

DATE: MARCH 4, 2026

FROM: ENVIRONMENTAL MANAGEMENT

SUBJECT: RESOLUTION NO. _____ - FINAL REVISED SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FINDINGS AND MITIGATION MONITORING AND REPORTING PROGRAM FOR THE BERTHS 97-109 (CHINA SHIPPING) CONTAINER TERMINAL PROJECT (APP NO. 150224-504; SCH NO. 2003061153)

SUMMARY:

Staff requests that the Board of Harbor Commissioners (Board) adopt the Findings of Fact (FOF) and a Statement of Overriding Considerations (SOC) regarding the significant environmental impacts of the revised project and measures to reduce or avoid such impacts, adopt the Revised Mitigation Monitoring and Reporting Program (MMRP), approve the Errata, and approve the revised project as analyzed in the certified 2025 Final Revised Supplemental Environmental Impact Report (2025 RSEIR) and the 2019 Final Supplemental Environmental Impact Report (2019 SEIR), as revised by the 2025 RSEIR, for the Berths 97-109 China Shipping Container Terminal Project (Project).

This action is mandated by a court order to comply with a Writ issued by the San Diego Superior Court and served on the City of Los Angeles (City) Harbor Department (Harbor Department) on May 31, 2024. The Writ requires the Harbor Department, among other things, to (1) certify a revised SEIR, which addresses certain deficiencies in the 2019 SEIR, and (2) “timely ensure...any adopted Mitigation Measures in the revised [SEIR] are fully enforceable through permit conditions, agreements, or other legally binding instruments.”

The Board certified the Final RSEIR and the 2019 Final SEIR, as revised by the 2025 RSEIR, on November 20, 2025. With respect to the Writ requirement to timely ensure adopted mitigation measures are enforceable through a legally binding instrument, the Board must first take action on the remaining items recommended by staff for compliance with the California Environmental Quality Act (CEQA): approve the Errata, adopt specific FOF and SOC regarding the significant environmental impacts of the Revised Project and measures to reduce or avoid such impacts, and adopt a Revised MMRP.

SUBJECT: REVISED SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR THE BERTHS 97-109 (CHINA SHIPPING)

RECOMMENDATION:

It is recommended that the Board:

1. Adopt the Findings of Fact and Statement of Overriding Considerations for the certified 2025 Final Revised Supplemental Environmental Impact Report and the 2019 Supplemental Environmental Impact Report, as revised by RSEIR, for the Berths 97-109 China Shipping Container Terminal Project;
2. Find that, in accordance with the information contained in the 2025 RSEIR and the 2019 SEIR, as revised by RSEIR, the revised Project will have significant environmental effects on air quality and meteorology greenhouse gas emissions and climate change, and ground transportation as defined by Public Resources Code Sections 21068 and 21082.2, and the State California Environmental Quality Act Guidelines, Sections 15064, 15064.4, 15064.5, and 15382;
3. Find that, in accordance with the provisions of the California Environmental Quality Act Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the revised Project, which substantially lessens or avoids one or more of the significant adverse environmental impacts identified in the 2025 RSEIR and the 2019 SEIR, as revised by RSEIR;
4. Find that, in accordance with the provisions of the California Environmental Quality Act Guidelines Section 15091(a)(3), specific economic, legal, social, technological, or other considerations, make infeasible certain mitigation measures such that some environmental impacts identified in the 2025 RSEIR and the 2019 SEIR, as revised by RSEIR remain significant and unavoidable;
5. Find that, 1) all information in the Errata does not include information that was not known or could not have been known when the RSEIR was certified as complete, but merely clarifies, amplifies, or makes insignificant modifications to the otherwise adequate 2025 RSEIR and the 2019 SEIR, as revised by RSEIR, and 2) approve the Errata;
6. Find that, based upon substantial evidence in the record, no project changes, changed circumstances or new information has occurred since certification of the 2025 RSEIR and 2019 SEIR, as revised by the RSEIR, under Public Resources Code Section 21166, and all potentially significant effects have been addressed adequately in the 2025 RSEIR and 2019 SEIR, as revised by the RSEIR;
7. Find that, in accordance with Public Resources Code Section 21081(b) and California Environmental Quality Act Guidelines Section 15093, the benefits of the revised Project outweigh the significant and unavoidable environmental impacts;

