two electric yard tractors manufactured by BYD were ordered for

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2 the demonstration project as shown in column “J” of the fleet detail tab. However, delivery  
3 of those units originally scheduled in June 2025 have been delayed due to the trade dispute  
4 with China. The two BYD yard tractors have been assembled and are currently in-transit  
5 for delivery by August 2025. (Exh. B, 0234-235.)

6 u. Mitigation Measure AQ-17 Cargo Handling Equipment. The status of this  
7 measure is in compliance for this reporting period. As reported in the spreadsheet provided  
8 by WBCT, there are four 5-ton LPG forklifts operating at the terminal as shown in column  
9 “I” of the fleet detail tab. Two of the four units are model year 2011 or older as shown in  
10 column “C” of the fleet detail tab and are scheduled to be replaced with zero emission units  
11 within the next two years as required by the measure and shown in column “K” of the fleet  
12 detail tab. The remaining two LPG forklifts are model year 2018 as shown in column “E”  
13 of the fleet detail tab and are not shown in the replacement schedule for this reporting period  
14 as the remaining useful life of these units extends beyond WBCT’s 7-year procurement  
15 plan. For forklifts up to 18-tons, there are three diesel units operating at the terminal that  
16 are model year 2007 or older as shown in columns “B” and “I” of the fleet detail tab. Two  
17 of these units are planned for replacement within two years and one is planned for  
18 replacement within three years as required by the measure and shown in columns “K” and  
19 “L” of the fleet detail tab. WBCT provided copies of purchase orders for three (3) battery  
20 electric 18-ton forklifts manufactured by Wiggins that will exceed the minimum  
21 requirement of Tier 4 Final diesel standards from an emissions technology standpoint.  
22 However, due to the recent trade dispute with various countries, certain components for the  
23 equipment were delayed. WBCT has reported they are still on-track to meet this mitigation  
24 measure well before the compliance dates of June 2026 for the first two units and June 2027  
25 for the third unit. For top picks (also known as top handlers), there are 24 diesel units  
26 operating at the terminal as shown in column “I” of the fleet detail tab. Nineteen of these  
27 units are compliant with the measure as they currently meet Tier 4 final diesel standards  
28 and are model year 2016 or newer as shown in column “E” of the fleet detail tab. The  
remaining five diesel units are model year 2014 or older as shown in columns “C” and “D”

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2 of the fleet detail tab and are scheduled to be replaced with Tier 4 final diesel standards  
3 within the next five years as required by the measure and shown in column “M” of the fleet  
4 detail tab. There are 15 Rubber Tired Gantry (RTG) cranes in operation at the terminal as  
5 shown in column “I” of the fleet detail tab that are all diesel-electric hybrid units (see  
6 corresponding RTG detail tab). All of these units currently in operation are compliant with  
7 the measure. WBCT plans to convert four of the newer model year 2024 Paceco diesel-  
8 electric hybrid RTG’s to fuel cell to meet the zero emission requirement as noted in the  
9 yellow color-coded footnote within seven years as required by the measure. WBCT has  
10 been in discussions with the RTG manufacturer Paceco regarding an engine conversion on  
11 newer models from diesel-electric hybrid to fuel cell technology that will be the equivalent  
12 of an all-electric unit from a zero emissions standard. WBCT plans to purchase two  
13 additional hybrid electric units within seven years as shown in column “O” of the fleet detail  
14 tab. There are two 2005 model year RTGs shown in the corresponding RTG tab that were  
15 retrofitted under the Carl Moyer program to hybrid systems that are equivalent to model  
16 year 2022 units from an emissions standpoint as shown under column “J” “Engine Year” in  
17 the corresponding RTG tab. There are three shuttle buses or personnel vans in operation at  
18 the terminal that are gasoline powered as shown in column “I” of the fleet detail tab. All  
19 three shuttle buses will be replaced with zero emission shuttle buses within the next seven  
20 years as required by the measure and shown in column “O” of the fleet detail tab. Lastly,  
21 there is one diesel sweeper that is in operation at the terminal as shown in column “I” of the  
22 fleet detail tab. The sweeper will be replaced within six years with the cleanest available  
23 technology as required by the measure and shown in column “N” of the fleet detail tab.  
24 (Exh. B, 0233.)

25 v. Mitigation Measure AQ-18 Yard Locomotives at Berth 121-131 Rail Yard.

26 The status of this measure is completed. There is no new information for this reporting  
27 period.

28 w. Mitigation Measure AQ-19 Clean Truck Program. The status of this measure  
is completed. There is no new information for this reporting period.

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x. Mitigation Measure AQ-21 Truck Idling Reduction Measure. The status of this measure is in compliance for this reporting period. WBCT has reported that they “flex” the main truck gate which means the gate opens early at 0700 daily until 1700 and commences the 2nd shift from 1700 to 0300 including lunch time, on a continuous basis to increase truck velocity and reduce wait time. WBCT has an appointment system to control the flow of truck traffic and maximize efficiency. WBCT has also designed the main gate with a singular entrance that feeds into 16 truck lanes to allow trucks to perform their transactions and has two exit lanes to mitigate truck congestion exiting the terminal. (Exh. B, 0237.) There is no new information to report on during this reporting period.

y. Lease Measure AQ-22 Periodic Review of New Technology and Regulations. The status of this measure is in compliance for this reporting period. In accordance with WBCT’s first periodic review, which began in July 2024 following the effective date of the 6th Amendment to Permit 999, WBCT is investigating the feasibility of various cargo handling equipment technologies to transition to zero emissions and has reported on status and progress as follows:

- Battery electric yard tractors instead of near zero emission alternative fuel units as required in the 2019 MM AQ-17. WBCT is testing ten (10) battery electric yard tractors as shown in column “I” of the fleet detail tab utilizing induction charging technology that will be going live in February 2025 and will conclude at the end of the year. Results will provide further insight to future feasibility on a larger scale deployment.
- Battery electric 18-ton forklifts instead of Tier 4 Final diesel units as required in the 2019 MM AQ-17. WBCT has already committed to transitioning to battery electric units. Please see status above under MM AQ-17 Cargo Handling Equipment for additional details.
- Battery electric top handlers instead of Tier 4 Final diesel units as required in the 2019 MM AQ-17. Review is in progress.

- Hydrogen fuel cells for RTG's instead of full electric or Tier 4 Final diesel hybrid units as required in the 2019 MM AQ-17. Review is in progress.
- Hydrogen fuel cell street sweeper instead of near zero emission alternative fuel units as required in the 2019 MM AQ-17. Review is in progress.

There is no new information to report on during this reporting period.

z. Lease Measure AQ-24 General Mitigation Measure. The status of this measure is in compliance for this reporting period. This measure has not been started or requested by WBCT. There is no new information to report on during this reporting period.

aa. Mitigation Measure AQ-25 LEED. The status of this measure is in compliance for this reporting period. This measure has not been started. This measure requires that if and when the main terminal building is built, it shall obtain the Leadership in Energy and Environmental Design (LEED) gold certification level. There is no new information to report on during this reporting period.

bb. Mitigation Measure AQ-23 and AQ-26 Compact Fluorescent Light Bulbs. These two measures contain the same requirements. The status of these measures is completed. There is no new information for this reporting period.

cc. Mitigation Measure AQ-27 Energy Audit. The status of this measure is in compliance for this reporting period. This measure has not been started. It requires China Shipping to conduct a third-party energy audit every 5 years and install innovative power saving technologies where feasible to maximize usable electric current and eliminate wasted electricity. WBCT reported they will comply with the measure within the next five years and will select a preferred vendor to conduct the energy audit. There is no new information to report on during this reporting period.

dd. Mitigation Measure AQ-28 Solar Panels. The status of this measure is in compliance for this reporting period. This measure has not been started. The measure requires that if and when the main terminal building is built, solar panels shall be installed. There is no new information to report on during this reporting period.

