

2.1 Distribution of the Draft Subsequent Environmental Impact Report

The Draft Subsequent Environmental Impact Report (Draft SEIR) prepared for the Los Angeles Harbor Department (LAHD) for the Proposed Project was distributed to the public and regulatory agencies on November 6, 2024, for a 65-day comment period, ending on January 10, 2025. Approximately 77 hardcopies and 61 email notifications of the Notice of Availability of the Draft SEIR were mailed to various government agencies, organizations, individuals, and Port tenants. LAHD also conducted a public meeting regarding the Draft SEIR on November 14, 2024, to provide an overview of the Proposed Project and to accept public comments on the Proposed Project and environmental document.

The Draft SEIR was available for review at the following location:

- Los Angeles Harbor Department, 425 South Palos Verdes Street, San Pedro, CA, 90731

Electronic copies of the Draft SEIR were made publicly available. Due to the size of the document, the electronic versions were prepared as a series of PDF files to facilitate downloading and printing. The Draft SEIR was available in its entirety on the LAHD website at <https://www.portoflosangeles.org/ceqa>.

2.2 Comments on the Draft Subsequent Environmental Impact Report

The public comment and response component of the California Environmental Quality Act (CEQA) process serves an essential role. It allows the lead agency to assess impacts of the Proposed Project based on the analysis of other responsible, concerned, or adjacent agencies and interested parties, and it provides an opportunity to amplify and better explain the analysis that the lead agency has undertaken to determine the potential new or substantially more severe environmental impacts of the Proposed Project. To that extent, responses to comments are intended to provide complete and thorough explanations to commenting agencies, organizations, and individuals, and to improve the overall understanding of the Proposed Project for the decision-making bodies. LAHD received 232 comment letters in addition to the 23 comments presented during the public hearing held on November 14, 2024, during the public review period. Table 2-1 lists those agencies, organizations, and individuals who commented on the Draft SEIR.

Table 2-1. Public Comments Received on the Draft Subsequent Environmental Impact Report

Letter Code	Comment Code	Date	Page
Agencies			
California Department of Transportation	CALTRANS	12/20/24	2-8
California Geological Survey	CGS	12/11/24	2-9
City of Los Angeles–Council District 15	CD15	1/10/25	2-11
City of Rancho Palos Verdes	CRPV	1/10/25	2-11
Department of Toxic Substances Control	DTSC	1/8/25	2-13
County Board of Supervisors - Hahn, Janice	COUNTY	12/17/24	2-13
Organizations			
Advent resources	ADVENT	12/4/24	2-13
Angel’s Gate Cultural Center	AGCS	1/27/25	2-14
Art PORT	APOINT	12/6/24	2-14
AltaSea	ASEA	12/3/24	2-14
Boys & Girls Club of the Los Angeles Harbor	BGC	12/4/24	2-14
Central San Pedro Neighborhood Council	CeSPNC	12/17/24	2-14
CleanEarth4Kids.org	CE4K	1/9/25	2-18
Coalition for Clean Air	CCA	11/12/24	2-25
Coastal San Pedro Neighborhood Council	CSPNC	12/17/24	2-25
Garden Church	GH	1/10/25	2-41
Genton Cockrum Partners	GCP	1/10/25	2-44
Greater LA Scouting	SCOUTING	12/20/24	2-45
Harbor Community Health Centers	HCHC	12/29/24	2-45
Local 11	LOCAL11	1/10/25	2-45
Los Angeles Maritime Institute	LAMI	1/10/25	2-48
National Museum of the Surface Navy	NMSN	12/3/2024	2-48
PaddleOutPlastic	POP	1/7/25	2-48
San Pedro Bay Historical Society	SPBHS	1/6/25	2-54
San Pedro Chamber of Commerce	SPCC	1/8/25	2-55
San Pedro Downtown Waterfront	SPDW	12/9/24	2-55
SPERRA	SPERRA	1/10/25	2-55
San Pedro Property Alliance	SPPA	12/23/24	2-56
San Pedro Skatepark Association	SPSA	12/19/24	2-56
San Pedro Waterfront Arts District	SPWAD	12/9/24	2-56
Solasta Pictures	Solasta	12/19/24	2-56
South Bay Center for Counseling	SBCC	1/7/25	2-56

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Individuals			
Abshear, Debbie	ABSHEAR	1/4/25	2-56
Aguilar, Orlando	AGUILAR	1/6/25	2-57
Alarcon, Kristie	ALARCON	12/19/24	2-597
Alexander, Linda	ALEXANDER	12/22/24	2-57
Allison, Francesca	ALLISON	1/7/25	2-57
Aragon, Andrew	ANDREW	12/3/24	2-57
Ashfield, Rock	ASHFIELD	12/19/24	2-58
B., Felicia	B-FELICIA	1/6/25	2-58
Bagakis, John	BAGAKIS	1/10/25	2-58
Bagliazo, Cathy	BAGLIAZO1	12/15/24	2-58
Bagliazo, Jack	BAGLIAZO2	12/15/24	2-58
Baker, Arley	BAKER	1/7/25	2-58
Baric, Jack	BARRIC	1/7/25	2-58
Barsness, Jennifer	BARSNESS	12/4/24	2-59
Beaty, Thomas	BEATY	1/9/25	2-59
Blazevic, Magali	BLAZEVIC	1/18/25	2-59
Borst-Smith, Chris	BORST-SMITH1	1/9/25	2-59
Borst-Smith, Dave	BORST-SMITH2	12/27/24	2-59
Borst-Smith, Janice	BORST-SMITH3	1/6/25	2-59
Boyajian, Lisa	BOYAJIAN	1/9/2025	2-59
Bradley, Sandra	BRADLEY	12/15/24	2-62
Brown, James	BROWN	1/10/25	2-62
Brownell, William	BROWNELL	1/6/25	2-62
Bruner, John	BRUNER	12/10/24	2-63
Buscaino, Joe	BUSCAINO	12/15/24	2-63
Cabrera, Ricardo	CABRERA	1/10/25	2-63
Cammareri, Mike	CAMMARERI	12/28/24	2-63
Campeau, James	CAMPEAU	1/6/25	2-63
Cerrato, Bianca	CERRATO	1/10/25	2-64
Chavez, Mike	CHAVEZ1	12/17/24	2-64
Chavez, Olga	CHAVEZ2	12/10/24	2-64
Clark, Ed	CLARK	1/3/25	2-64
Clemons, Jade	CLEMONS	1/2/25	2-64
Cocuzza, Nancy and Fabio	COCUZZA	1/6/25	2-64
Cooney, Paul	COONEY	12/3/24	2-64
Costa, Dom	COSTA1	1/5/25	2-64
Costa, Dom	COSTA2	1/5/25	2-65

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Czyz, Daniel	CZYZ	1/10/25	2-65
de la Vera, Jessica	DELAVERA	1/7/25	2-65
Deeble, Joe	DEEBLE	1/3/25	2-65
Delgado, Kimberly	DELGADO	11/29/24	2-65
DiMeglio, Vince	DIMEGLIO	1/7/25	2-66
Douglas, Jennifer	DOUGLAS	12/14/24	2-66
Dover, Sean	DOVER	1/7/25	2-66
Drown, Brian	DROWN	11/16/24	2-66
Easton, Alex	EASTON	12/27/24	2-67
Edwards-Wallis, Cameron	EDWARDS-WALLIS	12/19/24	2-67
Eldred, Charles	ELDRED	1/10/25	2-67
Espinoza, Kaeli	ESPINOZA	1/9/25	2-67
Esprabens, Christine	ESPRABENS	1/19/25	2-67
Etchepare, Maria	ETCHEPARE	3/13/25	2-67
Feldman, Laurie	FELDMAN	12/18/24	2-67
Fengler, Marann	FENGLER	12/3/24	2-68
Franden, Dan	FRANDEN	12/29/24	2-68
Franz, Allen	FRANZ	1/6/25	2-69
Freeman, Paul	FREEMAN	1/4/25	2-69
Fugate, Malinda	FUGATE	11/20/24	2-69
Galletti, Maria	GALLETTI	1/8/25	2-70
Gardner, Catherine	GARDNER	12/28/24	2-70
Gauvreau, Aimiee and David	GAUVREAU	1/7/25	2-70
Gifford, Deb	GIFFORD	1/5/25	2-70
Goldin, E.	GOLDIN	1/8/25	2-71
Gonzales, Joy	GONZALES	12/29/24	2-71
Gould, Noel	GOULD	1/11/25	2-72
Graham, Scott	GRAHAM	1/7/25	2-75
Griggs, Liz	GRIGGS	1/10/25	2-75
Gritzner, Glenn	GRITZNER	1/6/25	2-75
Gritzner, Glenn	GRITZNER2	1/6/25	2-76
Harris, Chris	HARRIS1	1/10/25	2-76
Harris, George	HARRIS2	1/6/25	2-76
Harris, Helene	HARRIS3	1/6/25	2-76
Harris, Nick	HARRIS4	12/25/24	2-76
Harris, Olympia	HARRIS5	12/18/24	2-76
Hart, Suzie	HART	12/4/24	2-76
Havenick, Richard	HAVENICK	12/24/24	2-77

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Heery1, Clay	HEERY1	1/4/25	2-77
Heery2, Clay	HEERY2	10/5/24	2-78
Hoffman, Chris	HOFFMAN	12/3/24	2-79
Hom, Daniel	HOM	12/27/24	2-79
Howard, Diana	HOWARD	11/24/24	2-79
Huff, Emily	HUFF	1/7/25	2-79
Hungerford, Carol	HUNGERFORD1	1/4/25	2-79
Hungerford, Gabe	HUNGERFORD2	12/18/24	2-80
Hunter, Marianne and William	HUNTER	12/27/24	2-80
Jacobson, John	JACOBSON	12/18/24	2-81
James, Valerie	JAMES	1/10/25	2-81
Jiminez, Manuel	JIMINEZ	12/6/24	2-81
Johnson, Daniel	JOHNSON1	1/10/25	2-81
Johnson, Lynn	JOHNSON2	11/7/24	2-82
Johnson, Susanne	JOHNSON3	1/9/25	2-82
Jones, Leslie	JONES	12/18/24	2-82
Jones, Leslie	JONES2	12/18/24	2-82
Kato, Ray	KATO	12/29/24	2-82
Keating, Kim	KEATING	11/30/24	2-83
Khan, Tammy	KHAN	1/9/25	2-83
Kimball, Jane	KIMBALL	1/3/25	2-83
Klee, Christa	KLEE	12/3/24	2-83
Krajeck, GERALYNN	KRAJECK	12/20/24	2-83
Kuklok-Waldman, Nicole	KUKLOK-WALDMAN	1/7/25	2-83
Kvatuc, Branimir	KVATUC	12/14/24	2-84
Lanning, Joseph	LANNING	11/14/24	2-84
Larson, Gary	LARSON	12/9/24	2-84
Lavon-Beaty, Michelle	LAVON-BEATY	1/10/25	2-84
Lee, Joann	LEE	1/9/25	2-84
Levine, Leanna	LEVINE	1/4/25	2-84
Lewis, Ralph	LEWIS	1/4/25	2-85
Lincir, Matt	LINCIR	12/18/24	2-85
Lindholm, Phil	LINDHOLM	11/22/24	2-85
Liu-Morales, Rebecca	LIU-MORALES	12/24/24	2-85
LoGiudice, Carl	LOGIUDICE	1/6/25	2-85
Lopez, Samuel	LOPEZ	12/25/24	2-85
Lucks, Linda	LUCKS	1/20/25	2-86
MacAinsh, Nathan	MACAINSH	12/19/24	2-86

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Maldonado, Alma	MALDONADO1	1/2/25	2-86
Maldonado Jr., Elias	MALDONADO2	1/7/25	2-86
Mancuso, Giampaolo	MANCUSO	12/26/24	2-86
Mardesic, Nick	MARDESIC	11/30/24	2-86
Marshall, Clay	MARSHALL	11/14/24	2-87
Martin, Amanda	MARTIN1	1/8/25	2-88
Martin, Betty	MARTIN2	1/7/25	2-88
Martinez-Wehmeyer, Adriana	MARTINEZ-WEHMEYER	1/9/25	2-88
Matson, Heather	MATSON	11/22/24	2-88
Matsumoto, Brian	MATSUMOTO	10/14/24	2-88
Medina, Gabriela	MEDINA	1/2/25	2-88
Meister, Lee	MEISTER	1/3/25	2-89
Alexander, Michael	ALEXANDER	11/12/24	2-89
Mirich, Stephen	MIRICH	1/9/25	2-89
Missman, Margaret	MISSMAN	1/9/25	2-89
Moody, John	MOODY	12/1/24	2-90
Mrkich, Ziggy	MRKICH	1/10/25	2-90
Muldrew, Mary	MULDREW1	1/6/25	2-90
Muldrew, Morgan	MULDREW2	1/6/25	2-90
Munster, Noramae	MUNSTER	12/18/24	2-90
Nave, Diana	NAVE1	12/27/24	2-90
Nave, Pat	NAVE2	12/3/24	2-91
Naylor, Mike	NAYLOR	11/15/24	2-91
Neal, Daniel	NEAL	1/10/25	2-91
Nizich, Bob	NIZICH	11/15/24	2-91
Norman, Thomas	NORMAN	12/21/24	2-91
Nygren, Lisa	NYGREN	12/19/24	2-92
O'Brian, Ross	O'BRIAN	12/18/24	2-92
O'Melveny, Regina	O'MELVENY	12/29/24	2-92
Palma, Nino	PALMA	1/21/25	2-92
Parnacher, Jeremy	PARNACHER	12/26/24	2-92
Pfleger, Birte	PFLEGER	12/29/24	2-92
Pirozzi, Anthony	PIROZZI	1/2/25	2-93
Pisano, George	PISANO	1/3/25	2-94
Pocapalia1, Daniel	POCAPALIA1	1/7/25	2-94
Pocapalia2, Daniel	POCAPALIA2	1/7/25	2-94
Purcell, Tom	PURCELL	12/3/21	2-94
Pyun, Alys Chalmers	PYUN	1/10/25	2-94

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Rizzi, Gianine	RIZZI1	1/10/25	2-102
Rizzi, Gianine	RIZZI2	1/10/25	2-102
Rochat, Judy	ROCHAT	1/8/25	2-102
Sams, Nancy	SAMS	11/15/24	2-104
Sandell, Scott	SANDELL	1/10/25	2-105
Sax, Elizabeth	SAX	1/5/25	2-108
Schindler, Taran	SCHINDLER	1/3/25	2-108
Shriver, Marianne	SHRIVER	1/7/25	2-108
Shrum, JJ	SHRUM	1/9/25	2-108
Silber, Andrew	SILBER	1/18/25	2-109
Skebe, Ed	SKEBE	1/3/25	2-109
Smirke, Ann	SMIRKE	1/9/25	2-109
Springer, Cathy	SPRINGER1	12/26/24	2-109
Springer, Jay	SPRINGER2	12/22/24	2-109
St. John, Barbara	STJOHN	1/4/25	2-109
Stevens, EZ	STEVENS	1/5/25	2-109
Sutton, Mona	SUTTON1	12/18/24	2-110
Sutton, Mona	SUTTON2	12/18/24	2-110
Swensson, Heli	SWENSSON	12/18/24	2-110
Tahash, Nina	TAHASH	1/4/25	2-110
Taylor, Kimberly	TAYLOR	11/15/24	2-110
Teuber, David	TEUBER	11/28/24	2-111
Thompson, Jake	THOMPSON	1/8/25	2-111
Thornton, Dawn	THORNTON	1/7/25	2-111
Townsend, Camila and Stan Hicks	TOWNSEND	12/24/24	2-111
Trusela, Josephine	TRUSELA	1/7/25	2-111
Ungaro, Henry	UNGARO1	1/6/25	2-111
Ungaro, Henry	UNGARO2	1/7/25	2-111
Valanejad, Kamran	VALANEJAD	12/18/24	2-112
van Hoorn1, Gus	VANHOORN1	1/6/25	2-112
van Hoorn2, Gus	VANHOORN2	1/7/25	2-112
Vance, Hannah	VANCE	1/7/25	2-112
Vandewark, K	VANDEWARK	1/6/25	2-112
Von Kalinowski, Penelope	VONKALINOWSKI	12/30/24	2-113
Wallis, Cameron	WALLISC	12/19/24	2-113
Wallis, Kristie A	WALLIS1	12/19/24	2-113
Wallis, Kristie	WALLIS2	12/19/24	2-113

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Wehmeyer, Jeremy	WEHMEYER	1/9/25	2-113
Wilkinson, Joselyn	WILKINSON	12/3/24	2-114
Wixted1, Laurie	WIXTED1	1/2/25	2-114
Yokoyama, Jerome	YOKOYAMA	1/7/25	2-114
Young, Laurie	YOUNG1	12/6/24	2-114
Young, Mike	YOUNG2	12/6/24	2-114
West Harbor Modification Project Public Meeting Transcript	WHMPM	11/16/24	2-115
Procedural			
Coastal San Pedro Neighborhood Council	CSPNC	11/9/24	2-119
Eriksen, Amy	ERIKSON	1/31/25	2-119
U.S. Army Corps of Engineers	USACE	11/18/2024	2-119

2.3 Responses to Comments

In accordance with the CEQA Guidelines Section 15088, LAHD has evaluated the comments on environmental issues received from agencies and other interested parties and has prepared written responses to each comment pertinent to the adequacy of the environmental analyses contained in the Draft SEIR. In implementing specific compliance with CEQA Guidelines Section 15088(b), the written responses address the environmental issues raised. In addition, where appropriate, the basis for incorporating or not incorporating specific suggestions into the Proposed Project is provided. In each case, LAHD has expended a good faith effort, supported by reasoned analysis, to respond to comments. This section includes responses not only to the written comments received during the 48-day public review period of the Draft EIR, but also verbal comments made in the public hearing for the Draft SEIR. Some of the written comments resulted in minor changes to the Draft SEIR; but these revisions did not change any of the conclusions. The changes and modifications to the Draft SEIR are included in Chapter 3, *Modifications to the Draft Subsequent Environmental Impact Report*, of this Final SEIR. Changes noted in Chapter 3 are identified by text strikeout and/or underline. A copy of each comment letter is provided in Appendix J.

2.3.1 Responses to Comment Letters

2.3.1.1 Agencies

Response to Comment Letter California Department of Transportation

CALTRANS-1 The comment states that the California Department of Transportation (Caltrans) received the Draft SEIR and was provided a brief description of the Proposed Project. The comment states that “Caltrans is in support of this project’s pedestrian-oriented plans that help achieve state planning priorities contained in state law and meet state policy goals on transportation, VMT reduction, GHG emissions reduction, and/or

betterment of the environment and human health.” The comment goes on to state that Caltrans recommends improvements for the Proposed Project, which include (paraphrased): transit usage and free bicycle parking valet service to attendees of large events at the site; reducing car parking whenever possible; constructing physically separated facilities (e.g., Class IV bikeways, wide sidewalks, pedestrian refuge islands); and visual indicators (e.g., pedestrian and bicycle warning signage, flashing beacons, crosswalks, signage, and striping). The comment also recommends that the Proposed Project conduct a post-construction vehicle miles traveled (VMT) study to confirm there are no significant VMT impacts and limit large truck travel and construction traffic to off-peak commute hours.

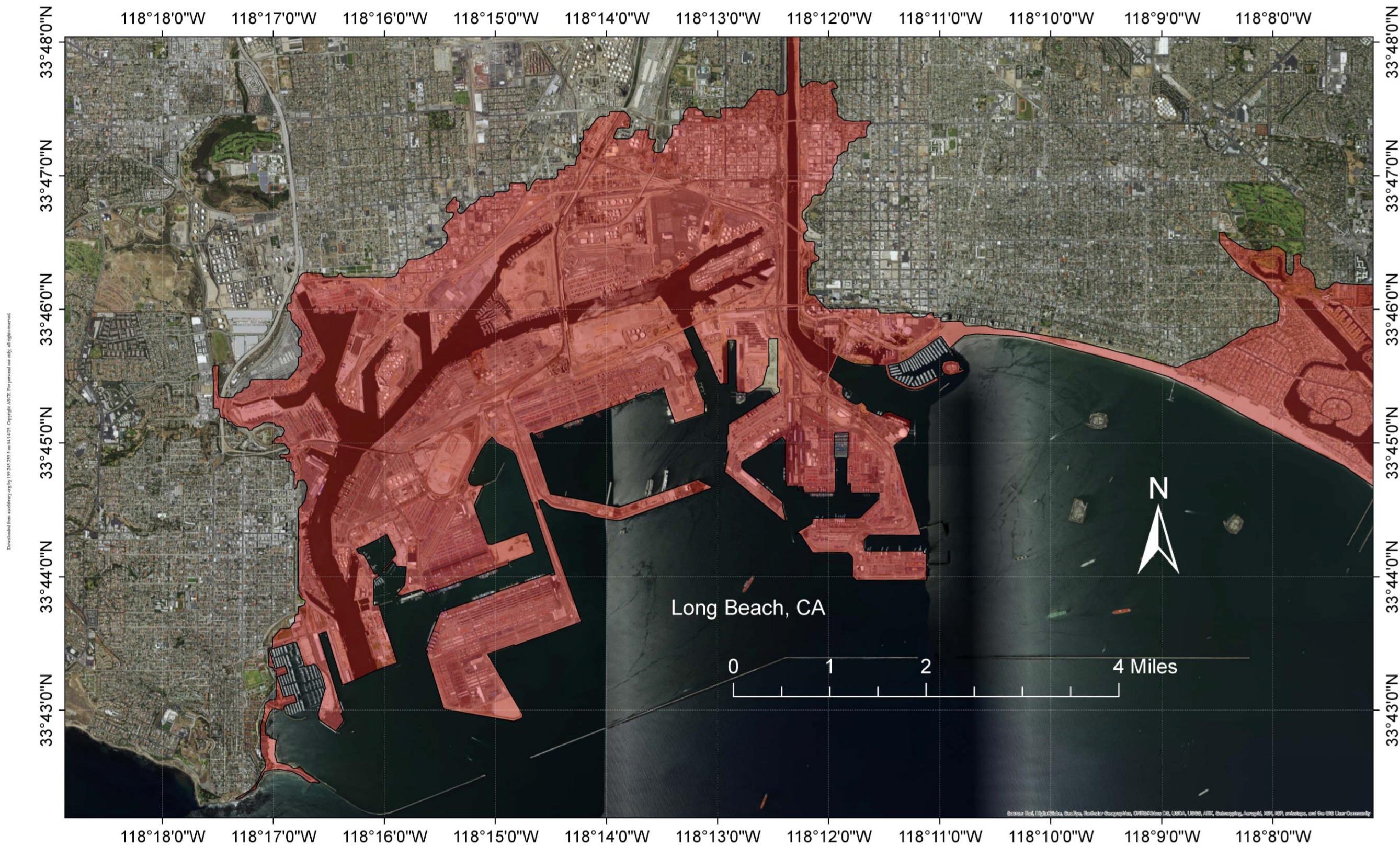
These strategies apply to areas outside of the Proposed Project, but most are planned as part of the larger San Pedro Waterfront development, such as mitigation measure (MM-)TC-24: Design pavement markings and signage in station areas to clearly direct pedestrians to the desired routes and MM TC 25: Construct new sidewalks to allow for the orderly movement of pedestrians. This SEIR will require implementation of MM-TRAN-1, which also includes some of the suggested improvements, such as Event-Specific Expanded Public Transit, Active Transportation Communication, and Providing End-of-Trip Bicycle Facilities. LAHD acknowledges these comments and will include them in the Proposed Project record for the Board of Harbor Commissioners to consider. .

Response to Comment Letter California Geological Survey

CGS-1 The comment states that the California Geological Survey (CGS) received the Draft SEIR and provided a brief description of the Proposed Project. The comment states that CGS has two recommendations concerning geologic and seismic hazard issues in the Draft SEIR. The first is that while the SEIR does provide a discussion of tsunami inundation hazards in the Port area, CGS notes that the Proposed Project is within a CGS Tsunami Hazard Area (THA) and recommends that the SEIR be revised to discuss the THAs and provide a map depicting them. Secondly, CGS recommends that it be determined whether the Proposed Project lies within a Tsunami Design Zone established by the California Building Code (CBC).

The Initial Study/Notice of Preparation for the Proposed Project (Appendix A-1 of the Draft SEIR) determined that the Proposed Project is within a Tsunami Hazard Area (THA) but would have less-than-significant impacts associated with inundation due to a flood hazard, tsunami, or seiche (Threshold X(d)), so this topic was not directly analyzed in the SEIR. The Proposed Project is within the Tsunami Design Zone (TDZ) per the CBC. A map depicting the TDZ from the American Society for Civil Engineers is included in this comment response.

ASCE 7-16 Tsunami Design Maps for Selected Locations



LAHD acknowledges these comments and will include them in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter City of Los Angeles–Council District 15

- CD15-1** The commenter states that they are the Councilmember representing the 15th District of the City of Los Angeles. The commenter also states that he believes that the Proposed Project is key to the success of the redevelopment effort in the San Pedro area. The commenter goes on to request that an additional receiver get added to the Project scope, located between the Southwest Marine Facility and the United States Coast Guard Dock, directly across from the Proposed Project in order to ensure quality of life for residents and flora/fauna.
- CD15-2** This comment expresses full support of the Proposed Project but that relevant environmental factors must be addressed. Specifically, the comment requests that an additional receiver be added to the Proposed Project scope, located between the Southwest Marine Facility and the U.S. Coast Guard Dock, directly across from the Proposed Project, because this area is used by marine wildlife. In response to this and other comments about the area described, an additional receiver (Receiver Point 9) has been added to the analysis of estimated noise levels for marine mammal receiver points in Table 3.3-2 and Tables 3.3-3 of the Draft SEIR. At this new receiver location, unmitigated combined noise levels (from the amphitheater and fireworks) were estimated to be 100 dBZ (decibels relative to Z) and mitigated combined noise levels were estimated to be 90 dBZ. In both cases, the noise is dominated by the amphitheater. Because the mitigated noise level of 90 dBZ would be less than the Level B harassment threshold of 100 dBZ for the species observed at the added receiver location, there would be no new impacts at this location after mitigation. The resulting updates to the Draft SEIR are described in Section 3.2 of this Final SEIR, *Changes to the Draft Subsequent Environmental Impact Report*.
- CD15-3** LAHD acknowledges these comments and will include them in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter City of Rancho Palos Verdes

- CRPV-1** The commenter states that the City of Rancho Palos Verdes has reviewed the Draft SEIR and appreciates the extension of the public review and comment period until after the holiday season. The comment states that ever since the plan for the 6,200-seat amphitheater was announced, residents of the Eastview neighborhood (of Rancho Palos Verdes) have shared concerns about potential noise impacts from performances and fireworks displays at the proposed venue. This comment is elaborated on and responded to further in response to comments CRPV-2 and CRPV-4. This comment does not raise any specific issue regarding the adequacy of the analysis contained in the Draft SEIR.
- CRPV-2** The comment acknowledges that both favorable and unfavorable atmospheric conditions were studied but goes on to state that only the noise-sensitive locations

within the immediate surrounding area were studied and that the radius should be expanded to assess noise impacts on the Palos Verdes Peninsula community. The closest points in the City of Rancho Palos Verdes are more than two miles from the Proposed Project site and more than 2.5 miles from the Proposed fireworks launch location. Although the noise analysis does not extend quite that far, it does extend substantially farther than “the immediate surrounding area.” The amphitheater noise mapping provided in the Draft SEIR covers an area of approximately 3.5 square miles and extends more than a mile to the west where the majority of nearby noise-sensitive receptors (e.g., homes) are located. The mitigated amphitheater noise levels at the west edge of the mapped area are estimated to be between 42 and 55 dBA (A-weighted decibels), depending on atmospheric conditions. These noise levels would decrease further with the increased distance to the City of Rancho Palos Verdes.