SUBJECT: REVISED SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR THE BERTHS 97-109 (CHINA SHIPPING)

8. Adopt the Final Revised Mitigation Monitoring and Reporting Program as required by Public Resources Code, Section 21081.6. The revised MMRP is designed to ensure compliance with the mitigation measures and lease measures adopted to avoid or lessen significant effects on the environment, and identifies the responsibilities of the Harbor Department, as lead agency, to monitor and verify project compliance with those mitigation measures and lease measures;
9. Approve the revised Project as analyzed in the 2025 RSEIR and the 2019 SEIR, as revised by RSEIR, including all feasible mitigation measures and lease measures with consideration of the Findings of Fact and Statement of Overriding Considerations, and the revised MMRP;
10. Direct the Cargo and Industrial Real Estate Division to incorporate by reference the 2025 RSEIR and the 2019 SEIR, as revised by RSEIR, mitigation measures, lease measures, and revised MMRP into all lease agreements or assignments encompassed in the approved revised Project;
11. Authorize the Environmental Management Division to file the Notice of Determination with the Los Angeles County Clerk; and
12. Adopt Resolution No. _____.

DISCUSSION:

Background/Context – On December 18, 2008, the Board certified the 2008 Environmental Impact Statement (EIS)/EIR that analyzed the construction and operation of the China Shipping Container Terminal, which occupies approximately 142 acres and has been operational since 2005 with the last phase of construction completed in 2013. The 2008 EIS/EIR was prepared as a result of a lawsuit settled in 2004 through an Amended Stipulated Judgment (ASJ) in which the Harbor Department committed to prepare a new, project-specific EIR for development of the terminal (i.e., the 2008 EIS/EIR) and agreed to several mitigation measures and the establishment of a \$50 million community impact fund.

Consistent with the ASJ, Permit No. 999 with China Shipping, which grants nonexclusive use of the container terminal for a term of 25 years ending on June 27, 2030, with three five-year extension options through 2045, was to be amended to include 52 MM and LM required by the 2008 EIS/EIR. The requirement to amend Permit No. 999 subsequently resulted in a long-running dispute regarding whether certain mitigation measures were feasible and China Shipping’s contractual obligation to implement such measures.

The Harbor Department decided to revise some of the 2008 EIR’s mitigation measures to address feasibility issues in a SEIR. The SEIR evaluated the continued operation of the

SUBJECT: REVISED SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR THE BERTHS 97-109 (CHINA SHIPPING)

China Shipping Container Terminal under new and/or modified mitigation measures and updated operational parameters and cargo forecasts, collectively referred to as the "Revised Project". On October 8, 2019, the Board certified the Final SEIR (2019 SEIR) and approved the Revised Project.

Following the Board's certification of the 2019 SEIR, four appeals were filed with the Los Angeles City Council. On August 12, 2020, the City Council adopted a Motion to deny all appeals, certify the Final SEIR, and adopt the recommendations of the Board. Subsequently, the Natural Resources Defense Council, the South Coast Air Quality Management District, and intervenors California Air Resources Board and the California Attorney General (collectively, Petitioners) filed a lawsuit against the Harbor Department and China Shipping challenging the terminal's ongoing ability to operate, based on the arguments that the Harbor Department's CEQA analysis in the 2019 SEIR was flawed and that the Harbor Department did not contractually impose mitigation measures on China Shipping, thus violating CEQA.

