

# FINAL REVISED MITIGATION MONITORING AND REPORTING PROGRAM

## Berths 97-109 [China Shipping] Container Terminal Project Revised Supplemental Environmental Impact Report



March 2026

Prepared by:

Los Angeles Harbor Department  
Environmental Management Division  
425 S. Palos Verdes Street  
San Pedro, CA 90731

With assistance from:

Ramboll  
7250 Redwood Blvd, Suite 105  
Novato, CA 94945

SCH No. 2003061153

APP No. 150224-504

# Revised Mitigation Monitoring and Reporting Program Overview

## 1 Introduction

Section 21081.6 of the California Public Resources Code requires a lead agency under CEQA to adopt a mitigation monitoring and reporting program (MMRP) when approving a project that adopts findings of significant impacts and incorporates mitigation measures into the project or imposed as conditions of project approval in order to mitigate or avoid significant impacts. The purpose of an MMRP is to ensure that when an Environmental Impact Report (EIR) identifies measures to reduce potential adverse environmental impacts, those measures are implemented as detailed in the environmental document. As lead agency for the Berths 97-109 [China Shipping] Container Terminal Project Revised Supplemental Environmental Impact Report (2025 RSEIR), the Los Angeles Harbor Department (LAHD) is responsible for implementation of this MMRP.

On December 18, 2008, the City of Los Angeles Board of Harbor Commissioners (Board) certified the Environmental Impact Statement/Environmental Impact Report for the Berths 97-109 [China Shipping] Container Terminal Project (2008 EIS/EIR) and adopted a MMRP for the approved project (2008 MMRP).

In 2019, a Supplemental EIR (SEIR) was prepared to evaluate the continued operation of the China Shipping Container Terminal under modified mitigation measures. These changes were collectively referred to in the SEIR as the “Revised Project,” and encompassed modifications to the project mitigation measures that were previously analyzed in the 2008 EIS/EIR adopted by the Board in 2008. A Supplemental MMRP was prepared that would replace and/or delete certain measures in the 2008 MMRP with the revised mitigation measures from the Revised Project. The Board adopted the Supplemental MMRP on October 8, 2019 (2019 Supplemental MMRP).

The 2019 SEIR was challenged in court, and after a period of litigation, the California Court of Appeal ruled that certain portions of the 2019 SEIR did not comply with CEQA. On May 24, 2024, the San Diego County Superior Court issued a Peremptory Writ of Mandate (Writ). The Writ required LAHD 1) to set aside the certification of the 2019 SEIR, 2) to enter into an amended lease to implement the 2008 mitigation measures as modified by the 2019 SEIR and the court decisions, 3) to prepare, circulate, and certify a revised SEIR to address the deficiencies identified by the Court of Appeal, and 4) to ensure that any mitigation measures adopted in the revised SEIR are fully enforceable through permit conditions, agreements, or other legally binding instruments (see Chapter 1 of the Draft RSEIR for a detailed description of the litigation and its result).

LAHD, in compliance with the Writ, already approved the Sixth Amendment to Permit No. 999 to incorporate the Adopted Mitigation Measures and Lease Measures on July 2, 2024 (Council File No. 09-1872-S3) with an effective date of July 3, 2024. The Board

1 certified the 2025 RSEIR on November 20, 2025, in compliance with the Writ. If new  
2 Mitigation Measures and Lease Measures are recommended as a result of the certified  
3 RSEIR, the Board will consider additional amendments to Permit No. 999 to incorporate  
4 the Proposed Mitigation Measures and Lease Measures and adopt this Revised  
5 Supplemental MMRP, as appropriate.

6 This document lists all mitigation measures and lease measures that are imposed on the  
7 China Shipping Project, from the 2008 EIS/EIR, as modified by the 2019 SEIR and the  
8 2025 RSEIR, and describes the methods for implementation and verification, and  
9 identifies the responsible party or parties, for each measure, as detailed below in the  
10 Revised MMRP Implementation section. The purpose of this Revised MMRP, once  
11 adopted, is to supersede the 2008 MMRP and 2019 Supplemental MMRP so that there is  
12 a single operative MMRP with all applicable mitigation measures and lease measures.

13 This Final Revised MMRP will be implemented by the LAHD in full compliance with  
14 Section 21081.6 of the California Public Resources Code, and Sections 15091(d) and  
15 15097 of the State CEQA Guidelines. The Final Revised Supplemental MMRP may be  
16 further modified by the LAHD during project implementation, as necessary, in response  
17 to changing conditions and other refinements.

## 18 **2 Scope of the Revised MMRP**

### 19 **2.1 Mitigation Measures and Lease Measures** 20 **Applied to the Berths 97-109 Terminal**

21 The Revised MMRP includes the mitigation measures and lease measures from the 2008  
22 EIS/EIR as modified in the 2019 SEIR and the 2025 RSEIR. Those modifications have  
23 included revisions to the language of many of the measures, the addition of some  
24 measures, and the deletion of other measures, as analyzed in the 2019 SEIR and the 2025  
25 RSEIR. In addition, carrying measures through several documents has led to minor  
26 inconsistencies in language between earlier versions and current versions requiring  
27 administrative corrections. The Revised MMRP presented in Section 4 of this document  
28 represents the consolidated version of all mitigation and lease measures that will be  
29 implemented, enforced, and monitored by the LAHD and/or responsible parties  
30 identified.

#### 31 Measures Unchanged From the 2008 EIS/EIR

- 32 • MM AES-1 Landscaping
- 33 • MM AES-2 Crane Color
- 34 • MM AES-3 Beautification Plans
- 35 • MM AES-4 Plaza Park
- 36 • MM AQ-1 Harbor Craft Used During Construction
- 37 • MM AQ-2 Cargo Ships
- 38 • MM AQ-3 Fleet Modernization for On-Road Trucks
- 39 • MM AQ-4 Fleet Modernization for Construction Equipment
- 40 • MM AQ-5 Best Management Practices
- 41 • MM AQ-6 Additional Fugitive Dust Controls

- 1 • MM AQ-7 General Mitigation Measure
- 2 • MM AQ-8 Special Precautions Near Sensitive Sites
- 3 • MM AQ-11 Low-Sulfur Fuel
- 4 • MM AQ-12 Slide Valves
- 5 • MM AQ-13 Reroute Cleaner Ships
- 6 • MM AQ-14 New Vessel Build
- 7 • MM AQ-18 Yard Locomotives at Berth 121-131 Railyard
- 8 • MM AQ-19 Clean Truck Program
- 9 • MM AQ-21 Truck Idling Reduction Measure
- 10 • LM AQ-22 Periodic Review of New Technology and Regulations
- 11 • MM AQ-23 Compact Fluorescent Light Bulbs (Construction)
- 12 • LM AQ-24 General Mitigation Measure
- 13 • MM AQ-25 LEED
- 14 • MM AQ-26 Compact Fluorescent Light Bulbs (Operations)
- 15 • MM AQ-27 Energy Audit
- 16 • MM AQ-28 Solar Panels
- 17 • MM AQ-29 Recycling
- 18 • MM AQ-30 Tree Planting
- 19 • MM BIO-1 Mitigation Credits
- 20 • MM BIO-2 Vessel Speed Reduction Program
- 21 • MM BIO-3 Noise Reductions During Pile Driving
- 22 • MM CR-1 Cultural Resources
- 23 • MM GEO-1 Emergency Response Planning
- 24 • MM TRANS-1 Avalon Boulevard and Harry Bridges Boulevard
- 25 • MM TRANS-5 Broad Avenues and Harry Bridges Boulevard
- 26 • MM GW-1 Site Remediation
- 27 • MM GW-2 Contamination Contingency Plan
- 28 • MM NOI-1 Construction Limitations
- 29 • MM NOI-2 Noise Walls
- 30 • MM PS-1 Recycling Construction
- 31 • MM PS-2 Materials with Recycled Content
- 32 • MM PS-3 Long-Term Solid Waste Management

Measures in the 2008 EIS/EIR That Were Not Adopted By the BOHC and Omitted

- 34 • MM TRANS-7 Avalon Boulevard and Harry Bridges Boulevard
- 35 • MM TRANS-8 Harbor Boulevard and SR-47 WB On-Ramp
- 36 • MM TRANS-9 Harbor Boulevard and Swinford Street
- 37 • MM TRANS-10 John S. Gibson Boulevard and I-110 NB Ramps
- 38 • MM TRANS-11 Figueroa Street and C Street/I-110 Ramps

- 1 • MM TRANS-12 Pacific Avenue and Front Street
- 2 • MM TRANS-13 Neptune Avenue and Harry Bridges Boulevard
- 3 • MM TRANS-14 John S. Gibson Boulevard and Channel Street

4 Measures Modified From the 2008 EIS/EIR by the 2019 SEIR (Upheld by the Court)

- 5 • MM AQ-15 Yard Tractors at Berth 97-106 Terminal
- 6 (referred to in the SEIR as MM AQ-15 Yard Tractors)
- 7 • MM AQ-17 Yard Equipment at Berth 97-106 Terminal
- 8 (referred to in the SEIR as MM AQ-17 Cargo-Handling Equipment)
- 9 • MM TRANS-2 Alameda and Anaheim Streets
- 10 • MM TRANS-3 John S. Gibson Boulevard and I-110 NB Ramps

11 Measures Deleted From the 2008 EIS/EIR by the 2019 SEIR (Upheld by the Court)

- 12 • MM AQ-16 Yard Equipment at Berth 121-131 Rail Yard
- 13 • MM AQ-20 LNG Trucks
- 14 • LM AQ-23 Throughput Tracking
- 15 • MM TRANS-4 Fries Avenue and Harry Bridges Boulevard
- 16 • MM TRANS-6 Navy Way and Seaside Avenue.

17 Measures Added by the 2019 SEIR (Upheld by the Court)

- 18 • MM GHG-1: LED Lighting
- 19 • LM AQ-1: Cleanest Available Cargo Handling Equipment
- 20 • LM AQ-2: Priority Access for Drayage
- 21 • LM AQ-3: Demonstration of Zero Emissions Equipment

22 Measures Modified or Added by the 2025 RSEIR (Subject to Approval by the BOHC)

- 23 • MM AQ-9: Alternative Maritime Power (re-instated from 2008 EIR/EIS and
- 24 revised)
- 25 • MM AQ-10: Vessel Speed Reduction Program (re-instated from 2008 EIR/EIS
- 26 and revised)
- 27 • MM AQ-17: Cargo-Handling Equipment (Electric Yard Tractor Pilot Project, re-
- 28 instated from 2008 EIR/EIS and revised)
- 29 • MM AQ-31: At-Berth Regulation (newly added)
- 30 • MM GHG-2: GHG Reduction Offsets (newly added and replaces LM GHG-1
- 31 GHG Credit Fund in the 2019 SEIR)

32 Measure Added Subsequent to Certification of the 2025 RSEIR

- 33 • MM AQ-32 Alternative Control Technology (newly added)

34

## 2.2 History of Modifications of Mitigation and Lease Measures

This discussion summarizes the changes that have occurred to result in the mitigation and lease measures presented in Section 4 of this MMRP.

