

5.1 Introduction

This chapter compares the West Harbor Modification Project (Proposed Project) with its alternatives. Various alternatives were considered during preparation of this Draft Subsequent Environmental Impact Report (SEIR). The California Environmental Quality Act (CEQA) requires that an environmental impact report (EIR) present a range of reasonable alternatives to the Proposed Project. Accordingly, the Proposed Project and two alternatives—including a No Project Alternative and a half-capacity Amphitheater alternative—meet most of the Proposed Project objectives and purpose and need statement, as required by CEQA, and they have been analyzed in this Draft SEIR to provide sufficient information and meaningful detail about the environmental effects of each alternative to allow informed decision-making regarding the Proposed Project. The two alternatives that were carried through the analysis of impacts are:

- **Alternative 1 – No Project Alternative:** Based on the approved *2009 San Pedro Waterfront (SPW) Environmental Impact Statement (EIS)/EIR* (2009 SPW EIS/EIR) (Port 2009), as updated in the *2016 Addendum to the San Pedro Waterfront Project Environmental Impact Statement/Environmental Impact Report for the San Pedro Public Market (SPPM) Project* (2016 SPPM Addendum) (ICF 2016), and the *2019 Addendum to the San Pedro Waterfront Project Environmental Impact Report for the San Pedro Public Market Project* (2019 SPPM Addendum) (ICF 2019), as applicable; and
- **Alternative 2 – Half-Capacity Amphitheater Alternative:** This alternative would include the improvements of the Proposed Project, except that the Amphitheater would have half the seating capacity.

5.2 Project Alternatives

5.2.1 Requirements for Alternatives Analysis

Section 15126.6(a) of the CEQA Guidelines requires that the discussion of alternatives in an EIR present a range of reasonable alternatives to a project, or to the location of the project, that could feasibly attain most of the basic project objectives, but would avoid or substantially lessen any of the significant effects of the project. The range of alternatives required in an EIR is governed by a “rule of reason” that requires an EIR to set forth only those alternatives necessary to permit a reasoned choice. An EIR need not consider every conceivable alternative to a project. Rather, the alternatives must be limited to ones that meet the project objectives, are ostensibly feasible, and would avoid or substantially lessen at least one of the significant environmental effects of the project (CEQA Guidelines § 15126.6[f]). The EIR must also identify the environmentally superior alternative, which cannot be the No Project Alternative. Alternatives may be eliminated from detailed consideration in

the EIR if they fail to meet most of the project objectives, are infeasible, or do not avoid or substantially lessen any significant environmental effects (State CEQA Guidelines § 15126.6[c]).

5.2.2 Project Objectives

Proposed Project objectives include the following:

1. Enhance and revitalize the existing SPW area by including a substantially larger outdoor concert Amphitheater and entertainment lawn venue and additional attractions to draw visitors to the SPW area, thereby increasing the public visibility of San Pedro in general and the waterfront specifically;
2. Update previously adopted mitigation measures to reflect changes since their consideration, including the addition of the 208 E. 22nd Street Parking Lot improvements;
3. Provide public access to the SPW through increased parking amenities and pedestrian walkways;
4. Provide for a variety of waterfront uses, including berthing for visiting vessels and harbor service craft, as well as other recreational, commercial, and Port-related waterfront uses; and
5. Provide for enhanced visitor-serving commercial opportunities within the former site of Ports O'Call Village (now the *Project Site*), complementary to those found in downtown San Pedro.

5.2.3 Alternatives Considered

This document presents a reasonable range of alternatives pursuant to CEQA. The Los Angeles Harbor Department (LAHD) defines a reasonable range of alternatives in light of its legal mandates under the Port of Los Angeles (Port) Tidelands Trust (Los Angeles City Charter, Article VI § 601), the California Coastal Act (20 PEC 30700, et seq.) and LAHD's leasing policy (LAHD 2006). The Port is one of only five locations in the state identified in the California Coastal Act for the purposes of international maritime commerce (California Public Resources Code [PRC] §§ 30700–30701). These mandates identify the Port and its facilities as a primary economic/coastal resource of the state and an essential element of the national maritime industry for promotion of commerce, navigation, fisheries, environmental preservation, and public recreation.