After a period of litigation, the California Court of Appeal, Second District (Court of Appeal), ruled in *Natural Resources Defense Council, Inc. v. City of Los Angeles* (2023) 98 Cal.App.5th 1176, that certain portions of the 2019 SEIR did not comply with CEQA. On May 24, 2024, the San Diego County Superior Court (Superior Court) issued a Peremptory Writ; it was served to the Harbor Department on May 31, 2024. The Writ generally commanded the Harbor Department and the City to do the following:

- First, the Writ ordered the Harbor Department and China Shipping to amend Permit No. 999 (Sixth Amendment) to implement and make enforceable the MMs in the 2008 EIS/EIR, as modified by the 2019 SEIR and the Court of Appeal and Superior Court decisions (Adopted MM and LM).
- Second, the Writ directed the City to set aside the certification of the 2019 SEIR.
- Third, the Writ directed the Harbor Department, within 18 months of the Writ, to prepare, circulate, and certify a revised SEIR (this Final Revised SEIR) with certain additional information, analyses, and/or disclosures, to address the deficiencies identified by the Court of Appeal and Superior Court.
- Fourth, the Writ directed the Harbor Department to, in a timely manner, ensure that any MMs adopted in the revised SEIR are fully enforceable through permit conditions, agreements, or other legally binding instruments.

On June 27, 2024, the Board adopted Resolution No. 24-10374 and Order No. 24-7371, which set aside the certification of the 2019 SEIR, and related matters, and approved the Sixth Amendment to Permit No. 999, implementing the adopted MM and LM and making China Shipping contractually obligated to implement such measures, and requested the

SUBJECT: REVISED SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR THE BERTHS 97-109 (CHINA SHIPPING)

same actions from the City Council. On July 2, 2024, the City Council adopted the motion under Council File No. 09-1872-S3 to set aside the certification of the 2019 SEIR, and related matters, and approved the Sixth Amendment to Permit No. 999. On July 15, 2024, the City filed the Initial Return to the Writ with the Superior Court, confirming the City's completion of the initial necessary actions to comply with the Writ, including the adoption of the above-described Resolution, Order, and Motion.

On November 20, 2025, the Board certified the Final RSEIR and the 2019 Final SEIR, as revised by RSEIR, and adopted the "Findings of Certification of the RSEIR for the China Shipping Container Terminal Project", within 18 months of the Writ.

At the November 20, 2025, Board hearing, a Commissioner directed Staff to meet with stakeholders who provided public comment during the public hearing. Staff met with the stakeholders as directed. Following this meeting and the Board's certification of the RSEIR, Staff met with stakeholders and stakeholders proposed an additional MM regarding at-berth emissions. Staff reviewed the proposed MM and determined a revised version would be feasible to implement in the form of MM AQ-32. Staff determined that MM AQ-32 does not present new information of substantial importance, which was not known and could not have been known at the time the RSEIR was certified. Staff found MM AQ-32 does not substantially reduce one or more significant effects of the Revised Project, nor is it considerably different from those analyzed in the RSEIR that would substantially reduce one or more significant effects on the environment. The new MM AQ-32 only clarifies or amplifies the existing measures analyzed in the RSEIR, including MM AQ-31, LM AQ-22, and LM AQ-24; however, Staff determined that impacts of the Revised Project remain the same with the implementation of the new MM AQ-32. As a result, Staff recommends the Board approve the MM AQ-32 as part of its approval of the Revised Project, described below.

Following the Board's certification of the Final RSEIR and the 2019 Final SEIR, as revised by the RSEIR, Staff discovered that certain emissions sources were inadvertently omitted from the air quality calculations in the RSEIR, and other minor administrative errors in the Final RSEIR. To address these inadvertent omissions and minor clerical edits, Staff prepared an Errata to the Final RSEIR for the Board's consideration and approval. The information presented in the Errata does not trigger supplemental review under Public Resources Code Section 21166, because these revisions do not constitute new information that was not known or could not have been known with the exercise of reasonable diligence when the Final RSEIR was prepared. Accordingly, no supplemental CEQA review has been triggered by the information presented in the Errata to the RSEIR. As a result, Staff recommends the Board approve the Errata to the Final RSEIR.