2008 MMRP: The 2008 MMRP in the 2008 Final EIS/EIR contained 60 mitigation and lease measures addressing aesthetics, air quality, biological resources, cultural resources, groundwater, ground transportation, noise, and public services. Eight of the ground transportation measures (TRANS-7 through TRANS-14) were not adopted by the Board of Harbor Commissioners and are therefore not part of the Project, leaving 52 measures for implementation and monitoring during construction and operation of the Berths 97-109 terminal. The 24 measures related to construction of the proposed improvements have mostly been completed but are included in this MMRP for the sake of thoroughness.

Subsequent to the adoption of the 2008 MMRP by the Board, a number of errors in wording were noted and corrected in the documents that the LAHD used to track implementation. For example, the versions of MM AQ-1, MM AQ-3, and MM AQ-4 presented in the 2008 MMRP contained material in the “Timing and Methods” language that was properly part of the wording of the measures themselves; those errors have been corrected in this document. In addition, MM GW-2 was inadvertently omitted from the 2008 MMRP but was included in the Findings of Fact presented to the Board. Accordingly, that measure was implemented during Project construction. Lastly, the identifier for lease measures was incorrectly labeled as mitigation measures for MM AQ-22, MM AQ-23, and MM AQ-24 and those corrections have been made.

2019 Supplemental MMRP: The 2019 SEIR added five more measures (one mitigation measure and four lease measures) and deleted four mitigation measures and one lease measure that were in the 2008 MMRP. In addition, the 2019 Supplemental MMRP revised the wording of some measures.

Specifically, MM AQ-16 (Yard Equipment at Berth 121-131 Rail Yard) was deleted from the Revised Project because, given that the same equipment is used in the container yard and at the rail yard, it is redundant to MM AQ-17. MM AQ-20 (LNG Trucks) was deleted as being infeasible, MM TRANS-4 (Fries Avenue and Harry Bridges Boulevard) was deleted because it is no longer needed, and MM TRANS-6 (Navy Way and Seaside Avenue) was deleted because the intersection would be improved by another project. LM AQ-23 (Throughput Tracking) was deleted as being unnecessary given the technology improvements mandated by LM AQ-1 (Cleanest Available Cargo Handling Equipment).

The 2019 SEIR added lease measures LM AQ-1 (Cleanest Available Cargo Handling Equipment), LM AQ-2 (Priority Access for Drayage), LM AQ-3 (Demonstration of Zero-Emissions Equipment), and LM GHG-1 (GHG Credit Fund), and mitigation measure MM GHG-1 (LED Lighting). The two greenhouse gas measures were added to reflect CEQA’s addition of GHG issues to the Appendix G Guidelines since the preparation of the 2008 EIS/EIR.

The wording of six measures from the 2008 MMRP was revised in the 2019 SEIR to reflect changes in technology and to update the compliance schedules. Specifically:

- MM AQ-9 (Alternative Maritime Power [AMP]) was substantially altered to remove the compliance schedule, which was out of date, and the distinction between China Shipping and other vessels. The revisions also tied compliance to

1 the effective lease date, lowered the required compliance rate from 100% to 95%,  
2 added language describing the conditions that would lead to exceptions, and  
3 added requirements for alternative control technology for vessels not utilizing  
4 AMP. This measure was rejected by the Court and ordered to be set aside in the  
5 Writ.

- 6 • MM AQ-10 (Vessel Speed Reduction Program [VSRP]) was revised to tie the  
7 measure to the effective lease date and lower the required compliance rate from  
8 100% to 95%. This measure was rejected by the Court and ordered to be set aside  
9 in the Writ.
- 10 • MM AQ-15 (Yard Tractors at Berth 97-109 Terminal) was re-titled as Yard  
11 Tractors, and the language was revised to tie implementation to the effective  
12 lease date and to specify model years and emissions requirements for  
13 replacement of LPG-fueled units. This measure was upheld by the Court and,  
14 thus, is still valid.
- 15 • MM AQ-17 (Yard Equipment at Berth 97-109 Terminal) was re-titled Cargo  
16 Handling Equipment. The measure was substantially revised to replace the out-  
17 of-date compliance schedule with a schedule tied to the effective lease date, to  
18 provide detailed emissions requirements for the different types of terminal  
19 equipment, and to require zero-emissions technology for some equipment types.  
20 This measure was upheld by the Court and, thus, is still valid. However, the  
21 revision to remove the requirement for a zero-emission pilot project was rejected  
22 by the Court, so it was re-instated from the 2008 MMRP.
- 23 • MM TRANS-2 (Alameda Street and Anaheim Street) was revised to tie  
24 implementation to another City-planned improvement project and to provide  
25 additional specificity. This measure was not challenged and, thus, is still valid.
- 26 • MM TRANS-3 (John S. Gibson Boulevard and I-110 N/B Ramps) was revised to  
27 update the required intersection improvements and to tie implementation to a  
28 specific degradation in level of service as monitored by the LAHD. This measure  
29 was not challenged and, thus, is still valid.

30 2026 Final Revised MMRP: This Revised MMRP re-instates mitigation measures MM  
31 AQ-9 and MM AQ-10 from the 2008 MMRP with revisions, re-instates the electric yard  
32 tractor pilot project portion of the 2008 MMRP MM AQ-17 with revisions, and adds  
33 three more mitigation measures, MM AQ-31, MM AQ-32, and MM GHG-2.

34 MM AQ-9 and MM AQ-10 were re-instated to the 100% compliance originally required  
35 in the 2008 MMRP because the Courts rejected changes to those measures in the 2019  
36 SEIR and the revised measures were set aside by the Writ. MM AQ-9 and MM AQ-10  
37 were updated to omit obsolete timing requirements, and MM AQ-9 was further revised in  
38 response to public comments. The electric yard tractor pilot program requirement of the  
39 2008 version of MM AQ-17 was reinstated – it is presented in Section 4 separately from  
40 the rest of 2019 SEIR MM AQ-17 – with updated implementation language. MM AQ-31  
41 (At-Berth Regulations) was added to ensure compliance with current At-Berth  
42 Regulations and future regulations that may be promulgated, and MM GHG-2 (GHG  
43 Reduction Offsets) was added to replace 2019 LM GHG-1, which was rejected by the  
44 Courts and ordered set aside by the Writ. Finally, MM AQ-32 was added to address  
45 implementation concerns related to MM AQ-9 raised in public comment at the November  
46 2025 Board hearing at which the Final RSEIR was certified.

### 3 Procedures for Implementation, Monitoring, and Reporting

The table presented in Section 4 represents the Revised MMRP that will govern implementation of the mitigation and lease measures imposed by the 2008 EIS/EIR, the 2019 SEIR, and the 2025 RSEIR, consistent with the Courts' decisions and the Writ. Previous versions of the measures and previous MMRPs are no longer applicable to the Revised Project.

As discussed in the 2025 RSEIR, most of the mitigation and lease measures in this Revised MMRP were included in the 2024 amendment to Permit No. 999 between the LAHD and the tenant of the Berths 97-109 terminal and, thus, are already imposed and enforceable as of July 3, 2024. The new and revised measures developed in the Final RSEIR, as adopted by the Board, would be included in a new lease amendment. Accordingly, all of the measures identified in this Revised MMRP either (1) are imposed and enforceable and would remain in place under a new lease amendment or (2) would be imposed and enforceable upon the execution of that lease amendment for newly added measures. All measures would be enforced through the terms of the lease, including any holdover provisions that would allow the tenant to continue to operate beyond 2045.

Mitigation measures shall be monitored and enforced by the LAHD's Environmental Management Division (LAHD/EMD) and any specified responsible parties designated by LAHD/EMD. The LAHD/EMD shall require tenant to report compliance with mitigation measures and lease measures; review such reports to verify compliance with the requirements of the measures; document its monitoring through regular periodic reports to the BOHC; and take appropriate action to ensure compliance and that deficiencies are promptly corrected. Reporting and documentation procedures for each measure will be specified in compliance forms that include, but are not limited to, the following: start and end dates for each requirement as specified in the measure based on the effective date of a lease amendment, frequency of monitoring with details on timing, the type of data or information to be collected and provided to LAHD/EMD to verify implementation and compliance with the measure, and corrective actions needed if compliance is not being achieved. The LAHD/EMD retain full discretion to modify compliance forms to adjust quantity and nature of information required to be reported; such changes would not modify the substantive requirements of the measure. In the event that a measure is superseded by laws and regulations adopted by applicable Governmental Agencies that impose requirements that are equivalent to or more stringent than those of a mitigation or lease measure, the LAHD/EMD retains discretion to modify the reporting requirement for that measure to align with the new law or regulation. This flexibility is necessary due to the long-term nature of the MMRP and the need for a workable program.

The tenant is required to demonstrate compliance with each measure identified as the tenant's responsibility and shall be responsible for providing and maintaining all verification and compliance documents listed for those measures. The tenant shall maintain records on-site at the terminal, which shall be made available to the LAHD upon request. Records maintained by the LAHD/EMD shall be kept for a minimum period of five years in accordance with record retention requirements. LAHD retains discretion to use an independent third-party to review and verify all compliance and other documents. In accordance with the May 24, 2024, San Diego County Superior Court (Superior Court) Peremptory Writ of Mandate (Writ), the LAHD is responsible for filing a compliance report with the Court every six months, until May 24, 2031 (unless

1 otherwise ordered by the Court), detailing the status of implementation of the mitigation  
 2 measures and lease measures contained in the Tenant's permit. Final copies of the  
 3 compliance status reports will be posted on the Port's website at  
 4 <https://www.portoflosangeles.org/environment/environmental-documents>.