In developing an appropriate range of alternatives, the starting point is the Proposed Project's objectives. As described in Chapter 2, *Project Description*, the Proposed Project's objectives are as follows:

- Enhance and revitalize the existing SPW area by including an outdoor concert Amphitheater and entertainment lawn venue and Amusement Attractions to attract visitors to the SPW area, as well as additional parking, thereby increasing the positive public visibility of San Pedro in general and the waterfront specifically; and
- Update previously adopted mitigation measures to reflect changes since their consideration in the 2009 SPW EIS/EIR and 2016/2019 SPPM Addenda.

Each of the alternatives selected for evaluation in this SEIR meets at least one of these objectives. The alternatives to the Proposed Project are discussed briefly below. Additionally, the alternatives eliminated from further consideration are identified, and the rationale to support these decisions is provided.

5.2.3.1 Alternative 1 – No Project Alternative

This alternative considers what would reasonably be expected to occur on the site if the Proposed Project were not implemented. In this case, Alternative 1 would not allow implementation of the Proposed Project or other physical improvements associated with the Proposed Project. Without the development of the Proposed Project, the area would still be developed under the approved 2009 SPW EIS/EIR and 2016/2019 SPPM Addenda, as applicable, for the Proposed Project Site. As described in Table 2-2 of the Project Description, the development allowed under the 2009 SPW EIS/EIR, as amended by the 2016/2019 SPPM Addenda, would include:

- **City Park:** Within the Ports O'Call, this area was formerly Fisherman's Park, with 3 acres of lawn space, and a 500-seat Amphitheater. This was amended in 2016 to be a 4.3-acre multipurpose plaza with landscaping, hardscaping, outdoor furniture, and lighting.
- **Discovery Sea Amusement Area:** This was introduced to the Ports O'Call area in 2016 and included a 6.4-acre amusement area with playground facilities, 100-foot-diameter Ferris wheel, carousel, entertainment attractions, gardens, and a 500-seat Amphitheater.

5.2.3.2 Alternative 2 – Half-Capacity Amphitheater Alternative

This alternative would include the improvements of the Proposed Project, except that the Amphitheater would have half the seating capacity. The Proposed Project would have 6,200 seats, whereas Alternative 2 would have 3,100 seats. This alternative would include the Amusement Attractions and the 208 E. 22nd Street Parking Lot component.

5.2.4 Alternatives Considered but Rejected

Also considered was a true No Project – No Build Alternative, which would not allow any development to occur within the Project Site. However, absent the Proposed Project's approval, the Project Site is under the previously approved 2009 SPW EIS/EIR and 2016/2019 SPPM Addenda, which would allow the development of the Project Site in the future, pursuant to the approved plans and as accompanied by the certified 2009 SPW EIS/EIR. Therefore, this alternative was considered, but rejected.

5.3 Analysis of Alternatives

5.3.1 Aesthetics

5.3.1.1 Alternative 1 – No Project Alternative

As discussed in the 2009 SPW EIS/EIR and 2016/2019 SPPM Addenda, Alternative 1 would be built to be consistent with the *L.A. Waterfront Design Guidelines* (Port 2014) (previously known as the *San Pedro Waterfront and Promenade Design Guidelines*) and enhance the views in the area with high-quality development, as compared to the existing underutilized area. Additionally, Alternative 1 would remove existing tall light standards and floodlights and ensure that no significant light or glare

spillover would occur with implementation. Therefore, Alternative 1 would have less-than-significant impacts regarding aesthetics, and impacts would be similar to those of the Proposed Project.

5.3.1.2 Alternative 2 – Half-Capacity Amphitheater Alternative

Alternative 2 would be built to be consistent with the *L.A. Waterfront Design Guidelines*. Although Alternative 2 would reduce the amount of seating in the Amphitheater, Alternative 2 would result in similar light and glare impacts at the Port, as compared to the Proposed Project. Alternative 2 would have less-than-significant impacts regarding aesthetics, and impacts would be similar to those of the Proposed Project.