Since the Board certified the Final RSEIR and the 2019 Final SEIR, as revised by the RSEIR, Staff has determined that there have not been substantial changes proposed in the Revised Project or with respect to the Revised Project's circumstances that would

SUBJECT: REVISED SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR THE BERTHS 97-109 (CHINA SHIPPING)

require major revisions to the Final RSEIR, nor has new information become available, which was not known and could not have been known at the time the RSEIR was certified as complete. Because none of these conditions exists, supplemental CEQA review is not required under Public Resources Code Section 21166. As a result, the Errata, Final RSEIR and the 2019 Final SEIR, as revised by the RSEIR, adequately analyzes and addresses all potentially significant effects of the Revised Project pursuant to CEQA.

As noted, the Writ also requires the Harbor Department “timely ensure” that the MM and LM in the RSEIR be “fully enforceable through permit conditions, agreements, or other legally binding instruments.” The Writ does not establish a specific deadline for this step, which must occur after certification of the RSEIR. As a result, the Board must amend Permit No. 999 to include new MM and LM in the RSEIR within a reasonable time period to comply with the Writ.

Description of the Revised Project – The Revised Project in the Final RSEIR evaluated the continued operation of the China Shipping Container Terminal from the beginning of full implementation of the Revised Project, assumed to be 2026, until the end of the lease period, assumed to be 2045. The Revised Project includes (1) the adopted MM and LM from the 2008 EIS/EIR and the 2019 SEIR (and upheld by the Courts or not challenged) and (2) the additional and revised mitigation measures from the 2025 RSEIR.

Specifically, the Revised Project evaluated in the RSEIR proposes to replace two MMs and one LM from the 2019 SEIR as follows:

Measures from 2019 SEIR replaced under the Revised Project

- MM AQ-9 Alternative Maritime Power (reverted to 2008 MM AQ-9, as updated)
- MM AQ-10 Vessel Speed Reduction Program (reverted to 2008 MM AQ-10, as updated)
- LM GHG-1 GHG Credit Fund (replaced with new MM GHG-2 GHG Reduction Offsets)

In addition, the RSEIR for the Revised Project also adds two MM as follows:

New Measure added under the Revised Project

- MM AQ-31 At-Berth Regulations
- MM AQ-32 Alternative Control Technology

ENVIRONMENTAL ASSESSMENT:

CEQA Lead Agency Responsibilities – The Harbor Department is the CEQA lead agency for the Revised Project and is responsible for reviewing and considering the Final RSEIR

SUBJECT: REVISED SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR THE BERTHS 97-109 (CHINA SHIPPING)

(Transmittal 2), 2019 SEIR, as revised by the Final RSEIR (Transmittal 3), and ensuring compliance with CEQA with respect to the approval process for the Revised Project.

Approval of a project under CEQA requires three steps: (1) certification of the environmental review document (in this case, the RSEIR); (2) adoption of CEQA findings regarding the environmental impacts of the project and adoption of mitigation measures; and (3) approval of the project.

As noted above, the Board certified the Final RSEIR and the 2019 Final SEIR, as revised by RSEIR, on November 20, 2025, but did not approve a project at that time. Accordingly, before the Board can approve the Revised Project and direct the execution of the Seventh Amendment to Permit 999, it must make the required findings under CEQA.

Because the Board did not approve a project at the time of the certification of the Final RSEIR and the 2019 Final SEIR, as revised by RSEIR, the Board must make additional findings under CEQA. These required findings must address whether there are project changes, changes in circumstances, or new information indicating there would be new or more severe impacts of the project than described in the EIR. Based on substantial evidence in the record, no project changes, changed circumstances or new information has occurred since certification of the 2025 RSEIR and 2019 SEIR, as revised by the RSEIR, under Public Resources Code Section 21166, and all potentially significant effects have been addressed adequately in 2025 RSEIR and 2019 SEIR, as revised by the RSEIR. Thus, the Final RSEIR and the 2019 Final SEIR, as revised by the RSEIR, adequately analyzes the environmental impacts of the Revised Project.

CEQA requires that a lead agency make findings when approving a project with significant environmental impacts. CEQA Guidelines Section 15092(b) states that a public agency shall not approve or carry out a project for which an EIR was prepared and significant effects were identified unless finding that significant effects would be mitigated to a less-than-significant level by the mitigation measures identified in the EIR or, if the EIR identifies residual significant impacts after implementation of mitigation measures, the agency finds that the unavoidable impacts are acceptable through a statement of overriding considerations, supported by substantial evidence in the record, which includes the documents, materials, and other evidence.