CRPV-3

The comment supports the creation of a noise complaint hotline and/or website for the amphitheater, penalties for noise violations, and requirements for a noise monitoring station and sound-monitoring data reports but states that more information is needed on how these mitigation measures will be enforced, including the specific provisions and enforcement mechanisms included in contracts, permits, or other agreements with amphitheater users. As stated in mitigation measure (MM-) NOI-3, Tier 1 Events are defined as all public or private performance events with amplified sound and intended audiences of more than 500 people including, but not limited to, Tenant events, public events, leased events, rental events, and other third-party events. Therefore, all such events would be subject to the controls mentioned by the commenter—i.e., noise limits (MM-NOI-3), noise monitoring (MM-NOI-5), noise reporting (MM-NOI-6), the noise complaint hotline (MM-NOI-7), and fines for non-compliance (MM-NOI-9). All mitigation measures are included in the Proposed Project’s Mitigation, Monitoring, and Reporting Program, which will be attached to the Project/amphitheater lease as conditions of operation. Consequently, these requirements will also apply to all amphitheater users.

CRPV-4

The comment expressed concern not only about the long-term significant and unavoidable noise impacts generated by the amphitheater, but also about the proposed 25 offshore fireworks displays per year. The comment states that fireworks trigger flashbacks in veterans and terror in pets and expresses support for a mitigation measure requiring the fireworks be replaced with lighted drone displays. The Proposed Project has been modified as a result of these and similar comments to reduce the number of annual fireworks shows permitted from 25 to 13 and reduce the run-time from 20 minutes to 10 minutes for eleven 11 of the events. Two 20-minute shows would still be allowed per year. Mitigation has also been revised to prevent “salute” concussive shell fireworks that are the most disruptive to sensitive groups. Mitigation Measures MM-NOI-11, MM-NOI-12, and MM-NOI-13 from the Draft SEIR have been updated to reflect the reduction in fireworks displays (MM-NOI-11 now restricts the total number of firework displays to 13 per year; MM-NOI-12 now limits the duration of all fireworks displays to 10 minutes, except for two 20-minute shows per year; and MM-NOI-13 now eliminates the use of “salute” fireworks). The

resulting updates to the Draft SEIR are described in Section 3.2 of this Final SEIR, *Changes to the Draft Subsequent Environmental Impact Report*.

Response to Comment Letter Department of Toxic Substances Control

DTSC-1 The comment states that Department of Toxic Substances Control (DTSC) received the Draft SEIR and provided a brief description of the Proposed Project.

DTSC-2 The comment states that the 208 E. 22nd Street Parking Lot is within the boundaries of the Gatz Annex Terminal – San Pedro Site, which continues to have contamination above screening levels in the post-treatment soil. As such, DTSC recommends that any excavation within the boundaries of the 208 E. 22nd Street Parking Lot that goes deeper than 1 foot below ground surface follow details from a Soil Management Plan (SMP); and since there currently is no SMP, DTSC recommends that one be prepared and submitted to DTSC for review.

DTSC is correct that there is not currently a SMP for the Proposed Project; however, page 3.6-19 of the Draft SEIR includes mitigation measure (MM-) HAZ-1 which requires preparation of an SMP. Further, MM-HAZ-1 requires that the SMP include protocols, measures, and techniques for the proper handling, management, and disposition of affected soils found on site and in any areas of offsite work during site preparation and grading activities at the 208 E. 22nd Street Parking Lot. Because the SMP that is requested by DTSC is already required by MM-HAZ-1, the Draft SEIR remains adequate.

DTSC-3 LAHD acknowledges these comments and will include them in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter County Board of Supervisors - Hahn, Janice

COUNTY-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

2.3.1.2 Organizations

Response to Comment Letter AdventResources

ADVENT-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Project record for the Board of Harbor Commissioners' consideration.

AGCS-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Project record for the Board of Harbor Commissioners' consideration.

Response to Comment Letter ArtPORT

APORT-1 The comment states that ArtPORT LA supports the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider. The comment does not raise an issue regarding the adequacy of the analysis contained in the Draft SEIR.

Response to Comment Letter AltaSea

ASEA-1 The comment on behalf of AltaSea states that AltaSea supports the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Boys & Girls Club of the Los Angeles Harbor

BGC-1 The comment on behalf of the Boys & Girls Club of the Los Angeles Harbor supports the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Central San Pedro Neighborhood Council

CeSPNC-1 The comment on behalf of the Central San Pedro Neighborhood Council (CeSPNC) expresses willingness to work with the Port of Los Angeles, developers, and community stakeholders to ensure that the Proposed Project is completed with the least amount of environmental impact possible and in alignment with the Port of Los Angeles Plan and Port Master Plan. A list of goals from the Port of Los Angeles Plan and the Port Master Plan was provided with the comment submission. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

CeSPNC-2 The comment recommends replacing the term *amphitheater* with a more appropriate term. While the term *amphitheater* typically refers to a natural or human-made half-circle with tiered structure, there are other examples of amphitheaters in the Southern California region that do not meet this criteria. Renderings of the Proposed Project were included in the Draft SEIR's Project Description. The Tenant (developer) prefers to continue using the term *amphitheater*. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

CeSPNC-3 The commenter states that an increase of 25 fireworks shows per year is not accurately characterized in the aesthetic impact analysis. The Proposed Project has been modified as a result of these and similar comments to reduce the number of annual fireworks shows permitted from 25 to 13 and reduce the run-time from 20 minutes to 10 minutes for eleven of the events. Two 20-minute shows would still be allowed per year. Mitigation has also been revised to prevent "salute" concussive shell fireworks that are the most disruptive to sensitive groups. Because similar

shows already occur at the Port, including fireworks and music festivals, the Proposed Project would not be introducing any events that may change the character or use of the area. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

- CeSPNC-4** The comment states fireworks are known to cause significant air pollution and noise pollution, as well as require significant clean up. The Draft SEIR discusses the impacts of fireworks shows on air quality in Section 3.2, *Air Quality*, on noise in Section 3.8, *Noise*, and on water and biological resources in Section 3.3, *Biological Resources*. The Project has been modified as a result of these and similar comments to reduce the number of annual fireworks shows permitted from 25 to 13 and reduce the run-time from 20 minutes to 10 minutes for eleven of the events. Two 20-minute shows would still be allowed per year. Mitigation has also been revised to prevent “salute” concussive shell fireworks that are the most disruptive to sensitive groups. Mitigation has also been revised to prevent “salute” concussive shell fireworks that are the most disruptive to sensitive groups. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CeSPNC-5** The comment mentions MM-BIO-8, and requests that language mandating oversight by the Port of Los Angeles, ensuring that any biologist hired by the Tenant is fully qualified and that there are no real/perceived biases. LAHD will select from experienced biologists and be reimbursed by the Tenant to ensure that the biologist chosen to perform the surveys is fully qualified and provides input to guide the direction of the Proposed Project. Pursuant to Page 3.3-34 of the Draft SEIR, a *qualified biologist* is a person who, by reason of their knowledge of the natural sciences and the principles of marine biology, acquired by marine biology education and experience, performs services including, but not limited to, consultation investigation, surveying, evaluation, planning, or responsible supervision of marine biology activities when those professional services require the application of biological principles and techniques.
- CeSPNC-6** This comment simply states that the commenter does not have any specific comments regarding Section 3.4, *Cultural Resources*. Since this comment does not raise an issue regarding the adequacy of the analysis contained in the Draft SEIR, .
- CeSPNC-7** The comment questions the adequacy of the greenhouse gas analysis in Section 3.5, *Greenhouse Gas Emissions*, and asks for a reevaluation. The comment states greenhouse gas emissions (GHG) quantities from major sources, such as concrete or fugitive emissions, can be significant, and are often overlooked and not controlled, even while economically feasible to be avoided, reduced, or eliminated. Please refer to Section 3.5.7, *Methodology*, for more information on how the analysis was conducted. The purpose of the GHG section is to analyze if the Proposed Project would result in construction and operation activities that would conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions and/or increase the severity of impact considered in the 2009 SPW EIS/EIR or 2016 SPPM Addendum. The lead agency has discretion in determining

the appropriate scope and methodology for the GHG analysis. Although CEQA requires a good faith effort to assess GHG emissions, considering both short-term and long-term effects, the extent of the analysis must be supported by substantial evidence and should not be speculative. The CEQA discussion, therefore, analyzes applicable plans, policies, and regulations to ensure the Proposed Project would not exceed established thresholds.

- CeSPNC-8** The comment questions the adequacy of the GHG analysis in Section 3.5 and asks for a reevaluation. The comment requests MM-AQ-27 provide additional Tenant lease requirements about mitigation through efficiency or emissions incorporating appliances, hot water, and HVAC & Refrigeration. This mitigation measure is specific to LED lighting. The buildings associated with the Proposed Project also would be subject to City of Los Angeles Green Building Code Ordinance No. 181480, which details energy efficiency requirements applicable to new construction.
- CeSPNC-9** The comment references Project feature (PF-) GHG-1 and asks that the SEIR include the estimated energy or demand offset that the 1.4 megawatt solar-panel canopies would provide. The amount of energy generated by the solar panels was calculated using the U.S. Environmental Protection Agency AVERT calculator, discussed under PF-GHG-1, provided in Table 3.5-3. GHG emissions (metric tons per year), “With Mitigation and Project Features,” are provided in Table B16 of Appendix C. The comment also asks that the term “design criteria” be changed to “performance criteria;” however, this is not a CEQA issue, and the terminology is consistent with what is used in the Proposed Project description for the GHG section. As such, no changes are made to the Draft SEIR as a result of this comment. The Project features are included in the Project’s Mitigation, Monitoring, and Reporting Program and will be attached to the lease.
- CeSPNC-10** This comment simply states that the commenter does not have any specific comments regarding Section 3.6, *Hazardous Materials*.
- CeSPNC-11** The comment states that the finding of “less than significant impact” warrants additional review and also recommends that fireworks vendors be mandated to use drones for a majority of events in order to limit pollution. The Proposed Project has been modified as a result of these and similar comments to reduce the number of annual fireworks shows permitted from 25 to 13 and reduce the run-time from 20 minutes to 10 minutes for eleven of the events. Two 20-minute shows would still be allowed per year. Mitigation has also been revised to prevent “salute” concussive shell fireworks that are the most disruptive to sensitive groups. Additionally, fireworks shows will be subject to the pollution reduction management practices outlined in the Los Angeles Regional Water Quality Control Board General Fireworks Permit for firework discharge to ensure no impact on water quality, as discussed in Section 3.7, *Hydrology and Water Quality*. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

- CeSPNC-12** The comment requests that “the difference between Tier 1 and Tier 2 events should be further elucidated and take into consideration more than audience size.” As stated in the Draft SEIR, a 500-seat amphitheater was already included in the 2009 SPW EIS/EIR and the 2016 SPPM Addendum. Tier 2 events are defined in the Draft SEIR (refer to Section 3.8.6.6, *Amphitheater Noise*) as “small events attended by 500 people or less...” Tier 2 events could include activities such as community events or viewing parties, which would be substantially smaller than Tier 1 events and would involve substantially lower noise levels. Tier 1 noise levels would be too loud to be compatible with these types of events and would be unnecessary and undesirable in this context. Tier 2 events would not be commercial concerts for which continuous sound/music is the central focus of the event, and some Tier 2 events might not require the use of the amphitheater sound system given their limited size.
- CeSPNC-13** The commenter states that the Draft SEIR should take into consideration the large veteran community at Fort McArthur, many of whom struggle with post-traumatic stress disorder, as well as the larger community, including the unhoused and other vulnerable populations. The Proposed Project has been modified as a result of these and similar comments to reduce the number of annual fireworks shows permitted from 25 to 13 and to reduce the run-time from 20 minutes to 10 minutes for eleven of the events. Two 20-minute shows would still be allowed per year. Mitigation has also been revised to prevent “salute” concussive shell fireworks that are the most disruptive to sensitive groups. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider. In response to the public comments received about fireworks, MM-NOI-11, MM-NOI-12, and MM-NOI-13 have been updated to reflect the reduction in fireworks shows. MM-NOI-11 now restricts the total number of firework displays to 13 per year, MM-NOI-12 now limits the duration of all fireworks displays to 10 minutes except for two 20-minute shows per year, and MM-NOI-13 now eliminates the use of “salute” fireworks.
- CeSPNC-14** The comment states that sound-monitoring data reports should always be freely accessible to the public. MM-NOI-6 has been modified to require that for “events that cause any violations of the sound level limits, or for event logs requested at any time by the Executive Director, the sound monitoring log will be furnished to the Port within 48 hours of the conclusion of the event. For all other events, the sound monitoring logs will be furnished to the Port within 30 days.” The noise compliance hotline will be open during events, and real-time measures, where feasible, will be explored to address complaints.
- CeSPNC-15** This comment does not raise an issue regarding the adequacy of the analysis contained in the Draft SEIR.
- CeSPNC-16** This comment expresses concern with the adequacy of the cumulative traffic analysis. The Draft SEIR assesses all potential cumulative traffic impacts required under CEQA. For other transportation impacts, the LADOT Transportation Assessment Guidelines (City of Los Angeles Department of Transportation 2022) identifies the City of Los Angeles’ authority to review and require correction for

transportation deficiencies that may result from a development project through the City's Site Plan Review approval process. The Site Plan Review analysis includes pedestrian, bicycle, and transit access assessment; Project access safety and circulation evaluation; Project construction; and a residential street cut-through analysis. This review is outside the scope of this Draft SEIR; however, the Project access circulation evaluation, which includes operational deficiency evaluations (i.e., level of service) for intersections in the Project vicinity, is included in this Draft SEIR as Appendix G for informational purposes only.

- CeSPNC-17** This comment suggests discounted parking be offered to San Pedro residents, which is not a CEQA issue. Discounts may be available to public transit users through implementation of MM-TRAN-1. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter CleanEarth4Kids.org

- CE4K-1** This comment is introductory to the comments that follow. Please refer to responses to comments CE4K-2 through CE4K-38 that address each of the specific concerns expressed in the comment letter.
- CE4K-2** This comment expresses concern with the use of artificial turf for the lawn area of the amphitheater. The cited research tested several samples of turf but none provided by the supplier to be used in the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CE4K-3** This comment expresses concern with the use of plastics in synthetic and artificial turf. The studies referenced make a clear point that chronic exposure to polyfluoroalkyl substances (PFAS) and phthalates are linked to major human health concerns, especially for pregnant women and children. These are all important considerations that led to the Tenant to propose the use of turf that does not use synthetic materials as infill and meets the requirements of EN-71-3 (Part 3) Toy Testing Standards. The studies cited in the comment are also based upon chronic exposure to plastic and its potential components rather than the proposed use of sitting or standing on turf for several hours on occasion.
- CE4K-4** This comment expresses concern with the use of phthalates as a plastic additive in synthetic grass. The cited studies reference adverse health outcomes associated with chronic exposure to phthalates, which is an important concern. The cited studies evaluated effects of phthalates on both humans and rodents, both of which showed an increase in endocrine system disruption, reproductive issues, and an increase in body fat and type II diabetes. These studies are important to consider for the Proposed Project and further support the use of the highest quality synthetic turf designed to prevent plastic breakdown and exposure to phthalates. While this is an important consideration for synthetic turf use in general, the temporary nature of the exposure to synthetic turf associated with the Proposed Project makes these studies less

applicable to the Proposed Project. Measures such as keeping turf from degrading and replacing worn turf may also aid in limiting exposure. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

- CE4K-5** This comment expresses concern with PFAS exposure related to the use of synthetic grass. The study referenced synthetic turf purchased at a Home Depot that was then tested for PFAS, and all samples indicated PFAS concentrations. The samples used were not from the manufacturer proposed for the Proposed Project. Health risks associated with exposure to PFAS indicated in this comment are based on chronic exposure to PFAS at levels above regulatory screening standards, which would not be an appropriate metric for the use expected for the Proposed Project. Despite this, the use of PFAS is an important health and environmental concern. Testing from as recently as August 2024 (TRC 2024) for PFAS in FieldTurf products indicated non-detection in several samples and detection in concentrations orders of magnitude below health screening levels. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CE4K-6** This comment expresses concern with the health and environmental effects of plastic production including plastic burning and plastic waste entering the ocean. Plastic production will not be occurring as part of the Proposed Project. The plastic planned to be used in the turf will be UV-stabilized to prevent degradation and will not be burnt. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CE4K-7** This comment expresses concern with the generation of plastic requiring fossil-fuel consumption. This is an important consideration in reducing the Proposed Project's carbon footprint. The turf considered for the Proposed Project will be partially made from recycled synthetic turf, and the porous pavement installation used beneath the synthetic turf is made from 100 percent recycled plastic to reduce the amount of plastic production. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CE4K-8** This comment expresses concern with the release of methane as polyethylene breaks down. The turf proposed for use in the Proposed Project is made with UV-stabilized polyethylene and will be resistant to breaking down from sunlight exposure. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CE4K-9** This comment expresses concern with the breakdown of artificial turf introducing microplastics into the local surface waters. This is an important concern for the Proposed Project and highlights a major problem with artificial turf use over the past several decades. The use of the turf proposed for the Proposed Project includes ultra-violet (UV)-stabilized polyethylene, which will reduce the breakdown of the turf blades from sunlight. In the studies cited in this comment letter, recent installations with this technology exponentially reduced microplastic into waterways. Despite this, the dangers of microplastics are a consideration and the Tenant will be encouraged to

maintain and replace the turf, as necessary, to prevent breakdown and microplastics from entering local waters. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

- CE4K-10** This comment further expresses concern with plastic in food and water supply. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CE4K-11** This comment expresses concern with the impact of microplastics on wildlife and marine ecosystems. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CE4K-12** This comment expresses concern with the United States' current capacity for recycling artificial turf. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CE4K-13** This comment expresses concern with the heat-retaining potential of synthetic turf in comparison with natural grass. The comment cites news articles reporting synthetic grass temperatures reaching 40-70 degrees (Fahrenheit) above the surrounding air temperature. Based on a review of the articles cited in the comment letter, the increased heat occurrences appear to be related to black rubber infill used in third-generation artificial turf fields. The proposed infill for the Proposed Project will be granulated olive cores or cork material to prevent this issue. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CE4K-14** This comment expresses concern with the potential for the use of turf to expose users to bacteria. The turf proposed for the Proposed Project is permeable and installed on a porous surface to promote drainage and prevent bacterial growth. This comment also discusses that the use of synthetic turf in athletic fields creates a higher incidence of athlete injury. While the amphitheater turf lawn that is part of the Proposed Project may be open for recreation when events are not ongoing, it is not proposed to be an athletic field. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CE4K-15** This comment expresses concern with the use of crumb rubber infill in synthetic fields. Crumb rubber infill will not be used for the Proposed Project's turf installation. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CE4K-16** This comment expresses concern with the use of alternative infills for artificial turf fields, specifically crystallized silica and zeolite. The turf proposed to be used for the Proposed Project utilizes inert materials such as olive cores and ground cork. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CE4K-17** This comment expresses concern with water use for regular cooling and cleaning turf fields and the loss of groundwater replenishment capability. The synthetic turf

considered for the Proposed Project has a permeable backing and is placed upon a porous installation, allowing for water percolation. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

- CE4K-18** This comment expresses a preference for the use of natural grass for playing fields and parks. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CE4K-19** This comment includes additional video resources about the potential harm of using artificial turf in fields. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CE4K-20** This comment reiterates the position of the organization that turf should not be used for the Proposed Project due to turf's potential to contain PFAS and other chemicals. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CE4K-21** This comment urges the Proposed Project to remove the use of fireworks to protect children, the environment, public health, citizens with post-traumatic stress disorder, including veterans, and citizens with anxiety disorders. The Proposed Project has been modified as a result of these and similar comments to reduce the number of annual fireworks shows permitted from 25 to 13 and reduce the run-time from 20 minutes to 10 minutes for 11 of the events. Two 20-minute shows would still be allowed per year. Mitigation has also been revised to prevent "salute" concussive shell fireworks that are the most disruptive to sensitive groups. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CE4K-22** This comment expresses concern with the use of fireworks introducing heavy metals into the air. The comment states that 258 million pounds of fireworks are used annually in the United States, but this number, as discussed in the study cited in the comment letter, refers to fireworks purchased by individuals, not used in events by pyrotechnic professionals (that number, also referenced in the study, is 19.1 million pounds). The study primarily assessed ground-level fireworks that are not used by professionals and noted that these fireworks are often illegally manufactured and acquired and do not adhere to pyrotechnic standards for use in event fireworks displays. The Los Angeles Regional Water Quality Control Board (LARWQCB) General Fireworks Permit required to discharge fireworks for the Proposed Project has stringent best management practices (BMPs) that require the use of alternative fireworks that replace perchlorate with other oxidizers and utilize biodegradable materials. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CE4K-23** This comment expresses concern with exposure to lead. The study referenced in the comment letter primarily assessed ground-level fireworks that are used by individuals rather than professionals and noted that these fireworks are often illegally

manufactured and acquired and do not adhere to pyrotechnic standards for use in event fireworks displays. The LARWQCB General Fireworks Permit required to discharge fireworks for the Proposed Project has stringent BMPs that require the use of alternative fireworks that replace perchlorate with other oxidizers and utilize biodegradable materials. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

CE4K-24 This comment expresses concern with exposure to mercury. The study referenced in the comment letter primarily assessed ground-level fireworks that are used by individuals rather than professionals and noted that these fireworks are often illegally manufactured and acquired and do not adhere to pyrotechnic standards for use in event fireworks displays. The LARWQCB General Fireworks Permit required to discharge fireworks for the Proposed Project has stringent BMPs that require the use of alternative fireworks that replace perchlorate with other oxidizers and utilize biodegradable materials. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

CE4K-25 This comment expresses concern with exposure to cadmium. The study referenced in the comment letter primarily assessed ground-level fireworks that are used by individuals rather than professionals and noted that these fireworks are often illegally manufactured and acquired and do not adhere to pyrotechnic standards for use in event fireworks displays. The LARWQCB General Fireworks Permit required to discharge fireworks for the Proposed Project has stringent BMPs that require the use of alternative fireworks that replace perchlorate with other oxidizers and utilize biodegradable materials. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

CE4K-26 This comment expresses concern with exposure to arsenic. The study referenced in the comment letter primarily assessed ground-level fireworks that are used by individuals rather than professionals and noted that these fireworks are often illegally manufactured and acquired and do not adhere to pyrotechnic standards for use in event fireworks displays. The LARWQCB General Fireworks Permit required to discharge fireworks for the Proposed Project has stringent BMPs that require the use of alternative fireworks that replace perchlorate with other oxidizers and utilize biodegradable materials. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

CE4K-27 This comment expresses concern with exposure to air pollution as particulate matter, carbon monoxide, sulfur dioxide, nitrogen dioxide, and ozone. The article referenced in this comment letter cited an observed increase in air pollution related to fireworks that was 2,800 percent above the levels recommended by the World Health Organization. The article importantly discusses the increase in air pollution related to fireworks but focuses specifically on major world events during which the majority of cities have professional firework displays occurring at the same time as individual fireworks displays, such as on the 4th of July in the United States, or in the case of the 2,800 percent statistic, Diwali in India. While these are notable health concerns, they do not represent the density of firework use proposed by the Proposed Project,

which is 13 fireworks shows per year up to 10 minutes in duration, with the exception of two 20-minute shows annually. Additionally, the LARWQCB General Fireworks Permit required to discharge fireworks for the Proposed Project has stringent BMPs that require the use of alternative fireworks that replace perchlorate with other oxidizers and utilize biodegradable materials. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

- CE4K-28** This comment expresses concern with the risk of air pollution affecting pregnant women and children. This comment is an important consideration for prenatal exposure and pregnant women are typically advised to avoid inhaling smoke and particulate matter. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CE4K-29** This comment expresses concern with the risk of injury and fires associated with firework use. The data referenced are from a report on non-occupational, consumer-operated fireworks. The firework displays that will be used for the Proposed Project will be conducted by pyrotechnic professionals. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CE4K-30** This comment expresses concern with the use of balloons and confetti being used at the proposed amphitheater. Balloons are not proposed for use during Tier 1 events, and the operations of the Proposed Project will be subject to local regulations (see Section 3.3.4.3, *Local Rules and Regulations*, of the Draft SEIR), and mitigation measures (MM-) *BIO-7: Trash Management and Post-Event Cleanup* and MM-BIO-10: *Biodegradable Venue Products* will be implemented. Tier 2 events may have balloons present (e.g., graduations, birthdays, etc.), but the Tenant will inform event operators that balloons present on their site shall not be allowed to be released into the environment. Refer to Section 3.3, *Biological Resources*, in the Draft SEIR for additional details.
- CE4K-31** This comment expresses concern with the use of styrene and polystyrene being used at the proposed amphitheater. The Proposed Project does not propose to use these materials, and the operations of the Proposed Project will be subject to local regulations (see Section 3.3.4.3 and Project feature (PF-) *BIO-1* in the Draft SEIR), and MM-BIO-7: *Trash Management and Post-Event Cleanup* and MM-BIO-10: *Biodegradable Venue Products* will be implemented. Refer to Section 3.3, *Biological Resources*, in the Draft SEIR for additional details.
- CE4K-32** This comment expresses concern with the use of single-use plastics at the proposed amphitheater. MM-BIO-10 requires that reusable, compostable, and/or recyclable products be used by venue operators. Where those types are not feasible, event organizers must use biodegradable products for all decorations, packaging, and other single-use items for all amphitheater events to prevent injury and damage to surrounding sensitive marine environments and protect species from harmful materials (e.g., plastics, mylar, metals). LAHD acknowledges this comment and will

include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

- CE4K-33** This comment expresses concern with PFAS in materials being used at the proposed amphitheater. Venue operations will be subject to local regulations (see Section 3.3.4.3 and PF-BIO-1 in the Draft SEIR), and MM-BIO-7: *Trash Management and Post-Event Cleanup* and MM-BIO-10: *Biodegradable Venue Products* will be implemented. Refer to Section 3.3, *Biological Resources*, in the Draft SEIR for additional details. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CE4K-34** This comment expresses concern with phthalates in materials being used at the proposed amphitheater. Venue operations will be subject to local regulations that prevent the use of single-use plastics (see Section 3.3.4.3 and PF-BIO-1 in the Draft SEIR), and MM-BIO-7: *Trash Management and Post-Event Cleanup* and MM-BIO-10: *Biodegradable Venue Products* will be implemented. Refer to Section 3.3, *Biological Resources*, in the Draft SEIR for additional details. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CE4K-35** This comment expresses concern with microplastics. Venue operations will be subject to local regulations that prevent the use of single-use plastics (see Section 3.3.4.3 and PF-BIO-1 and MM-BIO-7: *Trash Management and Post-Event Cleanup* and MM-BIO-10 in the Draft SEIR): *Biodegradable Venue Products*. Refer to Section 3.3, *Biological Resources*, in the Draft SEIR for additional details. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CE4K-36** This comment further expresses concern with plastic in food and water supply. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CE4K-37** This comment expresses concern with plastics and microplastics entering the ocean. Venue operations will be subject to local regulations that prevent the use of single-use plastics (see Section 3.3.4.3 and PF-BIO-1 of the Draft EIR), and implementation of MM-BIO-7: *Trash Management and Post-Event Cleanup* and MM-BIO-10: *Biodegradable Venue Products* will prevent the introduction of plastics into the local environment. Additionally, as of June 1, 2017, Regional Water Quality Control Boards, as the Permitting Authorities, started requiring all MS4 permits to have trash control implementation requirements and compliance milestones to demonstrate progress towards 100 percent compliance with the Trash Provisions. On June 22, 2022, the State Water Board reissued the Statewide Department of Transportation General Permit. On September 8, 2022, the State Water Board reissued the General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities. These reissued permits implement the Trash Provisions for the Department of Transportation and construction dischargers. The General Permits for Stormwater Discharges Associated with Industrial Activities and the Small MS4

General Permit will implement the Trash Provisions when reissued. The Proposed Project will require utilize municipal storm drains and will require an MS4 permit. Accordingly, the Proposed Project will be subject to full trash capture requirements. Refer to Section 3.3, *Biological Resources*, in the Draft SEIR for additional details. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

- CE4K-38** This comment refers to the link between childhood cancers and exposure to toxic chemicals. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Coalition for Clean Air

- CCA** The commenter is concerned that the Proposed Project will result in significant adverse impacts on vehicle miles traveled (VMT) and recommends a commitment to install and maintain bicycle parking and lockers. The current design at 208 E. 22nd Street includes spaces for bicycle parking, and the current West Harbor parking lot includes spaces for bicycle parking. Impacts associated with VMT from the Project were analyzed in Section 3.9, *Transportation*, of the Draft EIR, which concluded that the Proposed Project would have a significant and unavoidable impact related to an increase in VMT. Methodology associated with this assessment can be found in Appendix G-2. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter CSPNC

- CSPNC-1** This comment is introductory to the comments that follow. Please refer to responses to comments CSPNC-2 through CSPNC-44 that address each of the specific concerns expressed in the comment letter.
- CSPNC-2** The comment recommends replacing the term *amphitheater* with a more appropriate term. While the term *amphitheater* typically refers to a natural or human-made half-circle with tiered structure, there are other examples of amphitheatres in the Southern California region which do not meet this criteria. Renderings of the Proposed Project are included in the Draft SEIR's Project Description. The Tenant (developer) prefers to continue using the term *amphitheater*. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CSPNC-3** The commenter expresses the opinion that the reasoning leading to the conclusion of less-than-significant aesthetic effects from firework shows is flawed and says that the aesthetic impacts resulting from fireworks need to be re-analyzed. The impacts of fireworks on the visual landscape of the port are considered on page 3.1-13 of Section 3.1, *Aesthetics*. Pursuant to this comment and similar comments made by others, the Tenant has agreed to eliminate "salute" fireworks from the Proposed Project entirely. In addition, the number of fireworks shows that would be permitted annually has decreased from 25 to 13, and the 13 annual shows would be limited in

duration to 10 minutes, with the exception of 2 shows annually being permitted to run for 20 minutes. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioner to consider.