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2 ee. Mitigation Measure AQ-29 Recycling. The status of this measure is  
3 completed. There is no new information for this reporting period.

4 ff. Mitigation Measure AQ-30 Tree Planting. The status of this measure is in  
5 compliance. This measure has not been started. The measure requires that if and when the  
6 main terminal building is built, shade trees shall be planted around the building and  
7 maintained. There is no new information to report on during this reporting period.

8 gg. Mitigation Measure BIO-1 Mitigation Credits. The status of this measure is  
9 completed. There is no new information for this reporting period.

10 hh. Mitigation Measure BIO-2 Vessel Speed Reduction Program (VSRP). The  
11 status of this measure is not in compliance for this reporting period. The status of this  
12 measure is the same as MM AQ-10 Vessel Speed Reduction Program (see Paragraph n,  
13 above).

14 ii. Mitigation Measure BIO-3 Noise Reduction During Pile Driving. The status  
15 of this measure is completed. There is no new information for this reporting period.

16 jj. Mitigation Measure CR-1 Cultural Resources. The status of this measure is  
17 completed. There is no new information for this reporting period.

18 kk. Mitigation Measure GEO-1 Emergency Response Planning. The status of  
19 this measure is in compliance for this reporting period. WBCT reported that they have a  
20 current terminal contingency and emergency evacuation plan in place as of June 2024 and  
21 will update the plan annually. There is no new information to report on during this reporting  
22 period.

23 ll. Mitigation Measure TRANS-1 Avalon Boulevard and Harry Bridges  
24 Boulevard. The status of this measure is completed. There is no new information for this  
25 reporting period.

26 mm. Mitigation Measure TRANS -2 Alameda Street and Anaheim Street. The  
27 status of this measure is in compliance for this reporting period. In 2020, the Harbor  
28 Department transferred \$5 million to the City of Los Angeles Bureau of Engineering (BOE)  
for widening improvements on Anaheim Street east of the intersection of Alameda Street.

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Previously, in 2021 the Harbor Department requested that mitigation measure MM TRANS-2 be added to the BOE widening project to include the additional eastbound through lane. In consultation with the LA City Department of Transportation (LADOT), BOE denied this request due to the city’s requirement for the provision of bike lanes as approved in the Mobility Plan 2035 by the City Council in 2016. Therefore, the Harbor Department is implementing the mitigation measure by contributing funding for street widening improvements as deemed feasible by BOE and LADOT and will monitor the construction schedule and progress. BOE is the lead city department for constructing the project. The latest BOE construction schedule shows the earliest start date as May 2026. There is no new information to report on during this reporting period.

nn. Mitigation Measure TRANS-3 John S. Gibson Boulevard and 1-110 NB Ramps. The status of this measure is in compliance for this reporting period. This mitigation measure is triggered within three years only if the intersection LOS is measured as “D” or worse, and the China Shipping terminal is found to contribute to the cumulative impact, with the concurrence of LADOT. The Harbor Department previously verified the intersection is operating at Level of Service (LOS) “A” during the AM, Mid, and PM peak hours based on the most current traffic data from June 2024. Based on updated traffic counts conducted for a nearby project known as the “John S Gibson Truck and Chassis Parking Lot”, the LOS at this intersection would change to a level “B” during the AM and PM peak hours and level “C” for Midday hours by year 2028 (see Appendix J: Traffic Impact Analysis at <https://www.portoflosangeles.org/environment/environmental-documents>). There is no new information to report on during this reporting period.

oo. Mitigation Measure TRANS-5 Broad Avenue and Harry Bridges Boulevard. The status of this measure is completed. There is no new information for this reporting period.

pp. Mitigation Measures TRANS-7 through TRANS 14. Eight (8) transportation mitigation measures were erroneously included in the 2008 MMRP for an alternative identified as “Project Alternative 7 – Nonshipping Use”. This alternative was

1  
2 studied but not selected or approved by the Los Angeles Board of Harbor Commissioners  
3 when it adopted the MMRP in 2008. Therefore, these measures do not apply to the  
4 approved project and are subject to a future board action to delete these as erroneous  
5 measures.

6 qq. Mitigation Measure GW-1 Site Remediation. The status of this measure is  
7 completed. There is no new information for this reporting period.

8 rr. Mitigation Measure GW-2 Contamination Contingency Plan. The status of  
9 this measure is completed. There is no new information for this reporting period.

10 ss. Mitigation Measure NOI-1: Construction Limitations. The status of this  
11 measure is completed. There is no new information for this reporting period.

12 tt. Mitigation Measure NOI-2 Noise Walls. The status of this measure is in  
13 compliance for this reporting period. A noise study was completed in December 2021,  
14 which concluded that because of the dominance of off-site traffic noise unrelated to the  
15 China Shipping terminal, noise barriers or walls would not be effective and feasible.  
16 Residential sound insulation will be offered to affected properties. The Harbor Department  
17 issued a Request for Proposals on February 26, 2025 to obtain professional services for  
18 managing and implementing a residential sound insulation program and will report back on  
19 the status and progress of this effort for the next reporting period.

20 uu. Mitigation Measure PS-1 Recycling Construction. The status of this measure  
21 is completed. There is no new information for this reporting period.

22 vv. Mitigation Measure PS-2 Materials with Recycled Content. The status of  
23 this measure is completed. There is no new information for this reporting period.

24 ww. Mitigation Measure PS-3 Long Term Solid Waste Management. The status  
25 of this measure is in compliance for this reporting period. This measure has been superseded  
26 by the City of Los Angeles Zero Waste ordinance adopted in 2014. WBCT has reported  
27 they use a waste hauling service provider on a regular basis to comply with local and state  
28 mandates for solid waste disposal. There is no new information to report on during this  
reporting period.

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xx. Lease Measure AQ-1 Cleanest Available Cargo for Handling Equipment.

This measure is in compliance for this reporting period. As reported in the “10 Year Rolling Purchase Plan” spreadsheet, WBCT is looking into converting the Year 5 purchases for Yard Tractors and Top Handlers to zero emission units as shown in column “M”. If implemented, this plan would exceed the replacement requirements of MM AQ-15 and MM AQ-17 from an emissions technology standpoint. WBCT will begin retiring certain equipment fleets and replace with zero emission units in years 8 through 10 after the conclusion of the mitigation measure replacement schedule. The current plan is to begin replacing yard tractors at a rate of 20 per year, top handlers at a rate of four per year and RTG’s at a rate of three per year as shown in columns “P”, “Q”, and “R” of the corresponding “10 Year Rolling Purchase Plan” tab. There is no new information for this reporting period.

yy. Lease Measure AQ-2 Priority Access for Drayage. The status of this measure is completed. There is no new information for this reporting period.

zz. Lease Measure AQ-3 Demonstration of Zero-Emissions Equipment. The status of this measure is in compliance for this reporting period. WBCT is in the process of testing of ten (10) battery electric yard tractors with induction charging technology known as “Wave”. According to the latest progress reported dated June 2025, commissioning activities of the inductive charging infrastructure are underway, including final permitting and resolving outstanding issues with the battery electrical storage system.

aaa. Mitigation Measure GHG-1 LED Lighting. The status of this measure is completed. There is no new information for this reporting period.

bbb. Lease Measure GHG-1 GHG Credit Fund. The status of this measure is in compliance for this reporting period. The Harbor Department set up the Greenhouse Gas Fund account and submitted an invoice #2024-09-0079 to WBCT in the amount of \$250,000 on September 17, 2024 for the first payment due. The Harbor Department received WBCT’s first payment in the amount of \$250,000 on October 1, 2024. The second payment installment is due in July 2025.

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I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on this 30th day of July, 2025 at San Pedro, California.