5 Due to the status or nature of some mitigation measures (e.g., construction measures that  
 6 have already been completed, measures that are ongoing, or measures that are not yet  
 7 triggered) and to properly track the timing of measures that are or will be implemented,  
 8 the following tracking tool is provided for the Revised MMRP.

| <b>Monitoring and Reporting Tracking Tool</b>           |   |                  |
|---|---|------------------|
| <b>Title of Measure</b>                                 | <b>Timing</b>   | <b>Reporting</b> |
| MM AES-1. Landscaping                                   | Ongoing   | Semi-annual      |
| MM AES-2. Crane Color                                   | Completed   | Not required     |
| MM AES-3. Beautification Plans                          | Ongoing   | Semi-annual      |
| MM AES-4. Plaza Park                                    | Completed   | Not required     |
| MM AQ-1. Harbor Craft Used During Construction          | Completed   | Not required     |
| MM AQ-2. Cargo Ships                                    | Completed   | Not required     |
| MM AQ-3. Fleet Modernization for On-Road Trucks         | Completed   | Not required     |
| MM AQ-4. Fleet Modernization for Construction Equipment | Completed   | Not required     |
| MM AQ-5. Best Management Practices                      | Completed   | Not required     |
| MM AQ-6. Additional Fugitive Dust Controls              | Completed   | Not required     |
| MM AQ-7. General Mitigation Measure                     | Completed   | Not required     |
| MM AQ-8. Special Precautions near Sensitive Sites       | Completed   | Not required     |
| MM AQ-9. Alternative Maritime Power (AMP)               | Ongoing and starting on the effective date of a new lease amendment for new revisions | Semi-annual      |
| MM AQ-10. Vessel Speed Reduction Program (VSRP)         | Ongoing and starting on the effective date of a new lease amendment for new revisions | Semi-annual      |
| MM AQ-11. Low-Sulfur Fuel                               | Completed   | Not required     |
| MM AQ-12. Slide Valve                                   | Ongoing   | Semi-annual      |
| MM AQ-13. Reroute Cleaner Ships                         | Ongoing   | Semi-annual      |

| <b>Monitoring and Reporting Tracking Tool</b>               |   |  |
|---|---|--|
| <b>Title of Measure</b>                                     | <b>Timing</b>   | <b>Reporting</b>                                     |
| MM AQ-14. New Vessel Build                                  | Ongoing   | Semi-annual  |
| MM AQ-15. Yard Tractors                                     | Ongoing   | Semi-annual  |
| MM AQ-17. Cargo Handling Equipment                          | Ongoing   | Semi-annual  |
| MM AQ-17. Cargo-Handling Equipment (pilot project)          | Ongoing   | Semi-annual  |
| MM AQ-18. Yard Locomotives at Berth 121-131 Rail Yard       | Completed   | Not required   |
| MM AQ-19. Clean Truck Program                               | Completed   | Not required   |
| MM AQ-21. Truck Idling Reduction Measure                    | Ongoing   | Semi-annual  |
| MM AQ-23. Compact Fluorescent Light Bulbs                   | Completed   | Not required   |
| MM AQ-25. LEED  | Ongoing   | Not yet applicable (i.e., potential future building) |
| MM AQ-26. Compact Fluorescent Light Bulbs                   | Completed   | Not required   |
| MM AQ-27. Energy Audit                                      | Ongoing   | Semi-annual  |
| MM AQ-28. Solar Panels                                      | Ongoing   | Not yet applicable (i.e., potential future building) |
| MM AQ-29. Recycling   | Completed   | Not required   |
| MM AQ-30. Tree Planting                                     | Ongoing   | Not yet applicable (i.e., potential future building) |
| MM AQ-31. At-Berth Regulations                              | Starting on the effective date of a new lease amendment | Semi-annual  |
| MM AQ-32. Alternative Control Technology                    | Starting on the effective date of a new lease amendment | Semi-annual  |
| LM AQ-1. Cleanest Available Cargo Handling Equipment        | Ongoing   | Semi-annual  |
| LM AQ-2. Priority Access for Drayage                        | Completed   | Not required   |
| LM AQ-3. Demonstration of Zero-Emissions Equipment          | Ongoing   | Semi-annual  |
| LM AQ-22: Periodic Review of New Technology and Regulations | Ongoing   | Semi-annual  |
| LM AQ-24. General Mitigation Measure                        | Ongoing   | Semi-annual  |

| <b>Monitoring and Reporting Tracking Tool</b>                |   |                  |
|--|---|------------------|
| <b>Title of Measure</b>                                      | <b>Timing</b>   | <b>Reporting</b> |
| MM BIO-1. Mitigation Credits                                 | Completed   | Not required     |
| MM BIO-2. Vessel Speed Reduction Program (see also MM AQ-10) | Ongoing   | Semi-annual      |
| MM BIO-3. Noise Reduction during Pile Driving                | Completed   | Not required     |
| MM CR-1. Cultural Resources                                  | Completed   | Not required     |
| MM GEO-1. Emergency Response Planning                        | Ongoing   | Semi-annual      |
| MM GHG-1. LED Lighting                                       | Completed   | Not required     |
| MM GHG-2. GHG Reduction Offsets                              | Starting on the effective date of a new lease amendment | Semi-annual      |
| MM TRANS-1. Avalon Boulevard and Harry Bridges Boulevard     | Completed   | Not required     |
| MM TRANS-2. Alameda and Anaheim Streets                      | Ongoing   | Semi-annual      |
| MM TRANS-3. John S. Gibson Boulevard and I-110 N/B Ramps     | Ongoing   | Semi-annual      |
| MM TRANS-5. Broad Avenue and Harry Bridges Boulevard         | Completed   | Not required     |
| MM GW -1. Site Remediation                                   | Completed   | Not required     |
| MM GW-2. Contamination Contingency Plan                      | Completed   | Not required     |
| MM NOI-1. Construction Limitations                           | Completed   | Not required     |
| MM NOI-2. Noise Walls  | Ongoing   | Semi-annual      |
| MM PS-1. Recycling Construction Materials                    | Completed   | Not required     |
| MM PS-2. Materials with Recycled Content                     | Completed   | Not required     |
| MM PS-3. Long Term Solid Waste Management                    | Ongoing   | Semi-annual      |

## 1            **4     Revised MMRP**

2            The Revised MMRP is provided in the following table.

1 **Revised Mitigation Monitoring and Reporting Program Summary for the Berths 97 - 109 [China Shipping] Container Terminal Project**

| Mitigation Measures  | Timing and Methods   | Responsible Parties  |
|--|--|--|
| <b>Aesthetics</b>  |  |  |
| <p><b>MM AES-1. Landscaping.</b> 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 re-landscaping 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>   | <p><b>Timing:</b> Prior to Phase II operation.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into LAHD contract specifications. LAHD shall either hire a landscape consultant and construction firm or perform such work itself.</p> <p><b>Reporting and Monitoring Methods:</b> LAHD shall submit semi-annual compliance reports as required by the Court.</p> <p><b>Methods for Showing Compliance:</b> Documentation of compliance as part of landscaping plans and completion of construction project(s).</p>   | <p><b>Implementation:</b> LAHD</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Real Estate</p>            |
| <p><b>MM AES-2. Crane Color.</b> 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>   | <p><b>Timing:</b> Prior to receipt of the cranes.</p> <p><b>Implementation Methods:</b> LAHD shall work with Tenant to identify a color prior to ordering new cranes. LAHD shall repaint the 4 existing cranes on site.</p> <p><b>Reporting and Monitoring Methods:</b> N/A (Completed)</p>  | <p><b>Implementation:</b> LAHD and Tenant</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Real Estate</p> |
| <p><b>MM AES-3. Beautification Plans.</b> 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</p> | <p><b>Timing:</b> Prior to Phase III operation.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into LAHD contract specifications. LAHD shall either hire a landscape consultant and construction firm or perform such work itself. Utility pole work shall be completed in the LAHD's Engineering Division.</p> <p><b>Reporting and Monitoring Methods:</b> LAHD shall submit semi-annual compliance reports as required by the Court.</p> <p><b>Methods for Showing Compliance:</b> Documentation of compliance as part of improvement plans and completion of construction project(s).</p> | <p><b>Implementation:</b> LAHD</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Real Estate</p>            |

| Mitigation Measures  | Timing and Methods   | Responsible Parties   |
|--|--|---|
| <p>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> |  |   |
| <p><b>MM AES-4. Plaza Park.</b> 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>                   | <p><b>Timing:</b> Prior to Phase III operation.</p> <p><b>Implementation Methods:</b> LAHD shall construct the Plaza Park per the recommendations of the Plaza Park project approved as part of the China Shipping Aesthetics Mitigation Fund. This measure shall be incorporated into LAHD contract specifications. Utility pole work shall be completed in the LAHD's Engineering Division.</p> <p><b>Reporting and Monitoring Methods:</b> N/A (Completed)</p>  | <p><b>Implementation:</b> LAHD</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Real Estate</p>           |
| <b>Air Quality and Meteorology</b>   |  |   |
| <p><b>MM AQ-1. Harbor Craft Used During Construction.</b></p> <p><u>Phase I:</u> 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><b>Timing:</b> Throughout all construction phases.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the LAHD contract specifications for all construction work to reduce the impact of construction diesel emissions. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases.</p> <p><b>Reporting and Monitoring Methods:</b> N/A (Completed)</p> | <p><b>Implementation:</b> LAHD through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management</p> |

| Mitigation Measures  | Timing and Methods  | Responsible Parties  |
|--|---|--|
| <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> |   |  |
| <p><b>MM AQ-2. Cargo Ships.</b><br/> <u>Phases II and III:</u> 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.</p>  | <p><b>Timing:</b> Throughout Phases II and III construction.<br/> <b>Implementation Methods:</b> This measure shall be incorporated into the LAHD contract specifications for all construction work to reduce the impact of construction diesel emissions. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases.<br/> <b>Reporting and Monitoring Methods:</b> N/A (Completed)</p> | <p><b>Implementation:</b> LAHD through Construction Contractor<br/> <b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p> |
| <p><b>MM AQ-3. Fleet Modernization for On-Road Trucks.</b><br/> <u>Phases II and III:</u><br/>           1. Trucks hauling materials such as debris or fill shall be fully covered while operating off Port property.<br/>           2. Idling shall be restricted to a maximum of 5 minutes when not in use.<br/>           3. USEPA Standards:</p>   | <p><b>Timing:</b> Throughout Phases II and III construction.<br/> <b>Implementation Methods:</b> This measure shall be incorporated into the LAHD contract specifications for all construction work to reduce the impact of construction diesel emissions. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases.</p>   | <p><b>Implementation:</b> LAHD through Construction Contractor<br/> <b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p> |

| Mitigation Measures  | Timing and Methods   | Responsible Parties   |
|--|--|---|
| <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] PM<sub>10</sub> and 2.0 g/bhp-hr NO<sub>x</sub>). 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> | <p><b>Reporting and Monitoring Methods:</b> N/A (Completed)</p>  |   |
| <p><b>MM AQ-4. Fleet Modernization for Construction Equipment. Phases II and III:</b></p> <p>1. Construction equipment shall incorporate, where feasible, emissions-savings technology such as hybrid drives and specific fuel economy standards.</p>  | <p><b>Timing:</b> Throughout Phases II and III construction.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the LAHD contract specifications for all construction work to reduce the impact of construction diesel emissions. The contractor(s) shall submit an</p> | <p><b>Implementation:</b> LAHD through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management</p> |