CSPNC-4 The comment states that Los Angeles Municipal Code 57.5608 adopts California Fire Code Section 5608, with a few added clauses. It goes on to state that neither CFC 5608 nor the additional City Code clauses address aesthetic concerns of fireworks and, therefore, citing this code in the Draft SEIR is irrelevant to this evaluation (besides being a *pro forma* statement that the Proposed Project intends to follow the law). The comment expresses the opinion that since the presented reasoning in the Draft SEIR is inadequate for a determination, an analysis is required. The cited codes are relevant to the aesthetic impact of fireworks because they identify display requirements and place limits on the size and quantity of fireworks permitted by the City. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

CSPNC-5 The commenter states, “We recognize and appreciate the selection of significance thresholds (rather than the 2009 or 2016 DEIR baselines), contrary to common Port environmental analyses: Proposed Project impacts were conservatively compared directly to significance thresholds without subtracting emissions associated with land uses existing at the time of the IS/NOP. [p. 3.2-19].” LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

CSPNC-6 The comment implies that the Draft SEIR should have considered the impacts of multiple fireworks displays over a large geographic area as was done in the 2017 San Diego Fireworks EIR. The analysis methodology developed in the SD 2017 EIR for firework display events was used as the basis for analyzing the Proposed Project impacts in the Draft SEIR. However, whereas the project in the SD 2017 EIR was the establishment of an ordinance to govern seven existing and four new proposed firework display events within the SD Bay and Imperial Beach Oceanfront, the Proposed Project consists of a single fireworks display location. The proposed fireworks display for this Proposed Project is the only fireworks display that requires discretionary action by the LAHD and, as such, is the only fireworks display evaluated as part of the Proposed Project in the Draft SEIR. In other words, there are no other fireworks displays under LAHD jurisdiction to consider.

Comment CSPNC-6 also states that the Draft SEIR does not take regional cumulative effects of fireworks into account and references the San Diego 2017 EIR. However, the Draft SEIR does determine that the Proposed Project would make a cumulatively considerable contribution to an existing cumulatively significant impact under Cumulative Impact AQ-7.

CSPNC-7 The commenter recommends adaption and adoption of mitigation measure (MM-) AQ-2 from the San Diego 2017 Fireworks EIR. CEQA requires mitigation when impacts are determined to be significant. The Proposed Project would not exceed thresholds, would not create a new impact, and would not substantially increase the

severity of impacts identified in the 2009 SPW EIS/EIR and 2016 SPPM Addendum. However, because the Proposed Project would add to impacts already deemed significant in the 2009 SPW EIS/EIR and 2016 SPPM Addendum; those impacts (i.e., impacts identified in the 2009 SPW EIS/EIR and 2016 SPPM Addendum) would remain significant and unavoidable. Pursuant to this comment and similar comments made by others, the number of fireworks shows that would be permitted annually has decreased from 25 to 13, and the 13 annual shows would be limited in duration to 10 minutes, with the exception of 2 shows annually being permitted to run for 20 minutes.

CSPNC-8

The comment states that lighting impacts on California least tern and marine mammals are not addressed in the Draft SEIR and that an assessment of illumination beyond the concert venue boundaries is needed. Lighting impacts on sensitive wildlife species are discussed in Section 3.3.7, Impact BIO-1, of the Draft SEIR; the text has been expanded in the Final SEIR (see Section 3.2.4, *Changes Made to Section 3.3, Biological Resources*) to assess the results of the photometric analysis that was performed for the Proposed Project in relation to wildlife and to specifically address any potential lighting impacts on California least tern and marine mammals.

Although the amphitheater has been designed to face outward towards the water so that concert sound would be directed away from nearby residential areas, the lighting has been designed to be contained within the amphitheater, and lighting reduction measures would be implemented and incorporated into the Proposed Project design to limit light spilling into the adjacent waterways. These lighting features would include shielding, glare reduction, and fixtures that are mounted lower on the poles to direct lighting to desired areas. In addition, lighting associated with the Proposed Project would be designed in consideration of the Los Angeles Waterfront Design Guidelines, which include lighting recommendations to minimize light pollution, spill light, and glare. The Proposed Project would also adhere to appropriate Illuminating Engineering Society of North America (IESNA) standards, the City of Los Angeles Bureau of Street Lighting, the International Dark Sky Association (IDA), and the City of Los Angeles Planning and Zoning Code. Incorporation of these guidelines and standards would reduce lighting impacts on adjacent waterways and any wildlife that may occur there, including California least tern and marine mammals.

The photometric analysis in the Draft SEIR determines that impacts from Project-related lighting would be minimal outside of the immediate amphitheater area (as detailed in Appendix B of the Draft SEIR). Based on the calculations, although illumination levels are high within the amphitheater (maxing out at around 52 foot-candles closest to the stage), there is a significant decrease in illumination levels at the waterways adjacent to the amphitheater site, where levels dramatically drop off to approximately 5 foot-candles along the promenade and tapering to less than 1 foot-candles at the dock bordering the amphitheater. By the time light reaches approximately 100 feet into the water, which is well outside of the areas where

California least tern and marine mammal haul out areas occur, foot-candles are measured to be less than 1, with a majority of the measurements being less than 0.5.

Because lighting levels will drop off dramatically directly outside of the Proposed Project site, impacts on wildlife species that occur well outside of this area, including nesting California least tern and marine mammal haul-out areas, are not anticipated as a result of the Proposed Project. The Proposed Project site is located approximately 1.7 miles northwest of the California least tern colony, and lighting levels drop off to less than 1 foot-candle within 100 feet of the site. Furthermore, the line of sight between the tern colony and amphitheater is blocked by multiple landmasses (e.g., Reservation Point, Contractor's Village), which contain multi-storied buildings that would obstruct the view of the amphitheater from the tern colony. Similarly, the marine mammal haul-out locations are located from approximately 0.6 to 1.5 miles from the proposed amphitheater, and all but two of these locations have obscured views of the site due to landmasses and building structures. Only two of the haul-out locations (Southwest Marine Facility/Coast Guard Dock and Main Channel [South]) have a direct line of site to the amphitheater, but they are approximately 0.3 mile and 0.7 mile away, respectively, on the opposite side of the channel, and Project-related lighting levels do not reach farther than 100 feet into the waterway.

The photometric calculations were based on the lighting plan for the Proposed Project and included not only the lighting around the seating area, but also for the entire venue, which included stage lighting and LED video screens, as well as concessions, restrooms, and other venue buildings. Therefore, any lighting associated with flanking video displays has already been included in the analysis. An assessment performed by lighting experts during the preparation of the Draft SEIR determined that the study area and facilities that were included in the photometric analysis were sufficient to capture all potential lighting impacts resulting from the Proposed Project.

Lighting effects would be grounded within the amphitheater property for safety to shipping and Port operations; they would terminate within the venue and never be aimed outside of the venue. As with other types of lighting, should any of the concerts require the use of strobe lighting or other flashing lights that can be disruptive, such lighting would be strictly controlled and prohibited from shining into the water, as flashing lights in the main channel are a navigation hazard to ships. As such, there would be no impacts on any special-status wildlife species, including California least tern and marine mammals, from lighting.

Based on the implementation of lighting reduction measures, the lighting design for the Proposed Project, the locations of sensitive wildlife species in relation to the amphitheater, and the results of the photometric analysis, it has been determined that lighting impacts on California least tern and marine mammals would be less than significant.

- CSPNC-9** The comment states that the analysis of the potential impacts of fireworks and concert noise on marine mammals must be extended to other species that are fully covered by the Marine Mammal Protection Act but were not considered in the Draft SEIR's analysis. It is common to include multiple marine mammal species when considering the potential impact of underwater noise (i.e., hydroacoustics). However, the noise sources at issue in the Proposed Project analysis are fireworks and concerts, which produce in-air noise rather than underwater noise. Therefore, analysis of noise effects on marine mammals was restricted to species that would potentially haul out of the water and, therefore, be exposed to in-air noise. No additional analysis is needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CSPNC-10** The comment states that the data presented in the Draft SEIR is not sufficient to support the less-than-significant determination for Project-related noise impacts on nesting California least tern. Peer-reviewed, published literature on the effects of concert-related noise disturbances on shorebirds, and avian species in general, is extremely limited. The Project administrative record included all of the studies found during the literature review. Therefore, in the absence of other data, the impact determination for Project-related noise impacts on nesting California least tern is based on the best available science and professional judgement, which is the findings of over 20 years of long-term monitoring studies of tern colonies throughout southern California, including the colony at Pier 400, and the professional assessment of the tern experts that have been studying these colonies for decades. Based on many years of monitoring the California least tern colonies in the region, the Port of Los Angeles (POLA's) tern experts have observed that terns are startled from their nests by types of sound that are typically associated with percussive, intermittent noises rather than constant increased noise levels. These differences in the type of sound between fireworks noise (i.e., percussive and intermittent) versus concert noise (i.e., a constant sound) were factored into the impact determinations for potential concert versus fireworks noise impacts on terns. The results of these long-term monitoring studies demonstrate that there would be no detrimental noise-related impacts on terns as a result of concert noise. Nothing in the peer-reviewed literature contradicts, the assessment of local tern experts, decades of onsite monitoring data, or the less-than-significant impact determination in the Draft SEIR. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

The Draft SEIR determined that there could be a potential impact on California least tern from fireworks-related noise as a result of the Proposed Project. Therefore, MM-BIO-9, which includes event monitoring and possible cessation of fireworks shows if disturbances are detected (in consultation with the wildlife agencies), would be implemented to ensure that impacts are less than significant. In addition, the plan for Project-related fireworks shows has been modified to further reduce any fireworks-related noise disturbances. The proposed number of fireworks shows under the Proposed Project has been reduced from 25 shows per year to 13 shows per year, and the duration of the shows has been reduced to a maximum of 10 minutes, with the

exception of 2 shows per year that would be no longer than 20 minutes. In addition, “salute” fireworks that would signal the end of the show with big bangs have also been eliminated from the Proposed Project so that fireworks shows would be kept at a constant noise level without any major increases and decreases in noise intensity. The Port already conducts long-term monitoring of the California least tern colony, which is performed by Endangered Species Act (ESA)-permitted biologists, as discussed in response to comment CSPNC-15.

- CSPNC-11** The comment states that the requirements for the Best Management Practices (BMP) Plan under the National Pollution Discharge Elimination System (NPDES) General Permit No. CAG994007 are not sufficient to mitigate for fireworks debris and recommends that the BMPs from the San Diego 2017 Fireworks EIR be adopted instead. The Los Angeles Regional Water Quality Control Board (Los Angeles Water Board) is the appropriate agency to protect water quality and makes the determination for which requirements are necessary for the San Pedro Harbor. The NPDES General Permit No. CAG994007 (Los Angeles Water Board, Order No. R4-2023-0180, adopted May 25, 2023) is the relevant permitting mechanism in the Los Angeles region and incorporates regional expertise and an evolution in knowledge following a federal court ruling issued in 2023 (*Coastal Environmental Rights Foundation vs. Naples Restaurant Group, LLC*). Further, permit requirements can vary based on different water boards and conditions at different waterways; therefore, permit requirements are not always identical. Please see response to comment CSPNC-13 regarding anticipated BMP measures for the tenant’s fireworks shows. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CSPNC-12** The comment states that the fireworks BMP Plan must be made publicly available. The BMP Plan is a requirement under NPDES General Permit No. CAG994007. The requirements for the Los Angeles Water Board’s NPDES General Permit to discharge fireworks are publicly available. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider. No further response is required.
- CSPNC-13** The comment states that the San Diego 2017 Fireworks EIR contains more-detailed BMP recommendations than the Draft SEIR. As described in response to comment CSPNC-11, permit requirements, including BMPs, vary based on different water boards and conditions at different waterways, and the Los Angeles Water Board is the appropriate agency to protect water quality and makes the determination for which requirements are necessary for the San Pedro Harbor. NPDES General Permit No. CAG994007 specifies standard operating procedures for all public fireworks shows within surface waters in Los Angeles and Ventura Counties. A Notice of Intent and BMP Plan would be prepared to obtain coverage under NPDES General Permit No. CAG994007, specifically for the proposed fireworks shows included in the Proposed Project, to be approved by the Los Angeles Water Board through the issuance of a Notice of Applicability. The BMP Plan would be compliant with all of the applicable requirements listed in General Permit No. CAG994007 for all three

described elements to avoid and/or mitigate potential impacts on the water quality for receiving waters (i.e., pollution prevention, pollutant identification, and pollution control), as well as all recording, reporting, and enforcement requirements. It is anticipated that BMP measures would be similar to those included in the BMP Plan for the LAHD fireworks shows, also covered under General Permit No. CAG994007.

Like MM-BIO-1 from the San Diego 2017 Fireworks EIR, the BMP Plan for the Tenant's fireworks shows also requires collection, weighing, and photo evidence of debris. The addition of a 50 percent metric lacks meaningful value in reducing impacts and also is problematic from a compliance monitoring standpoint. Because debris must be thoroughly dried in order to make this requirement meaningful, and because most of the weight of a pyrotechnic device is intended to burn, defining net weight and setting performance criteria are ongoing debates in this field and, as such, these issues are not sufficiently developed to warrant imposition as a meaningful mitigation strategy. The General Permit No. CAG994007, as well as the BMP Plan for the LAHD fireworks shows and accompanying waste discharge requirements, represent regional agency knowledge, and consideration of the issue in the Draft SEIR is sufficiently protective of potential water-borne fireworks debris.

The BMP Plan for the LAHD fireworks shows also includes beneficial requirements that are not included in MM-BIO-1 from the San Diego 2017 Fireworks EIR, such as specifics on the required walls on three sides of the launch barge to trap materials and prevent debris from blowing into the water, a tighter timeline for debris clean-up and removal, and a Los Angeles Water Board-approved special study of pre- and post-water chemistry analysis of fireworks shows. As mentioned earlier in this response, it is anticipated that these requirements would be included in the BMP Plan for the Proposed Project, as well as per the requirements listed in General Permit No. CAG994007; final Project-specific requirements would be determined by the Los Angeles Water Board. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider. No further response is required.

CSPNC-14 The comment recommends that the additional features in the San Diego 2017 Fireworks EIR be incorporated into the BMP Plan for the Proposed Project. This comment relates to comment CSPNC-13; a combined response to both comments is provided in response to comment CSPNC-13. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider. No further response is required.

CSPNC-15 The comment recommends that long-term nesting success monitoring for California least tern is needed. As described in the response to comment CSPNC-16, monitoring of the California least tern colony would begin prior to the start of fireworks events, and this monitoring would capture any disturbances that may be related to both concert and fireworks events. The most direct measure of event-related disturbances is to observe the startle response of California least terns, and observations made before, during, and after the events are the best indicator of event-related disturbances; these measures are already proposed for the Proposed Project. Many

factors and variables can contribute to nesting success or failure, such as predation, availability of resources, and environmental conditions. Because of this, nesting success is not an appropriate or reliable indicator for determining event-related disturbance. The Port already conducts ongoing breeding surveys at the tern colony under a separate survey effort, which are performed by the same ESA-permitted biologists that have been granted permission to access the site that will perform the monitoring during fireworks events. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider. No further response is required.

CSPNC-16 The comment recommends that monitoring of nesting California least tern and marine mammals be expanded to include concert-related noise. Monitoring of the California least tern colony would begin prior to the start of fireworks events. The monitoring timeframe would be included in the *California Least Tern Nesting Colony Monitoring Plan*, which would be approved by the Port's Environmental Management Division and biology team; this information has been added to MM-BIO-9. Monitoring would be performed at all fireworks shows for the first two nesting seasons; the wildlife agencies (i.e., U.S. Fish and Wildlife Service [USFWS] and California Department of Fish and Wildlife [CDFW]) would determine if further monitoring is needed.

MM-BIO-9 requires that any discernable negative changes in bird behavior that are observed must be reported to LAHD, USFWS, and CDFW within 24 hours, and that consultation with USFWS and CDFW would be required to develop measures to avoid negative impacts on California least tern, up to and including cessation of firework shows.

As discussed in Section 3.3.7, Impact BIO-1, of the Draft SEIR, impacts on pinnipeds as a result of the Proposed Project are only expected from fireworks-related noise. Although concert-related noise levels do exceed the Level B harassment threshold for harbor seal at some of the haul-out locations (i.e., Fish Harbor, Cabrillo Marina [north], Main Channel [south], and Southwest Marine Facility/Coast Guard Dock), this species does not occur at these locations, and therefore, would not be affected. Project-related noise levels exceed the Level B harassment threshold for pinnipeds other than harbor seal only for fireworks-related noise, not concert-related noise. Therefore, monitoring for concert noise is not necessary for marine mammals as the Level B harassment threshold would not be exceeded.

CSPNC-17 The comment recommends that the language in MM-BIO-11 be changed to require that nest removal within the nesting season would be permitted only if an independent qualified biologist certifies that the nest(s) to be cleared are fully abandoned. MM-BIO-11 has been revised to clearly state that clearance of abandoned bird nests must occur outside of the breeding-bird season (February 15–September 1), unless a qualified biologist determines that the nest has been abandoned.

- CSPNC-18** The commenter states that fireworks are known to deposit a wide range of potentially toxic material into waterbodies. A discussion of the potential for fireworks to impair local water quality is included on page 3.7-16 of Section 3.7, *Hydrology and Water Quality*. Pursuant to this comment and similar comments made by others, the Tenant has agreed to eliminate “salute” fireworks from the Proposed Project entirely. In addition, the number of fireworks shows that would be permitted annually has decreased from 25 to 13, and the 13 annual shows would be limited in duration to 10 minutes, with the exception of 2 shows annually being permitted to run for 20 minutes. Additionally, it should be noted that the Port is already required to conduct water quality testing on a regular and ongoing basis. Additionally, the Tenant will be required to obtain a NPDES permit from the Los Angeles Regional Water Quality Control Board.
- CSPNC-19** The comment provided a publication by the Audio Engineering Society (AES) Working Group on Sound Exposure and Noise Pollution due to Outdoor Entertainment Events (2020-05-22) *Understanding And Managing Sound Exposure And Noise Pollution At Outdoor Events* (Technical Document AESTD1007.1.20-05), and recommended it be referenced in the Draft SEIR. The report has been reviewed and is referenced in some of the responses to comments regarding concert noise. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CSPNC-20** The comment states that atmospheric effects were ignored in the analysis of construction noise and should have been included. Consistent with industry-standard practice and with the approved 2009 SPW EIS/EIR, the construction noise analysis is based on the Federal Highway Administration’s *Roadway Construction Noise Model* (RCNM), which is widely used in the analysis of construction noise for all manner of projects across the United States. This model does not include specific atmospheric/weather effects, but it does include the following conservative assumptions: (1) noise attenuation due to ground effects is ignored; (2) noise attenuation due to air absorption is ignored; (3) noise attenuation due to barrier effects (e.g., terrain, buildings, walls, and other structures) is ignored. Based on the Project analysis, which uses the RCNM, the Draft SEIR discloses that construction noise impacts for the Proposed Project would remain significant and unavoidable after mitigation. This is consistent with the 2009 SPW EIS/EIR. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CSPNC-21** The comment states that the traffic noise analysis is inadequate because it analyzes traffic noise solely on Harbor Boulevard and suggests that the traffic noise should also be analyzed elsewhere in the area. In response to this and other comments about how Project traffic may affect other roadways in addition to Harbor Boulevard, details have been added to the traffic noise analysis to include the traffic distribution affecting other streets. The resulting updates to the Draft SEIR are described in Section 3.2 of this Final SEIR, *Changes to the Draft Subsequent Environmental*

Impact Report. The updated data includes noise analysis of additional nearby roadways and concluded that noise impacts would not be significant.

CSPNC-22 The comment states that Tier 2 events may have sound levels comparable to Tier 1 events and that the analysis of noise effects must incorporate Tier 2 events rather than relying on the analysis in the 2009 SPW EIS/EIR and the 2016 SPPM Addendum. As stated in the Draft SEIR, a 500-seat amphitheater was already included in the 2009 SPW EIS/EIR and the 2016 SPPM Addendum. Tier 2 events could include activities such as community events or viewing parties, which would be substantially smaller than Tier 1 events and would require substantially lower noise levels. Tier 1 noise levels would be too loud to be compatible with these types of events given their size and would be unnecessary and undesirable in this context. Tier 2 events would not be commercial concerts where continuous sound/music is the central focus of the event, and some Tier 2 events might not require the use of the amphitheater sound system given their size. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

CSPNC-23 The comment states that predicted concert sound levels are too loud to ensure public health for concert visitors, even after implementation of MM-NOI-3 (a reduction in front-of-house sound levels). The purpose of CEQA in general, and the Draft SEIR in particular, is to analyze the potential environmental impacts of the Proposed Project on the surrounding environment. Project noise levels affecting people on the Proposed Project site is an example of the Proposed Project's impact on itself, which is not subject to analysis under CEQA. Therefore, an analysis of sound exposure within the amphitheater is not included in the Draft SEIR. In response to the general assertion that the proposed concert noise levels are fundamentally too high, it should be noted that the proposed concert noise levels are not out of the ordinary range for a major music venue. The AES Technical Document (AESTD1007.1.20-05) recommended by the commenter includes a summary of audience sound exposure regulations that range, depending on the country, from 99 to 107 dBA L_{eq} (A-weighted equivalent noise level) (a few countries also provide lower limits specifically for children). AESTD1007.1.20-05 also cites case studies with noise levels inside music venues of 98 to 105 dBA L_{eq} . The mitigated Project front-of-house noise level of 100 dBA L_{eq} is clearly within this range. Furthermore, one of the cited case studies in AESTD1007.1.20-05 states that reducing front-of-house noise levels to 95 to 96 dBA "made the stadium difficult to use as a concert venue," illustrating the intuitive fact that there are practical limits on how far music levels can be reduced before they negatively impact the listening experience for concert attendees. It is also noted that the noise level specified in MM-NOI-3 is the 5-minute A-weighted equivalent noise level of 100 decibels, designated as 100 dBA $L_{eq}(5\text{-min})$; this is the highest noise level allowed for any 5-minute period and would correspond to only the loudest parts of any performance. Due to the different types of artists that would perform at the venue, as well as variations (dynamic range) within each performance, the noise levels would often be below this maximum threshold. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

CSPNC-24 The comment states that, unless sound levels are significantly lowered, there must be a mitigation measure that specifies warning signs at the venue, in accordance with City of Los Angeles Code. As noted in response to comment CSPNC-23, the Draft SEIR is not required to analyze the impacts of noise levels within the Proposed Project site itself. The referenced signage would be included at the Proposed Project site in accordance with City of Los Angeles Code. This would be implemented, as a matter of standard practice, along with any other building and safety codes required for the construction and occupancy of the Proposed Project. Therefore, no changes to the Draft SEIR were made in response to this comment. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

CSPNC-25 The comment states that analysis of both concert and fireworks noise must consider L_{max} (maximum peak sound level) in addition to the existing analysis based on L_{eq} and questions the selection proxy events for the fireworks analyzed in the Draft SEIR. The Summer Pops event was selected as a proxy for the Proposed Project because it was identified as the most similar available example to what is anticipated at the Proposed Project's amphitheater. Other events considered in the referenced San Diego 2017 Fireworks EIR were substantially larger events associated with regional San Diego Bay-Wide Big Bay Boom/Fourth of July display. The scaling of noise levels proportional to the total pounds of fireworks is a basic calculation supported by the empirical data presented in Draft SEIR, Appendix F.