*Lisa Ochsner*  
\_\_\_\_\_  
Lisa Ochsner, Declarant

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# **EXHIBIT A**

**Status of China Shipping Mitigation Measures and Lease Measures - July 2025**

#	Source	Measure ID	Measure Requirement	Responsible Party	Compliance Status	Verification Documents
1	2008 MMRP	MM AES-1: Landscaping	<p>1. Reconfigure fence line bordering Front Street to create a 5-foot-wide planting strip alongside the edge of the street that will be planted with low shrubs and some trees. Plant species used for the relandscaping must be selected for their attractiveness, their relationship to existing planting themes in the surrounding area, and their environmental values. The plants installed must be of an adequate size to create an attractive planting composition within 5 years.</p> <p>2. Implement the recommendations of the Northwest Harbor Beautification Plan as applicable. The recommendations include landscaping two gateways to the Port: the area adjacent to the Channel Street on- and off-ramps from I-110 and SR-47; and the Harbor Boulevard on- and off-ramps from SR-47. Planting shall be designed to promote erosion control along all hillsides.</p>	LAHD	IN COMPLIANCE	POLA Capital Improvement Program North Gaffey Street Beautification Project Information
2	2008 MMRP	MM AES-2: Crane Color	<p>Specify a gray color for the cranes that to make them visually distinct from the Vincent Thomas Bridge, reduce their contrast with the sky backdrop, and reduce their visual prominence and apparent mass. An appropriate shade of gray should be specified as the color for repainting the four cranes now at the site and as the factory-applied color for the six additional cranes proposed for installation.</p>	Tenant and LAHD	COMPLETED	WBCT compliance form

#	Source	Measure ID	Measure Requirement	Responsible Party	Compliance Status	Verification Documents
3	2008 MMRP	MM AES-3: Beautification Plans	<p>To offset the reduction in the quality of views from the upper portions of the Channel Street corridor, implement beautification plan improvements along the portion of John S. Gibson Boulevard and Pacific Avenue at the intersection of Channel Street. These improvements, which will include landscaping and creation of view areas of the Port, walkways, and bike paths, should be designed with the objectives of upgrading the visual quality of the eastern end of the Pacific Avenue corridor and creating an attractive gateway to the Port that links with the system of amenities the Port is developing along the western edge of Port lands. One of the key improvements proposed is removal of a large billboard and deteriorated building on the east side of Pacific Avenue adjacent to the China Shipping site and close to the intersection with Channel Street. Removal of the billboard and building will improve the visual quality of this area and will provide space for installation of landscaping and visitor amenities.</p> <p>Additionally, the utility poles along this segment will be removed and all utility lines will be placed underground if feasible. Placement of utility lines underground will be subject to cost feasibility. If costs exceed \$1,000 per linear foot, the Port will reassess placement of utility lines underground and propose alternative measures, such as additional landscaping and/or reduced numbers of underground utility placements. The Port also will begin negotiations to remove and possibly relocate a truck resale facility on the northeast corner of the Pacific Avenue and Front Street intersection. When removed, the vacated area would be landscaped with vegetation consistent with the Pacific Avenue Corridor Improvements.</p>	LAHD	IN COMPLIANCE	See MM AES-1 for N Gaffey Street Beautification Project Information
4	2008 MMRP	MM AES-4: Plaza Park	<p>Implement plans to improve the role of Plaza Park as a place to enjoy views of the Port and of the Vincent Thomas Bridge. Design components should include a system of safe, attractive, pedestrian paths and stairways. This system should include signs, arrows, and other design elements that direct visitors up to the park to take advantage of the opportunities that it provides to view the Port. Improvements in the park itself should include new walkways and railings; a Harbor overview seating area; a Port and bridge overlook area with interpretive signage and improved view corridors; a visitor center; and upgraded landscaping, lighting, and other improvements to make the park a safe and attractive place from which Port and bridge views could be appreciated.</p>	LAHD	COMPLETED	

#	Source	Measure ID	Measure Requirement	Responsible Party	Compliance Status	Verification Documents
5	2008 MMRP	MM AQ-1: Harbor Craft Used during Construction	<p>Phase I: All diesel-powered derrick barges used for pile driving shall use emulsified diesel fuel.</p> <p><u>Phases II and III</u>: All harbor craft used during the construction phase of the project shall be, at a minimum, repowered to meet the cleanest existing marine engine emission standards or USEPA Tier 2. Additionally, where available, harbor craft shall meet the proposed USEPA Tier 3 (which are proposed to be phased-in beginning 2009) or cleaner marine engine emission standards.</p> <p>The above harbor craft measure shall be met unless one of the following circumstances exists and the contractor is able to provide proof that any of these circumstances exists:</p> <ul style="list-style-type: none"> <li>-A piece of specialized equipment is unavailable in a controlled form within the State of California, including through a leasing agreement.</li> <li>-A contractor has applied for necessary incentive funds to put controls on a piece of uncontrolled equipment planned for use on the project, but the application is not yet approved, or the application has been approved, but funds are not yet available.</li> <li>-A contractor has ordered a control device for a piece of equipment planned for use on the project, or the contractor has ordered a new piece of controlled equipment to replace the uncontrolled equipment, but that order has not been completed by the manufacturer or dealer. In addition, for this exemption to apply, the contractor must attempt to lease controlled equipment to avoid using uncontrolled equipment, but no dealer within 200 miles of the project has the controlled equipment available for lease.</li> </ul>	LAHD	COMPLETED	

#	Source	Measure ID	Measure Requirement	Responsible Party	Compliance Status	Verification Documents
6	2008 MMRP	MM AQ-2: Cargo Ships	Phases II and III: All cargo ships used for terminal crane deliveries shall comply with the expanded VSRP of 12 knots from 40 nm from Point Fermin to the Precautionary Area.	Tenant	COMPLETED	

#	Source	Measure ID	Measure Requirement	Responsible Party	Compliance Status	Verification Documents
7	2008 MMRP	MM AQ-3: Fleet Modernization for On-Road Trucks	<p>Phases II and III:</p> <ol style="list-style-type: none"> <li>1. Trucks hauling materials such as debris or fill shall be fully covered while operating off Port property.</li> <li>2. Idling shall be restricted to a maximum of 5 minutes when not in use.</li> <li>3. USEPA Standards:</li> </ol> <p>All on-road heavy-duty diesel trucks with a gross vehicle weight rating (GVWR) of 19,500 pounds or greater used onsite or to transport materials to and from the site shall comply with EPA 2004 on-road PM emission standards and be the cleanest available NOX (0.10 grams per brake horsepower-hour [g/bhp-hr] PM10 and 2.0 g/bhp-hr NO X). In addition, all on-road trucks shall be outfitted with Best Available Control Technology (BACT) devices certified by CARB. Any emissions-control device used by the contractor shall achieve emissions reductions no less than what could be achieved by a Level 3 diesel emissions control strategy for a similar-sized engine as defined by CARB regulations.</p> <p>A copy of each unit's certified, USEPA rating, BACT documentation, and each unit's CARB or SCAQMD operating permit, shall be provided at the time of mobilization of each applicable unit of equipment.</p> <p>The above USEPA Standards measures shall be met, unless one of the following circumstances exists and the contractor is able to provide proof that any of these circumstances exists:</p> <ul style="list-style-type: none"> <li>-A piece of specialized equipment is unavailable in a controlled form within the State of California, including through a leasing agreement.</li> <li>-A contractor has applied for necessary incentive funds to put controls on a piece of uncontrolled equipment planned for use on the project, but the application is not yet approved, or the application has been approved, but funds are not yet available.</li> <li>-A contractor has ordered a control device for a piece of equipment planned for use on the project, or the contractor has ordered a new piece of controlled equipment to replace the uncontrolled equipment, but that order has not been completed by the manufacturer or dealer. In addition, for this exemption to apply, the contractor must attempt to lease controlled equipment to avoid using uncontrolled equipment, but no dealer within 200 miles of the project has the controlled equipment available for lease.</li> </ul>	LAHD	COMPLETED	