5.3.2 Air Quality

5.3.2.1 Alternative 1 – No Project Alternative

The 2009 SPW EIS/EIR and 2016/2019 SPPM Addenda determined that construction of Alternative 1 would exceed South Coast Air Quality Management District (SCAQMD), National Ambient Air Quality Standards (NAAQS), California Ambient Air Quality Standards (CAAQS), and 1-hour and 8-hour carbon monoxide (CO) standards and result in significant and unavoidable impacts during construction and operations phases, even with implementation of mitigation measures. Additionally, because Alternative 1 would allow the development of the project defined by the 2009 SPW EIS/EIR (and as amended by the 2016 SPPM Addendum), development under Alternative 1 would expose sensitive receptors to toxic air contaminants (TACs), the impacts of which cannot be fully mitigated. These impacts would be similar to those of the Proposed Project.

5.3.2.2 Alternative 2 – Half-Capacity Amphitheater Alternative

Similar to Alternative 1, development under Alternative 2 would exceed thresholds for NAAQS and CAAQS during construction and operational phases. In addition, sensitive receptors would be exposed to TACs. As such, this alternative would add to impacts already deemed significant and unavoidable in the 2009 SPW EIS/EIR and 2016/2019 SPPM Addenda. However, impacts would be less than under the Proposed Project, and Alternative 2 would not substantially increase the severity of impacts identified in the 2009 SPW EIS/EIR and the 2016/2019 SPPM Addenda. Alternative 2 would not change the determination of significance made in the 2009 SPW EIS/EIR or the 2016/2019 SPPM Addenda.

5.3.3 Biological Resources

5.3.3.1 Alternative 1 – No Project Alternative

As discussed in the 2009 SPW EIS/EIR and 2016/2019 SPPM Addenda, Alternative 1 would potentially affect nesting-bird trees and marine mammals during construction. Therefore, Alternative 1 would require **MM-BIO-1, Monitor and Manage Turbidity**, and **MM-BIO-2, Conduct Nesting Bird Surveys**, to ensure that bird surveys would take place and sound-abatement techniques implemented, thus reducing impacts to animals that may reside within or surrounding the Project Site to less than significant with implementation of mitigation. Impacts would be similar to those of the Proposed Project.

5.3.3.2 Alternative 2 – Half-Capacity Amphitheater Alternative

Alternative 2 would also incorporate **MM-BIO-2** and incorporate **MM-BIO-7**, *Trash Management and Post-Event Cleanup*, **MM-BIO-8**, *Marine Mammal Monitoring During Fireworks Events*, **MM-BIO-9**, *California Least Tern Nesting Colony Monitoring During Fireworks Events*, **MM-BIO-10**, *Biodegradable Venue Products*, and **MM-BIO-11**, *Abandoned Nest Clearance Must Avoid Breeding Bird Season*, which would ensure that Amphitheater operations would not significantly affect animals, riparian habitat, or other sensitive natural communities within or surrounding the Project Site. Alternative 2 would have less-than-significant impacts regarding biological resources, and impacts would be similar to those of the Proposed Project.

5.3.4 Cultural Resources

5.3.4.1 Alternative 1 – No Project Alternative

The 2009 SPW EIS/EIR and 2016/2019 SPPM Addenda did not identify any significant cultural resources within the Proposed Project footprint. However, in the case of unanticipated discovery during construction, **MM-CR-3**, *Stop Work if Cultural Resources Are Discovered during Ground-Disturbing Activities*, would be implemented, thus requiring cultural monitors to be present during construction and to follow proper procedures in the case of the unanticipated discovery of cultural resources. Therefore, Alternative 1 would have less-than-significant impacts with implementation of mitigation. Alternative 1 does not propose any grading or development at 208 E. 22nd Street, so impacts would be slightly reduced when compared to the Proposed Project.

5.3.4.2 Alternative 2 – Half-Capacity Amphitheater Alternative

Alternative 2 did not identify any significant cultural resources within the Proposed Project footprint. Similarly, Alternative 2 would implement **MM CR-3**, which would require work to stop in the case of an unanticipated discovery. Therefore, Alternative 2 would have less-than-significant impacts with implementation of mitigation, and impacts would be similar to those of the Proposed Project.