Findings and Conclusions – The certified 2025 RSEIR and 2019 SEIR, as revised by the RSEIR, FOF and SOC, transmitted herewith, identify major findings and conclusions regarding the areas of environmental concern, feasible mitigation measures, and significant unavoidable impacts. The discussion below summarizes the proposed FOF for the Board's consideration.

1. Areas of Environmental Concern. Through the public environmental review process, the following areas of environmental concern were identified. These potential impacts

SUBJECT: REVISED SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR THE BERTHS 97-109 (CHINA SHIPPING)

and others were assessed and discussed in detail in the 2025 RSEIR and 2019 SEIR, as revised by the RSEIR, which concludes that unavoidable significant impacts would occur if the Revised Project is implemented in two resource areas: Air Quality and Meteorology, and Ground Transportation. In addition, cumulatively significant and unavoidable impacts would also occur in these same resource areas. All available feasible mitigation measures have been incorporated into the Revised Project to reduce significant impacts. However, even with the incorporation of all feasible mitigation measures, impacts on these environmental resources would remain significant and unavoidable.

2. Proposed Mitigation and Lease Measures. In accordance with the provisions of the Los Angeles City CEQA Guidelines, Article I, the State CEQA Guidelines Section 15091, and the information contained in the 2025 RSEIR and 2019 SEIR, as revised by the RSEIR, changes or alterations have been required in, or incorporated into the Revised Project which substantially lessen or avoid significant adverse environmental impacts. Further, certain mitigation measures and lease measures were modified/strengthened based on public comments received on the Draft RSEIR, and, as noted above, MM AQ-32 was added based on communications with community stakeholders after certification of the 2025 RSEIR and 2019 SEIR, as revised by the RSEIR. All MMs and LMs can be found in the Revised MMRP and would be incorporated as appropriate in real estate entitlements for the proposed Revised Project.
3. Overriding Considerations. Pursuant to Public Resources Code Section 21081(b), no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more significant environmental effects unless the agency makes the specific findings discussed above with respect to each significant impact and finds that specific overriding economic, legal, social, technological, or other benefits of the project outweigh the significant effects. The SOC must identify the substantial adverse environmental impacts that cannot be mitigated or avoided; make recommendations that the project or alternatives, if applicable, be approved as proposed; and the reasons why, if in the opinion of the decision-making body, the project warrants approval despite such consequences or recommendations.

The Draft FOF and SOC recommended by staff is transmitted for Board consideration and adoption. Staff, in recommending the proposed Revised Project for approval, has identified specific environmental, economic, legal, social, technological and other project benefits. In summary, the Revised Project provides the following benefits:

- **Fulfills Harbor Department's legal mandates and objectives.** The Revised Project would fulfill the Harbor Department's legal mandate under the Port of Los Angeles (Port) Tidelands Trust (Los Angeles City Charter, Article VI, Sec. 601; California Tidelands Trust Act of 1911) to promote and develop commerce, navigation and fisheries, and

SUBJECT: REVISED SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR THE BERTHS 97-109 (CHINA SHIPPING)

other uses of statewide interest and benefit including industrial and transportation uses and the California Coastal Act (PRC Division 20, Section 30700, et seq.), which identifies the Port and its facilities as a primary economic/coastal resource of the state and an essential element of the national maritime industry and obligates the Harbor Department to accommodate the demands of foreign and domestic waterborne commerce and other traditional water-dependent and related facilities in order to preclude the necessity for developing new ports elsewhere in the state. Further, the California Coastal Act provides that the Harbor Department should give highest priority to the use of existing land space within harbors for Port purposes, including, but not limited to, navigational facilities, shipping industries and necessary support and access facilities. The Revised Project would also meet the Harbor Department's strategic green growth objectives by maximizing the efficiency and the capacity of facilities while applying mitigation measures that adhere to and/or exceed the San Pedro Bay CAAP requirements and raise environmental standards.