#	Source	Measure ID	Measure Requirement	Responsible Party	Compliance Status	Verification Documents
8	2008 MMRP	MM AQ-4: Fleet Modernization for Construction Equipment	<p>Phases II and III:</p> <ol style="list-style-type: none"> <li>1. Construction equipment shall incorporate, where feasible, emissions-savings technology such as hybrid drives and specific fuel economy standards.</li> <li>2. Idling shall be restricted to a maximum of 5 minutes when not in use.</li> <li>3. Tier Specifications:               <ol style="list-style-type: none"> <li>a. January 1, 2009, to December 31, 2011: All off-road diesel-powered construction equipment greater than 50 hp, except derrick barges and marine vessels, shall meet Tier 2 off-road emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions-control device used by the Contractor shall achieve emissions reductions no less than what could be achieved by a Level 2 or Level 3 diesel emissions control strategy for a similar-sized engine as defined by CARB regulations.</li> <li>b. Post January 1, 2012: All off-road diesel-powered construction equipment greater than 50 hp, except derrick barges and marine vessels, shall meet Tier 3 off-road emissions standards. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions-control device used by the Contractor shall achieve emissions reductions no less than what could be achieved by a Level 2 or Level 3 diesel emissions-control strategy for a similar-sized engine as defined by CARB regulations.</li> </ol> </li> </ol> <p>A copy of each unit's certified Tier specification, BACT documentation and each unit's CARB or SCAQMD operating permit, shall be provided at the time of mobilization of each applicable unit of equipment.</p> <p>The above "Tier Specifications" measures shall be met, unless one of the following circumstances exist, and the contractor is able to provide proof that any of these circumstances exists:</p> <ul style="list-style-type: none"> <li>-A piece of specialized equipment is unavailable in a controlled form within the State of California, including through a leasing agreement.</li> <li>-A contractor has applied for necessary incentive funds to put controls on a piece of uncontrolled equipment planned for use on the project, but the application is not yet approved, or the application has been approved, but funds are not yet available.</li> <li>-A contractor has ordered a control device for a piece of equipment planned for use on the project, or the contractor has ordered a new piece of controlled equipment to replace the uncontrolled equipment, but that order has not been completed by the manufacturer or dealer. In addition, for this exemption to apply, the contractor must attempt to lease controlled equipment to avoid using uncontrolled equipment, but no dealer within 200 miles of the project has the controlled equipment available for lease.</li> </ul>	LAHD	COMPLETED	

#	Source	Measure ID	Measure Requirement	Responsible Party	Compliance Status	Verification Documents
9	2008 MMRP	MM AQ-5: Best Management Practices	<p>Phases II and III: The following types of measures are required on construction equipment (including on-road trucks):</p> <ol style="list-style-type: none"> <li>1. Use of diesel oxidation catalysts and catalyzed diesel particulate traps</li> <li>2. Maintain equipment according to manufacturers' specifications</li> <li>3. Restrict idling of construction equipment and on-road heavy-duty trucks to a maximum of 5 minutes when not in use</li> <li>4. Install high-pressure fuel injectors on construction equipment vehicles</li> <li>5. Maintain a minimum buffer zone of 300 meters between truck traffic and sensitive receptors</li> <li>6. Improve traffic flow by signal synchronization</li> <li>7. Enforce truck parking restrictions</li> <li>8. Provide on-site services to minimize truck traffic in or near residential areas, including, but not limited to, the following services: meal or cafeteria services, automated teller machines, etc.</li> <li>9. Re-route construction trucks away from congested streets or sensitive receptor areas</li> <li>10. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site</li> <li>11. Use electric power in favor of diesel power where available.</li> </ol> <p>LAHD shall implement a process by which to select additional BMPs to further reduce air emissions during construction. The LAHD shall determine the BMPs once the contractor identifies and secures a final equipment list.</p>	LAHD	COMPLETED	

#	Source	Measure ID	Measure Requirement	Responsible Party	Compliance Status	Verification Documents
10	2008 MMRP	MM AQ-6: Additional Fugitive Dust Controls	<p>The calculation of fugitive dust (PM10) from Project earth-moving activities assumes a 75 percent reduction from uncontrolled levels to simulate rigorous watering of the site and use of other measures (listed below) to ensure Project compliance with SCAQMD Rule 403.</p> <p>The construction contractor shall further reduce fugitive dust emissions to 90 percent from uncontrolled levels. The construction contractor shall designate personnel to monitor the dust control program and to order increased watering, as necessary, to ensure a 90 percent control level. Their duties shall include holiday and weekend periods when work may not be in progress.</p> <p>The following measures, at minimum, must be part of the contractor Rule 403 dust control plan:</p> <ul style="list-style-type: none"> <li>• Active grading sites shall be watered one additional time per day beyond that required by Rule 403.</li> <li>• Contractors shall apply approved non-toxic chemical soil stabilizers according to manufacturer's specifications to all inactive construction areas or replace groundcover in disturbed areas (previously graded areas) inactive for ten days or more.</li> <li>• Construction contractors shall provide temporary wind fencing around sites being graded or cleared.</li> <li>• Trucks hauling dirt, sand, or gravel shall be covered in accordance with Section 23114 of the California Vehicle Code.</li> <li>• Construction contractors shall install wheel washers where vehicles enter and exit unpaved roads onto paved roads, or wash off tires of vehicles and any equipment leaving the construction site</li> <li>• The grading contractor shall suspend all soil disturbance activities when winds exceed 25 mph or when visible dust plumes emanate from a site; disturbed areas shall be stabilized if construction is delayed.</li> <li>• Pave road and road shoulders.</li> <li>• Require the use of clean-fueled sweepers pursuant to SCAQMD Rule 1186 and Rule 1186.1 certified street sweepers. Sweep streets at the end of each day if visible soil is carried onto paved roads on-site or roads adjacent to the site to reduce fugitive dust emissions.</li> <li>• Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation.</li> <li>• Traffic speeds on all unpaved roads shall be reduced to 15 mph or less.</li> <li>• Provide temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow.</li> <li>• Schedule construction activities that affect traffic flow on the arterial system to off-peak hours to the extent practicable.</li> </ul>	LAHD	COMPLETED	

#	Source	Measure ID	Measure Requirement	Responsible Party	Compliance Status	Verification Documents
11	2008 MMRP	MM AQ-7: General Mitigation Measure	For any of the above mitigation measures (MM AQ-1 through AQ-6), if a CARB-certified technology becomes available and is shown to be as good as or better in terms of emissions performance than the existing measure, the technology could replace the existing measure pending approval by the Port.	LAHD	COMPLETED	
12	2008 MMRP	MM AQ-8: Special Precautions near Sensitive Sites	All construction activities located within 1,000 feet of sensitive receptors (defined as schools, playgrounds, daycares, and hospitals) shall notify each of these sites in writing at least 30 days before construction activities begin.	LAHD	COMPLETED	
13	2008 MMRP	MM AQ-9: Alternative Maritime Power (AMP)	China Shipping ships calling at Berths 97-109 must use AMP at the following percentages while hoteling in the Port: <ul style="list-style-type: none"> <li>• January 1 to June 30, 2005: 60 percent of total ship calls (ASJ Requirement)</li> <li>• July 1, 2005: 70 percent of total ship calls (ASJ Requirement)</li> <li>• January 1, 2010: 90 percent of ship calls</li> <li>• January 1, 2011, and thereafter: 100 percent of ship calls</li> </ul> Additionally, by 2010, all ships retrofitted for AMP shall be required to use AMP while hoteling at a 100 percent compliance rate, with the exception of circumstances when an AMP-capable berth is unavailable due to utilization by another AMP-capable ship.	Tenant	NOT IN COMPLIANCE	WBCT generated Terminal Operator Visit Report submitted to CARB