| Mitigation Measures  | Timing and Methods  | Responsible Parties                               |
|--|---|---|
| <p>2. Idling shall be restricted to a maximum of 5 minutes when not in use.</p> <p>3. Tier Specifications:</p> <p>a. <u>January 1, 2009, to December 31, 2011</u>: 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.</p> <p>b. <u>Post January 1, 2012</u>: 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.</p> <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</li> </ul> | <p>Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases.</p> <p><b>Reporting and Monitoring Methods:</b> N/A (Completed)</p> | <p>Division, Construction Management Division</p> |

| Mitigation Measures   | Timing and Methods  | Responsible Parties  |
|---|---|--|
| <p>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.</p>  |   |  |
| <p><b>MM AQ-5. Best Management Practices.</b><br/> <u>Phases II and III:</u> 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> | <p><b>Timing:</b> Throughout Phases II and III construction.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the LAHD contract specifications for all construction work to reduce the impact of construction diesel emissions. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases.</p> <p><b>Reporting and Monitoring Methods:</b> N/A (Completed)</p> | <p><b>Implementation:</b> LAHD through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p> |
| <p><b>MM AQ-6. Additional Fugitive Dust Controls.</b> The calculation of fugitive dust (PM10) from Project earth-moving activities assumes</p>  | <p><b>Timing:</b> Throughout Phases II and III construction.</p>  | <p><b>Implementation:</b> LAHD through Construction Contractor</p>   |

| Mitigation Measures   | Timing and Methods   | Responsible Parties   |
|---|--|---|
| <p>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> </ul> | <p><b>Implementation Methods:</b> This measure shall be incorporated into the LAHD contract specifications for all construction work to reduce the impact of construction diesel emissions. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases.</p> <p><b>Reporting and Monitoring Methods:</b> N/A (Completed)</p> | <p><b>Monitoring and Reporting:</b><br/>Environmental Management Division, Construction Management Division</p> |

| Mitigation Measures  | Timing and Methods   | Responsible Parties  |
|--|--|--|
| <ul style="list-style-type: none"> <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>   |  |  |
| <p><b>MM AQ-7. General Mitigation Measure.</b> 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.</p>  | <p><b>Timing:</b> Throughout Phases II and III construction.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the LAHD contract specifications for all construction work to reduce the impact of construction diesel emissions. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases.</p> <p><b>Reporting and Monitoring Methods:</b> N/A (Completed)</p>                          | <p><b>Implementation:</b> LAHD through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p> |
| <p><b>MM AQ-8. Special Precautions near Sensitive Sites.</b> 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.</p>  | <p><b>Timing:</b> Throughout Phases II and III construction.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the LAHD contract specifications for all construction work to reduce the impact of construction diesel emissions. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases.</p> <p><b>Reporting and Monitoring Methods:</b> N/A (Completed)</p>                          | <p><b>Implementation:</b> LAHD through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p> |
| <p><b>MM AQ-9. Alternative Maritime Power (AMP).</b> All vessels owned, chartered or operated by China Shipping calling at Berths 97-109 shall use AMP while docked at the berth for 100-percent of vessel visits.</p> <p>Additionally, all vessels retrofitted for or capable of using AMP calling at Berths 97-109 shall use AMP while docked at the berth for 100-percent compliance of vessel visits.</p> <p>“Vessels”, “berth” and “visits” shall be defined as provided in California Code of Regulations, Title 17, section 93130.2, subdivision (c), and applicable future regulations that may be</p> | <p><b>Timing:</b> Throughout all operational years.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the lease amendment with tenant.</p> <p><b>Reporting and Monitoring Methods:</b> Tenant shall submit bi-annual compliance forms under penalty of perjury to the Environmental Management Division; such documentation shall include all reports sent to CARB and any responses from CARB in compliance with the At-Berth Regulations. Enforcement shall include oversight by the Real Estate Division. LAHD shall monitor compliance every six months during the term of the</p> | <p><b>Implementation:</b> Tenant, LAHD</p> <p><b>Monitoring and Reporting:</b> LAHD Environmental Management and Real Estate Divisions</p>                                     |

| Mitigation Measures   | Timing and Methods   | Responsible Parties |
|---|--|---------------------|
| <p>promulgated by CARB regarding at-berth emissions. The following exceptions apply to this measure:</p> <ol style="list-style-type: none"> <li>(1) During any portion of a vessel visit that qualifies as a “safety and emergency event” under California Code of Regulations, Title 17, section 93130.8, subdivision (a).</li> <li>(2) During any portion of a vessel visit that qualifies as “commissioning” under California Code of Regulations, Title 17, section 93130.8, subdivision (c).</li> <li>(3) During any portion of a vessel visit that occurs during either a vessel-side equipment failure or a terminal-side equipment failure. A “terminal-side equipment failure” shall be deemed to occur when the terminal or LAHD have installed shoreside control equipment and maintains that equipment according to manufacturer recommendations, but that equipment experiences an unexpected failure at the time during the vessel visit for which the equipment failure is claimed. In addition, a “terminal-side equipment failure” cannot be claimed unless arrangements are promptly made to ensure that repair, replacement, or servicing of the failed equipment will be completed as soon as possible. A “vessel-side equipment failure” shall be deemed to occur when a vessel owner or operator has installed on-board equipment to connect with shoreside control equipment and maintains that onboard equipment according to manufacturer recommendations, but that on-board equipment experiences an unexpected failure at the time during the vessel visit for which the equipment failure is claimed. In addition, a “vessel-side equipment failure” cannot be claimed unless arrangements are promptly made to ensure that repair, replacement, or servicing of the failed on-board equipment will be completed as soon as possible. Necessary documentation to substantiate these exceptions includes, at minimum, the dates and times of the failure(s); any relevant correspondence documenting the equipment failure consistent with the definitions above; evidence that the equipment at issue has been maintained according to manufacturer recommendations; evidence that the equipment failure was unexpected at the time during the vessel visit for which the equipment failure is claimed; and evidence that arrangements have been made to ensure that</li> </ol> | <p>Permit, including during any holdover, and submit semi-annual compliance reports as required by the Court and annual staff reports to the Board.</p> <p><b>Methods for Showing Compliance:</b> Documentation of compliance with requirements from Tenant, including verification under penalty of perjury. For compliance with the requirement that vessels owned, chartered, or operated by China Shipping shall use AMP, Tenant shall provide a list of all vessels owned, chartered, and operated by China Shipping that visited the terminal during the reporting period and if applicable, confirm in writing under penalty of perjury that any vessels that did not connect to AMP are not owned, chartered, or operated by China Shipping. For application of exceptions, documentation shall be submitted from the vessel operator to CARB and from the Port Person in Charge (PIC) and electrical staff that the exception was applicable.</p> |                     |

| Mitigation Measures  | Timing and Methods   | Responsible Parties   |
|--|--|---|
| <p>repair, replacement, or servicing will be completed as soon as possible. If a vessel visit qualifies for an exception above, but can still feasibly control emissions using a CARB-certified alternative control technology (i.e., a barge-based capture and control system), the vessel shall use that strategy, consistent with the requirements of MM AQ-31.</p>   |  |   |
| <p><b>MM AQ-10. Vessel Speed Reduction Program (VSRP).</b> All ships (100%) calling at Berths 97-109 shall comply with the expanded VSRP of 12 knots between 40 nm from Point Fermin and the Precautionary Area.</p>   | <p><b>Timing:</b> Throughout all operational years.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the lease amendment with Tenant.</p> <p><b>Reporting and Monitoring Methods:</b> Tenant shall submit bi-annual compliance forms under penalty of perjury to the Environmental Management Division. Enforcement shall include oversight by the Real Estate Division. LAHD shall monitor compliance every six months during the term of the Permit, including during any holdover, and submit semi-annual compliance reports as required by the Court and annual staff reports to the Board.</p> <p><b>Methods for Showing Compliance:</b> Documentation of compliance with requirements and terminal tariff from Tenant, including verification under penalty of perjury.</p> | <p><b>Implementation:</b> Tenant, LAHD</p> <p><b>Monitoring and Reporting:</b> LAHD Environmental Management and Real Estate Divisions</p>              |
| <p><b>MM AQ-11. Low-Sulfur Fuel.</b> 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 analysis:</p> <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> | <p><b>Timing:</b> Throughout all operational years.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the lease amendment with Tenant.</p> <p><b>Reporting and Monitoring Methods:</b> N/A (Completed)</p>   | <p><b>Implementation:</b> Tenant, LAHD</p> <p><b>Monitoring and Reporting:</b> LAHD Wharfingers, Environmental Management and Real Estate Divisions</p> |

| Mitigation Measures  | Timing and Methods  | Responsible Parties   |
|--|---|---|
| <p><b>MM AQ-12. Slide Valve.</b> Ships calling at Berths 97-109 shall be equipped with slide valves or equivalent on main engines in the following percentages:</p> <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>   | <p><b>Timing:</b> Throughout all operational years.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the lease amendment with Tenant.</p> <p><b>Reporting and Monitoring Methods:</b> Tenant shall submit bi-annual tenant compliance reports under penalty of perjury to the Environmental Management Division. Enforcement shall include oversight by the Real Estate Division. LAHD shall monitor compliance every six months during the term of the Permit, including during any holdover, and submit semi-annual compliance reports as required by the Court and annual staff reports to the Board.</p> <p><b>Methods for Showing Compliance:</b> Documentation of compliance with requirements from Tenant, including verification under penalty of perjury.</p> | <p><b>Implementation:</b> Tenant, LAHD</p> <p><b>Monitoring and Reporting:</b> LAHD, Environmental Management and Real Estate Divisions</p> |
| <p><b>MM AQ-13. Reroute Cleaner Ships.</b> 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.</p>  | <p><b>Timing:</b> Throughout all operational years.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the lease amendment with Tenant.</p> <p><b>Reporting and Monitoring Methods:</b> Tenant shall submit bi-annual compliance reports under penalty of perjury to the Environmental Management Division. Enforcement shall include oversight by the Real Estate Division. LAHD shall monitor compliance every six months during the term of the Permit, including during any holdover, and submit semi-annual compliance reports as required by the Court and annual staff reports to the Board.</p> <p><b>Methods for Showing Compliance:</b> Documentation of compliance with requirements from Tenant, including verification under penalty of perjury.</p>        | <p><b>Implementation:</b> Tenant, LAHD</p> <p><b>Monitoring and Reporting:</b> LAHD Environmental Management and Real Estate Divisions</p>  |
| <p><b>MM AQ-14. New Vessel Build.</b> 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,</p> | <p><b>Timing:</b> Throughout all operational years.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the lease amendment with Tenant.</p> <p><b>Reporting and Monitoring Methods:</b> This measure shall be incorporated into the lease with tenant. Tenant shall submit bi-annual tenant compliance reports under</p>   | <p><b>Implementation:</b> Tenant, LAHD</p> <p><b>Monitoring and Reporting:</b> LAHD Environmental Management and Real Estate Divisions</p>  |