5.3.5 Greenhouse Gas Emissions

5.3.5.1 Alternative 1 – No Project Alternative

Greenhouse gas (GHG) emissions thresholds of significance had not yet been developed at the time of the 2009 SPW EIS/EIR; thus, any GHG emissions exceeding the CEQA baseline were deemed significant. The 2009 SPW EIS/EIR determined that, following mitigation, impacts would remain significant and unavoidable for GHG emissions. This conclusion is similar to the conclusion for the Proposed Project.

5.3.5.2 Alternative 2 – Half-Capacity Amphitheater Alternative

Because Alternative 2 involves the same footprint and components as the Proposed Project, Alternative 2 would have significant and unavoidable impacts regarding GHG emissions during operations. This impact would be similar to the Proposed Project, where residual impacts identified in the 2009 EIS/EIR and 2016/2019 SPPM Addenda would remain significant and unavoidable.

5.3.6 Hazards and Hazardous Materials

5.3.6.1 Alternative 1 and Alternative 2

As discussed in the 2009 SPW EIS/EIR and 2016/2019 SPPM Addenda, neither demolition, construction, nor operational activities for both alternatives would involve the handling of a significant amount of hazardous materials. Implementation of construction and operational standards, including best management practices (BMPs), and compliance with the federal and state requirements for the transport, handling, and storage of any hazardous materials during demolition and construction phases would minimize the potential for an accidental release of petroleum products and/or hazardous materials and/or accidental explosion during the construction and demolition activities. However, given that the Project Site is located on a port and has a history of industrial activity, **MM-HAZ-1**, *Develop a Soil Management Plan (SMP) for the 208 E. 22nd Street Parking Lot Site*, **MM-GW-1**, *Complete Site Remediation*, and **MM-GW-2**, *Create a Contamination Contingency Plan*, would be implemented to remediate the Project Site and create a contamination contingency plan that would ensure that construction and operational impacts would be less than significant with implementation of mitigation. Impacts would be similar to those of the Proposed Project.

5.3.7 Hydrology and Water Quality

5.3.7.1 Alternative 1 – No Project Alternative

As discussed in the 2009 SPW EIS/EIR and 2016/2019 SPPM Addenda, Alternative 1 would implement a Stormwater Pollution Prevention Plan (SWPPP) and incorporate BMPs to ensure that all erosion, runoff, and drainage impacts during construction and operation would be less than significant. The 2009 SPW EIS/EIR determined that copper from anti-fouling paint from boats in the harbor could result in a significant and unavoidable water quality impact; however, this impact would only occur for waterside components of the project, which are not applicable to this comparison. Therefore, impacts would be similar to those of the Proposed Project.

5.3.7.2 Alternative 2 – Half-Capacity Amphitheater Alternative

Alternative 2 would implement a SWPPP and incorporate BMPs to ensure that all erosion, runoff, and drainage impacts during construction and operation would be less than significant. Impacts would be less than significant, and no mitigation would be required. Reducing the seating by half would not substantially affect hydrologic or water quality conditions, and this impact would be similar to those of the Proposed Project.

5.3.8 Noise

5.3.8.1 Alternative 1 – No Project Alternative

The 2009 SPW EIS/EIR and 2016/2019 SPPM Addenda determined that construction noise, primarily associated with pile driving, would exceed 5 decibels (dB) and cause significant and unavoidable impacts, even with implementation of mitigation measures. Additionally, there would be significant operational traffic noise along Miner Street, for which there are no feasible mitigation measures that would reduce impacts to less than significant. Therefore, Alternative 1 would have

significant and unavoidable impacts, similar to the Proposed Project. However, a more apt analysis would be to base the comparison upon the difference between the 500-seat Amphitheater as allowed under Alternative 1 versus the 6,200-seat Amphitheater allowed for the Proposed Project. Qualitatively, the larger Amphitheater of the Proposed Project would create both more event noise and also traffic noise due to the larger venue and the larger number of potential attendees. As such, while the CEQA conclusions are the same, Alternative 1 would have less magnitude of noise impacts as compared to the Proposed Project.