#	Source	Measure ID	Measure Requirement	Responsible Party	Compliance Status	Verification Documents
14	2008 MMRP	MM AQ-10: Vessel Speed Reduction Program	All ships calling at Berths 97-109 shall comply with the expanded VSRP of 12 knots between 40 nm from Point Fermin and the Precautionary Area in the following implementation schedule: <ul style="list-style-type: none"> <li>• 2009 and thereafter: 100 percent</li> </ul>	Tenant	NOT IN COMPLIANCE	WBCT generated VSRP report for December 2024 through May 2025 using POLA vessel speed data
15	2008 MMRP	MM AQ-11: Low-Sulfur Fuel	All ships (100 percent) calling at Berth 97-109 shall use low-sulfur fuel (maximum sulfur content of 0.2 percent) in auxiliary engines, main engines, and boilers within 40 nm of Point Fermin (including hoteling for non-AMP ships) beginning on Day 1 of operation. Ships with mono-tank systems or having technical issues prohibiting use of low-sulfur fuel would be exempt from this requirement. The tenant shall notify the Port of such vessels prior to arrival and shall make every effort to retrofit such ships within 1 year. The following annual participation rates were assumed in the air quality: <ul style="list-style-type: none"> <li>• 2009 and thereafter: 30 percent of auxiliary engines, main engines, and boilers</li> <li>• 2010: 50 percent of auxiliary engines, main engines, and boilers</li> <li>• 2013 and thereafter: 100 percent of auxiliary engines, main engines, and boilers</li> </ul>	Tenant	COMPLETED	WBCT compliance form
16	2008 MMRP	MM AQ-12: Slide Valve	Ships calling at Berths 97-109 shall be equipped with slide valves or equivalent on main engines in the following percentages: <ul style="list-style-type: none"> <li>• 2009: 25 percent</li> <li>• 2010: 50 percent</li> <li>• 2012: 75 percent</li> <li>• 2014 and thereafter: 100 percent</li> </ul>	Tenant	IN COMPLIANCE	WBCT generated report for December 2024 through May 2025 using POLA vessel activity data

#	Source	Measure ID	Measure Requirement	Responsible Party	Compliance Status	Verification Documents
17	2008 MMRP	MM AQ-13: Reroute Cleaner Ships	When scheduling vessels for service to the Port of Los Angeles, Tenant shall ensure that 75 percent of all ship calls to the Berth 97-109 Terminal meet IMO MARPOL Annex VI NOX emissions limits for Category 3 engines.	Tenant	IN COMPLIANCE	WBCT generated report for December 2024 through May 2025 using POLA vessel main engine data
18	2008 MMRP	MM AQ-14: New Vessel Build	<p>The purchaser shall confer with the ship designer and engine manufacture to determine the feasibility of incorporating all emission reduction technology and/or design options and when ordering new ships bound for the Port of Los Angeles. Such technology shall be designed to reduce criteria pollutant emissions (NOX, SOX and PM) and GHG emission (CO, CH4, O3, and CFCs). Design considerations and technology shall include, but are not limited to:</p> <ol style="list-style-type: none"> <li>1 Selective Catalytic Reduction Technology</li> <li>2 Exhaust Gas Recirculation</li> <li>3 In-line fuel emulsification technology</li> <li>4 Diesel Particulate Filters (DPFs) or exhaust scrubbers</li> <li>5 Common Rail</li> <li>6 Low NOX Burners for Boilers</li> <li>7 Implement fuel economy standards by vessel class and engine</li> <li>8 Diesel-electric pod propulsion systems</li> </ol>	Tenant	IN COMPLIANCE	WBCT compliance form

#	Source	Measure ID	Measure Requirement	Responsible Party	Compliance Status	Verification Documents
19	2019 Supplemental MMRP	MM AQ-15. Yard Tractors	<p>1) No later than one year after the effective date of a new lease amendment between the Tenant and the LAHD, all LPG yard tractors of model years 2007 or older shall be replaced with alternative-fuel units that meet or are lower than a NOx emission rate of 0.02 g/bhp-hr and Tier 4 final off-road emission rates for other criteria pollutants.</p> <p>2) No later than five years after the effective date of a new lease amendment between the Tenant and the LAHD, all LPG yard tractors of model years 2011 or older shall be replaced with alternative fuel units that meet or are lower than a NOx emission rate of 0.02 g/bhp-hr and Tier 4 final off-road engine emission rates for other criteria pollutants.</p>	Tenant	IN COMPLIANCE	WBCT equipment inventory, purchasing plan and backup documentation
20	2008 MMRP	MM AQ-17: Yard Equipment at Berth 97-109 Terminal (Electric Yard Tractor Pilot Project)	In addition to the above requirements, tenant at Berth 97-109 shall participate in a 1-year electric yard tractor [truck] pilot project. As part of the pilot project, two electric tractors will be deployed at the terminal within 1 year of lease approval. If the pilot project is successful in terms of operation, costs and availability, the tenant shall replace half of the Berth 97-109 yard tractors with electric tractors within 5 years of the feasibility determination.	Tenant	IN COMPLIANCE	WBCT equipment inventory, purchasing plan and backup documentation

#	Source	Measure ID	Measure Requirement	Responsible Party	Compliance Status	Verification Documents
21	2019 Supplemental MMRP	MM AQ-17. Cargo Handling Equipment	<p>All yard equipment at the terminal, except for yard tractors, shall implement the following requirements:</p> <p><u>Forklifts</u></p> <ul style="list-style-type: none"> <li>• By one year after the effective date of a new lease amendment between the Tenant and the LAHD, all 18-ton diesel forklifts of model years 2004 and older shall be replaced with units that meet or are lower than Tier 4 final off-road engine emission rates for PM and NOx.</li> <li>• By two years after the effective date of a new lease amendment between the Tenant and the LAHD, all 18-ton diesel forklifts of model years 2005 and older shall be replaced with units that meet or are lower than Tier 4 final off-road engine emission rates for PM and NOx.</li> <li>• By two years after the effective date of a new lease amendment between the Tenant and the LAHD, all 5-ton forklifts of model years 2011 or older shall be replaced with zero-emission units.</li> <li>• By three years after the effective date of a new lease amendment between the Tenant and the LAHD, all 18-ton diesel forklifts of model years 2007 and older shall be replaced with units that meet or are lower than Tier 4 final off-road engine emission rates for PM and NOx.</li> </ul>	Tenant	IN COMPLIANCE	WBCT equipment inventory, purchasing plan and backup documentation

#	Source	Measure ID	Measure Requirement	Responsible Party	Compliance Status	Verification Documents
21	(Continuation)  2019 Supplemental MMRP	(Continuation)  MM AQ-17. Cargo Handling Equipment	<p><u>Toppicks</u></p> <ul style="list-style-type: none"> <li>• By one year after the effective date of a new lease amendment between the Tenant and the LAHD, all diesel top-picks of model years 2006 and older shall be replaced with units that meet or are lower than Tier 4 final off-road engine emission rates for PM and NOx.</li> <li>• By three years after the effective date of a new lease amendment between the Tenant and the LAHD, all diesel top-picks of model years 2007 and older shall be replaced with units that meet or are lower than Tier 4 final off-road engine emission rates for PM and NOx.</li> <li>• By five years after the effective date of a new lease amendment between the Tenant and the LAHD, all diesel top-picks of model years 2014 and older shall be replaced with units that meet or are lower than Tier 4 final off-road engine emission rates for PM and NOx.</li> </ul> <p><u>Rubber-Tired Gantry (RTG) Cranes</u></p> <ul style="list-style-type: none"> <li>• By three years after the effective date of a new lease amendment between the Tenant and the LAHD, all diesel RTG cranes of model years 2003 and older shall be replaced with diesel-electric hybrid units with diesel engines that meet or are lower than Tier 4 final off-road engine emission rates for PM and NOx.</li> <li>• By five years after the effective date of a new lease amendment between the Tenant and the LAHD, all diesel RTG cranes of model years 2004 and older shall be replaced with diesel-electric hybrid units with diesel engines that meet or are lower than Tier 4 final off-road engine emission rates for PM and NOx.</li> <li>• By seven years after the effective date of a new lease amendment between the Tenant and the LAHD, four RTG cranes of model years 2005 and older shall be replaced with all-electric units, and one diesel RTG crane of model year 2005 shall be replaced with a diesel-electric hybrid unit with a diesel engine that meets or is lower than Tier 4 final off-road engine emission rates for PM and NOx.</li> </ul>	Tenant	IN COMPLIANCE	WBCT equipment inventory, purchasing plan and backup documentation
21	(Continuation)  2019 Supplemental MMRP	(Continuation)  MM AQ-17. Cargo Handling Equipment	<p><u>Sweepers</u></p> <ul style="list-style-type: none"> <li>• Sweeper(s) shall be alternative fuel or the cleanest available by six years after the effective date of a new lease amendment between the Tenant and the LAHD.</li> </ul> <p><u>Shuttle Buses</u></p> <ul style="list-style-type: none"> <li>• Gasoline shuttle buses shall be zero-emission units by seven years after the effective date of a new lease amendment between the Tenant and the LAHD.</li> </ul>	Tenant	IN COMPLIANCE	WBCT equipment inventory, purchasing plan and backup documentation