The 1-hour L_{eq} is used in the Draft SEIR for consistency with the City of Los Angeles Municipal Code, which serves as the basis for the threshold of impact used in the analysis for the Proposed Project. Despite using a 1-hour L_{eq} for the assessment of noise levels, the mitigation and monitoring of amphitheater noise levels would be enforced over a much shorter 5-minute period, which helps prevent short-term noise increases.

There is no L_{max} standard that applies to the Proposed Project for either amphitheater or fireworks noise. The referenced San Diego 2017 Fireworks EIR discusses L_{max} but does not use L_{max} to define any thresholds of impact for that project. The San Diego 2017 Fireworks EIR assesses fireworks noise levels using the same 1-hour L_{eq} metric used in the Proposed Project Draft SEIR. Furthermore, the San Diego 2017 Fireworks EIR had a less stringent threshold that assessed impacts when fireworks noise exceeded ambient by 10 dBA or more, rather than the 5 dBA exceedance used in the Draft SEIR. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

CSPNC-26 The comment states that experimental sound measurements must be made in the Port area to validate the NoizCalc model projections used in the analysis of amphitheater noise levels. Noise modeling is the primary tool used in the prediction and control of environmental noise from all types of noise sources and is a valid approach for assessing the Proposed Project. The software used in the analysis, NoizCalc, is based on recognized national and international noise calculation and propagation standards that have been widely studied and validated. NoizCalc is acknowledged in the AES

Technical Document (AESTD1007.1.20-05) recommended by the commenter, which notes that NoizCalc was developed “through a partnership with the makers of industry-standard noise modeling software, SoundPLAN.” AESTD1007.1.20-05 also states that “Accurate computer modeling of the sound system design during planning stages is critical.” NoizCalc is specifically designed to accomplish the type of music venue analysis required for the Proposed Project Draft SEIR and is, therefore, an appropriate tool for the assessment conducted.

The comment incorrectly implies that the model does not account for topography. NoizCalc incorporates a digital ground model of the local terrain throughout the analysis area. This terrain is included in the sound propagation calculations. The 5.5-foot and 16-foot analysis heights used in the model refer to the height of the receiver above the local terrain. The purpose of using two receiver heights was to estimate the noise levels at approximately 1st-floor and 2nd-floor elevations above the ground.

The results of the modeling are fully disclosed in the Draft SEIR, and impacts are assessed relative to the established thresholds of impact. Based on the modeling, the Draft SEIR concludes that amphitheater noise impacts would remain significant and unavoidable after mitigation. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

CSPNC-27

The comment states that sound measurements during fireworks events in San Pedro are required for the calibration of the sound extrapolations used in the Draft SEIR. Noise modeling based on reference noise data is a well-established method of predicting and assessing future noise levels. Reference noise data used in the analysis came from the San Diego 2017 Fireworks EIR, which employed an extensive measurement program that used six noise monitoring locations throughout San Diego Bay to simultaneously measure fireworks events from six different launch sites. The resulting noise model was calibrated based on calculated distance and air absorption effects and showed strong agreement with all the measured noise levels (within 0 to 2 dBA). The adjustment in noise levels due to the pounds of fireworks was required because the measured fireworks events for the Big Bay Boom/Fourth of July display were substantially larger than what is proposed at the site for the Proposed Project. This adjustment used the same dB scaling calculation established in the San Diego 2017 Fireworks EIR. Based on the availability of published fireworks noise data, site-specific tests in San Pedro were not necessary. In addition, it is noted that the fireworks displays and launch location proposed by the Proposed Project do not currently exist, so it would not be possible to measure them in the field. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

CSPNC-28

The comment states that MM-NOI-3, reducing front-of-house sound levels from 110 to 100 dBA, is inadequate because it does not reduce public impact to a sufficient degree. A reduction of 10 dBA in amphitheater noise levels is substantial because this is typically perceived as a halving of loudness. The comment uses selective data and incorrect arithmetic to calculate noise levels and, as a result, misinterprets and misrepresents the noise levels in Table 3.8-13 of the Draft SEIR. Complete mitigated

noise levels are provided in Table 3.8-12 and Table 3.8-13. As explained in Section 3.8.3.1, *Noise Fundamentals*, of the Draft SEIR, decibels are logarithmic values that are not added arithmetically. Correctly adding the highest amphitheater noise level reported in Table 3.8-13 (70 dBA) to the highest corresponding ambient noise level (55 dBA) gives a maximum combined noise level of 70.1 dBA $L_{eq(h)}$. The overall range of combined noise levels for Table 3.8-12 and Table 3.8-13 is approximately 61 to 70 dBA, not 70 to 75 dBA as stated incorrectly in the comment. The actual range of overages stated in the tables is 0 to 27 dBA, not 15 to 27 dBA, as implied by the comment. The comment that the Proposed Project is estimated “to produce sound overages above ambient in the 15–20 dBA range (27 dBA at the residential Cabrillo Marina site)” ignores the majority of receivers that would experience much lower noise overages. As stated in the Draft SEIR: “Amphitheater noise levels at residences in San Pedro, west of the Proposed Project, would not exceed daytime ambient-noise levels and would exceed evening and nighttime ambient levels by less than 5 dBA.” Nonetheless, the Draft SEIR (Section 3.8, *Noise*) clearly discloses that, even after mitigation, “Amphitheater noise levels would continue to exceed ambient-noise levels by more than 5 dBA $L_{eq(h)}$ at multiple noise-sensitive receivers, including liveaboard vessels in Al Larson Marina (exceedances of 12 to 18 dBA $L_{eq(h)}$, depending on the time of day), residences at Reservation Point (exceedances of 13 to 21 dBA $L_{eq(h)}$, depending on the atmospheric conditions and time of day), and liveaboard vessels in Cabrillo Marina (exceedances of 13 to 27 dBA $L_{eq(h)}$, depending on the atmospheric conditions and time of day). Therefore, Amphitheater noise impacts would remain significant and unavoidable after mitigation.” As a result, the Draft SEIR properly discloses the Proposed Project’s amphitheater noise impacts. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

- CSPNC-29** The comment states that MM-NOI-5 is inadequate because it simply enforces the “already-unacceptably high noise level.” MM-NOI-5 requires noise monitoring for all Tier 1 events. The comment does not raise any specific questions or concerns about the noise monitoring methods. Comments related to the allowable noise levels are addressed in response to Comment CSPNC-28. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CSPNC-30** The comment states that MM-NOI-6 must be changed to require the submission of noise reports following every event, and such records must be made public. MM-NOI-6 has been revised accordingly as shown in Section 3.2, *Changes to the Draft Subsequent Environmental Impact Report*, of this Final SEIR.
- CSPNC-31** The comment states that MM-NOI-7 has no useful effect because collecting complaints does not mitigate noise levels and requests real-time management of public complaints by direct communication with event sound control staff. MM-NOI-7 serves at least two useful purposes. It provides an easily accessible and centralized way for the public to register any complaints, and it provides a tool for the Tenant and the Port to track these complaints. Nonetheless, in response to the public

comments received, MM-NOI-7 has been revised as shown in Section 3.2, *Changes to the Draft Subsequent Environmental Impact Report*, of this Final SEIR.

- CSPNC-32** The comment states that MM-NOI-10 fails to limit the number of maximum noise events and must be changed to require that non-Tier 1 events will have much lower noise levels. The topic of non-Tier 1 event noise levels is addressed in response to comment CSPNC-22. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- CSPNC-33** The comment states that MM-NOI-13 limiting “salute” (concussion) fireworks shells is useless and should instead prohibit their use. Pursuant to this comment and similar comments made by others, the Tenant has agreed to eliminate “salute” fireworks from the Proposed Project entirely. MM-NOI-13 has been revised accordingly, as shown in Section 3.2, *Changes to the Draft Subsequent Environmental Impact Report*, of this Final SEIR.
- In addition, the number of fireworks shows that would be permitted annually has decreased from 25 to 13, and the 13 annual shows would be limited in duration to 10 minutes, with the exception of 2 shows annually being permitted to run for 20 minutes. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioner to consider. .
- CSPNC-34** The comment acknowledges the change in analysis from the historical level of service (LOS) impacts to the current vehicle miles travelled (VMT) emphasis in response to SB 743. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioner to consider.
- CSPNC-35** The comment states that potential changes in traffic congestion will affect regional mobility is absent from the Draft SEIR analysis and says that a VMT emphasis does not absolve the proposing agency from considering how traffic will affect transportation.
- The Draft SEIR assesses all potential impacts required under CEQA. For other transportation impacts, the Los Angeles Department of Transportation (LADOT) *Transportation Assessment Guidelines* (City of Los Angeles Department of Transportation 2022) identifies the City of Los Angeles’ authority to review and require correction for transportation deficiencies that may result from a development project through the City’s Site Plan Review approval process. The Site Plan Review analysis includes pedestrian, bicycle, and transit access assessment, Project access safety and circulation evaluation, Project construction, and residential street cut-through analysis. This review is outside the scope of this Draft SEIR; however, the Proposed Project’s access circulation evaluation, which includes operational deficiency evaluations (i.e., LOS) for intersections in the Project vicinity, is included for information purposes only to this Draft SEIR as Appendix G-2.
- CSPNC-36** This comment expresses concern over the occlusion of Harbor Boulevard by event traffic that could prevent residents from towing boats to the boat launch. Although there may be some overlap between Cabrillo Launch Ramp users and amphitheater

patron traffic, most performances would have a start time between 7:00 p.m. and 8:00 p.m. which means congestion would occur during a limited arrival window. The *Event Parking and Circulation Management Plan* (Appendix H of the Draft SEIR) aims to minimize conflicts with all travelers in the area, including those utilizing the Cabrillo Launch Ramp. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioner to consider.

CSPNC-37 This comment states that the wastewater impacts of the Proposed Project have not been adequately assessed in 16 years in light of the additional visitor traffic added to the area. As stated in the Draft SEIR, the Terminal Island Treatment Plant is still within its wastewater treatment capacity as reported in 2016, which had a higher capacity and lower use rate than the reported 2009 treatment rates. This impact was also considered in the NOP/IS (Section XIX- *Utilities and Service Systems*) which determined that the wastewater impacts of the site would be less than significant in comparison with the City's capacity as of 2022. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioner to consider.

CSPNC-38 The comment expresses concern over the number of pages allotted in the Draft SEIR to discuss the transportation impacts considered as a cumulative impact and that factors other than VMT are found in Appendix G, *Traffic*, of the Draft SEIR.

LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioner to consider.

CSPNC-39 The comment states that a comprehensive analysis of the Proposed Project's traffic effects in a regional cumulative context is required and says that no significant consideration is given in the Draft SEIR to how the cumulative traffic effects of the Proposed Project will affect local and regional traffic and transportation plans independent of VVMT estimates. The comment expresses concerns about the trip numbers assumed in the Draft SEIR and about other regional traffic-generating projects.

The Draft SEIR Table 4-1 includes a list of related and cumulative projects near the Proposed Project that are included in the cumulative analysis. As discussed in response to comment CSPNC-35, operational deficiency evaluations (i.e., LOS) for intersections in the Proposed Project vicinity are included for information purposes only to this Draft SEIR as Appendix G-2. This evaluation considers the list of related and cumulative projects included in the Draft SEIR Table 4-1, in addition to general regional ambient traffic growth. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioner to consider.

CSPNC-40 This comment expresses concern with the assessment of possible conflicts with regional transportation plans. The LADOT *Transportation Assessment Guidelines* states (City of Los Angeles Department of Transportation 2022):

“The threshold test is to assess whether a project would conflict with an adopted program, policy, plan or ordinance that is adopted to protect the environment... a

project would not be shown to result in an impact merely based on whether a project would not implement a particular program, plan, policy, or ordinance (emphasis added). Many of these programs must be implemented by the City itself over time... and it is the intention of this threshold test to ensure that proposed development projects and plans do not preclude the City from implementing adopted programs, plans and policies.”

The Draft SEIR assessment in Appendix G follows the intent of the threshold in these guidelines. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioner to consider.

CSPNC-41 This comment expresses concern with the Proposed Project’s impact on pedestrian access and mobility through its daily traffic cycle and a lack of mitigation aimed at minimizing effects on accessibility. The Proposed Project would not reduce pedestrian infrastructure or impact accessibility. The commenter is referred to CSPNC-40 for the threshold test described in the LADOT Transportation Assessment Guidelines (TAG). In addition, the measures outlined in MM-TRAN-1 aim to reduce traffic and increase multimodal mobility including encouraging the use of bicycles and public transportation.

The comment also states that the Proposed Project adds thousands of vehicle trips per day in a focused time period and says that retaining existing bicycle and pedestrian facilities does not assess potential impact. The comment suggests that the analysis address how the Proposed Project’s traffic might affect the San Pedro Community Plan. While the Proposed Project is technically outside of the boundaries of the San Pedro Community Plan, as discussed above, the Proposed Project is not anticipated to conflict with existing plans promoting pedestrian and bicycle access and mobility.

CSPNC-42 This comment expresses concern with the Proposed Project’s consideration of improvements that could mitigate Project impacts to mobility among residential areas near the Proposed Project site and with traffic being displaced into neighboring residential areas during events. The commenter is referred to CSPNC-40 for clarification regarding the assessment required under CEQA. As stated in Section 3.9, *Transportation*, of the Draft SEIR, the Project does not *conflict* with the City’s policy that is identified in the comment. Furthermore, the transportation impacts assessed in Section 3.9 of the Draft SEIR concluded that transportation impacts would be significant and unavoidable and included MM-TRAN-1 to minimize traffic impacts to the extent feasible. The Proposed Project’s transportation analysis did not consider improvements to nearby residential areas to mitigate Project impacts based on the volume of traffic assessed. This review is delegated to the City’s Site Plan Review process. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioner to consider.

CSPNC-43 This comment expresses dissatisfaction with the conclusion that the Proposed Project will not conflict with the policy M12.4 in Appendix G to encourage new construction to accommodate zero emission vehicles and/or plug-in electric hybrids. The Proposed Project, in addition to not precluding future implementation of electric vehicle

charging, would construct conduits to encourage future implementation of electric charging stalls. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioner to consider.

- CSPNC-44** This comment expresses concern with the Proposed Project’s impact on pedestrian access and mobility through its daily traffic cycle and says there is a lack of mitigation aimed at minimizing effects on accessibility. The Proposed Project would not reduce pedestrian infrastructure or impact accessibility. In addition, the measures outlined in MM-TRAN-1 aim to reduce traffic and increase multimodal mobility including encouraging the use of bicycles and public transportation. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioner to consider.

Response to Comment Letter Garden Church

- GC-1** The comment on behalf of the Garden Church states that the commenter agrees with the Draft SEIR’s determination that the Proposed Project would result in significant air quality, greenhouse gas, noise and transportation impacts. Refer to responses to comments GC-2 through GC-10 that address each of the commenter’s specific concerns.
- GC-2** The comment states the proposed fireworks would result in significant air quality pollution. The Proposed Project’s impacts associated with air quality, including those related to the proposed fireworks shows, were evaluated in Section 3.2, *Air Quality*, of the Draft SEIR. Pursuant to this comment and similar comments made by others, the Tenant has agreed to eliminate “salute” fireworks from the Proposed Project entirely. In addition, the number of fireworks shows that will be permitted annually is being decreased from 25 to 13, and the annual 13 shows would be limited in duration to 10 minutes, with the exception of 2 shows annually being permitted to run for 20 minutes. Additionally, fireworks shows will be subject to the pollution reduction management practices outlined in the Los Angeles Regional Water Quality Control Board’s General Fireworks Permit for firework discharge. The Proposed Project would not result in new or substantially more severe air quality impacts than those previously identified in the 2009 SPW EIS/EIR. The comment does not raise any issues regarding the adequacy of the analysis contained in the Draft SEIR.
- GC-3** The comment states that the proposed firework shows would result in significant noise impacts on the environment and surrounding community. Pursuant to this comment and similar comments made by others, the Tenant has agreed to eliminate “salute” fireworks from the Proposed Project entirely. In addition, the number of fireworks shows that will be permitted annually is being decreased from 25 to 13, and the annual 13 shows would be limited in duration to 10 minutes, with the exception of 2 shows annually being permitted to run for 20 minutes. Impacts associated with noise were evaluated in Section 3.8, *Noise*, of the Draft SEIR. The Draft SEIR found the Proposed Project would create a significant and unavoidable impact regarding noise during operation of the Proposed Project even with implementation of mitigation measures. The Proposed Project would incorporate

mitigation measures (MM-) NOI-13, *Eliminate the Use of "Salute" Fireworks*, and NOI-14, *Replace Fireworks with Drone Displays*, to reduce noise impacts associated with the fireworks shows. The comment does not raise any issues regarding the adequacy of the analysis contained in the Draft SEIR.

GC-4 The comment states that noise from the operation of the Proposed Project, particularly the concerts and fireworks shows, would result in significant noise impacts on sea life, specifically marine mammals. Impacts on sea life were evaluated in Section 3.3, *Biological Resources*, of the Draft SEIR on page 3.3-24 through 3.3-30. The Draft SEIR determined that based on the noise analysis for marine species, amphitheater events (i.e., concerts) and fireworks shows could produce noise levels which could affect marine mammals. Noise levels produced from the amphitheater and combined amphitheater events and fireworks shows have the potential to produce short-term and temporary impacts on harbor seals (and other pinnipeds), such as flushing them from their haul-out and foraging locations (although they return a short time later). However, Wood (2021) indicates that harbor seals are most commonly observed adjacent to the southern portion of Pier 400, where they have a well-used haul-out area. No harbor seals were observed at Fish Harbor, Cabrillo Marina (south), or the Main Channel. As such, impacts from noise events on harbor seal are not anticipated. Nonetheless, because noise levels would exceed the Level B harassment threshold for all other pinnipeds (i.e., 100 dBZ) from firework shows at Outer Harbor 1 and Outer Harbor 2, impacts on pinnipeds other than harbor seal at these locations and within up to a 1,500-foot radius could occur. Noise impacts would be reduced, but not eliminated, with implementation of MM-NOI-3, which would reduce noise levels from the amphitheater (see Section 3.8.8.6, *New Mitigation Measures Applicable to the Proposed Project*, of the Draft SEIR for more detail). Noise impacts on pinnipeds other than harbor seal would be reduced to less-than-significant levels with the implementation of MM-BIO-8, *Marine Mammal Monitoring During Fireworks Events*. The comment does not raise any issues regarding the adequacy of the analysis contained in the Draft SEIR.

GC-5 The comment states that the Draft SEIR did not provide sufficient information on alternative modes of transportation and that clean-up activities after events would generate significant noise impacts for the surrounding community. Through implementation of MM-AQ-31, *Zero-Emission Shuttle Buses*, the Proposed Project would be required to use zero-emission shuttle buses. In addition, through MM-TRAN-1, *TDM Strategies*, the Proposed Project would coordinate with LA Metro or LADOT to determine the feasibility of expanding services during events, as well as provide designated parking spaces for electric and clean air vehicles and provide end-of-trip bicycle facilities, such as bicycle parking and lockers. Through the implementation of MM-NOI-8, *Enforce a Curfew and Restrict the Hours of Use and Duration for the Venue's Amplified Sound System*, all events will conclude no later than 10:30 p.m. on all nights, unless prior authorization is granted by the Executive Director of the LAHD, and in no case will events extend past 11:00 p.m. Cleanup activities occurring after an event are not anticipated to reach nuisance volume levels.

Refer to responses to comments GC-3 and GC-4 for more information on the Proposed Project's noise impacts. The comment does not raise any issues regarding the adequacy of the analysis contained within the Draft SEIR.

GC-6 The comment states that the trash generated by the Proposed Project would result in impacts on people, animals, and the environment, and that vendors should be required to use reusable products and enforce a Zero Waste Policy. The Proposed Project would implement MM-BIO-7, *Trash Management and Post-Event Cleanup*, and MM-BIO-10, *Biodegradable Venue Products*, which would ensure that trash and other debris resulting from amphitheater events and/or firework show would be removed from nearby marine environments or prevented from entering the water and that biodegradable products would be used to reduce impacts. In addition, per PF-BIO-1, event organizers would comply with City of Los Angeles Ordinance No. 187030, *Disposable Foodware Accessories and Plastic Drinking Straws*, and the City's Comprehensive Plastics Reduction Program and Zero Waste Plan. Furthermore, as detailed in Section XIX, *Utilities and Service Systems*, of the Initial Study (Appendix A of the Draft SEIR), operation of the Proposed Project would be required to comply with the City of Los Angeles's Green New Deal Sustainable City Plan, which includes a target to reduce municipal solid waste by 15 percent by 2030 and phase out single-use plastics (e.g., plastic straws, utensils, take-out containers, and polystyrene) by 2028. Tier 1 events would not have balloons as part of their normal operations, but may allow biodegradable confetti, which would be subject to MM BIO-7. Tier 2 events may have balloons present (e.g., graduations, birthdays), but the Tenant would inform event operators that balloons present on the Proposed Project site should not be allowed to be released into the environment. In addition, please refer to response to comment CE4K-37 for information about the trash capture requirements that would be implemented as part of obtaining an MS4 permit for the Proposed Project. The comment does not raise any issues regarding the adequacy of the analysis contained in the Draft SEIR.

GC-7 The comment states that effects of artificial turf were not properly evaluated in the Draft SEIR and that other ground-cover alternatives should be used for the Proposed Project. As explained on page 2-29 in Chapter 2, *Existing Setting and Project Description*, of the Draft SEIR, unlike artificial turf on a sports field, ground rubber infill would not be used for the proposed lawn. Instead, the infill materials would be sand, ground cork, granulated olive cores, or some combination of similarly inert materials. Through the use of these materials, and by avoiding ground rubber, the amount of polyfluoroalkyl substances (PFAS) would be inconsequential, thereby addressing concerns related to the use of artificial turf. In addition, the artificial turf would be vacuumed regularly and intermittently washed down, as needed. Furthermore, because the artificial lawn would be a permeable surface to promote infiltration, water quality benefits would be achieved through percolation and filtration through the underlying soil. The comment does not raise any issues regarding the adequacy of analysis contained in the Draft SEIR.

- GC-8** The comment states that the proposed Ferris wheel would be an obstacle for birds and their flight patterns. The Proposed Project’s impacts on wildlife movement were evaluated in Section IV, *Biological Resources*, of the Initial Study (Appendix A of the Draft SEIR). As discussed in the Initial Study, there are no known wildlife migration corridors present at the Proposed Project site. In addition, as discussed on pages 3.3-32 through 3.3-33 of the Draft SEIR, in Section 3.3, *Biological Resources*, introduction of the Ferris wheel and the amusement attractions could affect the migration and movement of avian species across the harbor. However, these impacts are expected to be minor considering the existing, highly developed nature of the Port, which includes many structures that are taller than the proposed amusement attractions (e.g., container cranes [265 feet], cruise ships [236 feet], cargo ships [116 feet], multiple bridges of varying heights). Spatially, both the Ferris wheel and amusement attractions are small in relation to other structures already present along the Port. Therefore, the addition of the Ferris wheel and amusement attractions are not expected to result in a substantial alteration of the skyline along the San Pedro Waterfront, nor result in the addition of a new feature that would disturb or harass avian species in an area where they are already acclimated to the highly modified environment. Furthermore, unlike structures where bird strikes are common (e.g., skyscrapers, wind turbines, communication towers), the Ferris wheel and amusement attractions would lack surfaces (e.g., extensive glass) that reflect the open sky or surrounding landscape, which can cause disorientation and are a major source of bird strikes. Likewise, neither the Ferris wheel nor amusement attractions would include solid red lights that attract birds to towers or attachments (e.g., thick guy wires) that birds could collide with while avoiding the main structure, and both structures would operate very slowly, allowing birds to avoid collisions. Impacts would be less than significant. The comment does not raise any issues regarding the adequacy of analysis contained in the Draft SEIR.
- GC-9** The comment states that the Draft SEIR did not evaluate the effects of cigarette smoke and butts, and that the proposed amphitheater should be non-smoking. Page 2-30 in Chapter 2, *Existing Setting and Project Description*, of the Draft SEIR states, “In addition, in order to avoid concerns about both trash/waste and air pollution, the amphitheater and Ferris wheel would be 100-percent smoke/vape-free environments, which would be enforced by venue staff and third-party security contractors.”
- GC-10** The comment states that the issues identified in the comment letter, and as addressed in responses to comments GC-2 through GC-9, need to be studied further before the Proposed Project can be approved. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Genton Cockrum Partners

- GCP-1** The comment on behalf of Genton Cockrum Partners supports the Proposed Project and conveys satisfaction that the Draft SEIR has addressed all relevant environmental issues and provided mitigation measures as needed. LAHD acknowledges this

comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Greater LA Scouting

SCOUTING-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Harbor Community Health Centers

HCHC-1 The comment on behalf of the Harbor Community Health Centers supports the Proposed Project and conveys satisfaction that the Draft SEIR has addressed all relevant environmental issues and provided mitigation measures as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Local 11

LOCAL 11-1 The comment on behalf of UNITE HERE Local 11 (“Local 11”) summarizes the original SPW project certified in 2009, the 2016 Addendum and the Proposed Project. This comment is introductory to the comments of LOCAL 11-3 through LOCAL 11-10 that follow.

LOCAL 11-2 This comment summarizes the concerns regarding VMT assumptions, air quality and greenhouse gas emissions addressed in LOCAL11-3 to LOCAL 11-10. The commenter is referred to the responses in LOCAL11-3 to 11-10.

LOCAL 11-3 The comment discusses VMT-inducing assumptions, such as concluding the Ferris wheel and other amusement attractions are ancillary to the amphitheater and previously approved retail and restaurant uses and would not generate vehicle trips/VMTs independently since patrons would already be on the Project site; and concluding that the parking at the 208 E. 22nd Street parking lot would not constitute trip-generating uses. The proposed amusement park attractions were part of the 2016 SPPM Project, included and assessed in the 2016 Addendum and approved by the Board in 2016. Therefore, while the Ferris wheel’s diameter has increased, these attractions are part of the already approved SPPM Project at West Harbor. The up to 2,600 space parking lot at 208 E. 22nd Street is being included to support the entire San Pedro Waterfront Project, as assessed in the original SPW EIS/EIR. People are not anticipated to drive to the area just to use the parking lot. Additionally, the VMT estimate for the Proposed Project represents a worst-case scenario for a daily, annualized average. Annualized trip generation is used for almost all traffic studies.

LOCAL 11-4 The commenter criticizes the assumptions used for VMT which based its analysis upon four comparable operations (i.e. the Greek Theater, Long Beach Terrace Theater, Kia Forum, and City National Grove of Anaheim). Pages 3.9-15 through

3.9-27 of the Draft SEIR describe the methodology for choosing the appropriate venues for comparison purposes.