| Mitigation Measures  | Timing and Methods  | Responsible Parties  |
|--|---|--|
| <p>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>  | <p>penalty of perjury to the Environmental Management Division Enforcement shall include oversight by the Real Estate Division. LAHD shall monitor compliance every six months during the term of the Permit, including during any holdover, and submit semi-annual compliance reports as required by the Court and annual staff reports to the Board.</p> <p><b>Methods for Showing Compliance:</b> Documentation of compliance with requirements from Tenant, including verification under penalty of perjury.</p>  |  |
| <p><b>MM AQ-15. Yard Tractors.</b> 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 are equivalent to or cleaner 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 are equivalent to or cleaner 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> | <p><b>Timing:</b> Throughout all operational years.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the lease amendment with Tenant.</p> <p><b>Reporting and Monitoring Methods:</b> Tenant shall submit bi-annual compliance forms under penalty of perjury to the Environmental Management Division. Enforcement shall include oversight by the Real Estate Division. LAHD shall monitor compliance every six months during the term of the Permit, including during any holdover, and submit semi-annual compliance reports as required by the Court and annual staff reports to the Board.</p> <p><b>Methods for Showing Compliance:</b> Documentation of compliance with requirements from Tenant, including verification under penalty of perjury. Documentation shall include manufacturer information and/or CARB certification at the time of purchase or replacement.</p> | <p><b>Implementation:</b> Tenant, LAHD</p> <p><b>Monitoring and Reporting:</b> LAHD Environmental Management and Real Estate Divisions</p> |
| <p><b>MM AQ-17. Cargo Handling Equipment.</b> 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 are equivalent to or cleaner than Tier 4 final off-road engine emission rates for PM and NOx.</li> </ul>   | <p><b>Timing:</b> Throughout all operational years.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the lease amendment with Tenant.</p> <p><b>Reporting and Monitoring Methods:</b> Tenant shall submit bi-annual compliance forms under penalty of perjury to the Environmental Management Division. Enforcement shall include oversight by the Real Estate Division. LAHD shall monitor compliance every six months during the term of the Permit, including during</p>  | <p><b>Implementation:</b> Tenant, LAHD</p> <p><b>Monitoring and Reporting:</b> LAHD Environmental Management and Real Estate Divisions</p> |

| Mitigation Measures   | Timing and Methods  | Responsible Parties |
|---|---|---------------------|
| <ul style="list-style-type: none"> <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 are equivalent to or cleaner 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 are equivalent to or cleaner than Tier 4 final off-road engine emission rates for PM and NOx.</li> </ul> <p><u>Topicks</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 are equivalent to or cleaner 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 are equivalent to or cleaner 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 are equivalent to or cleaner 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 are equivalent to or cleaner 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</li> </ul> | <p>any holdover, and submit semi-annual compliance reports as required by the Court and annual staff reports to the Board.</p> <p><b>Methods for Showing Compliance:</b> Documentation of compliance with requirements from Tenant, including verification under penalty of perjury. Documentation shall include manufacturer information and/or CARB certification at the time of purchase or replacement.</p> |                     |

| Mitigation Measures  | Timing and Methods   | Responsible Parties  |
|--|--|--|
| <p>with diesel-electric hybrid units with diesel engines that are equivalent to or cleaner than Tier 4 final off-road engine emission rates for PM and NOx.</p> <ul style="list-style-type: none"> <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 is equivalent to or cleaner than Tier 4 final off-road engine emission rates for PM and NOx.</li> </ul> <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> |  |  |
| <p><b>MM AQ-17. Cargo-Handling Equipment (pilot project).</b> The 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.</p>  | <p><b>Timing:</b> Throughout all operational years.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the lease amendment with Tenant.</p> <p><b>Reporting and Monitoring Methods:</b> Tenant shall submit bi-annual compliance forms under penalty of perjury to the Environmental Management Division. Enforcement shall include oversight by the Real Estate Division. LAHD shall monitor compliance every six months during the term of the Permit, including during any holdover, and submit semi-annual compliance reports as required by the Court and annual staff reports to the Board.</p> <p><b>Methods for Showing Compliance:</b> Documentation of compliance with requirements from Tenant, including verification under penalty of perjury.</p> | <p><b>Implementation:</b> Tenant and LAHD</p> <p><b>Monitoring and Reporting</b><br/>LAHD Environmental Management and Real Estate Divisions</p> |
| <p><b>MM AQ-18. Yard Locomotives at Berth 121-131 Rail Yard.</b> 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).</p>  | <p><b>Timing:</b> 2015</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the PHL lease.</p> <p><b>Reporting and Monitoring Methods:</b> N/A (Completed)</p>  | <p><b>Implementation:</b> LAHD</p> <p><b>Monitoring and Reporting:</b><br/>LAHD Environmental</p>  |

| Mitigation Measures   | Timing and Methods  | Responsible Parties  |
|---|---|--|
| <p><b>MM AQ-19. Clean Truck Program.</b> 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:</p> <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>   | <p><b>Timing:</b> Throughout Phases II and III operational years.</p> <p><b>Implementation Methods:</b> Gate modification provisions shall be incorporated into the lease with Tenant. The Tenant shall install appropriate gate modifications to comply with the CTP. LAHD shall be responsible for the trucks.</p> <p><b>Reporting and Monitoring Methods:</b> N/A (Completed)</p>  | <p>Management and Real Estate Divisions</p> <p><b>Implementation:</b> LAHD for trucks and Tenant for gate modifications.</p> <p><b>Monitoring and Reporting:</b> LAHD Environmental Management and Real Estate Divisions</p> |
| <p><b>MM AQ-21. Truck Idling Reduction Measure.</b> 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.</p> | <p><b>Timing:</b> Throughout all operational years.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the lease amendment with Tenant.</p> <p><b>Reporting and Monitoring Methods:</b> Tenant shall submit bi-annual compliance reports to the Environmental Management Division. Enforcement shall include oversight by the Real Estate Division. LAHD shall monitor compliance every six months during the term of the Permit, including during any holdover, and submit semi-annual compliance reports as required by the Court and annual staff reports to the Board.</p> <p><b>Methods for Showing Compliance:</b> Documentation of compliance with requirements from Tenant, including verification under penalty of perjury.</p> | <p><b>Implementation:</b> Tenant, LAHD</p> <p><b>Monitoring and Reporting:</b> LAHD Environmental Management and Real Estate Divisions</p>   |
| <p><b>MM AQ-23. Compact Fluorescent Light Bulbs.</b> All interior terminal building lighting shall use compact fluorescent light bulbs and the tenant shall maintain and replace all compact fluorescent bulbs.</p>   | <p><b>Timing:</b> Throughout Phases II and III construction.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the LAHD contract specifications for all construction work to reduce the impact of construction diesel emissions. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases.</p> <p><b>Reporting and Monitoring Methods:</b> N/A (Completed)</p>   | <p><b>Implementation:</b> LAHD through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p>   |

| Mitigation Measures   | Timing and Methods  | Responsible Parties  |
|---|---|--|
| <p><b>MM AQ-25. LEED.</b> The main terminal building shall obtain the Leadership in Energy and Environmental Design (LEED) gold certification level. LEED certification is made at one of the following four levels, in ascending order of environmental sustainability: certified, silver, gold, and platinum. The certification level is determined on a point-scoring basis, where various points are given for design features that address the following areas (U.S. Green Building Council, 2005):</p> <ul style="list-style-type: none"> <li>• Sustainable Sites</li> <li>• Water Efficiency</li> <li>• Energy &amp; Atmosphere</li> <li>• Materials &amp; Resources</li> <li>• Indoor Environmental Quality</li> <li>• Innovation &amp; Design Process</li> </ul> <p>As a result, a LEED-certified building will be more energy efficient, thereby reducing GHG emissions compared to a conventional building design.</p> | <p><b>Timing:</b> Throughout construction of the main terminal building (i.e., potential future building).</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the LAHD contract specifications for all construction work. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases.</p> <p><b>Reporting and Monitoring Methods:</b> Not yet applicable (i.e., potential future building)</p> <p><b>Methods for Showing Compliance:</b> Documentation of compliance as part of engineering and design plans and completion of construction project(s).</p> | <p><b>Implementation:</b> LAHD through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p> |
| <p><b>MM AQ-26. Compact Fluorescent Light Bulbs:</b> 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.</p>   | <p><b>Timing:</b> Throughout all operational years.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the lease amendment with Tenant. Initial bulbs will be supplied by the LAHD. Tenant shall be responsible for replacing such bulbs in kind.</p> <p><b>Reporting and Monitoring Methods:</b> N/A (Completed):</p>   | <p><b>Implementation:</b> Tenant, LAHD</p> <p><b>Monitoring and Reporting:</b> LAHD Environmental Management and Real Estate Divisions</p>                                     |
| <p><b>MM AQ-27. Energy Audit:</b> The tenant shall conduct a third-party energy audit every five 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.</p>  | <p><b>Timing:</b> Throughout all operational years.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the lease amendment with Tenant.</p> <p><b>Reporting and Monitoring Methods:</b> Tenant shall submit bi-annual compliance reports under penalty of perjury to the Environmental Management Division. Enforcement shall include oversight by the Real Estate Division. LAHD shall monitor compliance every six months during the term of the Permit, including during any holdover, and submit semi-annual compliance reports as required by the Court and annual staff reports shall be made available to the Board.</p> <p><b>Methods for Showing Compliance:</b> Submission of Energy Audit and documentation of compliance with</p>            | <p><b>Implementation:</b> Tenant, LAHD</p> <p><b>Monitoring and Reporting:</b> LAHD Environmental Management and Real Estate Divisions</p>                                     |

| Mitigation Measures   | Timing and Methods   | Responsible Parties  |
|---|--|--|
| <p><b>MM AQ-28. Solar Panels.</b> The applicant shall install solar panels on the administration building.</p>  | <p>requirements and recommendations from Tenant, including verification under penalty of perjury.</p> <p><b>Timing:</b> Throughout construction of the administration building (i.e., potential future building).</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the LAHD contract specifications for all construction work. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases.</p> <p><b>Reporting and Monitoring Methods:</b> Not yet applicable (i.e., potential future building)</p> <p><b>Methods for Showing Compliance:</b> Documentation of compliance as part of engineering and design plans and completion of construction project(s).</p> | <p><b>Implementation:</b> LAHD through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p> |
| <p><b>MM AQ-29. Recycling.</b> 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:</p> <ul style="list-style-type: none"> <li>• white and colored paper;</li> <li>• post-it notes;</li> <li>• magazines;</li> <li>• newspaper;</li> <li>• file folders;</li> <li>• all envelopes including those with plastic windows;</li> <li>• all cardboard boxes and cartons;</li> <li>• all metal and aluminum cans;</li> <li>• glass bottles and jars; and;</li> <li>• (j) all plastic bottles.</li> </ul> | <p><b>Timing:</b> Throughout all operational years.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the lease amendment with Tenant.</p> <p><b>Reporting and Monitoring Methods:</b> N/A (Completed)</p>   | <p><b>Implementation</b><br/>Tenant, LAHD</p> <p><b>Monitoring and Reporting</b><br/>LAHD Environmental Management and Real Estate Divisions</p>                               |