#	Source	Measure ID	Measure Requirement	Responsible Party	Compliance Status	Verification Documents
22	2008 MMRP	MM AQ-18: Yard Locomotives at Berth 121-131 Rail Yard	Beginning January 1, 2015, all yard locomotives at the Berth 121-131 Rail Yard that handle containers moving through the Berth 97-109 terminal shall be equipped with a diesel particulate filter (DPF).	LAHD through Pacific Harbor Line (PHL)	COMPLETED	
23	2008 MMRP	MM AQ-19: Clean Truck Program	The tenant shall comply with the Port's Clean Truck Program. Based on participation in the Clean Truck Program, Heavy-duty diesel trucks entering the Berth 97-109 terminal shall meet the USEPA 2007 emission standards for on-road heavy-duty diesel engines (USEPA, 2001) in the following percentages: <ul style="list-style-type: none"> <li>• 2009: 50 percent USEPA 2007</li> <li>• 2010: 70 percent USEPA 2007</li> <li>• 2011: 90 percent USEPA 2007</li> <li>• 2012: 100 percent USEPA 2007</li> </ul>	Tenant	COMPLETED	WBCT compliance form
24	2008 MMRP	MM AQ-21: Truck Idling Reduction Measure	Within 6 months of the effective date and thereafter for the remaining term of the Berth 97-109 Permit and any holdover, the Berth 97-109 terminal operator shall ensure that truck idling is reduced to less than 30 minutes in total or 10 minutes at any given time while on the Berth 97-109 terminal through measures that include, but are not limited to, the following: (1) operator shall maximize the durations when the main gates are left open, including during off-peak hours (6 pm to 7 am), (2) operator shall implement a container tracking and appointment-based truck delivery and pick-up system to minimize truck queuing (trucks lining up to enter and exit the terminal's gate), and (3) operator shall design the main entrance and exit gates to exceed the average hourly volume of trucks that enter and exit the gates (truck flow capacity) to ensure queuing is minimized.	Tenant	IN COMPLIANCE	WBCT compliance form

#	Source	Measure ID	Measure Requirement	Responsible Party	Compliance Status	Verification Documents
25	2008 MMRP	Lease Measure AQ-22: Periodic Review of New Technology and Regulations	<p>The Port shall require the Berth 97-109 tenant to review, in terms of feasibility, any Port-identified or other new emissions-reduction technology, and report to the Port. Such technology feasibility reviews shall take place at the time of the Port's consideration of any lease amendment or facility modification for the Berth 97-109 property. If the technology is determined by the Port to be feasible in terms of cost, technical and operational feasibility, the tenant shall work with the Port to implement such technology.</p> <p>Potential technologies that may further reduce emission and/or result in cost-savings benefits for the tenant may be identified through future work on the CAAP. Over the course of the lease, the tenant and the Port shall work together to identify potential new technology. Such technology shall be studied for feasibility, in terms of cost, technical and operational feasibility.</p> <p>As partial consideration for the Port agreement to issue the permit to the tenant, the tenant shall implement not less frequently than once every 7 years following the effective date of the permit, new air quality technological advancements, subject to mutual agreement on operational feasibility and cost sharing, which shall not be unreasonably withheld.</p>	Tenant	IN COMPLIANCE	WBCT compliance form
26	2008 MMRP	Lease Measure AQ-24: General Mitigation Measure	For any of the above mitigation measures (MM AQ-9 through AQ-21), if any kind of technology becomes available and is shown to be as good or as better in terms of emissions reduction performance than the existing measure, the technology could replace the existing measure pending approval by the Port of Los Angeles. The technology's emissions reductions must be verifiable through USEPA, CARB, or other reputable certification and/or demonstration studies to the Port's satisfaction.	Tenant	IN COMPLIANCE	Not applicable
27	2008 MMRP	MM AQ-25: LEED	The main terminal building shall obtain the Leadership in Energy and Environmental Design (LEED) gold certification level.	LAHD	IN COMPLIANCE	Not applicable

#	Source	Measure ID	Measure Requirement	Responsible Party	Compliance Status	Verification Documents
28	2008 MMRP	MM AQ-23 and MM AQ-26: Compact Fluorescent Light Bulbs	<p>MM AQ-23: All interior buildings on the premises shall exclusively use compact fluorescent light bulbs for ambient lighting within all terminal buildings. The tenant shall also maintain and replace any Port-supplied compact fluorescent light bulbs.</p> <p>MM AQ-26: All interior terminal building lighting shall use compact fluorescent light bulbs. Fluorescent light bulbs produce less waste heat and use substantially less electricity than incandescent light bulbs. Initial bulbs will be supplied by the LAHD. China Shipping shall be responsible for replacing such bulbs in kind.</p>	Tenant and LAHD	COMPLETED	WBCT compliance form
29	2008 MMRP	MM AQ-27: Energy Audit	The tenant shall conduct a third party energy audit every 5 years and install innovative power saving technology where feasible, such as power factor correction systems and lighting power regulators. Such systems help to maximize usable electric current and eliminate wasted electricity, thereby lowering overall electricity use.	Tenant	IN COMPLIANCE	WBCT compliance form
30	2008 MMRP	MM AQ-28: Solar Panels	The applicant shall install solar panels on the main terminal building.	LAHD	IN COMPLIANCE	Not applicable
31	2008 MMRP	MM AQ-29: Recycling	The tenant shall ensure a minimum of 40 percent of all waste generated in all terminal buildings is recycled by 2012 and 60 percent of all waste generated in all terminal buildings is recycled by 2015. Recycled materials shall include: (a) white and colored paper; (b) post-it notes; (c) magazines; (d) newspaper; (e) file folders; (f) all envelopes including those with plastic windows; (g) all cardboard boxes and cartons; (h) all metal and aluminum cans; (i) glass bottles and jars; and; (j) all plastic bottles.	Tenant	COMPLETED	WBCT compliance form and backup
32	2008 MMRP	MM AQ-30: Tree Planting	The applicant shall plant shade trees around the administration building. All shade trees shall be maintained over the life of the project.	LAHD	IN COMPLIANCE	Not applicable