- **Implements the San Pedro Bay CAAP.** The Revised Project incorporates many environmental features consistent with the CAAP, and additional mitigation measures and lease measures have been identified through the CEQA findings of the RSEIR that meet CAAP requirements and objectives.
- **Implements feasible mitigation measures on the existing China Shipping Container Terminal Project, to replace mitigation measures identified in the 2008 EIS/EIR that have not been fully implemented,** and those that were overturned by the trial court and Court of Appeal from the 2019 SEIR. The Revised Project would eliminate some existing mitigation measures that have proved to be infeasible or unnecessary, institute new mitigation measures, and modify other existing measures to enhance their effectiveness. In proposing these changes, the Revised Project would advance the original project objectives of the China Shipping Container Terminal Project to implement pollution control measures consistent with the CAAP, and to maximize the efficiency and capacity of the terminal while, at the same time, raising environmental standards through the application of all feasible mitigation measures. If the existing mitigation measures determined to be infeasible or unnecessary are not revised as proposed by the Revised Project, these project objectives would be not be advanced as originally intended. Further, environmental impacts identified in the 2008 EIR/EIS would not be addressed despite the availability of new or modified feasible mitigation, as identified in the Final RSEIR and 2019 SEIR, as revised by RSEIR. The proposed changes to existing mitigation measures and addition of new mitigation measures that constitute the Revised Project would enable the China Shipping Container Terminal Project to better meet the original project objectives and address impacts identified in the 2008 EIR/EIS.
- **Allows for continued operation of the China Shipping Container Terminal under feasible mitigation measures, providing economic benefits to the Port and the community.** The Revised Project will allow for the continued operation of the terminal,

SUBJECT: REVISED SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR THE BERTHS 97-109 (CHINA SHIPPING)

generating revenues to the Port over the life of the Revised Project. The Terminal is responsible for 10% of the Port's 10.2 million Twenty-Foot Equivalent Units that were processed in Calendar Year 2025, providing jobs and funding for environmental improvements. These funds are included in the Harbor Revenue fund for the purposes of operating, maintaining and improving the Port in accordance with the Tidelands Trust. Revenues from operation of the China Shipping Container Terminal also provide for environmental improvements, including incentive programs associated with the CAAP for reduction of truck emissions and advancing clean technology, and support the construction of necessary infrastructure for waterfront commercial and recreational improvements in Wilmington and San Pedro. If the Terminal cannot continue to operate, it could result in more than 800 jobs being displaced and delay implementation of environmental protection measures.

In summary, the Revised Project would allow the Harbor Department to meet its legal mandates to accommodate growing international commerce and would permit the Harbor Department to continue to comply with the CAAP and other measures designed to reduce overall emissions over time. The Board hereby finds that the benefits of the proposed Revised Project described above outweigh the significant and unavoidable environmental effects and are therefore considered acceptable.

4. Revised Project Approval. In light of these findings and conclusions, staff recommends approval of the Revised Project and adoption of all feasible mitigation measures and lease measures based on the certified 2025 RSEIR and 2019 SEIR, as revised by the RSEIR.
5. Implementation of Mitigation. When making the CEQA findings required by Public Resources Code Section 21081(a), a public agency shall adopt a reporting or monitoring program in accordance with Public Resources Code Section 21081.6 for changes to the proposed project which it has adopted or made a condition of project approval in order to mitigate or avoid significant effects on the environment. A Revised MMRP is transmitted for Board consideration and adoption.
6. Record of Proceedings. When making CEQA findings required by Public Resources Code Section 21081(a), a public agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based. These records are in the care of the Director of Environmental Management, City of Los Angeles Harbor Department, 425 S. Palos Verdes Street, San Pedro, California 90731.
7. Notice of Determination. If and when the Revised Project is approved, in accordance with Los Angeles City CEQA Guidelines, Article I, and the State CEQA Guidelines Section 15094, a Notice of Determination will be filed with the Los Angeles County and City Clerks' Offices, and submitted to the State of California Governor's Office of

SUBJECT: REVISED SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR THE BERTHS 97-109 (CHINA SHIPPING)

Planning and Research, State Clearinghouse after approval of the Revised Project. Public Resources Code Section 21167(c) provides that any action or proceeding alleging that an EIR does not comply with the provisions of CEQA shall be commenced within 30 days after filing the NOD.