As described in detail in Section 3.9.7.2, the methodology for the estimate of VMT for the Proposed Project is not only appropriate and justifiable, but it also yields a very conservative VMT estimate since it is based upon notable regional entertainment venues. For the VMT estimate calculations in the Project Vehicle Miles Traveled Calculation section, the two venues determined to be most similar to the Proposed Project in terms of seating capacity and performance type, the Greek Theater and City National Grove of Anaheim, were selected. The Long Beach Terrace Theater was removed for the Proposed Project VMT calculation because it typically serves recurring Long Beach Symphony events, as opposed to a variety of performances. The Kia Forum was removed for the Proposed Project VMT calculation due to its substantially larger capacity than the Proposed Project. Please refer to Appendix G to the Draft SEIR for more detailed information. Additionally, the Nederlander Organization, who would be the operator of the Proposed Project, is the operator of the Greek Theater, so it is an appropriate comparison of the regional draw anticipated for the Proposed Project amphitheater.

LOCAL 11-5 The comment states that if the VMT assumptions were flawed as inferred in LOCAL 11-4, this not only affects the traffic analysis; but the Draft SEIR's air quality and GHG analysis where user-defined VMT assumptions were utilized. Please refer to LOCAL 11-3 and LOCAL 11-4 for a response regarding VMT assumptions and trip length selection. As discussed in responses to comments LOCAL11-3 and LOCAL11-4, LAHD stands behind the methodology utilized to assess VMT potential impacts pursuant to CEQA Guidelines Section 15064.3(b) pertaining to VMT resultant from Proposed Project trips. As such, the Draft SEIR remains adequate with respect to the air quality and GHG emission impacts calculations that utilized VMT assumptions. Additionally, the Draft SEIR acknowledges that significant and unavoidable impacts, as anticipated with the original SPW Project, would continue to occur for Air Quality and Greenhouse Gas Emissions.

LOCAL 11-6 The comment states the Draft SEIR utilizes three main mitigation measures in order to minimize operational air quality, GHG, and VMT impacts (i.e. zero-emission shuttle buses; solar canopies over the main parking lot; and the transportation demand management (TDM) measures required by MM-TRAN-1). The comment states concern that future tenants could avoid the zero-emission shuttle buses requirement simply by reporting that they are not commercially available, or avoid the solar canopies requirement by using commercially reasonable efforts to replace the original solar contract. Lastly, the commenter states that for MM-TRAN-1 (the TDM program), there are few performance metrics provided and there is no discussion of other TDM measures that may be effective.

The Tenant and venue operator would work closely with the LAHD to implement the MMs for the Proposed Project. The Tenant would use zero emission shuttles if commercially available for amphitheater events and currently has a lease with a third-party supplier to provide solar canopy over portions of the main parking area. The

Port has the ability to review and enforce the terms regarding Tenant's compliance with the mitigation measures for the Proposed Project. The scope of the SEIR is limited to the West Harbor Modification Project components and does not modify or revise other uses within the SPW development area.

- LOCAL 11-7** The comment states that PF-GHG-1 has no discussion of what would constitute commercially reasonable efforts to guide future decision-making, and there is no explanation of whether more than 1.4 megawatts is feasible, such as by requiring solar panels at the overflow parking “Bluff Lot” and 208 E. 22nd Street parking lots. The amount of energy generated by the solar panels was calculated for informational purposes using the U.S. Environmental Protection Agency AVERT calculator, discussed under PF-GHG-1, provided in Table 3.5-3. GHG emissions (metric tons per year), “With Mitigation and Project Features,” are provided in Table B16 of Appendix C. Project Feature GHG-1 is not a mitigation measure, but a project feature that will be reviewed and tracked for implementation at the Proposed Project site. The planned 1.4 megawatts is maximized against underground utility overbuild constraints in the main parking lot. This project feature does not limit the developer from installing greater than 1.4 megawatts of solar panel at the site nor does it prevent LAHD from installing solar panels in other areas in the SPW, if appropriate and feasible.
- LOCAL 11-8** The comment states that MM-TRAN-1 provides various general strategies but does not offer many performance metrics. The comment also states that there is no discussion of other TDM measures that may be effective, such as those recommended by CAPCOA, SCAG, CARB, OPR, and SCAQMD. The comment also states that annual reporting of the site's VMT and trip generation, including the overflow lots, should be required. As discussed in the Draft SEIR, new significant and unavoidable transportation impacts would occur because the Proposed Project would result in a net increase in regional VMT. Transportation Demand Management (TDM) strategies are required as MM-TRAN-1. However, because of the operational and administrative inefficiencies and challenges of implementing TDM for special-event venues, TDM mitigation measures are not expected to reduce the Proposed Project's VMT impact to less-than-significant levels. Additionally, please refer to the response provided for LOCAL 11-6.
- LOCAL 11-9** The comment suggests that the impacts on traffic, air quality, and GHGs would require additional mitigation measures to reduce operational impacts. The commenter suggests measures include maximizing onsite solar panel use on the Proposed Project site and overflow parking lots, achieving LEED Platinum and/or achieving Tier 1 or Tier 2 CalGreen status, implementing a local hiring program, and applying an area-wide mandatory commuter reduction program. The Draft SEIR acknowledges that significant and unavoidable impacts would occur for Air Quality, Greenhouse Gas Emissions, and Transportation. Please refer to responses provided for LOCAL 11-6 through LOCAL 11-8. With respect to implementing a hiring program, the Tenant already has been working actively with Council District 15, the local Boys and Girls Clubs, and Sharefest, another non-profit who works with local youth, to hold local

job fairs to attract and employ local residents. The Tenant also has been working with Harbor Community College and its culinary arts program to attract and employ local residents by the West Harbor Project restaurant and food and beverage subtenants. While the VMT is primarily driven by patron trips not employee trips, West Harbor is committed to employing local residents. While employees associated with the Amphitheater are numerous, they are not the main VMT generating source; the patrons of the amphitheater would be the largest source, by far, of VMT. As such, additional measures associated with patron VMT reduction are infeasible to implement and therefore the impact of VMT was determined to remain significant and unavoidable even with implementation of TDM measures. However, it should be noted that the bullets listed in comment (d) are essentially the same as those listed in MM-TRAN-1; which would be implemented to the greatest extent feasible even though it is acknowledged that it would not fully mitigate VMT-related impacts.

LOCAL 11-10 The comment thanks LAHD for the opportunity to comment. The comment also urges the Port to incorporate additional mitigation measures to reduce the Proposed Project's operational impacts. The comment closes by requesting they receive notice of all CEQA actions and approvals, Project CEQA determinations, or any other public hearings. The comment specifies they would like to receive notice via electronic and regular mail. LAHD confirms that the commenting party will receive notice of the upcoming public hearing via email; and it should also be noted that Board agendas are available on the Port's website. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Los Angeles Maritime Institute

LAMI The comment on behalf of the Los Angeles Maritime Institute supports the Proposed Project and conveys satisfaction that the Draft SEIR has addressed all relevant environmental issues and provided mitigation measures as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for consideration by the Board of Harbor Commissioners. The comment does not raise an issue regarding the adequacy of the analysis contained within the Draft SEIR.

Response to Comment Letter National Museum of the Surface Navy

NMSN-1 The comment on behalf of the National Museum of the Surface Navy supports the Proposed Project and conveys satisfaction that the Draft SEIR has addressed all relevant environmental issues and provided mitigation measures as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter PaddleOutPlastic

POP-1 The comment on behalf of Paddle Out Plastic states that the organization's mission revolves around removing water-borne litter (primarily plastics) and educating and encouraging the public, business, and government in ways to reduce such litter

through reuse (instead of single use), using replacement products, and, where actually available, recycling. The comment goes on to state that the letter will address litter, but notes that the organization's impetus was and is protecting wildlife, so it will also be highlighting other aspects of the Proposed Project—specifically, other water and air pollutants—that threaten wildlife, as well as sharing observations of Los Angeles Harbor water's birds and marine mammals. This comment is introductory to comments POP-2 through POP-15; please refer to responses to comments POP-2 through POP-15 for responses to each of the specific concerns raised in the comment letter.

POP-2

The comment states that PaddleOutPlastic agrees that implementation of the Proposed Project would result in significant, unavoidable impacts, but does not agree that all of these impacts are unavoidable. The commenter goes on to state that pursuant to the Draft SEIR, the Proposed Project promises to increase pollutant discharge with more than two dozen firework shows, confetti releases, and the inevitable windblown trash that will result from food carts, kiosks and more, serving many thousands of people outdoors on disposable—rather than reusable—containers, be they plastic or biodegradable. This, notwithstanding that the City of Los Angeles General Plan includes a policy to “continue to reduce pollutant discharge into the bays from both natural and human sources.” Please refer to Section 3.3, *Biological Resources*, and Section 3.7, *Hydrology and Water Quality*, which provide details about these specific issues. In particular, mitigation measure (MM-) BIO-7, *Trash Management and Post-Event Cleanup*, requires a Standard Operating Procedure (SOP) be developed for trash management and post-event cleanup; and must be reviewed by LAHD prior to implementation. At a minimum, the SOP must include the following.

- Trash receptacles must be covered containers to deter animals (e.g., gulls) from easily accessing litter and prevent wind-blown trash from entering the Harbor. The number and placement of receptacles must be adequate to accommodate the event.
- Following any events at the Project site, trash will be removed from all venue locations including at the amphitheater, parking lots, parks, surrounding walkways, and open areas as soon as practicable, and no later than 4 hours following the event. Trash and debris will be properly disposed of in accordance with all applicable regulations.

Additionally, Project feature (PF-) BIO-1 requires that the tenant ensure agreements with event organizers contain provisions regarding compliance with applicable local regulations regarding event-generated waste. Further, MM-BIO-10, *Biodegradable Venue Products*, requires that reusable, compostable, and/or recyclable products be used by venue operators; where those types are not feasible, event organizers must use biodegradable products for all decorations, packaging, and other single-use items for all amphitheater events to prevent injury and damage to surrounding sensitive marine environments and protect species from harmful materials (e.g., plastics, mylar, metals). In addition, please refer to response to comment CE4K-37 for

information about the trash capture requirements that would be implemented as part of obtaining an MS4 permit for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider. The Draft SEIR adequately addresses the concerns raised in this comment; therefore, no revisions are necessary and no further response is required.

POP-3 The commenter states that based on their 5½ years of removing trash from the Los Angeles Harbor area, it seems apparent that trash management (including the practices of tenants, vendors, service providers, and others) in the Harbor area has not been adequate to address the prevalence of water-borne trash and that absent mitigations, significantly increased public use and associated trash-producing activities under the Proposed Project would logically be expected to increase the amount of trash in general and by extrapolation the amount of trash that ends up in the water. The commenter appears to be making an observation about the Los Angeles Harbor in general and not about the Proposed Project specifically. For information about these topics, the commenter is referred to the previous comment response (POP-2). LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider. The comment does not raise an issue regarding the adequacy of the analysis contained in the Draft SEIR; therefore, no further response is required

POP-4 The commenter takes issue with the conclusion reached regarding the impacts of human-produced trash that could result from the 208 E. 22nd Street Parking Lot component of the Proposed Project. The commenter notes that both the parking lot and the amphitheater are being enlarged substantially and that while the mitigation measures proposed are valuable, they are not enough. The commenter is referred to response to comment CE4K-37 for information about the trash capture requirements that would be implemented as part of obtaining an MS4 permit for the Proposed Project. Based upon LAHD's experience at other locations and with the requirement for all receptacles to be emptied and all trash to be cleaned within 4 hours after events, the mitigation measures are deemed to be sufficient, and no revisions to the Draft SEIR are deemed to be necessary. However, in response to this and similar comments, PF-BIO-1 has been added to the Mitigation Monitoring and Reporting Program (MMRP), which states that event organizers must comply with the City of Los Angeles' zero waste policy. This comment will be included in the Proposed Project record for the Board of Harbor Commissioners to consider.

POP-5 The comment acknowledges that event organizers must comply with City of Los Angeles Ordinance No. 187030, Disposable Foodware Accessories and Plastic Drinking Straws, its Comprehensive Plastics Reduction Program, the Zero Waste Plan and Ordinance 187718 (Zero Waste at City Facilities and Events on City Property). The comment further acknowledges that compliance will be helpful in mitigating the litter at the venue as well as in the water. However, the letter expresses the belief that compliance with these ordinances will not reduce litter impacts to a less-than-significant level. Specifically, the comment cites litter impacts that could

result from the Proposed Project overall due to inherent limitations contained within those ordinances, a probable lack of third-party tenant and vendor compliance, and visitors who bring their own food and drink to the Proposed Project site. CEQA case law does not require agencies to analyze the outcomes of people, organizations, or agencies violating the law or the regulations to which they are required to adhere. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

POP-6 The comment suggests that the Proposed Project mitigation measures be improved by requiring reusable foodware instead of just encouraging it, and not only for dine-in services but for to-go services as well. Further, the comment suggests that the Draft SEIR is silent on what, if any, requirements will be placed on food and drink cart and kiosk vendors. Please note that MM-BIO-10 requires, as a first step, that the venue operators utilize reusable, compostable, or recyclable materials and, where those products are not feasible or required, the event organizers must utilize biodegradable products for all decorations, packaging, and single-use items. Additionally, as discussed in response to comment POP-4, PF-BIO-1 has been added to the MMRP, which states the event organizers must comply with the City of Los Angeles' zero waste policy. However, it is acknowledged that kiosks and vendors would only have to comply to Proposed Project-specific requirements if they are physically located within the boundaries of the Proposed Project site. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

POP-7 The comment states that biodegradable or not, the release of confetti into a marine environment should not be encouraged and is not needed for the operation of the Proposed Project. As such, it should not be allowed. This comment is acknowledged and because allowing materials to enter the water is illegal, confetti would not be allowed to enter harbor waters.. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

POP-8 The comment states that while the use of balloons is not mentioned in the Draft SEIR, balloons are a known hazard to aquatic life. Similar to the confetti mentioned in response to comment POP-7, balloons have the potential to enter the water, an activity that is illegal. Balloons are not anticipated to be a part of Tier 1 operations. Tier 2 events may have balloons present (e.g., graduations, birthdays), but the Tenant will do all they can to inform event operators that balloons present on their site shall not be allowed to be released into the environment. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

POP-9 The commenter states that the Draft SEIR acknowledges that the firework shows could draw visitors that would likely result in increased amounts of trash and debris but does not propose any mitigation in connection to this activity. Please refer to MM-BIO-7, *Trash Management and Post-Event Cleanup*, for information about the SOP that would be required for all amphitheater events in order to prevent trash and debris from entering nearby waters. One of the provisions of MM-BIO-7 is that trash

must be removed from all venue locations within 4 hours of the event ending. MM-BIO-7 notwithstanding, un-ticketed concert goers who elect to listen from nearby areas outside the Proposed Project site are outside the event organizer's control, and attempts to predict or control the behavior of these individuals would be speculative and outside the scope of this SEIR. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

POP-10

The commenter refers to a passage in the Draft SEIR that discusses the chemicals released by pyrotechnics potentially affecting the quality of the surrounding waters. The commenter goes on to state that the South Coast Air Quality Management District issued a warning of unhealthful air quality, due in large part to fireworks. Pursuant to this comment and similar comments made by others, the number of firework shows that will be permitted annually is being decreased from 25 to 13, and the annual 13 shows would be limited in duration to 10 minutes, with the exception of 2 shows annually being permitted to run for 20 minutes. Firework permitting will also require adherence to the best management practices outlined in the Los Angeles Water Quality Control Board's Fireworks General National Pollutant Discharge Elimination System (NPDES) Permit application for fireworks discharge. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

POP-11

The commenter states that other than intermittent wash-downs, the Draft SEIR does not propose mitigation to address issues related to the proposed use of artificial turf, such as food and drink spills, animal waste, vomit, and other pollutants, as well as the chemical constituents of the turf itself. The commenter is referred to page 2-29 in Chapter 2, *Existing Setting and Project Description*, of the Draft SEIR, which states that unlike artificial turf on a sports field, ground rubber infill would not be used for the proposed lawn. Instead, the infill materials would be sand, ground cork, granulated olive cores, or some combination of similarly inert materials. Through the use of these materials, and by avoiding ground rubber, the amount of polyfluoroalkyl substances (PFAS) would be reduced substantially thereby addressing concerns related to the use of artificial turf. In addition, the artificial turf would be vacuumed regularly and intermittently washed down, as needed. Furthermore, because the artificial lawn would be a permeable surface to promote infiltration, water would infiltrate into the underlying soil and would not be permitted as runoff per the SWPPP. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

POP-12

The comment refers to the eight receiver points used in the Draft SEIR for analysis of potential noise impacts on marine mammals and notes that "one of the most densely populated marine mammal haul out points in the port, immediately across from the West Harbor venue between the shuttered Southwest Marine facility and the Coast Guard dock... was not analyzed as a receiver point" and "the nearest receiver points to the proposed amphitheater are more than twice as far away (Fish Harbor, Main Channel North, and Main Channel South)." This comment is directly related to

comment POP-13, and a combined response to both comments is provided in response to comment POP-13.

POP-13

The comment summarizes part of the discussion from the Draft SEIR regarding the Marine Mammal Protection Act and potential noise effects on marine mammals and requests that the Draft SEIR be amended to include the location described in comment POP-12 as a receiver point in analysis of impacts on marine mammals and other wildlife inhabiting this location. In response to this and other comments received about the area described, an additional receiver (Receiver Point 9) has been added to the analysis of estimated noise levels for marine mammal receiver points in Table 3.3-2 and Table 3.3-3 of the Draft SEIR. At this new receiver location, unmitigated combined noise levels (from the amphitheater and fireworks) were estimated to be 100 dBZ (decibels relative to Z) and mitigated combined noise levels were estimated to be 90 dBZ. In both cases, the noise is dominated by the amphitheater. Because the mitigated noise level of 90 dBZ would be less than the Level B harassment threshold of 100 dBZ for the species observed at the added receiver location, there would be no new impacts at this location after mitigation. The resulting updates to the Draft SEIR are described in Section 3.2 of this Final EIR, *Changes to the Draft Substitute Environmental Impact Report*.

POP-14

The comment states that harbor seals have been observed throughout the harbor by PaddleOutPlastic during their organization's excursions. While harbor seals may be found throughout the San Pedro Harbor during the day, their daytime habits, when they are active and foraging, are different from their nighttime habits. Based on official Port surveys, which have been carried out over many years, harbor seals haul out and congregate at Pier 400 during the evening and nighttime hours, which is when the majority of amphitheater events, including concerts and fireworks, would occur. There are no records of harbor seals congregating at other locations in the harbor during evening and nighttime hours. Therefore, noise-related impacts on harbor seals as a result of concert and firework events are not anticipated.

POP-15

The comment states that because of the reasons listed in comments POP-1 through POP-14, the Draft SEIR should be modified to address material deficiencies. As requested by the commenter, the Draft SEIR has been modified to disclose that amphitheater noise levels are anticipated to exceed the Level B harassment criterion for harbor seals (90 dBZ) at Fish Harbor, Cabrillo Marina (north), Main Channel (south), and Southwest Marine Facility/Coast Guard Dock. Further, the Draft SEIR has been revised to state: "Based on official Port surveys, which have been carried out over many years, harbor seals haul-out and congregate at Pier 400 during the evening and nighttime hours, which is when the majority of amphitheater events, including concerts and fireworks, would occur. While harbor seals may be found throughout the San Pedro Harbor during the day when they are active and foraging, there are no records of harbor seals congregating at other locations within the harbor besides Pier 400 during evening and nighttime hours."

Response to Comment Letter San Pedro Bay Historical Society

- SPBHS-1** The comment on behalf of the San Pedro Bay Historical Society states that the Proposed Project would have significant air quality, greenhouse gas emissions, noise, and traffic and parking impacts, particularly concerning the Muller House Museum and surrounding residential neighborhoods. Refer to response to comments SPBHS-2 through SPBHS-6, which addresses each of the specific concerns expressed in this comment.
- SPBHS-2** The comment states that noise generated by operation of the Proposed Project, including crowds attending events, would result in impacts on visitors of the museum and should be mitigated. As part of the Draft SEIR analysis, a noise-amphitheater sound system assessment was completed for the Proposed Project, and mitigation measures were incorporated to reduce noise impacts. The noise assessment was included as Appendix F of the Draft SEIR. In addition, as explained under Impact NOI-1 in Section 3.8, *Noise*, of the Draft SEIR, modeling conducted for amphitheater noise did not specifically quantify crowd noise, and although crowd noise would likely be audible at times and may occasionally be the dominant source of noise for short periods (e.g., cheering or clapping for musical numbers), it would not be the dominant source of noise overall when compared to the modeled music noise levels. The comment does not raise any issue regarding the adequacy of the analysis contained in the Draft SEIR.
- SPBHS-3** The comment states that the proposed 25 fireworks shows would result in significant noise and air quality impacts on the environment and people. The Draft SEIR evaluated the potential environmental impacts associated with up to 25 fireworks shows per year at a duration of approximately 20 minutes. Impacts associated with air quality and noise were evaluated in Section 3.2, *Air Quality*, and Section 3.8, *Noise*, respectively, of the Draft SEIR. Mitigation measures would be implemented to reduce noise and air quality impacts on both people and the environment. Specifically, the Proposed Project would implement mitigation measures (MM-) NOI-13, *Eliminate Use of "Salute" Fireworks*, and MM-NOI-14, *Replace Fireworks with Drone Displays*, to address noise impacts associated with the fireworks shows. Additionally, in response to this comment and others, the Tenant has reduced the annual fireworks shows to 13 per year, with 11 events lasting 10 minutes and two the full 20-minute duration disclosed in the Draft EIR. The comment does not raise any issues regarding the adequacy of the analysis contained in the Draft SEIR.
- SPBHS-4** The comment expresses the need for more information on how the mitigation measures to be implemented as part of the Proposed Project to reduce noise impacts will actually be enforced. The mitigation measures proposed to reduce noise impacts, along with other resource topics, would be enforced through the Project's Mitigation Monitoring and Reporting Program (MMRP). CEQA requires that a lead agency adopt an MMRP for the measures the agency has adopted to avoid or mitigate significant environmental impacts. The purpose of the MMRP is to ensure that mitigation measures identified in the SEIR are implemented, identify when they are

required to be implemented, and who is responsible for implementing them. In order to ensure compliance, the MMRP will be incorporated into the San Pedro Public Market Lease and be tracked/monitored as required under CEQA.

SPBHS-5 The comment states that the streets surrounding the Proposed Project site will experience increased traffic and parking impacts as a result of the Proposed Project and that it is not clear how the traffic control plan will mitigate these impacts. Parking and traffic impacts were evaluated in Section 3.9, *Transportation*, on pages 3.9-13 through 3.9-32 of the Draft SEIR, which determined that the Proposed Project would result in significant and unavoidable traffic impacts, consistent with the conclusions reached in the 2009 SPW EIS/EIR. MM-TRAN-1 identifies strategies for minimizing traffic impacts. In addition, the traffic control plan would be implemented in accordance with the requirements outlined in the 2009 SPW EIS/EIR MMRP for MM-TC-1, *Develop and implement a Traffic Control Plan*, throughout Project construction.

SPBHS-6 The comment states that the Proposed Project should be revised to eliminate the above identified issues by the commenter, and that the Project figures should be revised to include the areas west of Miner Street. There are numerous figures throughout the Draft SEIR that depict or incorporate the areas west of Miner Street (see Figures 2-1, 2-2, 3.2-1, 3.3-2, and 3.8-1 through 3.8-5 of the Draft SEIR). In addition, impacts on surrounding roadways, including Miner Street, and neighborhoods are considered and evaluated throughout each of the resource topics included in the Draft SEIR, as appropriate.

Response to Comment Letter San Pedro Chamber of Commerce

SPCC-1 The comment on behalf of the San Pedro Chamber of Commerce supports the Proposed Project and conveys satisfaction that the Draft SEIR has included mitigation measures for transportation impacts. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter San Pedro Downtown Waterfront

SPDW-1 The comment on behalf of the San Pedro Downtown Waterfront supports the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter SPERRA

SPERRA-1 The comment on behalf of Sperra supports the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter San Pedro Property Alliance

SPSA-1 The comment on behalf of the San Pedro Property Alliance supports the Proposed Project and conveys satisfaction that the Draft SEIR has addressed all relevant environmental issues and provided mitigation measures as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter San Pedro Skatepark Association

SPSA-1 The comment on behalf of the San Pedro Skatepark Association supports the Proposed Project and conveys satisfaction that the Draft SEIR has addressed all relevant environmental issues and provided mitigation measures as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter San Pedro Waterfront Arts District

SPWAD-1 The comment on behalf of the San Pedro Waterfront Arts District supports the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Solasta Pictures

SOALSTA-1 The comment on behalf of Solasta Pictures supports the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter South Bay Center for Counseling

SOALSTA-1 The comment on behalf of the South Bay Center for Counseling supports the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider. The comment does not raise an issue regarding the adequacy of the analysis contained in the Draft SEIR

2.3.1.3 Individuals

Response to Comment Letter Abshear, Debbie

ABSHEAR-1 The comment states that the Proposed Project would result in increased traffic, parking, and noise impacts. The Draft SEIR evaluated noise, and traffic and parking impacts in Section 3.8, *Noise*, and Section 3.9, *Transportation*, respectively. The Draft SEIR determined that the Proposed Project would result in significant and unavoidable noise impacts even with the implementation of mitigation measures. New significant and unavoidable noise impacts not previously identified in the 2009 SPW EIS/EIR or 2016 SPPM Addendum would result from the proposed amphitheater events and fireworks displays. The implementation of mitigation

measures MM-NOI-1 through MM-NOI-14 would lessen these impacts but would not change the determination. The Draft SEIR also determined that the Proposed Project would result in a significant and unavoidable transportation impact (Vehicle Miles Traveled) even with implementation of mitigation measure MM-TRAN-1. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Aguilar, Orlando

AGUILAR-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Alarcon, Kristie

ALARCON-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Alexander, Linda

**ALEX
ANDER-1** The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Alexander, Michael

**ALEX
ANDER-1** The comment expresses displeasure for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Allison, Francesca

ALLISON-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Aragon, Andrew

ARAGON-1 This comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has addressed all relevant environmental issues and provided mitigation measures as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Ashfield, Rock

ASHFIELD-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Project record for the Board of Harbor Commissioners' consideration.