5.3.8.2 Alternative 2 – Half-Capacity Amphitheater Alternative

Alternative 2 would also have significant and unavoidable impacts regarding construction noise. Additionally, operation of the Amphitheater would cause significant and unavoidable impacts even with implementation of mitigation because reduction of the seating capacity would not significantly affect the amount of concert noise produced. Specifically, **PF-NOI-1**, Incorporate Sound-Focusing Design into the Amphitheater Sound System, **MM-NOI-3**, *Limit Noise Levels within the Amphitheater during all Tier 1 Events*, **MM-NOI-4**, *Require all Tier 1 Events to Utilize the House Public Address/Sound Reinforcement System*, **MM-NOI-5**, *Monitor Amphitheater Event Noise*, **MM-NOI-6**, *Noise Reporting Requirements Following Amphitheater Events*, **MM-NOI-7**, *Establish a Noise Complaint Hotline and/or Website*, **MM-NOI-8**, *Enforce a Curfew and Restrict the Hours of Use and Duration for the Amphitheater Amplified Sound System*, **MM-NOI-9**, *Fines for Non-compliance*, **MM-NOI-10**, *Restrict the Total Number of Tier 1 Event Performance Days to 100 per Year*, **MM-NOI-11**, *Restrict the Total Number of Firework Displays to 25 per Year*, **MM-NOI-12**, *Limit the Duration of All Firework Displays*, **MM-NOI-13**, *Limit the Use of “Salute” Fireworks*, and **MM-NOI-14**, *Replace Fireworks Displays with Drone Displays*, would drastically reduce the number of residences in San Pedro, west of the Proposed Project site, that would be affected by Amphitheater noise levels in excess of ambient levels. However, even with implementation of mitigation, Amphitheater noise levels would continue to exceed ambient noise levels by more than 5 A-weighted decibels (dBA) of hourly equivalent continuous sound level ($L_{eq(h)}$) at multiple noise-sensitive receivers, including liveaboard vessels in Al Larson Marina, residences at Reservation Point, and liveaboard vessels in Cabrillo Marina. Therefore, Alternative 2 would have similar (i.e., significant and unavoidable) impacts to those of the Proposed Project.

5.3.9 Public Services

5.3.9.1 Alternative 1 – No Project Alternative

As discussed in the 2009 SPW EIS/EIR and 2016/2019 SPPM Addenda, construction of Alternative 1 could potentially affect law enforcement access to the Project Site and surrounding area during construction. Therefore, **MM-PS-1**, *Coordinate with Law Enforcement Agencies*, would be implemented to ensure coordination with law enforcement during construction, thereby ensuring that law enforcement has adequate access to and around the Project Site. Operation of Alternative 1 would not require expansion of public service facilities nor require mitigation. As with the Proposed Project, Alternative 1 would have less-than-significant impacts with mitigation. However, with the decreased seating capacity and potential maximum attendees capped at 500, public safety impacts would be incrementally less than for the Proposed Project, which would have seating capacity for 6,200.

5.3.9.2 Alternative 2 – Half-Capacity Amphitheater Alternative

Similar to Alternative 1, construction of Alternative 2 could potentially affect law enforcement access to the Project Site and surrounding area during construction. Therefore, **MM-PS-1** would be implemented to ensure coordination with law enforcement during construction, thereby ensuring that law enforcement has adequate access to and around the Project Site. Additionally, construction of the Amphitheater would require additional safety measures to ensure safe operation of the Amphitheater. As with the Proposed Project, **MM-PS-2**, *Operational Safety Measures*, would be implemented to ensure that safety features (e.g., blue phones, cameras, signs, identification) for responding officers are installed. Therefore, impacts would be less than significant with mitigation, and similar to those of the Proposed Project.

5.3.10 Transportation/Traffic

5.3.10.1 Alternative 1 – No Project Alternative

As discussed in the 2009 SPW EIS/EIR and 2016/2019 SPPM Addenda, Alternative 1 would not cause significant traffic impacts during the construction phase with implementation of **MM-TC-1**, *Develop and implement a Traffic Control Plan throughout Proposed Project Construction*. Furthermore, Alternative 1 would not affect any applicable traffic plans or regulations during operations and would follow design guidelines to ensure safe design and emergency access. The 2009 SPW EIS/EIR did find significant and unavoidable operational impacts under the Level of Service (LOS) methodology, which is no longer used when evaluating impacts to transportation systems. Therefore, Alternative 1 would have less-than-significant operational impacts regarding transportation. With a 500-seat Amphitheater instead of 6,200 seats, impacts associated with Alternative 1 would be reduced as compared to the Proposed Project.