#	Source	Measure ID	Measure Requirement	Responsible Party	Compliance Status	Verification Documents
33	2008 MMRP	MM BIO-1: Mitigation Credits	Compensate for loss of marine habitat (EFH) and loss of benthic communities in the West Basin through use of existing mitigation bank credits.	LAHD	COMPLETED	
34	2008 MMRP	MM BIO-2: Vessel Speed Reduction Program	All ships calling at Berths 97-109 shall comply with the expanded VSRP of 12 knots between 40 nm from Point Fermin and the Precautionary Area in the following implementation schedule: 100 percent starting in 2009.	Tenant	NOT IN COMPLIANCE	See MM AQ-10 VSRP
35	2008 MMRP	MM BIO-3: Noise Reduction During Pile Driving	<p>The contractor shall be required to use sound abatement techniques to reduce both noise and vibrations from pile driving activities. Sound abatement techniques shall include, but are not limited to, vibration or hydraulic insertion techniques, drilled or augured holes for cast-in-place piles, bubble curtain technology, and sound aprons where feasible. At the initiation of each pile driving event, and after breaks of more than 15 minutes the pile driving shall also employ a “soft-start” in which the hammer is operated at less than full capacity (i.e., approximately 40–60% energy levels) with no less than a 1-minute interval between each strike for a 5-minute period.</p> <p>In addition, a qualified biologist hired by the Port shall be required to monitor the area in the vicinity of pile driving activities for any fish kills during pile driving. If there are any reported fish kills, pile driving shall be halted and the USACE and NMFS shall be notified via the Port’s Environmental Management Division. The biological monitor shall also note (surface scan only) whether marine mammals are present within 100 meters of the pile driving, and if any are observed, temporarily halt pile driving until the observed mammals move beyond this distance.</p>	LAHD	COMPLETED	

#	Source	Measure ID	Measure Requirement	Responsible Party	Compliance Status	Verification Documents
36	2008 MMRP	CR-1: Cultural Resources	<p>In the unlikely event that any artifact, or an unusual amount of bone, shell, or non-native stone is encountered during construction, work shall be immediately stopped and relocated to another area. The contractor shall stop construction within 10 meters (30 feet) of the exposure of these finds until a qualified archaeologist can be retained by the Port to evaluate the find (see 36 CFR 800.11.1 and pertinent CEQA regulations). Examples of such cultural materials might include concentrations of ground stone tools such as mortars, bowls, pestles, and manos; chipped stone tools such as projectile points or choppers; flakes of stone not consistent with the immediate geology such as obsidian or fused shale; historical trash pits containing bottles and/or ceramics; or structural remains. If the resources are found to be significant, they shall be avoided or shall be mitigated consistent with SHPO Section 106 and CEQA Guidelines. All construction equipment operators shall attend a preconstruction meeting presented by a professional archaeologist retained by the Port that shall review types of cultural resources and artifacts that would be considered potentially significant, to ensure operator recognition of these materials during construction.</p> <p>Prior to beginning construction, the Port shall meet with applicable Native American Groups, including the Gabrielino/Tongva Tribal Council to identify areas of concern. A trained archaeologist shall monitor construction at identified areas. In addition to monitoring, a treatment plan shall be developed in conjunction with the Native American Groups to establish the proper way of extracting and handling all artifacts in the event of an archaeological discovery.</p>	LAHD	COMPLETED	
37	2008 MMRP	MM GEO-1: Emergency Response Planning	<p>The terminal operator shall work with Port engineers and Port police to develop tsunami response training and procedures to assure that construction and operations personnel will be prepared to act in the event of a large seismic event. Such procedures shall include immediate evacuation requirements in the event that a large seismic event is felt at the proposed Project site, as part of overall emergency response planning for this proposed Project.</p>	Tenant	IN COMPLIANCE	WBCT compliance form and backup

#	Source	Measure ID	Measure Requirement	Responsible Party	Compliance Status	Verification Documents
38	2008 MMRP	MM TRANS-1: Avalon Boulevard and Harry Bridges Boulevard	Provide an additional eastbound and westbound left-turn lane on Harry Bridges Boulevard. This measure shall be implemented by 2015.	LAHD	COMPLETED	
37	2019 Supplemental MMRP	MM TRANS-2. Alameda and Anaheim Streets	Provide an additional eastbound through-lane on Anaheim Street. This mitigation measure shall be implemented at the same time as the City's planned improvement project at this location, subject to LADOT approval and in coordination with the Bureau of Engineering's construction schedule.	LAHD	IN COMPLIANCE	
38	2019 Supplemental MMRP	MM TRANS-3: John S. Gibson Boulevard and I-110 N/B Ramps	Provide an additional westbound right-turn lane with westbound right-turn overlap phasing and an additional southbound left-turn lane. LAHD shall monitor the intersection LOS annually beginning in 2019 and LAHD shall implement the mitigation within three years after the intersection LOS is measured as D or worse, and the China Shipping terminal is found to contribute to the cumulative impact, with the concurrence of LADOT.	LAHD	IN COMPLIANCE	
39	2008 MMRP	MM TRANS-5: Broad Avenue and Harry Bridges Boulevard	Provide an additional eastbound and westbound left-turn lane on Harry Bridges Boulevard. This measure shall be implemented by 2015.	LAHD	COMPLETED	

#	Source	Measure ID	Measure Requirement	Responsible Party	Compliance Status	Verification Documents
40	2008 MMRP	MM TRANS-7 through TRANS-14	Various transportation improvements. See 2008 MMRP for a description of each measure.	LAHD	NOT APPLICABLE	Not applicable
41	2008 MMRP	MM GW-1: Site Remediation	<p>Unless otherwise authorized by the lead regulatory agency for any given site, LAHD shall remediate all encountered contaminated soils or contamination within the excavation zones on the Project site boundaries prior to or during subsurface construction activities. Remediation shall occur in compliance with local, state, and federal regulations, as described in Section 3.7.3, and as directed by the Los Angeles Fire Department, DTSC, and/or RWQCB.</p> <p>Soil remediation shall be completed such that contamination levels in subsurface excavations are below health screening levels established by OEHHA and/or applicable action levels established by the lead regulatory agency with jurisdiction over the site. Only clean soil would be used as backfill. Soil contamination waivers may be acceptable as a result of encapsulation (i.e., paving) in backland areas and/or risk-based soil assessments but would be subject to the discretion of the lead regulatory agency. Excavated contaminated soil shall not be placed in another location onsite; it must be properly disposed of offsite. All imported soil to be used as backfill in excavated areas should be sampled to ensure that the soil is free of contamination.</p> <p>Existing groundwater contamination throughout the proposed Project boundary shall continue to be monitored and remediated as encountered, simultaneous and/or subsequent to site development, and/or in accordance with direction provided by the RWQCB.</p> <p>Unless otherwise authorized by the lead regulatory agency for any given site, areas of excavation with soil contamination that shall be remediated prior to, or in conjunction with, Project construction.</p>	Tenant	COMPLETED	WBCT compliance form

#	Source	Measure ID	Measure Requirement	Responsible Party	Compliance Status	Verification Documents
42	2008 Final EIR	MM GW-2: Contamination Contingency Plan	<p>The following contingency plan shall be implemented to address previously unknown contamination during demolition, grading, and construction:</p> <p>a) All trench excavation and filling operations shall be observed for the presence of free petroleum products, chemicals, or contaminated soil. Deeply discolored soil or suspected contaminated soil shall be segregated from light colored soil. In the event unexpected suspected chemically impacted material (soil or water) is encountered during construction, the contractor shall notify the Los Angeles Harbor Department Chief Harbor Engineer, Director of Environmental Management, and Risk Management Industrial Hygienist. The Port shall confirm the presence of the suspect material and direct the contractor to remove, stockpile or contain, and characterize the suspect material(s) identified within the boundaries of the construction area. Continued work at a contaminated site shall require the approval of the Chief Harbor Engineer. b) A photoionization detector (or other similar devices) shall be present during grading and excavation of suspected chemically impacted soil. c) Excavation of VOC-contaminated soil will require obtaining and complying with a South Coast Air Quality Management District Rule 1166 permit. d) The remedial options selected shall be dependent upon a number of criteria (including, but not limited to, types of chemical constituents, concentration of the chemicals, health and safety issues, time constraints, cost, etc.) and shall be determined on a site-specific basis. Both offsite and onsite remedial options shall be evaluated. e) The extent of removal actions shall be determined on a site-specific basis. At a minimum, the chemically impacted areas within the boundaries of the excavation area shall be remediated to the satisfaction of the lead regulatory agency for the site. The Port Project Manager overseeing removal actions shall inform the contractor when the removal action is complete. f) Copies of hazardous waste manifests or other documents indicating the amount, nature, and disposition of such materials shall be submitted to the Chief Harbor Engineer within 30 days of Project completion. g) In the event that contaminated soil is encountered, all onsite personnel handling or working in the vicinity of the contaminated material shall be trained in accordance with OSHA regulations for hazardous waste operations. These regulations are based on CFR 1910.120 (e) and 8 CCR 5192, which states that "general site workers" shall receive a minimum of 40 hours of classroom training and a minimum of three days of field training. This training provides precautions and protective measures to reduce or eliminate hazardous materials/waste hazards at the workplace. h) In cases where potential chemically impacted soil is encountered, a real-time aerosol monitor shall be placed on the prevailing downwind side of the impacted soil area to monitor for airborne particulate emissions during soil excavation and handling activities.</p> <p>i) All excavations shall be filled with structurally suitable fill material that is free from contamination.</p>	LAHD	COMPLETED	