Response to Comment Letter B, Felicia

B-FELICIA-1 This comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has addressed all relevant environmental issues and provided mitigation measures as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Bagakis, John

BAGAKIS-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Project record for the Board of Harbor Commissioners' consideration. The comment does not raise an issue regarding the adequacy of the analysis contained within the Draft SEIR

Response to Comment Letter Bagliazo, Cathy

**BAGLIA
Z01 -1** The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Bagliazo, Jack

**BAGLIA
Z02 -1** The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Baker, Arley

BAKER-1 The comment expresses support for the Proposed Project and states that the Los Angeles waterfront could accommodate the traffic generated by the proposed amphitheater based on the history of large traffic-generating events in the last 10–15 years. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Baric, Jack

BARIC-1 The comment expresses support for the West Harbor Modification Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Barsness, Jennifer

BARSNESS-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Beaty, Thomas

BEATY-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Blazevic, Magali

BLAZEVIC-1 The comment expresses support for the Proposed Project, and states that the Proposed Project is a transformative opportunity to revitalize San Pedro's waterfront, creating vibrant public spaces while driving economic growth. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Borst-Smith, Chris

BORST-SMITH1-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Borst-Smith, Dave

BORST-SMITH2-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Borst-Smith, Janice

BORST-SMITH3-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Boyajian, Lisa

BOYAJIAN-1 The comment expresses concern about the Proposed Project and states that as identified in the Draft SEIR, the Proposed Project would result in significant and unavoidable impacts related to air quality, noise, and transportation, with particular concern to the impacts on the community that lives in the southern portion of San Pedro. This comment is introductory to Boyajian-2-7, addressed below. LAHD

acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

BOYAJIAN-2 The comment states that the Proposed Project would affect surrounding roadway infrastructure and generate traffic. Proposed Project traffic impacts on surrounding roadways were evaluated in Section 3.9, *Transportation*, of the Draft SEIR. As detailed under Impact TRAN-2 on pages 3.9-14 through 3.9-32 of the Draft SEIR, the Proposed Project would result in significant and unavoidable impacts related to traffic even with implementation of mitigation measure MM-TRAN-1, *TDM Strategies*. The comment does not raise specific issues regarding the adequacy of the analysis contained in the Draft SEIR.

BOYAJIAN-3 The comment expresses concern about how emergency services would be provided for the Proposed Project. Impacts regarding emergency services access were evaluated in Section IX, *Hazards and Hazardous Materials*, and Section XVII, *Transportation*, of the Initial Study (Appendix B of the Draft SEIR). As detailed on page 4-44 of the Initial Study, emergency access to the Proposed Project site would be provided via proposed driveways constructed as part of the SPPM project, and on roads in the Proposed Project area. As part of the Proposed Project, fire and law enforcement services would have access to all areas of the Proposed Project site. In addition, as part of the Proposed Project's approval process, LAFD would review and approve all Project plans to ensure that they comply with all applicable access requirements. Furthermore, as detailed on page 4-28 of the Initial Study, the Proposed Project would be required to adhere to all Homeland Security, Port Police, Los Angeles Fire Department, and other applicable local, state, and federal emergency response and evacuation plans. The Initial Study determined that the Proposed Project's impacts on emergency access and response would be less than significant.

In addition, impacts on public service providers, including police and fire, were evaluated in Section 3.11, *Public Services*, of the Draft SEIR, and Section XV, *Public Services*, of the Initial Study. The Tenant considered the security and safety of its patrons and prepared an emergency plan that details how the event space will prepare for emergency concerns. The safety of the performers, guests, and staff members is a major concern, and an organized and comprehensive emergency plan is essential to address this concern. The objective of the emergency plan is to establish and define specific responsibilities, guidelines, and procedures that will facilitate an effective response by all persons connected with the facility and ensure proper protocol for any type of life-threatening incident at the amphitheater. Captain Kevin McCloskey of the Port Police provided a letter on July 7, 2023, which detailed what changes would be required to ensure adequate public services for the Proposed Project. These requirements are further detailed in mitigation measure MM-PS-7. The Proposed Project determined that with implementation of MM-PS-1, *Coordinate with Law Enforcement Agencies*, and MM-PS-7, *Improvements to Be Implemented by the Developer*, the Proposed Project would result in less-than-significant impacts on public services.

The comment does not raise specific issues regarding the adequacy of the analysis contained in the Draft SEIR.

BOYAJIAN-4 The comment states that the Proposed Project will have significant impacts regarding noise and references a large music event that was held last summer. The referenced music event was held at B46, which is in the outer harbor and 4,000 feet away from the Proposed Project location. The Proposed Project's impacts associated with noise were evaluated in Section 3.8, *Noise*, of the Draft SEIR. As part of the Draft SEIR analysis, an amphitheater sound system noise assessment was completed for the Proposed Project, and mitigation measures were incorporated to reduce noise impacts. The noise assessment was included as Appendix F of the Draft SEIR. The Draft SEIR determined that the Proposed Project would result in significant and unavoidable noise impacts. New significant and unavoidable noise impacts not previously identified in the 2009 SPW EIS/EIR or 2016 SPPM Addendum would be created by the proposed amphitheater events and fireworks displays. The implementation of mitigation measures MM-NOI-1 through MM-NOI-14 would lessen these impacts but would not change the determination. The comment does not raise specific issues regarding the adequacy of the analysis contained within the Draft SEIR.

BOYAJIAN-5 The comment expresses concern over the Proposed Project's noise impacts on wildlife. Noise impacts on wildlife, including marine mammals and water birds, were evaluated in Section 3.3, *Biological Resources*, of the Draft SEIR. As detailed on pages 3.3-24 through 3.3-37 of the Draft SEIR, the Proposed Project would have the potential to significantly affect sensitive species as a result of noise and trash from concerts at the amphitheater and fireworks shows during special events. However, with implementation of existing 2009 SPW EIS/EIR mitigation measure (MM-) BIO-2, *Conduct Nesting Bird Surveys*, along with the identified new mitigation measures MM-BIO-7, *Trash management and Post-Event Cleanup*, MM-BIO-8, *Marine Mammal Monitoring During Firework Events*, MM-BIO-9, *California Least Tern Nesting Colony Monitoring During Firework Events*, MM-BIO-10, *Biodegradable Venue Products*, and MM-BIO-11, *Abandoned Nest Clearance Must Avoid Breeding Bird Season*, impacts would be reduced to a less-than-significant level. The comment does not raise specific issues regarding the adequacy of the analysis contained within the Draft SEIR.

BOYAJIAN-6 The comment expresses concern regarding the proposed fireworks shows and potential impacts related to noise, air quality, and increased fire danger. The Draft SEIR evaluated the potential environmental impacts associated with up to 25 fireworks shows per year at a duration of approximately 20 minutes. Pursuant to this comment and similar comments made by others, the Tenant has agreed to eliminate "salute" fireworks from the Proposed Project entirely. In addition, the number of fireworks shows that would be permitted annually has decreased from 25 to 13, and the annual shows would be limited in duration to 10 minutes, with the exception of 2 shows annually being permitted to run for 20 minutes. Impacts associated with air quality and noise were evaluated in Section 3.2, *Air Quality*, and Section 3.8, *Noise*,

respectively, of the Draft SEIR. Mitigation measures would be incorporated to reduce noise and air quality impacts on both people and the environment. Specifically, the Proposed Project would incorporate mitigation measures (MM-) NOI-13, *Eliminate the Use of "Salute" Fireworks*, and MM-NOI-14, *Replace Fireworks with Drone Displays*, to address noise impacts associated with the fireworks shows.

BOYAJIAN-7 The comment expresses concern about details regarding modifications that are part of the Proposed Project and concern about the public review process. Refer to Chapter 1, *Introduction*, of this Final SEIR for information about the Proposed Project as well as the public review process (see Section 1.2, *California Environmental Quality Act Review Process*, Section 1.4, *Notice of Preparation and Scoping Process*, and 1.6, *Project Purpose, Need, and Objectives*).

The comment also asks who the Proposed Project would benefit if not the residents. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

BOYAJIAN-8 The comment expresses opposition to the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Bradley, Sandra

BRADLEY-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has addressed all relevant environmental issues and provided mitigation measures as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Brown, James

BROWN-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Brownell, William

**BROW
NELL-1** The comment expresses concern about the visual effects of the proposed Ferris wheel. The Draft SEIR evaluated aesthetic impacts of the Proposed Project, including those related to the Ferris wheel, in Section 3.1, *Aesthetics*. The Proposed Project's Ferris wheel would be developed consistently with the previously approved SPPM project and would adhere to all applicable scenic regulations. The Draft SEIR determined that aesthetic impacts would be less than significant. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Bruner, John

BRUNER-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Buscaino, Joe

BUSCAINO-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Cabrera, Ricardo

CABRERA-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners' consideration. The comment does not raise an issue regarding the adequacy of the analysis contained within the Draft SEIR.

Response to Comment Letter Cammareri, Mike

**CAMMA
RERI-1** The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Campeau, James

CAMPEAU-1 The commenter states his preference for the No Project Alternative due to specific things that were lacking in the Draft SEIR, including: (1) additional security, (2) a lack of sound modeling which accounts for solar panels at the 208 E. 22nd Street parking lot, (3) alternative stage facing east across the main channel, (4) specificity of what would occur during non-Tier 1 event days, and (5) the impacts on other nearby businesses who will not be able to control the ambiance of their establishments and events due to the proposed amphitheater. The commenter is referred to response to comment HEERY1-1 for information about security concerns. With respect to solar panels at the 208 E. 22nd Street parking lot, the solar panels are being constructed as part of the larger San Pedro Waterfront development (where the trees have already been cleared and construction is underway) and not as part of the Proposed Project. The amphitheater faces south to minimize impacts on the neighboring communities to the greatest extent feasible. Regarding non-Tier 1 event days, the commenter is referred to response to comment CeSPNC-12. Lastly, the comment about ambiance does not affect the adequacy of the CEQA document as ambiance is not protected by CEQA. However, LAHD acknowledges these comments and will include them in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Cerrato, Bianca

CERRATO-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Chavez, Mike (Chavez 1)

CHAVEZ1-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Chavez, Olga (Chavez 2)

CHAVEZ2-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Clark, Ed

CLARK-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Clemons, Jade

CLEMONS-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Cocuzza, Nancy and Fabio

COCUZZA-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Cooney, Paul

COONEY-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Costa1, Dom

COSTA1-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental

issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Costa2, Dom

COSTA2-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Project record for the Board of Harbor Commissioners' consideration.

Response to Comment Letter Czyz, Daniel

CZYZ-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter de la Vera, Jessica

DELAVERA -1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Deeble, Joe

DEEBLE-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Delgado, Kimberly

DELGADO-1 The comment states that the potential fireworks shows that are part of the Proposed Project would result in noise, air quality, and water quality impacts. As referenced by the comment letter, the Draft SEIR evaluated the potential environmental impacts associated with up to 25 fireworks shows per year at a duration of approximately 20 minutes. Pursuant to this comment and similar comments made by others, the Tenant has agreed to eliminate "salute" fireworks from the Proposed Project entirely. In addition, the number of fireworks shows that would be permitted annually has decreased from 25 to 13, and the annual shows would be limited in duration to 10 minutes, with the exception of 2 shows annually being permitted to run for 20 minutes. Impacts associated with air quality, water quality, and noise were evaluated in Section 3.2, *Air Quality*, Section 3.7, *Hydrology and Water Quality*, and Section 3.8, *Noise*, respectively, of the Draft SEIR. As detailed in the Draft SEIR, water quality impacts as a result of the fireworks shows would be less than significant with compliance with the Fireworks General National Pollutant Discharge Elimination System (NPDES) Permit. Mitigation measures would be incorporated to reduce air quality and noise impacts. Specifically, the Proposed Project would incorporate Mitigation Measures (MM-) NOI-13, *Eliminate the Use of "Salute" Fireworks*, and

MM-NOI-14, *Replace Fireworks with Drone Displays*, to address noise impacts associated with the fireworks shows.

LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter DiMeglio, Vince

DIMEGLIO-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Douglas, Jennifer

DOUGLAS-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Dover, Sean

DOVER-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Drown, Brian

DROWN-1 The comment expresses support for the Proposed Project and suggests the incorporation of noise cancellation systems to reduce potential impacts associated with the proposed amphitheater. Noise impacts associated with the operation of the proposed amphitheater were evaluated in Section 3.8, *Noise*, of the Draft SEIR. While the Proposed Project would not incorporate noise cancellation systems, the Proposed Project would be required to implement Project feature (PF-) NOI-1 (incorporate sound-focusing design into the amphitheater sound system), and mitigation measures (MM-) NOI-3 through MM-NOI-10 to reduce noise impacts to the extent feasible. There are currently no technically feasible noise-cancellation systems to reduce noise from an outdoor amphitheater. Noise-cancelling headphones work to reduce noise levels at a very small and specific location (i.e., at the listener's ear), but no equivalent system exists to cancel noise over large areas in an outdoor environment.

LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Easton, Alex

EASTON-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Edwards-Wallis, Cameron

EDWARDS-WALLIS-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Eldred Jr., Charles

ELDRED-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Espinoza, Kaeli

ESPINOZA-1 The comment expresses support for the Proposed Project and states that the Proposed Project would increase safety as San Pedro residents would be able to attend shows within town instead of travelling further distances outside of town. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners' consideration.

Response to Comment Letter Esprabens, Christine

ESPRA BENS-1 The comment expresses support for the Proposed Project, and states that the Proposed Project is a transformative opportunity to revitalize San Pedro's waterfront, creating vibrant public spaces while driving economic growth. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Etchepare, Maria

ETCHEP ARE -1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Feldman, Laurie

FELDMAN-1 The comment states that Alternative 1, No Project Alternative, should be adopted instead of the Proposed Project because it would have fewer significant impacts and that there should be no changes to the project evaluated in the 2009 SPW EIS/EIR and 2016 SPPM Addendum. As noted by the commenter and detailed in Chapter 5,

Alternatives, of the Draft SEIR, Alternative 1 would allow development of the Proposed Project site consistent with what is envisioned in the 2009 SPW EIS/EIR and as amended in the 2016 SPPM Addendum. As such, Alternative 1 would result in reduced impacts on cultural resources, noise, public services, and transportation compared to the Proposed Project, and was identified as the environmentally superior alternative. However, Alternative 1 would not meet all the Project objectives or would meet them to a lesser extent when compared to the Proposed Project. In addition, in accordance with CEQA, if the No Project Alternative (i.e., Alternative 1) is found to be the environmentally superior alternative, the EIR must identify an environmentally superior alternative among the other alternatives (i.e., Alternative 2). Furthermore, CEQA does not require the lead agency to choose the environmentally superior alternative. Instead, CEQA requires the lead agency to consider the 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. The comment also states the belief that sufficient mitigation efforts have not been proposed to offset the impact of a 6,200-seat venue, but the comment does not provide any specificity regarding which specific issues or mitigation measures are considered inadequate. The commenter is referred to the Mitigation, Monitoring, and Reporting Program associated with the Final SEIR.

Response to Comment Letter Fengler, Marann

FENGLER-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Franden, Dan

FRANDEN-1 The comment states that Alternative 1, No Project Alternative, should be adopted instead of the Proposed Project because it would have fewer significant impacts. The comment also states that there should be no changes to the Proposed Project evaluated in the 2009 SPW EIS/EIR and 2016 SPPM Addenda. As noted by the comment and detailed in Chapter 5, *Alternatives*, of the Draft SEIR, Alternative 1 would allow development of the Proposed Project site consistent with what is envisioned in the 2009 SPW EIS/EIR and as amended in the 2016 SPPM Addendum. As such, Alternative 1 would result in reduced impacts on cultural resources, noise, public services, and transportation compared to the Proposed Project, and was identified as the environmentally superior alternative. However, Alternative 1 would not meet all the Project objectives, nor would it meet them to a lesser extent when compared to the Proposed Project. In addition, in accordance with CEQA requirements, if the No Project Alternative (i.e., Alternative 1) is found to be the environmentally superior alternative, the EIR must identify an environmentally superior alternative amount the other alternatives (i.e., Alternative 2). Furthermore, CEQA does not require a lead agency to choose the environmentally superior

alternative. Instead, CEQA requires the lead agency to consider the 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 potential for harm. The comment also states that replacing natural grass with artificial turf can increase microplastic exposure for the community. The Proposed Project is not replacing natural grass as there currently is no natural grass present. The artificial turf would be vacuumed regularly and intermittently washed down, as needed. The newest generation of artificial turf is ultraviolet stabilized to prevent breakdown from the sun's radiation. Regular maintenance and replacement as needed will ensure the turf does not reach a point where the materials start to break down, thus preventing microplastic generation. Furthermore, because the artificial lawn would be a permeable surface to promote infiltration, water contamination reduction quality benefits would be achieved through infiltration and filtration through into the underlying soil, reducing or eliminating runoff. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Franz, Allen

FRANZ-1 The comment discusses the West Harbor development being a “beacon of hope for the area, and the amphitheater is seen as a key attraction to enhance the project's appeal--and, ultimately, its success,” and goes on to state that the EIR process is fraught with challenges, but that the Johnson family (Tenant/Developer) has made a good faith effort to be straightforward with the wider community. The comment acknowledges that there are locals with concerns about difficulty in finding parking during major events, trash, noise, as well as the impacts on seabirds and other creatures in the harbor area. The comment concludes by expressing support of the Proposed Project, despite these concerns, given the Proposed Project's potential benefit to the community and because the developers, the City, and public agencies are acting in good faith to address the community's concerns.

LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Freeman, Paul

FREEMAN-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Fugate, Malinda

FUGATE-1 The comment expresses opposition to the Proposed Project, and discusses concerns about insufficient parking, noise disturbances, and the potential for trash in the water. The commenter is referred to response CE4K-37 for information about the trash capture requirements that would be implemented as part of obtaining an MS4 permit for the Proposed Project. The parking lot at 208 E. 22nd Street is intended as

additional parking for the greater San Pedro Waterfront and is supplemental to several other lots that will serve this venue (please see parking management plans – Appendices H and I of the Draft SEIR—for additional information). The Draft SEIR evaluated hydrology impacts, noise impacts, and transportation (parking) impacts in Section 3.7, *Hydrology and Water Quality*, Section 3.8, *Noise*, and Section 3.9 *Transportation*, respectively. The Draft SEIR determined that hydrology impacts would be less than significant with implementation of mitigation measures (MM-) GW-1 and MM-GW-2; and noise and transportation impacts would be reduced by MM-NOI-1 through MM-NOI-14 and MM-TRAN-1, but would remain significant and unavoidable. The Proposed Project would not result in new or substantially more severe hydrology than those previously identified in the 2009 SPW EIS/EIR. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Galletti, Maria

GALLETTI-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Gardner, Catherine

GARDNER-1 The comment expresses opposition to the Proposed Project and states that it will be harmful to sea life, birds, and wildlife and will overtax the roads and cause congestion in local neighborhoods. The Draft SEIR evaluated biological impacts and transportation impacts in Section 3.3, *Biological Resources*, and Section 3.9, *Transportation*, respectively. The Draft SEIR determined that with implementation of mitigation measures (MM-)BIO-1 through MM-BIO-11, the Proposed Project would not result in new or substantially more severe biological impacts than those previously identified in the 2009 SPW EIS/EIR. The Draft SEIR determined transportation impacts would be reduced by MM-TRAN-1, but would remain significant and unavoidable. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Gauvreau, Aimiee and David

GAUVR The comment expresses support for the Proposed Project. LAHD acknowledges this
EAU-1 comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Gifford, Deb

GIFFORD-1 The comment expresses opposition to the Proposed Project and states that there would be noise and air pollution. The Draft SEIR evaluated air quality impacts and noise impacts in Section 3.2, *Air Quality* and Section 3.8, *Noise*, respectively. The Draft SEIR determined that with implementation of mitigation measures (MM-) AQ-

3, MM-AQ- 4, MM-AQ-6, MM-AQ-7, MM-AQ-27, and MM-AQ-31, the Proposed Project would not result in new or substantially more severe air quality impacts than those previously identified in the 2009 SPW EIS/EIR or the 2016 APPM Addendum. The Draft SEIR determined that the Proposed Project would result in significant and unavoidable noise impacts. New significant and unavoidable noise impacts not previously identified in the 2009 SPW EIS/EIR or 2016 SPPM Addendum would be created by the proposed amphitheater events and fireworks displays. The implementation of MM-NOI-1 through MM-NOI-14 would lessen these noise impacts but would not change the determination. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Goldin, E.

GOLDIN-1 The comment expresses opposition to the Proposed Project and states that there would be noise and air pollution. The Draft SEIR evaluated noise and air quality impacts, in Section 3.2, *Air Quality*, and Section 3.8, *Noise*, respectively. The Draft SEIR determined that with implementation of mitigation measures (MM-) AQ-3, MM-AQ- 4, MM-AQ-6, MM-AQ-7,MM-AQ-27, and MM-AQ-31, the Proposed Project would not result in new or substantially more severe and air quality impacts than those previously identified in the 2009 SPW EIS/EIR and 2016 SPPM Addendum. The Draft SEIR determined that the Proposed Project would result in significant and unavoidable noise impacts. New significant and unavoidable noise impacts not previously identified in the 2009 SPW EIS/EIR or 2016 SPPM Addendum would be created by the proposed amphitheater events and fireworks displays. The implementation of MM-NOI-1 through MM-NOI-14 would lessen these noise impacts but would not change the determination. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Gonzales, Joy

GONZ
ALES-1 The comment expresses opposition to the Proposed Project and states that there would be noise, traffic, and air pollution. The Draft SEIR evaluated noise, air quality, and traffic impacts in Section 3.2, *Air Quality*, Section 3.8, *Noise*, and Section 3.9, *Transportation*, respectively. The Draft SEIR determined that with implementation of mitigation measures (MM-) AQ-3, MM-AQ- 4, MM-AQ-6, MM-AQ-7, MM-AQ-27, and MM-AQ-31; and MM-TRAN-1, the Proposed Project would not result in new or substantially more severe air quality impacts than those previously identified in the 2009 SPW EIS/EIR. The Draft SEIR determined that the Proposed Project would still result in significant and unavoidable noise impacts. New significant and unavoidable noise impacts not previously identified in the 2009 SPW EIS/EIR or 2016 SPPM Addendum would be created by the proposed amphitheater events and fireworks displays. The implementation of MM-NOI-1 through MM-NOI-14 would lessen these noise impacts but would not change the determination. Lastly, new significant and unavoidable transportation impacts would occur because the Proposed

Project would result in a net increase in regional vehicle miles traveled (VMT). Transportation Demand Management (TDM) strategies would be required as part of MM-TRAN-1. However, because of the operational and administrative inefficiencies and challenges of implementing TDM for special-event venues, TDM mitigation measures are not expected to reduce the Proposed Project's VMT impact to less-than-significant levels. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Gould, Noel

- GOULD-1** The comment states that the letters and analysis from the Coastal San Pedro Neighborhood Council including the AES Technical Committee on Acoustics and Sound Reinforcement study titled *Understanding and Managing Sound Exposure and Noise Pollution at Outdoor Events* are incorporated by reference. This comment is introductory to the comments addressed in responses to comments for this comments GOULD-2 through GOULD-11.
- GOULD-2** The comment states that the Draft SEIR for the Proposed Project is prepared by LAHD and will also be subject to approval by LAHD, which is “a built-in conflict of interest.” The lead agency must prepare or contract for EIRs under CEQA (CEQA Guidelines §§15084, 15089). The Draft SEIR is prepared by LAHD, as the lead agency for the Proposed Project, with assistance from ICF, an environmental consulting firm with contracted subject matter experts in the impacts identified in the report. The certification of the Final SEIR will be the decision of the Port of Los Angeles' Board of Harbor Commissioners (CEQA Guidelines §15090). LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- GOULD-3** The comment states that the Draft SEIR uses various noise models but “there has been no actual set up of a sound system to be measured to verify the accuracy of the models...” Conducting accurate and representative sound system field tests would be impractical and prohibitively expensive because it would require constructing, installing, and testing a large and sophisticated sound system, similar to the one that would be part of the Proposed Project. Noise modeling is the primary tool used in the prediction and control of environmental noise from all types of noise sources specifically because it allows predictions and investigations before a project is constructed. As such, noise modeling is a valid approach for assessing the Proposed Project's impacts. The software used in the analysis, NoizCalc, is based on recognized national and international noise calculation and propagation standards that have been widely studied and validated. NoizCalc is specifically designed to accomplish the type of music venue analysis required for the Draft SEIR and is, therefore, an excellent tool for the assessment conducted. The results of the modeling are fully disclosed in the Draft SEIR, and impacts are assessed relative to the established thresholds of impact. Based on the modeling, as discussed in the Draft SEIR, amphitheater noise impacts would remain significant and unavoidable after mitigation.

GOULD-4 The commenter discusses people gathering in the community on the side streets, such as Beacon, Gulch, Crescent, and others for the purpose of listening to concerts for free and tailgating. The un-ticketed concert goers who elect to listen from nearby areas outside the Proposed Project site are outside the event organizer's control, and attempts to predict or control the behavior of these individuals would be speculative and outside the scope of this SEIR. Further, the areas in question are within the jurisdiction of the Los Angeles Harbor Police and not the Port Police. It would be the responsibility of the Harbor Police to enforce laws and manage violations in these areas (that are outside of the Project site). LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

GOULD-5 The comment states that the proposed sound pressure levels (SPLs) in the concert venue will create permanent hearing damage for concertgoers, the maximum allowed SPL at the front of house must not exceed 96 dBA (A-weighted decibels), and clearly legible signs must be posted at entrances that hearing damage may occur within unless hearing protection is used. The tenant will comply with City of Los Angeles Municipal Code Chapter XI, Article II, § 112.06, which requires a conspicuous and legible sign outside of the amphitheater that states, "WARNING: SOUND LEVELS WITHIN MAY CAUSE HEARING IMPAIRMENT." The purpose of CEQA in general, and this SEIR in particular, is to analyze the potential environmental impacts of the Proposed Project on the surrounding environment. Project noise levels affecting people on the Proposed Project site is an example of the Proposed Project's impact on itself, which is not subject to analysis under CEQA. Therefore, an analysis of sound exposure within the amphitheater is not included in the SEIR. In response to the general assertion that the proposed concert noise levels are fundamentally too high, it should be noted that they are not out of the ordinary range for a major music venue. The Audio Engineering Society (AES) Technical Document AESTD1007.1.20-05 (AES Working Group on Sound Exposure and Noise Pollution due to Outdoor Entertainment Events, *Understanding And Managing Sound Exposure And Noise Pollution At Outdoor Events*) (AES 2020) includes a summary of audience sound exposure regulations that range, depending on the country, from 99 to 107 dBA Leq (equivalent continuous sound level) (a few countries also provide lower limits specifically for children). AESTD1007.1.20-05 also cites case studies with noise levels inside music venues of 98 to 105 dBA Leq. The mitigated Project front-of-house noise level of 100 dBA Leq is clearly within this range. Furthermore, one of the cited case studies in AESTD1007.1.20-05 states that reducing front-of-house noise levels to 95 to 96 dBA "made the stadium difficult to use as a concert venue," illustrating the intuitive fact that there are practical limits on how far music levels can be reduced before they negatively impact the listening experience for concert attendees. It is also noted that the noise level specified in MM-NOI-3 is the 5-minute A-weighted equivalent noise level of 100 decibels, designated as 100 dBA Leq (5-min); this is the highest noise level allowed for any 5-minute period and would correspond to only the loudest parts of any performance. Due to the different types of artists that would perform at the venue, as well as variations (dynamic range)

within each performance, the noise levels would often be below this maximum threshold.