5.3.10.2 Alternative 2 – Half-Capacity Amphitheater Alternative

Alternative 2 would not affect any applicable traffic plans or regulations and would follow design guidelines to ensure safe design and emergency access. Alternative 2 involves construction of the Amphitheater with a similar build to the Proposed Project, but with a reduced anticipated maximum capacity of 3,100 patrons per event. However, similar to the Proposed Project, Alternative 2 would result in significant and unavoidable impacts regarding vehicle miles traveled (VMT), even with the implementation of mitigation. Therefore, while the CEQA conclusion would be similar to that of the Proposed Project, impacts would be incrementally reduced because the Amphitheater would have half the capacity.

5.3.11 Tribal Cultural Resources

5.3.11.1 Alternative 1 and Alternative 2

Impacts on tribal cultural resources were not analyzed at the time that the 2009 SPW EIS/EIR was approved because Assembly Bill (AB) 52 was not in effect until July 2015. For both alternatives, cultural resources analysis did not identify any archaeological sites nor sacred sites that might be presently interpreted as tribal cultural resources. However, **MM-CR-3**, *Stop Work if Cultural Resources Are Discovered during Ground-Disturbing Activities*, would be implemented, which would

stop work in the event of unanticipated discovery of cultural resources. Therefore, both alternatives would have less-than-significant impacts with implementation of mitigation, similar to the Proposed Project.

5.4 Environmentally Superior Alternative

CEQA requires a lead agency to identify the “environmentally superior alternative” and, in cases where the “No Project” Alternative is environmentally superior to the proposed project, the environmentally superior development alternative must be identified. Both alternatives have similar environmental impacts when compared to the Proposed Project, except for air quality, cultural resources, noise, public services, and transportation. Because Alternative 1 would allow development consistent with the 2009 SPW EIS/EIR (and as amended by the 2016 SPPM Addendum), Alternative 1 would only be able to build a 500-seat Amphitheater instead of the 6,200-seat Amphitheater proposed by the project. In addition, Alternative 1 does not include development of the 208 E. 22nd Street parking lot and the associated cultural impacts. As such, Alternative 1 would have reduced impacts for cultural resources, noise, public services, and transportation as compared to the Proposed Project. Alternative 1 would not meet project objective 2 and would meet objectives 1, 4, and 5 to a lesser extent as compared to the Proposed Project. Alternative 2 would implement a half-capacity (3,100-seat) Amphitheater and, as such, would have reduced impacts associated with air quality and transportation. Alternative 2 would meet all of the project objectives, but to a lesser extent as compared to the Proposed Project. The ability to meet the project objectives to a lesser extent would be due to the fact that the reduced venue size would limit the type and quality of performances the venue would be able to entice. Alternative 2 would not support the types of shows that would be attracted to the larger amphitheater. For example, the Greek Theater has a seating capacity of 5,900, which is similar to the size of the Proposed Project’s Amphitheater and which allows the Greek Theater to attract shows with top talent (The Greek Theater 2024). As another example, the new Rady Shell at Jacobs Park has seating for up to 10,000 guests (Port of San Diego 2024). The proposed 6,200-seat amphitheater would allow the West Harbor Project to compete for the acts attracted to these larger-sized venues.

Therefore, Alternative 1, the No Project Alternative, has been identified as the environmentally superior alternative. However, according to CEQA guidance, because Alternative 1 is considered the No Project Alternative, Alternative 2 would be considered the most environmentally superior option among the remaining alternative options. CEQA does not require the lead agency to choose the environmentally superior alternative. Instead, CEQA requires the Port to consider environmentally superior alternatives, weigh those considerations against the environmental impacts of the Proposed Project, and make findings that the benefits of those considerations outweigh the harm. “Among the factors that may be used to eliminate alternatives from detailed consideration in an EIR are: (i) failure to meet most of the basic project objectives, (ii) infeasibility, or (iii) inability to avoid significant environmental impacts” (CEQA Guidelines § 15126.6[c]).