#	Source	Measure ID	Measure Requirement	Responsible Party	Compliance Status	Verification Documents
43	2008 MMRP	MM NOI-1: Construction Limitations	<p>a) Construction Hours. Limit construction hours.</p> <p>b) Construction Days. Do not conduct noise-generating construction activities on weekends or holidays unless critical</p> <p>c) Temporary Noise Barriers. Should be located between noise-generating construction activities and sensitive receivers.</p> <p>d) Properly muffle and maintain all construction equipment powered by internal combustion engines.</p> <p>e) Idling Prohibitions. Prohibit unnecessary idling of internal combustion engines near noise-sensitive areas.</p> <p>f) Equipment Location. Locate all stationary noise-generating</p> <p>g) Quiet Equipment Selection. Select quiet construction equipment whenever possible. Comply with City of Los Angeles Noise Ordinance.</p> <p>h) Notification. Notify residents adjacent to the proposed Project site of the construction schedule in writing.</p> <p>i) IHC Hydrohammer. The contractor shall use an IHC Hydrohammer pile driver or equivalent when constructing the berths.</p> <p>j) Reporting. The Port shall clearly post the telephone number where complaints regarding construction-related disturbance can be reported.</p>	LAHD	COMPLETED	
44	2008 MMRP	MM NOI-2: Noise Walls	Mitigation measures to reduce operational impacts would include installation of noise walls at the project site or residential property lines, if feasible, and/or soundproofing of impacted noise-sensitive structures.	LAHD	IN COMPLIANCE	

#	Source	Measure ID	Measure Requirement	Responsible Party	Compliance Status	Verification Documents
45	2008 MMRP	MM PS-1: Recycling Construction	Demolition and/or excess construction materials shall be separated onsite for reuse/recycling or proper disposal. During grading and construction, separate bins for recycling of construction materials shall be provided onsite.	LAHD	COMPLETED	
46	2008 MMRP	MM PS-2: Materials with Recycled Content	Materials with recycled content shall be used in Project construction. Chippers onsite during construction shall be used to further reduce excess wood for landscaping cover.	LAHD	COMPLETED	
47	2008 MMRP	MM PS-3: Long Term Solid Waste Management	To ensure adequate long-term solid waste management, the proposed Project will be required to comply with policies and standards set forth in the City's Solid Waste Integrated Resources Plan (SWIRP) following 2025.	Tenant	IN COMPLIANCE	WBCT compliance form and backup

#	Source	Measure ID	Measure Requirement	Responsible Party	Compliance Status	Verification Documents
48	2019 Supplemental MMRP	LM AQ-1. Cleanest Available Cargo Handling Equipment	<p>Subject to zero and near-zero emissions feasibility assessments that shall be carried out by LAHD, with input from Tenant as part of the CAAP process, Tenant shall replace cargo handling equipment with the cleanest available equipment anytime new or replacement equipment is purchased, with a first preference for zero-emission equipment, a second preference for near-zero equipment, and then for the cleanest available if zero or near-zero equipment is not feasible, provided that LAHD shall conduct engineering assessments to confirm that such equipment is capable of installation at the terminal.</p> <p>Starting one year after the effective date of a new lease amendment between the Tenant and the LAHD, tenant shall submit to the Port an equipment inventory and 10-year procurement plan for new cargo-handling equipment, and infrastructure, and will update the procurement plan annually in order to assist with planning for transition of equipment to zero emissions in accordance with the foregoing paragraph.</p> <p>LAHD will include a summary of zero and near-zero emission equipment operating at the terminal each year as part of mitigation measure tracking.</p>	Tenant	IN COMPLIANCE	WBCT equipment inventory and 10-year rolling purchasing plan
47	2019 Supplemental MMRP	LM AQ-2. Priority Access for Drayage	A priority access system shall be implemented at the terminal to provide preferential access to zero- and near-zero-emission trucks.	Tenant	COMPLETED	WBCT compliance form and backup
48	2019 Supplemental MMRP	LM AQ-3. Demonstration of Zero-Emissions Equipment	Tenant shall conduct a one-year zero emission demonstration project with at least 10 units of zero-emission cargo handling equipment. Upon completion, tenant shall submit a report to LAHD that evaluates the feasibility of permanent use of the tested equipment. Tenant shall continue to test zero-emission equipment and provide feasibility assessments and progress reports in 2020 and 2025 to evaluate the status of zero- emission technologies and infrastructure as well as operational and financial considerations, with a goal of 100% zero-emission cargo handling equipment by 2030.	Tenant	IN COMPLIANCE	WBCT equipment inventory and Monthly Progress Report for ARV-17-049 (WAVE Project) generated by the Port of Los Angeles for Reporting Period June 2025

#	Source	Measure ID	Measure Requirement	Responsible Party	Compliance Status	Verification Documents
49	2019 Supplemental MMRP	MM GHG-1. LED Lighting	All lighting within the interior of buildings on the premises and outdoor high mast terminal lighting will be replaced with LED lighting or a technology with similar energy-saving capabilities within two years after the effective date of the new lease amendment between the Tenant and the LAHD or by no later than 2023.	Tenant	COMPLETED	WBCT compliance form and backup
50	2019 Supplemental MMRP	LM GHG-1. GHG Credit Fund	LAHD shall establish a Greenhouse Gas Fund, which LAHD shall have the option to accomplish through a Memorandum of Understanding (MOU) with the California Air Resources Board (CARB) or another appropriate entity. The fund shall be used for GHG-reducing projects and programs approved by the Port of Los Angeles, or through the purchase of emission reduction credits from a CARB approved offset registry. It shall be the responsibility of the Tenant to make contributions to the fund in the amount of \$250,000 per year, for a total of eight years, for the funding of GHG reducing projects or the purchase of GHG emission reduction credits, commencing after the date that the SEIR is conclusively determined to be valid, either by operation of Public Resources Code Section 21167.2 or by final judgment or final adjudication ("Conclusive Determination of Validity Date"), as described below. The fund contribution amount is established as follows: (i) the peak year of GHG operational emissions (2030), after application of mitigation, that exceed the established threshold for the Revised Project, estimated in the SEIR to be 129,336 metric tons CO2e, multiplied by (ii) the current (2019) market value of carbon credits established by CARB at \$15.62 per metric ton CO2e. The payment for the first year shall be due within ninety (90) days of the Conclusive Determination of Validity Date, and the payment for each successive year shall be due on the anniversary of the Conclusive Determination of Validity Date. If LAHD is unable to establish the fund through an MOU with CARB within one year prior to when any year's payment is due, the Tenant shall instead apply that year's payment, using the same methodology described in parts (i) and (ii) above, to purchase emission reduction credits from a CARB approved GHG offset registry.	Tenant and LAHD	IN COMPLIANCE	WBCT compliance form and backup