GOULD-6 The comment states that limiting the VMT analysis to Harbor Boulevard is inadequate. In response to this and other comments about how traffic may affect other roadways in addition to Harbor Boulevard, details have been added to the traffic noise analysis to include the traffic distribution affecting other streets. The resulting updates to the Draft SEIR are described in Section 3.2, *Changes to the Draft Subsequent Environmental Impact Report*, of this Final SEIR. It was found that the Proposed Project would lead to a net increase in noise levels of 0.0 to 0.5 dB CNEL (community noise equivalent level) compared to the results of the 2009 SPW EIS/EIR analysis. Overall, the increases would be very small and typically would be inaudible. Furthermore, none of the calculated increases leads to an exceedance of the established threshold of significance for potential traffic noise impacts (increases at noise-sensitive receptors of 5 dBA or greater, where the existing CNEL is less than 70 dB; or 3 dB or greater where the existing CNEL exceeds 70 dB). Further information can be found in Section 3.2.6, *Changes Made to Section 3.9, Transportation*, of this Final SEIR.

GOULD-7 The comment states that the hilly terrain of San Pedro will have the effect of directing sound upwards, a much wider range of elevations must be analyzed, all models must be verified with a similar sound system at the proposed venue location under a variety of atmospheric conditions, and the scope of the analysis is not wide enough. Please refer to the response to comment GOULD-3, which describes the model used and why it is considered appropriate for the subject analysis. Regarding terrain effects, the comment incorrectly implies that the model does not account for topography. NoizCalc incorporates a digital ground model of the local terrain throughout the analysis area. This terrain, which varies substantially, is included in the sound propagation calculations. The 5.5-foot and 16-foot analysis heights used in the model refer to the height of the receiver above the local terrain. The purpose of using two receiver heights was to estimate the noise levels at approximately 1st-floor and 2nd-floor elevations above the ground. Regarding atmospheric conditions, the noise modeling considers both favorable and unfavorable atmospheric conditions for noise propagation into the communities to the west. This provides a wide range of results, all of which are considered in the noise assessment, as illustrated in the noise maps included in the Draft SEIR. Regarding the size of the area analyzed for amphitheater noise, it is noted that the area is quite large; the amphitheater noise mapping provided in the Draft SEIR covers an area of approximately 3.5 square miles and extends more than a mile to the west where the majority of nearby noise-sensitive receptors (e.g., homes) are located.

GOULD-8 The comment states that LAHD has plans for the construction of multiple hotels and a fully developed cruise terminal which should have been considered in the SEIR's cumulative impact analysis. The cruise terminal was already considered in the 2009 SPW EIS/EIR and, as such, is covered under CEQA for this SEIR. The hotels mentioned in this comment are no longer being considered. The Draft SEIR remains

adequate, and no revisions are required as a result of this comment; therefore no further response is required.

- GOULD-9** The comment states that the Project-related noise will affect nesting California least terns and requests that the analysis of impacts be performed by a qualified independent biologist. The analysis was performed by independent qualified biologists from ICF with input from the LAHD's professional biologists, which informed the mitigation measure requirements. Please see the responses to comments CSPNC-8, CSPNC-10, CSPNC-15, and CSPNC-16 for lighting and noise-related impacts on California least tern and related mitigation (MM-BIO-9).
- GOULD-10** The comment states that because the Proposed Project is recreational in nature, it should not be approved using overriding considerations. The Proposed Project is commercial in nature rather than recreational, and the area for the Proposed Project is zoned for visitor-serving commercial use, under which the Proposed Project falls. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- GOULD-11** The comment states that fireworks should not be allowed. The comment is in favor of replacing the fireworks shows with electronic drone displays. Pursuant to this comment and similar comments made by others, the number of fireworks shows that would be permitted annually is being decreased from 25 to 13, and the annual shows would be limited in duration to 10 minutes, with the exception of 2 shows annually being permitted to run for 20 minutes. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Graham, Scott

- GRAHAM-1** The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Griggs, Liz

- GRIGGS-1** The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Gritzner, Glenn

- GRITZNER1-1** The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Gritzner, Glenn

GRITZNER2-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Harris1, Chris

HARRIS1-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Harris2, George

HARRIS2-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Harris3, Helene

HARRIS3-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Harris4, Nick

HARRIS4-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Harris5, Olympia

HARRIS5-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Hart, Suzie

HART-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Havenick, Richard

HAVE NICK-1 The comment expresses support for the Proposed Project provided that adequate and complete responses are provided to the comments provided by community members, specifically, the comments provided by the Coastal San Pedro Neighborhood Council. Refer to the responses to the comment letter from the Coastal San Pedro Neighborhood Council (CSPNC).

LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Heery1, Clay

HEERY1-1 The comment states that the Proposed Project will have significant impacts on safety, emergency vehicle access, air quality, and noise, and references the noise complaints that were filed in response to a large music event that was held in Hollywood Park in August 2024. Impacts regarding emergency services access were evaluated in Section IX, *Hazards and Hazardous Materials*, Section XV, *Public Services*, and Section XVII, *Transportation*, of the Initial Study (Appendix B of the Draft SEIR). As detailed on page 4-44 of the Initial Study, emergency access to the Proposed Project site would be provided via proposed driveways constructed as part of the SPPM project, and on roads within the Proposed Project area. As part of the Proposed Project, fire and law enforcement services would have access to all areas of the Proposed Project site. In addition, as part of the Proposed Project's approval process, LAFD would review and approve all Proposed Project plans to ensure that they comply with all applicable access requirements. Furthermore, as detailed on page 4-28 of the Initial Study, the Proposed Project would be required to adhere to all Homeland Security, Port Police, LAFD, and other applicable local, state, and federal emergency response and evacuation plans. The Initial Study determined that the Proposed Project's impacts on emergency access and response would be less than significant.

In addition, impacts on public service providers, including police and fire, were evaluated in Section 3.11, *Public Services*, of the Draft SEIR, and Section XV, *Public Services*, of the Initial Study. The Tenant considered the security and safety of its property and prepared an emergency plan that details how the event space would prepare for emergency concerns. The safety of the performers, guests, and staff members is a major concern, and an organized and comprehensive emergency plan is essential to address this concern. The objective of the emergency plan is to establish and define specific responsibilities, guidelines, and procedures that will facilitate an effective response by all persons connected with the facility and ensure proper protocol for any type of life-threatening incident at the amphitheater. Captain Kevin McCloskey of the Port Police provided a letter on July 7, 2023, which detailed what changes would be required to ensure adequate public services for the Proposed Project. These requirements are further detailed in mitigation measure (MM-) PS-7. The Proposed Project determined that with implementation of MM-PS-1, *Coordinate with Law Enforcement Agencies*, and MM-PS-7, *Improvements to Be*

Implemented by the Developer, the Proposed Project would result in less-than-significant impacts.

The Proposed Project's impacts associated with air quality and noise were evaluated in Section 3.2, *Air Quality*, and Section 3.8, *Noise*, respectively, of the Draft SEIR. As detailed in the Draft SEIR, mitigation measures would be incorporated to reduce air quality impacts from the Proposed Project, but impacts would remain significant and unavoidable. However, the Proposed Project would not result in new or substantially more severe air quality impacts than those previously identified in the 2009 SPW EIS/EIR. The Draft SEIR determined that the Proposed Project would still result in significant and unavoidable noise impacts. New significant and unavoidable noise impacts not previously identified in the 2009 SPW EIS/EIR or 2016 SPPM Addendum would be created by the proposed amphitheater events and fireworks displays. The implementation of MM-NOI-1 through MM-NOI-14 would lessen these impacts but would not change the determination.

LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Heery2, Clay

- HEERY2-1** The comment states that the Proposed Project will have significant impacts on traffic, emergency vehicles, and noise, and is not economically feasible. This comment also asks how the Proposed Project got past the “discussion” stage. This comment is introductory to the comments that follow, which are addressed in response to comments HEERY2-2 through HEERY2-4.
- HEERY2-2** Refer to response to comment HEERY1-1 for information regarding the Proposed Project's impacts on emergency vehicles.
- HEERY2-3** Refer to response to comment HEERY1-1 for information regarding the Proposed Project's impacts regarding noise. Additionally, it should be noted that the comment is incorrect about the Proposed Project being scaled back to 4,300 seats. The Proposed Project would construct a 6,200-seat venue.
- HEERY2-4** The Proposed Project's economic effects are discussed in Chapter 6, *Growth-Inducing Impacts*, of the Draft SEIR. As detailed on page 6-2 of the Draft SEIR, the Proposed Project could indirectly result in economic growth by increasing the number of patrons along the waterfront and in downtown San Pedro. Sales would be generated by businesses that would be engaged in supplying services and materials to the visiting patrons attending amphitheater events, as well as businesses in the San Pedro area that would supply services to the amphitheater for hosting events. Amphitheater attendees eating at a local restaurant and/or shopping at a local store would create direct economic benefits for those businesses. This could, in turn, lead to more investment and growth in the waterfront and downtown area, the impacts of which were analyzed and addressed in the 2009 SPW EIS/EIR and 2016 SPPM Addendum.

LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Hoffman, Chris

HOFFMAN-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Hom, Daniel

HOM-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Howard, Diana

HOWARD-1 The comment expresses concern about the noise and air quality impacts of the proposed amphitheater and fireworks shows on the surrounding neighborhoods. The Proposed Project's impacts associated with air quality and noise were evaluated in Section 3.2, *Air Quality*, and Section 3.8, *Noise*, respectively, of the Draft SEIR. As detailed in the Draft SEIR, mitigation measures would be incorporated to reduce air quality and noise impacts. Pursuant to this comment and similar comments made by others, the number of fireworks shows that would be permitted annually has decreased from 25 to 13, and the annual shows would be limited in duration to 10 minutes, with the exception of 2 shows annually being permitted to run for 20 minutes. Additionally, the Proposed Project would incorporate mitigation measures (MM-) NOI-13, *Eliminate the Use of "Salute" Fireworks*, and MM-NOI-14, *Replace Fireworks with Drone Displays*, to address noise impacts associated with the fireworks shows.

LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Huff, Emily

HUFF-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Hungerford, Carol

**HUNGERF
ORD1-1** The comment states that the proposed amphitheater would result in significant noise and traffic impacts. The Draft SEIR evaluated noise and traffic impacts in Section 3.8, *Noise*, and 3.9, *Transportation*, respectively. The Draft SEIR determined that the Proposed Project would result in significant and unavoidable noise and traffic impacts. New significant and unavoidable noise impacts not previously identified in

the 2009 SPW EIS/EIR or 2016 SPPM Addendum would be created by the proposed amphitheater events and fireworks displays. The implementation of mitigation measures (MM-) NOI-1 through MM-NOI-14 would lessen these impacts but would not change the determination. Additionally, new significant and unavoidable transportation impacts would occur because the Proposed Project would result in a net increase in regional vehicle miles traveled (VMT). Transportation Demand Management (TDM) strategies are required as MM-TRAN-1. However, because of the operational and administrative inefficiencies and challenges of implementing TDM for special-event venues, TDM mitigation measures are not expected to reduce the Proposed Project's VMT impact to less-than-significant levels.

LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Hungerford, Gabe

**HUNGERF
ORD2-1** The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Hunter, Marianne and William

HUNTER-1 The comment states that the Proposed Project would result in significant traffic impacts, particularly to the Harbor Freeway (Interstate [I-] 110) and surrounding intersections, as well as significant noise impacts on people, business, and wildlife. Proposed Project traffic impacts on I-110 and surrounding intersections were evaluated in Section 3.9, *Transportation*, of the Draft SEIR. As detailed under Impact TRAN-2 on pages 3.9-14 through 3.9-32 of the Draft SEIR, the Proposed Project would result in significant and unavoidable impacts related to traffic with implementation of mitigation measure (MM-) TRAN-1, *TDM Strategies*. New significant and unavoidable transportation impacts would occur because the Proposed Project would result in a net increase in regional VMT. Transportation Demand Management (TDM) strategies are required as MM-TRAN-1. However, because of the operational and administrative inefficiencies and challenges of implementing TDM for special-event venues, TDM mitigation measures are not expected to reduce the Proposed Project's VMT impact to less-than-significant levels. However, the ongoing State Route 47/Harbor Boulevard Interchange Improvement Project (described in Chapter 4, Table 4-1, *Cumulative Projects List*) would improve access to the Proposed Project, including to visitors utilizing I-110.

The Proposed Project's noise impacts were evaluated in Section 3.8, *Noise*, of the Draft SEIR. Impacts to sensitive receptors, which include residents and businesses, were evaluated under Impact NOI-1 on pages 3.8-22 through 3.8-48, and Impact NOI-2 on pages 3.8-49 through 3.8-50 of the Draft SEIR. The Draft SEIR determined that that the Proposed Project would result in significant and unavoidable noise impacts. New significant and unavoidable noise impacts not

previously identified in the 2009 SPW EIS/EIR or 2016 SPPM Addendum would be created by the proposed amphitheater events and fireworks displays. The implementation of MM-NOI-1 through MM-NOI-14 would lessen these impacts but would not change the determination.

Impacts on wildlife, including marine mammals and water birds (e.g., California least tern) were evaluated in Section 3.3, *Biological Resources*, of the Draft SEIR. As detailed on pages 3.3-24 through 3.3-37 of the Draft SEIR, the Proposed Project would have the potential to significantly affect sensitive species as a result of noise and trash from concerts at the amphitheater and fireworks shows during special events. However, with implementation of existing 2009 SPW EIS/EIR mitigation measure (MM-) BIO-2, *Conduct Nesting Bird Surveys*, along with the identified new mitigation measures MM-BIO-7, *Trash management and Post-Event Cleanup*, MM-BIO-8, *Marine Mammal Monitoring During Firework Events*, MM-BIO-9, *California Least Tern Nesting Colony Monitoring During Firework Events*, MM-BIO-10, *Biodegradable Venue Products*, and MM-BIO-11, *Abandoned Nest Clearance Must Avoid Breeding Bird Season*, impacts would be reduced to a less-than-significant level. The Aquarium of the Pacific is well outside the area for which any significant wildlife impacts from Project noise were identified.

LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Jacobson, John

JACOBSON-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter James, Valerie

JAMES-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Jiminez, Manuel

JIMINEZ-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Johnson, Daniel

JOHNSON1-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Johnson, Lynn

JOHNSON2-1 The comment states that the proposed amphitheater would likely result in noise pollution and asks if an environmental impact study and measures will be provided to ensure impacts on local residents are minimized. The Draft SEIR released in November 2024 assesses the environmental impacts associated with the Proposed Project, including the proposed amphitheater. In addition, an amphitheater sound system noise assessment was completed for the Proposed Project, and mitigation measures were incorporated to reduce noise impacts. The noise assessment was included as Appendix F of the Draft SEIR. The Proposed Project's noise impacts were evaluated in Section 3.8, *Noise*, of the Draft SEIR. The Draft SEIR determined that that the Proposed Project would result in significant and unavoidable noise impacts. New significant and unavoidable noise impacts not previously identified in the 2009 SPW EIS/EIR or 2016 SPPM Addendum would be created by the proposed amphitheater events and fireworks displays. The implementation of MM-NOI-1 through MM-NOI-14 would lessen these impacts but would not change the determination.

LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Johnson, Susanne

JOHNSON3-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Jones, Leslie

JONES-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Jones, Leslie

JONES2-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Kato, Ray

KATO-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Keating, Kim

KEATING-1 The comment expresses displeasure and concern for potential traffic, noise, and public safety produced by the Proposed Project. The commenter is referred to response GONZALES-1 for information about traffic and noise impacts. The Proposed Project's impacts associated with noise, transportation, and safety were evaluated in Section 3.8, *Noise*, Section 3.9, *Transportation*, and Section 3.11, *Public Services*, of the Draft SEIR. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Khan, Tammy

KHAN-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Kimball, Jane

KIMBALL-1 The comment expresses displeasure and concern for potential traffic and noise produced by the Proposed Project. The commenter is referred to response GONZALES-1 for information about traffic and noise impacts. The Proposed Project's impacts associated with noise and transportation were evaluated in Section 3.8, *Noise*, and Section 3.9, *Transportation*, respectively, of the Draft SEIR. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Klee, Christa

KLEE-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Krajeck, Geralynn

KRAJECK-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Kuklok-Waldman, Nicole

KUKLOK- The comment expresses support for the Proposed Project and conveys satisfaction
WALDMAN-1 that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Kvartuc, Branimir

KVARTUC-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Lanning, Joseph

LANNING-1 The comment expresses displeasure and concern for potential noise produced by the Proposed Project. The Proposed Project's impacts associated with noise were evaluated in Section 3.8, *Noise*, of the Draft SEIR. The commenter is referred to response BOYAJIAN-4 for information about the referenced music event that was held at B46. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Larson, Gary

LARSON-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Lavon-Beaty, Michelle

**LAVON-
BEATY-1** The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Lee, Joann

LEE-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Levine, Leanna

LEVINE-1 The comment expresses displeasure and concern for potential noise produced by the Proposed Project. The Proposed Project's impacts associated with noise were evaluated in Section 3.8, *Noise*, of the Draft SEIR. The Draft SEIR determined that that the Proposed Project would result in significant and unavoidable noise impacts. New significant and unavoidable noise impacts not previously identified in the 2009 SPW EIS/EIR or 2016 SPPM Addendum would be created by the proposed amphitheater events and fireworks displays. The implementation of MM-NOI-1 through MM-NOI-14 would lessen these impacts but would not change the determination. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Lewis, Ralph

LEWIS-1 The comment expresses displeasure and concern for potential traffic, noise, and air pollution produced by the Proposed Project. The Proposed Project's impacts associated with air quality, noise, and transportation were evaluated in Section 3.2, *Air Quality*, Section 3.8, *Noise*, and Section 3.9, *Transportation*, respectively, of the Draft SEIR. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Lincir, Matt

LINCIR-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Lindholm, Phil

**LIND
HOLM-1** The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Liu-Morales, Rebecca

**LIU-
MORALES-1** The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter LoGiudice, Carl

**LOGIU
DICE-1** The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Lopez, Samuel

LOPEZ-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. The comment stresses that the trash pickup and security measures must be enforced. The commenter is referred to response to comment CE4K-37 for information about the trash capture requirements that would be implemented as part of obtaining an MS4 permit for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Lucks, Linda

LUCKS-1 The comment expresses support for the Proposed Project, and states that the Proposed Project is a transformative opportunity to revitalize San Pedro’s waterfront, creating vibrant public spaces while driving economic growth. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter MacAinsh, Nathan

**MACAI
NSH-1** The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Maldonado, Alma

**MALDO
NADO1-1** The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Maldonado Jr., Elias

**MALDO
NADO2-1** The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Mancuso, Giampaolo

MANCUSO-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Mardesic, Nick

**MARD
ESIC-1** The comment expresses displeasure and concern for potential traffic, trash, vandalism, car theft and many more crimes produced by the Proposed Project. The commenter is referred to response to comment CE4K-37 for information about the trash capture requirements that would be implemented as part of obtaining an MS4 permit for the Proposed Project. The Draft SEIR evaluated biology impacts in Section 3.3, *Biological Resources*; transportation impacts in Section 3.9, *Transportation*; and public safety concerns in Section 3.11, *Public Services*. The Proposed Project would implement mitigation measures (MM-) BIO-7, *Trash Management and Post-Event Cleanup*, and MM-BIO-10, *Biodegradable Venue Products*, which would work to ensure that trash and other debris resulting from

amphitheater events and/or fireworks shows would be prevented from entering nearby marine environments and that biodegradable products would be used to reduce impacts. Parking and traffic impacts were evaluated in Section 3.9, *Transportation*, on pages 3.9-13 through 3.9-32 of the Draft SEIR, which determined that the Proposed Project would result in significant and unavoidable traffic impacts due to vehicle miles traveled. The Tenant considered the security and safety of its patrons and prepared an emergency plan that details how the event space would prepare for emergency concerns. The safety of the performers, guests, and staff members is a major concern, and an organized and comprehensive emergency plan is essential to addressing this concern. The objective of the emergency plan is to establish and define specific responsibilities, guidelines, and procedures that will facilitate an effective response by all persons connected with the facility and ensure proper protocol for any type of life-threatening incident at the amphitheater. Captain Kevin McCloskey of the Port Police provided a letter on July 7, 2023, which detailed what changes would be required to ensure adequate public services for the Proposed Project. These requirements are further detailed in MM-PS-7. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Marshall, Clay

MARS HALL-1

The comment expresses concerns about potential noise, traffic, and pollution from the Proposed Project. The Draft SEIR evaluated noise impacts in Section 3.8, *Noise*; air quality impacts in Section 3.2, *Air Quality*; and transportation impacts in Section 3.9, *Transportation*. The air quality impacts were determined to remain significant and unavoidable per the 2009 SPW EIR/EIS, but would not result in new or substantially more severe impacts as a result of the Proposed Project. The Draft SEIR acknowledges that impacts would remain significant and unavoidable for these three resources. New significant and unavoidable noise impacts not previously identified in the 2009 SPW EIS/EIR or 2016 SPPM Addendum would be created by the proposed amphitheater events and fireworks displays. The implementation of mitigation measures (MM-) NOI-1 through MM-NOI-14 would lessen these impacts but would not change the determination. New significant and unavoidable transportation impacts would also occur because the Proposed Project would result in a net increase in regional vehicle miles traveled (VMT). Transportation Demand Management (TDM) strategies are required as MM-TRAN-1. However, because of the operational and administrative inefficiencies and challenges of implementing TDM for special-event venues, TDM mitigation measures are not expected to reduce the Proposed Project's VMT impact to less-than-significant levels. The commenter also suggests a certain percentage of employees are hired who live in San Pedro or other District 15 communities. The commenter also suggests that internships should be offered to local students, and that discounts/subscriptions should be offered to locals, as well as at least one free event per year. The commenter would also like to see local food and beverage be represented at the Proposed Project site. The commenter expresses concern about the naming and representation from the third-party company that may

be in charge of scheduling talent. The commenter also would like to see local merchandise vendors on the Proposed Project site. Lastly, the commenter would like discounts for local businesses who advertise on site. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Martin, Amanda

MARTIN2-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Martin, Betty

MARTIN1-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Martinez-Wehmeyer, Adriana

MARTINEZ-WEH MEYER-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Matson, Heather

MATSON-1 The comment expresses displeasure and concern for potential noise produced by the Proposed Project and suggests an upper decibel limit and an established end time for events. The commenter is referred to mitigation measure (MM-) NOI-3 which limits the maximum front-of-house noise level within the amphitheater during all Tier 1 Events to a 5-minute A-weighted equivalent noise level of 100 decibels, designated as 100 dBA Leq(5min). Additionally, MM-NOI-8 sets a curfew of 10:30 p.m. for all nights, and MM-NOI-9 sets fines for when events go beyond 10:30 p.m. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Matsumoto, Brian

MATSU MOTO-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Medina, Gabriela

MEDINA-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Meister, Lee

MEISTER-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Mirich, Stephen

MIRICH-1 The comment expresses displeasure for the Proposed Project. The comment expresses general concerns about noise from events but does not provide specific criticism of any the Draft SEIR's conclusions. Noise impacts are discussed in Section 3.8, *Noise*, of the Draft SEIR. The Draft SEIR concluded significant and unavoidable impacts related to both amphitheater noise and fireworks noise.

MIRICH-2 Please refer to response to comment MIRICH-1.

MIRICH-3 The comment provides general concerns about traffic issues and air pollution; but does not provide specific criticism of the Draft SEIR's analysis or conclusions. Specific information about the Proposed Project's traffic and air quality impacts are in Section 3.2, *Air Quality*; and Section 3.9 *Transportation*, respectively. The Draft SEIR concluded significant and unavoidable impacts related to both amphitheater noise and fireworks noise; as well as VMT-related transportation impacts.

MIRICH-4 The commenter states that San Pedro should not be used for profit and benefit of a few while sacrificing living conditions of its residents. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Missman, Margaret

MISSMAN-1 The comment expresses displeasure for the Proposed Project. The commenter provides an opinion about the amphitheater being too large a venue for San Pedro. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

MISSMAN-2 The comment expresses general concerns about air quality, traffic issues, and sound pollution, as well as air and water pollution, but does not provide specific criticism of the Draft SEIR's conclusions. The commenter is referred to response BOYAJIAN-4 for information about the referenced music event that was held at B46. The commenter will find specific information about the Proposed Project's impacts on air quality, traffic, noise, and water pollution in Section 3.2, *Air Quality*; Section 3.7, *Hydrology and Water Quality*; Section 3.8, *Noise*; and Section 3.9, *Transportation*, of the Draft SEIR, respectively. The Draft SEIR concluded significant and unavoidable impacts related to both amphitheater noise and fireworks noise, as well as vehicle miles traveled-related transportation impacts.

MISSMAN-3 The commenter states that San Pedro should not be used for profit and benefit of a few while sacrificing living conditions of its residents. LAHD acknowledges this

comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Moody, John

MOODY-1 The comment expresses support for the Proposed Project and suggests a few potential opening acts for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Mrkich, Ziggy

MRKICH-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Muldrew, Mary

**MULD
REW1-1** The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Muldrew, Morgan

**MULD
REW2-1** The comment expresses support for the Proposed Project. The commenter's suggestion for an easier way for locals to travel to the Proposed Project site has been noted. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners' consideration. The comment does not raise an issue regarding the adequacy of the analysis contained within the Draft SEIR.