| Mitigation Measures   | Timing and Methods  | Responsible Parties  |
|---|---|--|
| <p><b>MM AQ-30. Tree Planting.</b> The applicant shall plant shade trees around the administration building. All shade trees shall be maintained over the life of the project.</p>  | <p><b>Timing:</b> Throughout construction of the administration building (i.e., potential future building).</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the LAHD contract specifications for all construction work. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications.</p> <p><b>Reporting and Monitoring Methods:</b> Not yet applicable (i.e., potential future building).</p> <p><b>Methods for Showing Compliance:</b> Documentation of compliance as part of landscaping plans and completion of construction project(s).</p>  | <p><b>Implementation:</b> LAHD through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p> |
| <p><b>MM AQ-31. At-Berth Regulations.</b> All vessels calling at Berths 97-109 shall be subject to all applicable At-Berth Regulations (CCR Title 17, Sections 93130-93130.22), and future regulations that may be promulgated by CARB regarding at-berth emissions, while docked at the berth.</p> | <p><b>Timing:</b> Throughout all operational years, commencing on the effective date of a new lease amendment between the Tenant and the LAHD.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the lease amendment with Tenant.</p> <p><b>Reporting and Monitoring Methods:</b> Tenant shall submit bi-annual compliance forms under penalty of perjury to the Environmental Management Division; such documentation shall include all reports sent to CARB and any responses from CARB in compliance with the At-Berth Regulations and future regulations that may be promulgated by CARB regarding at-berth emissions, for all vessel visits while docked at the berth. Enforcement shall include oversight by the Real Estate Division. LAHD shall monitor compliance every six months during the term of the Permit, including during any holdover, and submit semi-annual compliance reports as required by the Court and annual staff reports to the Board.</p> | <p><b>Implementation:</b> Tenant, LAHD</p>   |

| Mitigation Measures  | Timing and Methods  | Responsible Parties                        |
|--|---|--|
| <p><b>MM AQ-32 Alternative Control Technology</b></p> <p>All non-AMP capable vessels that are not subject to MM AQ-9, and all AMP-capable vessels that are unable to connect to AMP for the duration of a vessel visit for reasons allowed by MM AQ-9, calling at Berths 97-109 shall use an alternative CARB-approved Emission Control Strategy (“Alternative CAECS”) (e.g., barge-based capture and control system as an integrated unit) while docked at berth.</p> <p>If a zero-emission or zero-emission-powered Alternative CAECS is available, that shall be used for the vessel visit. If no zero-emission or zero-emission-powered Alternative CAECS is available, but a non-diesel-powered Alternative CAECS is available, that non-diesel-powered technology shall be used for the vessel visit. If a non-diesel-powered Alternative CAECS is not available, then the cleanest available Alternative CAECS shall be used for the vessel visit.</p> <p>All efforts shall be made to ensure Alternative CAECS is available, i.e., physically present and capable of working in compliance with applicable law and manufacturer specifications, during a vessel visit. The term “available” shall be determined by the operator of the Alternative CAECS at the time the vessel operator or agent orders the Alternative CAECS for use at a vessel visit. If Alternative CAECS requires fuel for operation, the term “available” shall include availability of fuel. Documentation shall be maintained to demonstrate all efforts have been made to procure, deliver, and maintain Alternative CAECS so that such equipment is available.</p> <p>“Vessels,” “berth,” and “visits” shall be defined as provided in California Code of Regulations, Title 17, section 93130.2, subdivision (b), and applicable future regulations that may be promulgated by CARB regarding at-berth emissions.</p> <p>For purposes of this mitigation measure only, use of an Alternative CAECS shall be subject to the following exceptions:</p> <ol style="list-style-type: none"> <li>1) During any portion of a vessel visit that qualifies as a “safety and emergency event” under California Code of Regulations, Title 17, section 93130.8, subdivision (a)</li> </ol> | <p><b>Methods for Showing Compliance:</b> Documentation of compliance with requirements from Tenant, including verification under penalty of perjury.</p> <p><b>Timing:</b> Throughout all operational years, commencing on the effective date of a new lease amendment between the Tenant and the LAHD.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the lease amendment with Tenant.</p> <p><b>Reporting and Monitoring Methods:</b> Tenant shall submit bi-annual compliance forms under penalty of perjury to the Environmental Management Division; such documentation shall include, but not limited to, all documentation and reports regarding planning, scheduling, and/or ordering Alternative CAECS by the vessel operator or agent consistent with the notification and operational requirements as shown in the CARB Executive Orders for Alternative CAECS; all reports sent to CARB and any responses from CARB in compliance with the At-Berth Regulations and future regulations that may be promulgated by CARB regarding at-berth emissions and the use and/or testing of Alternative CAECS for all vessel visits while docked at the berth. Enforcement shall include oversight by the Real Estate Division. LAHD shall monitor compliance every six months during the term of the Permit, including during any holdover, and submit annual staff reports to the Board.</p> <p><b>Methods for Showing Compliance:</b> Documentation of compliance with requirements from Tenant, including verification under penalty of perjury. Tenant shall provide a list of all non-AMP capable vessels that visited the terminal and all vessels that used Alternative CAECS during the vessel visit for the reporting period. For application of exceptions, documentation shall be submitted from the vessel operator or agent to CARB that the exception was applicable. LAHD shall provide a list of Alternative CAECS to the tenant on an annual basis, including information on the system, operator, and technology type, based on available data and information published in CARB Executive Orders.</p> | <p><b>Implementation:</b> Tenant, LAHD</p> |

| Mitigation Measures  | Timing and Methods | Responsible Parties |
|--|--------------------|---------------------|
| <p>(2025), to the extent that that event interferes with the control technology.</p> <p>2) During any portion of a vessel visit that occurs during an equipment failure of the alternative emission control technology. An “equipment failure” shall be deemed to occur when the equipment experiences an unexpected failure at the time during the vessel visit for which the equipment failure is claimed. In addition, an “equipment failure” cannot be claimed unless arrangements are promptly made to ensure that repair, replacement, or servicing of the failed equipment will be completed as soon as possible. Necessary documentation to substantiate these exceptions includes, at minimum, the dates and times of the failure(s); any relevant correspondence documenting the equipment failure consistent with the definition above; evidence that the equipment at issue has been maintained according to manufacturer recommendations; evidence that the equipment failure was unexpected at the time during the vessel visit for which the equipment failure is claimed; and evidence that arrangements have been made to ensure that repair, replacement, or servicing will be completed as soon as possible.</p> <p>3) During any portion of a vessel visit that qualifies as a research exception to accommodate testing for zero-emission, zero-emission-powered, or non-diesel-powered Alternative CAECS in compliance with California Code of Regulations, Title 17, sections 93130.8(d) and 93130.10(e).</p> <p>4) During any portion of a vessel visit that occurs which does not qualify for an exception as defined in parts 1), 2), and 3) above, and the number of non-qualifying vessel visits exceeds three or more in a given calendar year, the Executive Director shall modify the exceptions under parts 1), 2), and 3) above to be in accordance with the requirements of MM AQ-31 At-Berth Regulations.</p> |                    |                     |

| Mitigation Measures   | Timing and Methods   | Responsible Parties  |
|---|--|--|
| <p><b>Lease Measures</b></p> <p><b>LM AQ-1. Cleanest Available Cargo Handling Equipment.</b><br/>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> | <p><b>Timing and Methods</b></p> <p><b>Timing:</b> Throughout all operational years.</p> <p><b>Implementation Methods:</b> This lease measure shall be incorporated into the lease amendment with Tenant.</p> <p>Tenant shall submit to the Environmental Management Division an equipment inventory and 10-year procurement plan prior to any purchase of equipment, including equipment identified in mitigation measures MM AQ-15 and MM AQ-17. The inventory and procurement plan shall be updated by the Tenant annually thereafter, and shall address changes to CARB regulations and other applicable cargo handling equipment regulations, and provided to the Environmental Management Division. LAHD shall monitor compliance every six months during the term of the Permit, including during any holdover, and submit semi-annual compliance reports as required by the Court and annual staff reports shall be made available to the Board.</p> | <p><b>Responsible Parties</b></p> <p><b>Implementation:</b> Tenant, LAHD</p> <p><b>Monitoring and Reporting:</b><br/>LAHD Environmental Management and Real Estate Divisions</p> |
| <p><b>LM AQ-2. Priority Access for Drayage.</b> A priority access system shall be implemented at the terminal to provide preferential access to zero- and near-zero-emission trucks.</p>  | <p><b>Timing:</b> Throughout all operational years.</p> <p><b>Implementation Methods:</b> N/A (Completed)</p>  | <p><b>Implementation:</b> Tenant, LAHD</p> <p><b>Monitoring and Reporting:</b><br/>LAHD Environmental Management and Real Estate Divisions</p>                                   |

| Mitigation Measures   | Timing and Methods   | Responsible Parties  |
|---|--|--|
| <p><b>LM AQ-3. Demonstration of Zero-Emissions Equipment.</b><br/>                     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 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.</p>  | <p><b>Timing:</b> Commencing on July 3, 2024, and as specified in the lease measure.</p> <p><b>Implementation Methods:</b> This lease measure shall be incorporated into the lease amendment with Tenant.</p> <p>LAHD Environmental Management Division shall coordinate with tenant to establish scope and duration of demonstrations with dates for progress reports adjusted to align with the 2030 goal. LAHD shall monitor compliance every six months during the term of the Permit, including during any holdover, and submit semi-annual compliance reports as required by the Court and annual staff reports shall be made available to the Board.</p>  | <p><b>Implementation:</b> Tenant, LAHD</p> <p><b>Monitoring and Reporting:</b><br/>                     LAHD Environmental Management and Real Estate Divisions</p>    |
| <p><b>LM AQ-22. Periodic Review of New Technology and Regulations.</b> 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, involving a change in permit term or premises, 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> | <p><b>Timing:</b> Throughout all operational years.</p> <p><b>Implementation Methods:</b> This lease measure shall be incorporated into the lease amendment with Tenant.</p> <p>Feasibility reports shall take place at the time of the Port’s consideration of any lease amendment, involving a change in permit term or premises, or facility modification for the Berth 97-109 property or every seven years if no amendment or modification has been considered. Feasibility reports shall include any Port-identified or other new emissions-reduction technologies and shall address CARB regulations and other applicable regulations in place at that time and any modifications to those regulations. LAHD shall monitor compliance every six months during the term of the Permit, including during any holdover, and submit semi-annual compliance reports as required by the Court, and annual staff reports shall be made available to the Board.</p> | <p><b>Implementation:</b> Tenant and LAHD</p> <p><b>Monitoring and Reporting:</b><br/>                     LAHD Environmental Management and Real Estate Divisions</p> |