FINANCIAL IMPACT:

Approval of the Revised Project would commit the Harbor Department to implement two traffic mitigation measures: MM TRANS-2 at Alameda and Anaheim Streets and MM TRANS-3 at John S. Gibson Boulevard and I-110 N/B Ramps. MM TRANS-2 is subject to approval by Los Angeles Department of Transportation (LADOT) and requires coordination with the City's Bureau of Engineering construction schedule for the Alameda Street Widening project that would be implemented at the same time. MM TRANS-3 also requires coordination with LADOT and would be implemented within three years after the intersection level of service is measured as D or worse. Award of any capital construction contract related to the traffic mitigation projects would require approval under separate future Board actions.

The estimated cost to complete the Harbor Department's traffic mitigation projects is \$5,000,000 for MM TRANS-2 and \$2,300,000 for MM TRANS-3.

Approval of the Revised Project would also commit the Harbor Department to implement MM GHG-2. MM GHG-2 imposes a requirement to purchase GHG offset credits from a CARB-approved registry or through a Greenhouse Gas Program the Harbor Department is in the process of establishing. The Harbor Department and tenant will equally cost share 50% of such costs per calendar year as long as total costs in a particular calendar year do not exceed \$2,000,000. Should such costs exceed \$2,000,000 in a particular calendar year, the aforementioned cost-sharing arrangement shall be deemed null and void once the Harbor Department and the tenant have paid the applicable costs for that calendar year, after which the parties shall meet and confer in good faith to establish a new cost-sharing arrangement. If approved, the Harbor Department could be financially responsible for payments of \$1,000,000 per calendar year. The aggregate amount of payments could be \$20,000,000 from January 1, 2027 through December 31, 2045 based on the term of Permit No. 999.

Consultant and staff costs to complete the Revised SEIR are estimated at \$1,000,000. To date, \$786,570.52 has been spent and \$213,429.48 remains available for pending costs. Fiscal Year 2026 funding for the remaining costs is available under Account 161305 (Construction-in-Progress), Division 00000 (Harbor Global), Project 2578700 (B. 97-109 China Shipping Container Terminal Revised Supplemental EIR).

The Harbor Department is committed to implementing the MM that are within our jurisdiction and responsibility. All other MM and LM where the tenant is identified as the responsible

DATE: MARCH 4, 2026

PAGE 12 OF 13

**SUBJECT: REVISED SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR
THE BERTHS 97-109 (CHINA SHIPPING)**

party in the Revised MMRP shall be the financial responsibility of the tenant.

CITY ATTORNEY:

The City Attorney's Office has reviewed this Board Report and concluded that it raises no legal issues at this time.

DATE: MARCH 4, 2026

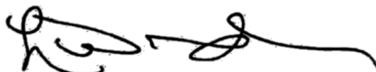
PAGE 13 OF 13

SUBJECT: REVISED SUPPLEMENTAL ENVIRONMENTAL IMPACT REPORT FOR THE BERTHS 97-109 (CHINA SHIPPING)

TRANSMITTALS:

1. Errata to the Final RSEIR
2. Findings of Fact and Statement of Overriding Considerations
3. Final Revised Mitigation Monitoring and Reporting Program

FIS Approval: JS
CA Approval: JC



LISA WUNDER
Director of Environmental Management

Michael DiBernardo

MICHAEL DiBERNARDO
Deputy Executive Director

APPROVED:

Erica M. Calhoun for

EUGENE D. SEROKA
Executive Director

LW: LO:mx
AUTHOR: L. Ochsner

File: Y:_ADMIN_BOARD REPORTS_CEQA\EIRs\CHINA SHIPPING\MMRP Findings Approval 2026\Environmental_China Shipping RSEIR Findings and MMRP Board Report - FINAL.docx
UPDATED: 3/4/2026 10:49AM - MRX