| Mitigation Measures  | Timing and Methods  | Responsible Parties  |
|--|---|--|
| <p><b>LM AQ-24. General Mitigation Measure.</b> For any of the above mitigation measures (MM AQ-9 through AQ-21 and MM AQ-32), 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.</p>   | <p><b>Timing:</b> Throughout all operational years.</p> <p><b>Implementation Methods:</b> This lease measure shall be incorporated into the lease with tenant.</p> <p>If the tenant proposes replacing any mitigation measure, the tenant must first make a formal request to the Port's Executive Director. The Executive Director will then consider the proposal. LAHD shall monitor compliance every six months during the term of the Permit, including during any holdover, and submit semi-annual compliance reports as required by the Court and annual staff reports shall be made available to the Board.</p> | <p><b>Implementation:</b> Tenant and LAHD</p> <p><b>Monitoring and Reporting:</b> LAHD Wharfingers, Environmental Management, and Real Estate Divisions</p>                    |
| Mitigation Measures  | Timing and Methods  | Responsible Parties  |
| <b>Biological Resources</b>  |   |  |
| <p><b>MM BIO-1. Mitigation Credits.</b> Compensate for loss of marine habitat (EFH) and loss of benthic communities in the West Basin through use of existing mitigation bank credits.</p>   | <p><b>Timing:</b> Throughout Phases II and III operational years.</p> <p><b>Implementation Methods:</b> This measure shall be the responsibility of the Environmental Management Division (EMD) and Engineering Division.</p> <p><b>Reporting and Monitoring Methods:</b> N/A (Completed)</p>   | <p><b>Implementation:</b> LAHD</p> <p><b>Monitoring and Reporting:</b> LAHD Environmental Management Division and Engineering Division.</p>                                    |
| <p><b>MM BIO-2. Vessel Speed Reduction Program.</b> 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.</p>  | <p>For implementation, see MM AQ-10. Vessel Speed Reduction Program (VSRP).</p>   | <p>For implementation, see MM AQ-10. Vessel Speed Reduction Program (VSRP).</p>  |
| <p><b>MM BIO-3. Noise Reduction During Pile Driving.</b> 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</p> | <p><b>Timing:</b> Throughout Phases II and III construction.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into LAHD contract specifications for all construction work. The construction contractor shall instruct construction personnel as part of normal construction procedures. LAHD shall arrange for the presence of the monitor during construction activity.</p> <p><b>Reporting and Monitoring Methods:</b> N/A (Completed)</p>  | <p><b>Implementation:</b> LAHD through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p> |

| Mitigation Measures   | Timing and Methods   | Responsible Parties  |
|---|--|--|
| <p>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>   |  |  |
| <b>Cultural Resources</b>   |  |  |
| <p><b>MM CR-1. Cultural Resources.</b> 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. 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> | <p><b>Timing:</b> Throughout Phases II and III construction.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into LAHD contract specifications for all construction work. The construction contractor shall instruct construction personnel as part of normal construction procedures. LAHD shall arrange for the presence of the monitor during construction activity.</p> <p><b>Reporting and Monitoring Methods:</b> N/A (Completed)</p> | <p><b>Implementation:</b> LAHD through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p> |
| <b>Geological Resources</b>   |  |  |
| <p><b>MM GEO-1. Emergency Response Planning.</b> 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</p>   | <p><b>Timing:</b> At beginning of Construction and within first year of operation (with annual updates).</p> <p><b>Implementation Methods (Construction):</b> LAHD Engineering Division shall provide procedures for inclusion in bid specifications. The contractor(s) shall</p>  | <p><b>Implementation:</b> LAHD through Construction Contractor; Tenant and LAHD for operations.</p> <p><b>Monitoring and Reporting:</b> Environmental Management</p>           |

| Mitigation Measures   | Timing and Methods  | Responsible Parties  |
|---|---|--|
| <p>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> <p>Such procedures shall be included in any bid specifications for construction or operations personnel, with a copy of such bid specifications to be provided to LAHD, including a completed copy of its operations emergency response plan prior to commencement of construction activities and/or operations.</p> | <p>submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases.</p> <p><b>Reporting and Monitoring Methods (Construction):</b><br/>N/A (Completed)</p> <p><b>Implementation Methods (Operations):</b> This measure shall be incorporated into the lease amendment with Tenant.</p> <p><b>Reporting and Monitoring Methods: Operations:</b><br/>Tenant and LAHD shall prepare an emergency response plan for submittal to the LAHD within first year of operation. Tenant shall submit any annual update to the Environmental Management Division. Enforcement shall include oversight by the Real Estate Division. LAHD shall monitor compliance annually during the term of the Permit, including during any holdover, and submit semi-annual compliance reports as required by the Court and annual staff reports to the Board.</p> <p><b>Methods for Showing Compliance:</b> Submission of emergency response plan and any annual updates.</p> | <p>Division, Port Operations, Construction Management Division, Real Estate Division.</p>  |
| <b>Greenhouse Gas Emissions and Climate Change</b>  |   |  |
| <p><b>MM GHG-1. LED Lighting.</b> 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 by 2023.</p>   | <p><b>Timing:</b> Tenant must complete replacement of lighting by December 31, 2023.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the lease amendment with Tenant. Tenant shall implement MM GHG-1 through its own construction contractor.</p> <p><b>Reporting and Monitoring Methods:</b> N/A (Completed)</p>  | <p><b>Implementation:</b> Tenant</p> <p><b>Monitoring and Reporting:</b><br/>LAHD Environmental Management and Engineering Divisions</p>       |
| <p><b>MM GHG-2. GHG Reduction Offsets.</b> The Tenant and/or LAHD shall be required to purchase and retire carbon offsets related to activities that reduce, avoid, destroy, or sequester an amount of GHG emissions in an off-site location to offset the equivalent amount of GHG emissions generated by the Project in excess of the LAHD's significance threshold of 10,000 metric tons. From the first year of the Permit amendment, in 2026, through the end of the</p>   | <p><b>Timing:</b> Throughout all operational years, commencing on effective date of a new lease amendment between the Tenant and the LAHD.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the lease amendment with Tenant and shall be implemented per its terms.</p>  | <p><b>Implementation:</b> LAHD, Tenant</p> <p><b>Monitoring and Reporting:</b><br/>LAHD Environmental Management and Real Estate Divisions</p> |

| Mitigation Measures   | Timing and Methods  | Responsible Parties |
|---|---|---------------------|
| <p>term of the Permit in 2045, the Tenant and/or LAHD shall purchase and retire carbon offsets each year in an amount that would be the equivalent of the Project’s estimated residual GHG emissions. The estimated residual emissions for each calendar year shall be based upon the calculations in Appendix C of the Final Revised SEIR prepared for the Revised Project except as adjusted in accordance with paragraph a) or b), below.</p> <p>The LAHD is in the process of developing a Greenhouse Gas Program. The Program shall be used for GHG-reducing projects and programs approved by the Port of Los Angeles. If that Program is established during the term of the Permit, the Tenant and/or LAHD shall have the option to offset the required amount of GHG emissions through a funding contribution to the Greenhouse Gas Program rather than towards purchasing carbon offsets from a CARB-recognized registry.</p> <p>While the LAHD Greenhouse Gas Program is currently under development, the Tenant and/or LAHD shall purchase and retire carbon offsets from a CARB-recognized offset registry as follows:</p> <p>Carbon offsets: The Tenant and/or LAHD shall purchase and retire carbon offsets from a CARB-recognized registry to ensure that offsets will result in real, permanent, additional, quantifiable, verifiable, and enforceable reductions. The carbon offsets shall be verifiable and enforceable in accordance with the registry’s applicable standards, practices, or protocols.</p> <p>The order of priority for purchasing (any one or more) carbon offsets shall be considered as follows:</p> <ul style="list-style-type: none"> <li>i. Originating within the local area;</li> <li>ii. Originating within the South Coast Air Basin;</li> <li>iii. Originating within the state of California; or</li> <li>iv. If sufficient local and in-state offsets are not available, conforming national offsets registered with a CARB-recognized registry shall be purchased.</li> </ul> <p>Adjustment of the Project’s Required Offsets through Other Verified GHG Emission Reductions: The Tenant and/or LAHD may pursue the following modifications to the Project’s total estimated GHG emissions identified in this measure. These modifications may be pursued in conjunction with or independent of each other on an up to annual basis.</p> <p>a) <i>Adjustment in GHG Emissions</i></p> | <p><b>Reporting and Monitoring Methods:</b> . Tenant shall submit bi-annual compliance forms under penalty of perjury to the Environmental Management Division. Enforcement shall include oversight by the Real Estate Division. LAHD shall monitor compliance every six months during the term of the Permit, including during any holdover, and submit semi-annual compliance reports as required by the Court and annual staff reports to the Board.</p> <p><b>Methods for Showing Compliance:</b> Proof of purchase of credits from CARB-recognized registry or LAHD Greenhouse Gas Program, if approved, each year by Tenant or other entity, per the agreement of LAHD, equivalent to the Project’s estimated residual GHG emissions for that year, unless revised in compliance with sections (a) or (b) of measure.</p> |                     |

| Mitigation Measures   | Timing and Methods | Responsible Parties |
|---|--------------------|---------------------|
| <p>In the event of changes in activities, efficiency, reduced operations, regulations or for any other purpose, an adjustment of the required carbon offsets may be requested based on an evaluation of actual GHG emissions rather than future projected GHG emission calculations in the RSEIR. If the actual GHG emissions, minus the 2008 Actual Baseline, do not exceed the significance threshold of 10,000 mty, no carbon offsets shall be required. To adjust the required number of carbon offsets for purchase by the Tenant, the Tenant shall make a request in writing to the LAHD for review and approval for the calendar year under consideration and shall submit a report within 60 days that quantifies the actual greenhouse gas emissions by an expert or an independent, qualified third-party. The evaluation of actual greenhouse gas emissions must be performed using acceptable industry standards and protocols for all sources that were included in the Project's GHG emissions calculations under Impact GHG-1. LAHD review shall occur within 30 days of receipt of the submitted report. Any expenses incurred by LAHD in processing the Tenant's request, including retaining an independent third-party verifier to peer review the report, shall be borne by the Tenant. Alternatively, LAHD may implement a review for its own purpose, subject to the same quantification process described above, to adjust GHG emissions at any time during the life of the Project.</p> <p>or</p> <p><i>b) Implementation of Additional GHG Reduction Methods</i><br/>In addition, the Tenant may request a reevaluation of required carbon offsets to be purchased according to this paragraph. The Tenant may implement different and additional GHG reduction methods if new technology and/or other feasible measures become available during the term of the Permit. To adjust the Tenant's required number of carbon offsets for purchase, the Tenant shall identify such additional GHG reduction actions and must quantify the GHG emission reductions from these GHG reduction actions by an independent, qualified third-party verifier. Once the GHG reduction actions are found to be feasible and are reviewed and approved by LAHD staff, the Tenant may request that LAHD reduce its required purchase of carbon offsets by the equivalent amount of demonstrated reduction. Any expenses incurred by LAHD in processing the Tenant's request, including retaining a third-party verifier, shall be borne by the Tenant.</p> |                    |                     |

| Mitigation Measures  | Timing and Methods  | Responsible Parties   |
|--|---|---|
| <b>Ground Transportation</b>   |   |   |
| <p><b>MM TRANS-1. Avalon Boulevard and Harry Bridges Boulevard.</b> Provide an additional eastbound and westbound left-turn lane on Harry Bridges Boulevard. This measure shall be implemented by 2015.</p>  | <p><b>Timing:</b> Prior to 2015.</p> <p><b>Implementation Methods:</b> This measure shall be completed by the LAHD, with compliance reported to the Board of Harbor Commissioners.</p> <p><b>Reporting and Monitoring Methods:</b> N/A (Completed)</p>  | <p><b>Implementation:</b> LAHD</p> <p><b>Monitoring and Reporting:</b> LAHD Environmental Management and Engineering Divisions</p>  |
| <p><b>MM TRANS-2. Alameda and Anaheim Streets.</b> 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.</p>   | <p><b>Timing:</b> During the City's planned improvement project, in coordination with the Bureau of Engineering's construction schedule.</p> <p><b>Implementation Methods:</b> LAHD Engineering and Goods Movement Divisions will coordinate with the City of Los Angeles' Alameda Street Improvement Project which is being managed by the City's Bureau of Engineering. The project is also subject to LADOT approval; if LADOT approval is not obtained, then this mitigation measure would not be implemented.</p> <p><b>Reporting and Monitoring Methods:</b> LAHD shall submit semi-annual compliance reports as required by the Court and annual staff reports to the Board.</p> <p><b>Methods for Showing Compliance:</b> Documentation of compliance as part of improvement plans.</p> | <p><b>Implementation:</b> LAHD in coordination with the City's Bureau of Engineering and LADOT</p> <p><b>Monitoring and Reporting:</b> LAHD Environmental Management, Goods Movement, and Engineering Divisions</p> |
| <p><b>MM TRANS-3. John S. Gibson Boulevard and I-110 N/B Ramps.</b> 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.</p> | <p><b>Timing:</b> Within three years after the intersection LOS is measured as D or worse (measurements to begin in 2019 on an annual basis).</p> <p><b>Implementation Methods:</b> LAHD will conduct annual measurements of the intersection LOS beginning in 2019 on an annual basis.</p> <p><b>Reporting and Monitoring Methods:</b> LAHD shall submit semi-annual compliance reports as required by the Court and annual staff reports to the Board.</p> <p><b>Methods for Showing Compliance:</b> Documentation of compliance as part of improvement plans.</p>  | <p><b>Implementation:</b> LAHD in coordination with the City's Bureau of Engineering and LADOT</p> <p><b>Monitoring and Reporting:</b> LAHD Environmental Management, Goods Movement, and Engineering Divisions</p> |
| <p><b>MM TRANS-5. Broad Avenue and Harry Bridges Boulevard.</b> Provide an additional eastbound and westbound left-turn lane on Harry Bridges Boulevard. This measure shall be implemented by 2015.</p>  | <p><b>Timing:</b> Prior to 2015.</p>  | <p><b>Implementation:</b> LAHD</p> <p><b>Monitoring and Reporting:</b> LAHD Environmental</p>   |

| Mitigation Measures  | Timing and Methods   | Responsible Parties  |
|--|--|--|
|  | <p><b>Implementation Methods:</b> This measure shall be completed by the LAHD, with compliance reported to the Board of Harbor Commissioners.</p> <p><b>Reporting and Monitoring Methods:</b> N/A (Completed)</p>  | <p>Management and Engineering Divisions</p>  |
| <b>Groundwater and Soils</b>   |  |  |
| <p><b>MM GW-1. Site Remediation.</b> 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> | <p><b>Timing:</b> Prior to or during grading activities.</p> <p><b>Implementation Method:</b> Soil and groundwater remediation shall be completed such that contamination levels are below health screening levels established by OEHHA and/or applicable action levels established by the lead regulatory agency with jurisdiction over the site. Soil contamination waivers may be acceptable as a result of encapsulation (i.e., paving) and/or risk-based soil assessments but would be subject to the discretion of the lead regulatory agency.</p> <p><b>Reporting and Monitoring Methods:</b> N/A (Completed)</p> | <p><b>Implementation:</b> LAHD through Construction Contractor; Tenant if undertaking soil disturbing construction activities.</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division, Engineering Division, Real Estate Division. Environmental Management Division will conduct independent soil sampling as appropriate.</p> |
| <p><b>MM GW-2. Contamination Contingency Plan.</b> 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</p>   | <p><b>Timing:</b> Prior to demolition, grading, and construction activities.</p> <p><b>Implementation Method:</b> LAHD Engineering Division shall provide procedures for inclusion in bid specifications. The contractor(s) shall submit a Contamination Contingency Plan for review and approval</p>  | <p><b>Implementation:</b> LAHD through Construction Contractor; Tenant if undertaking soil disturbing construction activities.</p>   |

| Mitigation Measures   | Timing and Methods   | Responsible Parties   |
|---|--|---|
| <p>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's Chief Harbor Engineer, Director of Environmental Management, and Risk Management's 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.</p> <p>b) A photoionization detector (or other similar devices) shall be present during grading and excavation of suspected chemically impacted soil.</p> <p>c) Excavation of VOC-contaminated soil will require obtaining and complying with a South Coast Air Quality Management District Rule 1166 permit.</p> <p>d) The remedial option(s) 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.</p> <p>e) The extent of removal actions shall be determined on a site-specific basis. At a minimum, the chemically impacted area(s) 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.</p> <p>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.</p> <p>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 Occupational Safety and Health and Administration (OSHA)</p> | <p>by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Contingency Plan throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications.</p> <p>Soil and groundwater remediation shall be completed such that contamination levels are below health screening levels established by OEHHA and/or applicable action levels established by the lead regulatory agency with jurisdiction over the site. Soil contamination waivers may be acceptable as a result of encapsulation (i.e., paving) and/or risk-based soil assessments but would be subject to the discretion of the lead regulatory agency.</p> <p><b>Reporting and Monitoring Methods:</b> N/A (Completed)</p> | <p><b>Monitoring and Reporting:</b><br/>Environmental Management Division, Construction Management Division, Engineering Division, Real Estate Division. Environmental Management Division will conduct independent soil sampling as appropriate.</p> |

| Mitigation Measures   | Timing and Methods   | Responsible Parties  |
|---|--|--|
| <p>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 work place.</p> <p>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 which is free from contamination.</p>  |  |  |
| <b>Noise</b>  |  |  |
| <p><b>MM NOI-1. Construction Limitations</b></p> <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 construction equipment such as air compressors and portable power generators, as far as practical from existing noise-sensitive land uses</p> <p>g) Quiet Equipment Selection. elect 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><b>Timing:</b> Throughout all construction phases.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into contract specifications for all construction work to reduce noise the impacts. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications. The construction contractor shall ensure that the proposed pile driving equipment and measures are used during construction. The LAHD shall evaluate the contractor proposals with regard to reducing pile driving noise. The LAHD would subsequently perform periodic inspections to ensure that the approved equipment and methods are being followed and to monitor the noise levels for compliance with the proposed noise levels.</p> <p><b>Reporting and Monitoring Methods:</b> N/A (Completed)</p> | <p><b>Implementation:</b> LAHD through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p> |

| Mitigation Measures   | Timing and Methods   | Responsible Parties  |
|---|--|--|
| j) Reporting. The Port shall clearly post the telephone number where complaints regarding construction-related disturbance can be reported.   |  |  |
| <p><b>MM NOI-2. Noise Walls.</b> 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.</p>                               | <p><b>Timing:</b> Prior to Phase III operation.</p> <p><b>Implementation Method:</b> The LAHD should incorporate noise walls into the proposed Project plans, if feasible. The LAHD would undertake noise monitoring at these residences after China Shipping terminal is operational to determine the actual noise impact and then tailor specific mitigation measures.</p> <p><b>Reporting and Monitoring Methods:</b> LAHD shall submit semi-annual compliance reports as required by the Court and annual staff reports to the Board.</p> <p><b>Methods for Showing Compliance:</b> Documentation of compliance as part of noise monitoring and sound-proofing program.</p>  | <p><b>Implementation:</b> LAHD through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p> |
| <b>Public Services and Utilities</b>  |  |  |
| <p><b>MM PS-1. Recycling Construction Materials.</b> 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.</p> | <p><b>Timing:</b> Throughout construction Phases II and III.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the LAHD contract specifications for all construction work to improve recycling efforts. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications.</p> <p><b>Reporting and Monitoring Methods:</b> N/A (Completed)</p> | <p><b>Implementation:</b> LAHD through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p> |
| <p><b>MM PS-2. Materials with Recycled Content.</b> 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.</p>   | <p><b>Timing:</b> Throughout construction Phases II and III.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into the LAHD contract specifications for all construction work to improve recycling efforts. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere</p>   | <p><b>Implementation:</b> LAHD through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p> |

| Mitigation Measures   | Timing and Methods  | Responsible Parties  |
|---|---|--|
|   | <p>to these specifications and Compliance Plan throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications.</p> <p><b>Reporting and Monitoring Methods:</b> N/A (Completed)</p>  |  |
| <p><b>MM PS-3. Long Term Solid Waste Management.</b> 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.</p> | <p><b>Timing:</b> Throughout operational Phases II and III.</p> <p><b>Implementation Methods:</b> This measure shall be incorporated into lease with tenant. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager to ensure compliance with contract specifications.</p> <p><b>Reporting and Monitoring Methods:</b> N/A (Completed)</p> | <p><b>Implementation:</b> Tenant</p> <p><b>Monitoring and Reporting:</b><br/>Environmental Management Division, Construction Management Division</p> |

1