Response to Comment Letter Munster, Noramae

MUNSTER-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Nave1, Diana

NAVE1-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Nave2, Pat

NAVE2-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Naylor, Mike

NAYLOR-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Neal, Daniel

NEAL-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Nizich, Bob

NIZICH-1 The comment expresses the belief that the noise analysis is not accurate, notes that noise from other local activities can be heard at large distances and suggests testing noise levels with speakers playing at the intended noise levels. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider. The comment does not specify any particular reason that the Draft SEIR noise analysis is considered inaccurate. Conducting accurate and representative sound system field tests would be impractical and prohibitively expensive because it would require constructing, installing, and testing a large and sophisticated sound system, similar to the one that would be part of the Proposed Project. Noise modeling is the primary tool used in the prediction and control of environmental noise from all types of noise sources and is a valid approach for assessing the Proposed Project. The software used in the analysis, NoizCalc, is based on recognized national and international noise calculation and propagation standards that have been widely studied and validated. NoizCalc is specifically designed to accomplish the type of music venue analysis required for the Proposed Project Draft SEIR and is, therefore, an excellent tool for the assessment conducted. The results of the modeling are fully disclosed in the Draft SEIR, and impacts are assessed relative to the established thresholds of impact. Based on the modeling, the SEIR concludes that amphitheater noise impacts would remain significant and unavoidable after mitigation

Response to Comment Letter Norman, Thomas

NORMAN-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Nygren, Lisa

NYGREN-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter O'Brian, Ross

O'BRIAN-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter O'Melveny, Regina

**O'MELV
ENY-1** The comment expresses displeasure and concern for potential noise pollution and air pollution produced by the Proposed Project. The commenter will find specific information about the Project's impacts are in Section 3.2, *Air Quality*, and Section 3.8, *Noise*, of the Draft SEIR. The Draft SEIR concluded significant and unavoidable impacts related to air quality, consistent with the 2009 SPW EIS/EIR, and amphitheater noise and fireworks noise. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Palma, Nino

PALMA-1 The comment expresses support for the Proposed Project, and states that the Proposed Project is a transformative opportunity to revitalize San Pedro's vibrant public spaces and nearby businesses. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Parnacher, Jeremy

**PARN
ACHER-1** The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Pflieger, Birte

PFLEGER-1 The comment expresses displeasure and concern for potential noise pollution, air pollution, and traffic congestion produced by the Proposed Project but does not provide any specific criticism of the Draft SEIR. Specific information about the Proposed Project's impacts on these resources are in Section 3.2, *Air Quality*; Section 3.7, *Hydrology and Water Quality*; Section 3.8, *Noise*; and Section 3.9, *Transportation*. The Draft SEIR concluded significant and unavoidable impacts

related to both amphitheater noise and fireworks noise as well as vehicle miles traveled-related transportation impacts. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Pirozzi, Anthony

PIROZZI-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Pisano, George

PISANO-1 The comment expresses displeasure and concern for noise, fireworks, pollution, and traffic produced by the Proposed Project. The commenter also expresses concern about the size of the venue. Specific information about the Proposed Project's impacts on these resources are in Section 3.2, *Air Quality*; Section 3.7, *Hydrology and Water Quality*; Section 3.8, *Noise*; and Section 3.9, *Transportation*. The Draft SEIR concluded the Project would create significant and unavoidable impacts related air quality, consistent with the 2009 SPW EIS/EIR, and significant and unavoidable impacts related to amphitheater noise and fireworks noise and vehicle miles traveled-related transportation impacts. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

PISANO-2 The comment expresses concerns about air pollution and noise impacts associated with the fireworks shows. The Proposed Project's air quality and noise impacts are discussed in Section 3.2, *Air Quality*, and Section 3.8, *Noise*, respectively. As detailed in the Draft SEIR, mitigation measures would be incorporated to reduce air quality and noise impacts. Air quality impacts were determined to remain significant and unavoidable per the 2009 SPW EIR/EIS, but would not result in new or substantially more severe impacts as a result of the Proposed Project. Specifically, the Proposed Project would incorporate mitigation measures (MM-) NOI-13, *Eliminate Use of "Salute" Fireworks*, and MM-NOI-14, *Replace Fireworks with Drone Displays*, to address noise impacts associated with the firework shows, as well as reducing the annual shows permitted from 25 to 13 and limiting the duration to 10 minutes, with two shows annually permitted to run up to 20 minutes. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

PISANO-3 The comment expresses concerns about the size of the venue. The commenter states that the 50,000 square foot turf area could accommodate 23,227 people that are standing (instead of sitting). This would not occur because the event organizers would not be allowed to sell more than 6,200 tickets per event. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

PISANO-4 The comment expresses concerns about air pollution and noise impacts associated with the Proposed Project. Specific information about the Proposed Project's impacts on these resources is in Section 3.2, *Air Quality*, and Section 3.8, *Noise*. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Pocapalia1, Daniel

**POCA
PALIA1-1** The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Pocapalia2, Daniel

**POCA
PALIA2-1** The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Purcell, Tom

PURCELL-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Pyun, Alys Chalmers

PYUN-1 The comment expresses opposition to the Proposed Project and states the opinion that the Proposed Project would enrich the few to the detriment of the many, as well as infringe upon the rights of citizens to clean air and peace and quiet in their homes. The Draft SEIR evaluated air quality impacts and noise impacts in Section 3.2, *Air Quality*, and 3.8, *Noise*, respectively. The Draft SEIR determined that with the implementation of mitigation measures, the Proposed Project would not result in new or substantially more severe air quality impacts than those previously identified in the 2009 SPW EIS/EIR. The Draft SEIR determined that the Proposed Project would still result in significant and unavoidable noise impacts. New significant and unavoidable noise impacts not previously identified in the 2009 SPW EIS/EIR or 2016 SPPM Addendum would be created by the proposed amphitheater events and fireworks displays. The implementation of mitigation measures (MM-) NOI-1 through MM-NOI-14 would lessen these impacts but would not change the determination. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

PYUN-2 The comment expresses opposition to the Proposed Project and states that dancing at a Taylor Swift concert at Hollywood Park generated the energy equivalent to a .85-magnitude earthquake and that they don't want any more concerts to negatively impact their community. The concert referenced in the comment was very different

from the Proposed Project, and the referenced equivalent energy is potentially misleading. The referenced concert was a Taylor Swift concert that took place at SoFi Stadium in Inglewood and had over 70,000 attendees. Regarding the largest local magnitude of 0.85, the researchers who gathered the data put this in context saying “Keep in mind this energy was released over a few minutes compared to a second for an earthquake of that size. Based on the maximum strength of shaking, the strongest tremor was equivalent to a magnitude -2 [negative two] earthquake” (EurekAlert! 2024). It is noted that earthquakes with a magnitude of less than 3.5 are generally not felt by humans (although they can be recorded with seismographs or similar instruments) and are regarded by the U.S. Geological Survey as posing no risk of damage to buildings (USGS 2025). Researchers found that the best explanation of their data was that the motion of the 70,000-plus crowd dancing and jumping caused the measured harmonic tremor, rather than amplified music. The groundborne vibration levels generated by patrons at the proposed amphitheater would be much smaller because the maximum capacity of 6,200 attendees is less than one-tenth of the Taylor Swift concert referenced in the comment. As a result, no perceptible vibration is anticipated from the operation of the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners’ consideration.

PYUN-3

The comment states that the proposed curfew of 11:00 p.m. is outdated and ineffectual and that health workers and emergency responders work 24 hours daily and have staggered sleep schedules. The commenter is referred to mitigation measures (MM-) NOI-8 and MM-NOI-9 which enforce a 10:30 p.m. curfew (11:00 p.m. with Executive Director approval) and set forth a system of fines for events that go beyond the 10:30 p.m. curfew. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

PYUN-4

The comment states that residents within a 7-mile radius complained about a concert held at Hollywood Park in August of 2024. The Draft SEIR evaluated noise impacts in Section 3.8, *Noise*, and sets forth MM-NOI-1 through MM-NOI-14 to reduce/avoid impacts to the greatest extent feasible. These mitigation measures reduce noise impacts to the extent possible, including limiting, monitoring, and reporting front-of-house noise levels; establishing a noise complaint hotline; establishing a noise curfew; restricting the hours of use/duration of sound system operations; and establishing fines for excessive noise levels. The Draft SEIR acknowledges that impacts would remain significant and unavoidable even with the implementation of the mitigation measures. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners’ consideration. .

PYUN-5

The commenter states the opinion that the City of Los Angeles is incapable of stopping loud, illegal vehicular mufflers or controlling illegal fireworks or regulating loud music once it is allowed to take a foothold in San Pedro. The Draft SEIR evaluated noise impacts in Section 3.8, *Noise*. The Draft SEIR acknowledges that

impacts would remain significant and unavoidable and disclosed that new significant and unavoidable noise impacts not previously identified in the 2009 SPW EIS/EIR or 2016 SPPM Addendum would result from the proposed amphitheater events and fireworks displays. The implementation of MM-NOI-1 through MM-NOI-14 would lessen these impacts but would not change the determination. The proposed noise mitigation measures would be incorporated into the lease through required compliance with the Mitigation, Monitoring, and Reporting Program and include escalating financial penalties to deter noise offenses. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

PYUN-6 The comment recommends replacing the term *amphitheater* with a more appropriate term. While the term *amphitheater* typically refers to a natural or human-made half-circle with tiered structure, there are other examples of amphitheaters in the Southern California region which don't strictly meet this criterion. Renderings of the Proposed Project are included in the Draft SEIR's Project Description. The Tenant (developer) prefers to continue using the term *amphitheater*. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

PYUN-7 The comment states that the venue will negatively affect "residents, pets, businesses, wildlife and sea-life for possibly a 7-mile radius" and also states the belief that music has been used by the Central Intelligence Agency as a tool of psychological warfare. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider. The "possible 7-mile radius" for noise impacts appears to be based on anecdotal evidence from a much larger event at a different location (70,000 attendees at SoFi Stadium in Inglewood); however, this impact distance is not substantiated by the Proposed Project's noise analysis provided in the Draft SEIR.

PYUN-8 The commenter states that the Draft SEIR itself acknowledges that the Proposed Project would result in significant and unavoidable impacts related to noise, air pollution, and transportation issues. The Draft SEIR evaluated these impacts in Section 3.8, *Noise*; Section 3.2, *Air Quality*; and Section 3.9, *Transportation*. The Draft SEIR acknowledges that impacts would remain significant and unavoidable for these three resources but that with the implementation of mitigation measures, the Proposed Project is reducing impacts to the greatest extent feasible. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

PYUN-9 The comment references the Los Angeles Almanac and states that out of the first 275 days of 2024, 207 were unhealthy to breathe in Los Angeles and states opposition to the additional days of fireworks proposed by the Proposed Project. Pursuant to this comment and similar comments made by others, the number of fireworks shows that would be permitted annually has decreased from 25 to 13, and the annual shows would be limited in duration to 10 minutes, with the exception of 2 shows annually being permitted to run for 20 minutes. LAHD acknowledges this comment and will

include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

- PYUN-10** This comment expresses concern with the lack of access to the venue that would add additional traffic to existing major streets and cause a parking shortage that would affect neighboring residential areas. The transportation assessment for the Proposed Project is in Section 3.9, *Transportation*, of the Draft SEIR. The event parking and circulation management plans for the Proposed Project are in Appendices H and I of the Draft SEIR. As detailed under Impact TRAN-2 on pages 3.9-14 through 3.9-32 of the Draft SEIR, the Proposed Project would result in significant and unavoidable impacts related to traffic even with implementation of mitigation measure MM-TRAN-1, *TDM Strategies*.
- PYUN-11** The comment states that the 50,000 square foot turf area could accommodate 23,227 people that are standing (instead of sitting). However, this scenario would not occur under the Proposed Project because the event organizers would not be permitted to sell more than 6,200 tickets per event. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- PYUN-12** This comment expresses concern about the use of artificial turf and associated issues such as heat retention, micro-plastic pollution, off-gassing formaldehyde, and other chemicals. These are all important considerations that led to the Proposed Project using turf that does not use synthetic materials as infill and meets the requirements of EN-71-3 (Part 3) Toy Testing Standards (European Committee for Standardization (CEN)). The concerns listed are principally based upon chronic exposure to plastic and its potential components rather than the proposed use of sitting or standing on turf for several hours on occasion. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- PYUN-13** The comment notes that the Aquarium of the Pacific is less than 5 miles away and expresses concern that sea life would be adversely affected by amphitheater noise. Section 3.3, *Biological Resources*, of the Draft SEIR includes an analysis of potential impacts on various species, including the effects of noise on marine mammals. The Aquarium of the Pacific is well outside the area for which any significant impacts from Project noise were identified.
- PYUN-14** The commenter states they live 1.38 miles from Fort MacArthur and can hear the daily bugle calls, sea lions, and the Long Beach Grand Prix cars; the commenter notes there will be decibel limitations (for the amphitheater) but expresses concern that noise will still be an issue and that music and crowd noise cannot be contained in a large, open-air venue. Section 3.8, *Noise*, of the Draft SEIR discloses predicted amphitheater noise levels, including estimated noise levels in the surrounding community under different atmospheric conditions. Noise impacts are assessed relative to the established thresholds of impact, and several mitigation measures are included to reduce the impact of amphitheater noise levels including noise limits

(MM-NOI-3), noise monitoring (MM-NOI-5), noise reporting (MM-NOI-6), a noise complaint hotline (MM-NOI-7), and fines for non-compliance (MM-NOI-9). Nonetheless, the Draft SEIR concludes that amphitheater noise impacts would remain significant and unavoidable after mitigation.

PYUN-15 The commenter states the opinion that five Port of Los Angeles Commissioners control the futures of San Pedro residents and none of the commissioners lives in San Pedro or Wilmington. It should be noted that as of the publication date of this Final SEIR, there are now two Port of Los Angeles commissioners that live in San Pedro. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

PYUN-16 The comment states the belief that the five Port of Los Angeles commissioners won't have to listen to the unrelenting loud noise or breathe the pollution from the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

PYUN-17 The comment states that “the review period for this project was held during our holidays when we get so distracted.” CEQA requires the review period for EIRs to be at least 45 days but the review period was extended to 65 days, because it fell during the holiday season. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

PYUN-18 The comment states that the “promoters present this as a charming, seaside amphitheater. Instead, it will be a Trojan Horse spreading unrelenting noise, traffic, and air pollution.” The Draft SEIR evaluates noise impacts in Section 3.8, *Noise*; air quality impacts in Section 3.2, *Air Quality*; and transportation impacts in Section 3.9, *Transportation*. The Draft SEIR acknowledges that impacts would remain significant and unavoidable for these three resources even with mitigation. The air quality impacts were determined to remain significant and unavoidable per the 2009 SPW EIR/EIS, but would not result in new or substantially more severe impacts as a result of the Proposed Project. New significant and unavoidable noise impacts not previously identified in the 2009 SPW EIS/EIR or 2016 SPPM Addendum would result from the proposed amphitheater events and fireworks displays. The implementation of MM-NOI-1 through MM-NOI-14 would lessen these impacts but would not change the determination. Additionally, new significant and unavoidable transportation impacts would occur because the Proposed Project would result in a net increase in regional VMT. Transportation Demand Management (TDM) strategies are required as MM-TRAN-1. However, because of the operational and administrative inefficiencies and challenges of implementing TDM for special-event venues, TDM mitigation measures are not expected to reduce the Proposed Project's VMT impact to less-than-significant levels. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

PYUN-19 The commenter states “if the Port wants to proceed with this venue, I urge that it create a smaller music hall with state-of-the-art acoustics and seats, and enclose the

whole venue. An intimate enclosed space will help keep down the sound level and block strobing lights. Plant trees and drought-tolerant landscaping, which will help clean the air, not pollute it.” This suggested alternative does not meet the Proposed Project objectives, notably Objective 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.” An enclosed amphitheater structure would substantially reduce the desired outdoor waterfront experience of visitors and performers to the site. While not in use for concerts, the lawn area will create an opportunity for public enjoyment of the waterfront, whereas an enclosed space would restrict both visual and recreational public access.

The outdoor amphitheater also is consistent with the project analyzed in the 2009 SPW EIS/EIR and the 2016 Addendum, which always envisioned an outdoor amphitheater. The Proposed Project is also consistent and in alignment with the State Lands Commission granting statute, Chapter 1046, Statutes of 1970, specifically Sections 3 (f) which emphasizes "recreational facilities...pedestrian ways and landscaped areas" for public use as well as Section 3(h) which conditions upon the land include “For the promotion, by advertising and such other means as may be reasonable and appropriate, of maximum public use of such granted tidelands or to encourage private investment in development of such granted tidelands for the highest and best use in the public interest.” The Proposed Project and Alternative 2 would allow for greater public use as the lawn area of the venue will be available to the public for recreation while not in use for events. The outdoor amphitheater best meets the objectives of the Proposed Project and aligns with the State Lands and Coastal Commission objectives to promote shoreline public access and recreation as well as to protect visual access to the waterfront. The State Lands Commission encourages projects that promote accessibility to waterfront recreational opportunities for diverse groups. For the vast number of hours, especially outside of the concert season, the venue would not be in use for a ticketed concert event but would be available for community or recreational events or as a landscaped lawn area from which to appreciate the outdoor waterfront setting with supportive accommodations and services nearby. An enclosed building would severely limit these additional public benefits and exclude entirely the outdoor waterfront aspects of this unique space. For these reasons, the suggested alternative of an enclosed amphitheater is infeasible.

LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

PYUN-20 The comment urges that LAHD consider the public’s concerns. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Ragland, Cathy

RAGLAND-1 The comment discusses a “bridge to breakwater” redevelopment project which is part of the larger San Pedro Waterfront area; but is unrelated to the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

RAGLAND-2 The commenter states a concern about the quality of life related to the amphitheater which would be visible from their home on Crescent Avenue. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

RAGLAND-3 The comment notes that acoustical modeling was used to analyze amphitheater noise and expressed concern that the analysis in the Draft SEIR underestimates the noise levels and spillover. The comment also discusses a previous outdoor concert and associated complaints at Inglewood’s SoFi Plaza and suggests noise levels for the Proposed Project “should be tested under real world conditions before the project is approved and built.” Conducting accurate and representative sound system field tests would be impractical and prohibitively expensive because it would require constructing, installing, and testing a large and sophisticated sound system, similar to the one that would be part of the Proposed Project. Noise modeling is the primary tool used in the prediction and control of environmental noise from all types of noise sources specifically because it allows predictions and investigations before the Proposed Project is constructed. As such, noise modeling is a valid approach for assessing the Proposed Project. The software used in the analysis, NoizCalc, is based on recognized national and international noise calculation and propagation standards that have been widely studied and validated. NoizCalc is specifically designed to accomplish the type of music venue analysis required for the Proposed Project Draft SEIR and is, therefore, an excellent tool for the assessment conducted. The results of the modeling are fully disclosed in the Draft SEIR, and impacts are assessed relative to the established thresholds of impact. As noted in the comment, the SEIR concludes that amphitheater noise impacts would remain significant and unavoidable after mitigation.

RAGLAND-4 This comment expresses concern over the need to analyze congestion-related emissions (idling) and traffic delays from traffic building up in the area when multiple events are taking place, citing a lack of public transportation access in the area. Transportation impacts were analyzed in Section 3.9, *Transportation*, of the Draft SEIR and determined to be significant and unavoidable. As mitigation for this impact, the area will be served by shuttles to off-site parking lots on event days, and mitigation measure MM-TRAN-1 incorporates traffic management options including encouraging the use of public transportation into the area using discounted ticket prices.

The comment references traffic from cruise ships. Events at the amphitheater are mainly scheduled during the “off-peak” season for cruises, and even if there are cruises scheduled on event days, the start times for events are expected to be off-

set from the peak traffic arrival and departure times for cruises. This would minimize traffic congestion impacts for these uses.

The comment references emissions and vehicle delays due to congestion. Section 3.2, *Air Quality*, analyzed the Proposed Project's impacts on air quality, which considers average vehicle speeds, including idling. Congestion-related vehicle delays are outside the scope of this Draft SEIR but is addressed under the Los Angeles Department of Transportation's *Transportation Assessment Guidelines* as part of the City's Site Plan Review process. The access circulation evaluation for the Proposed Project (part of the City's Site Plan Review process) has been added as Appendix G-2, for informational purposes, in response to concerns regarding Project traffic volumes and intersection delay.

- RAGLAND-5** The comment expresses concern about fireworks contributing to noise and air pollution and potentially to water pollution, and also that fireworks could cause anxiety in pets, marine mammals, and other wildlife. Pursuant to this comment and similar comments made by others, the Tenant has agreed to eliminate "salute" fireworks from the Proposed Project entirely. In addition, the number of fireworks shows that would be permitted annually has decreased from 25 to 13 and the annual 13 shows would be limited in duration to 10 minutes, with the exception of 2 shows annually being permitted to run for 20 minutes. The Draft SEIR evaluates biological impacts in Section 3.3, *Biological Resources*; noise impacts in Section 3.8, *Noise*; air quality impacts in Section 3.2, *Air Quality*; water/hydrology impacts in Section 3.7, *Hydrology and Water Quality*. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.
- RAGLAND-6** The comment states that there is no way to prevent trash from reaching the ocean from a crowded public area on a windy waterfront. The commenter is referred to response CE4K-37 for information about the trash capture requirements that would be implemented as part of obtaining an MS4 permit for the Proposed Project. In addition, the Proposed Project would implement mitigation measure (MM-) BIO-7, *Trash Management and Post-Event Cleanup*, and MM-BIO-10, *Biodegradable Venue Products*, which would work to ensure that trash and other debris resulting from amphitheater events and/or fireworks shows would be prevented from entering nearby marine environments and that biodegradable products would be used to reduce impacts. In addition, event organizers would comply with City of Los Angeles Ordinance No. 187030, *Disposable Foodware Accessories and Plastic Drinking Straws*, and the City's Comprehensive Plastics Reduction Program and Zero Waste Plan. Furthermore, as detailed in Section XIX, Utilities and Service Systems, of the Initial Study (Appendix A of the Draft SEIR), operation of the Proposed Project would be required to comply with the City of Los Angeles's Green New Deal Sustainable City Plan, which includes a target to reduce municipal solid waste by 15 percent by 2030 and phase out single-use plastics (e.g., plastic straws, utensils, take-out containers, and polystyrene) by 2028. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

RAGLAND-7 The comment states that there is no such thing as artificial turf that does not degrade. This is an important concern in the maintenance and replacement of the turf used for Proposed Project. The turf would be maintained and replaced as necessary. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

RAGLAND-8 The comment states that the solar canopy that it says is proposed as a mitigation measure would require removal of the existing shade canopy and that any tree removal must be part of any GHG mitigation calculation. The Draft SEIR actually proposes a solar canopy as a Project feature (PF-) GHG-1, not as a mitigation measure. However, the comment is correct that a solar canopy would require removal of the existing shade canopy, and the GHG emissions analysis performed as part of this SEIR considered the removal of existing trees as part of construction activities. It should be noted that the parking lots approved as part of the larger San Pedro Waterfront project is already under construction and the existing trees have been removed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

RAGLAND-9 The commenter expresses a desire to “voice opinions on broader issues” before final approval of the modified Proposed Project. The Initial Study/Notice of Preparation was circulated for a 30-day public review, and with the comment period starting on April 14, 2022, and ending on June 15, 2022, and a virtual scoping meeting was held on May 3, 2022. The Draft SEIR was released for public review on November 6, 2024, for a 65-day comment period, which ended on January 10, 2025. A virtual public meeting was held on November 14, 2024. This Final SEIR has been provided to the public for review and participation in the planning process. The Board will consider the Final SEIR in a public meeting prior to making its determination on the Proposed Project. The Board meets regularly and considers public comments on both agenda and non-agenda items.

Response to Comment Letter Rizzi, Gianine

RIZZI1-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Rizzi, Gianine

RIZZI2-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Rochat, Judy

ROCHAT-1 This statement is introductory to the comments that follow. Please see responses to comments ROCHAT-2 through ROCHAT-5.

ROCHAT-2 This comment states that the recommended noise mitigation is appreciated, particularly mitigation that limits the noise in the amphitheater and the related mitigation monitoring and reporting. The comment asks if noise levels can be lowered to a level lower than 100 dBA at the front-of-the-house position, how the different system tuning parameters for different atmospheric conditions will be implemented, and whether unfavorable meteorological conditions settings could adversely affect ground-level patrons in the Proposed Project area outside the amphitheater. For a discussion of front-of-house noise levels, please refer to the response to comment CSPNC-23; in summary, 100 dBA is within the typical range for a dedicated music venue but this is the highest noise level allowed for any 5-minute period and would correspond to only the loudest parts of any performance; due to the different types of artists that would perform at the venue, as well as variations (dynamic range) within each performance, the noise levels would often be below this maximum threshold. Regarding the implementation and tuning of the sound system, the operator of the proposed venue provided the following details:

...the sound system for the amphitheater to be located in the West Harbor Project has been designed and will be specifically tuned to minimize offsite noise impacts for this location. This Nederlander 'House; sound system will provide us with complete control over the volume of music and any related sound leaving the speakers. This contrasts with systems set up for one-time shows, by operators not experienced with the area, and who may never put on another show in the community. Nederlander, along with its sound system vendor partner, L'Acoustics, will be working very closely with the system manufacturer and our audio consultants. We will do sound modeling of the audience area along with the surrounding community, including the neighboring residential areas, to help us contain the sound to the audience area of the amphitheater. Additionally, there have been great strides made in the technology of the building of speaker cabinets that allow us to focus the energy coming out of the speakers.

Referring to the amphitheater noise mapping in the Draft SEIR, the noise levels at ground level within the Proposed Project site would be quite similar under both favorable and unfavorable meteorological conditions.

ROCHAT-3 This comment states that a "transportation impact is defined stating that the project would increase traffic volumes and degrade level of service along neighborhood streets. It is also stated that no feasible mitigation is identified, which would negatively impact the surrounding neighborhoods." This comment refers to a conclusion made in the level-of-service (LOS) analysis from the 2009 SPW EIS/EIR. This conclusion is not based on the Proposed Project. The comment also indicates that the traffic noise analysis stated that the number of predicted trips decreased from the 2009 analysis (with the 500-seat amphitheater) to the 2016 analysis (with 6,000+ seat amphitheater), which the comment says is counterintuitive and does not appear to match noise Tables 3.8-6 and 3.8-7 in the Draft SEIR. The comment requests more explanation. The comment misunderstands some of the data presented in the Draft SEIR. Both the 2009 SPW EIS/EIR and the 2016 SPPM Addendum considered a 500-seat amphitheater; the 6,000+ seat amphitheater was not proposed until the current (2024) Draft SEIR. The reason predicted traffic was reduced between the

2009 analysis and the 2016 analysis was not related to the amphitheater but was due to other factors, such as the removal of 75,000 square feet of proposed conference center space. It is important to acknowledge that the purpose of the Draft SEIR traffic noise analysis is to assess potential impacts relative to the baseline conditions (2007) established in the 2009 SPW EIS/EIR. Therefore, impacts were assessed based on the net change in traffic, which combines the Project traffic reduction between the 2009 analysis and the 2016 analysis, with the future traffic increases attributed to the current Proposed Project. To provide a comparison between the original (2009) analysis and the current (2024) analysis, Table 3.8-6 presents traffic noise data directly from the 2009 SPW EIS/EIR and Table 3.8-7 presents the updated traffic noise results based the predicted net increase in traffic from the 2024 Draft SEIR analysis. In response to this and other comments about how Project traffic may affect other roadways in addition to Harbor Boulevard, details have been added to the traffic noise analysis to include the traffic distribution affecting other streets. To provide a conservative assessment, the new analysis evaluated the higher traffic scenario rather than the reduction in traffic between the 2009 analysis and the 2016 analysis. The resulting updates to the Draft SEIR are described in Section 3.2, *Changes to the Draft Subsequent Environmental Impact Report*, in this Final SEIR. In addition, mitigation measure (MM-) TRAN-1 outlines measures designed to reduce traffic impacts during events.

ROCHAT-4 The comment states appreciation for MM-NOI-13 to limit the use of “salute” fireworks but says the restriction should go further by eliminating the use of the “salute” fireworks and that other more aggressive mitigation measures (including replacing fireworks with drones) should be considered. Pursuant to this comment and similar comments made by others, the Tenant has agreed to eliminate “salute” fireworks from the Proposed Project entirely. In addition, the number of fireworks shows that would be permitted annually is being decreased from 25 to 13, and the annual shows would be limited in duration to 10 minutes, with the exception of 2 shows annually being permitted to run for 20 minutes.

ROCHAT-5 The comment requests more discussion of the effects of all noise and vibration (both for construction and operations) on wildlife, particularly for marine mammals and in relation to pile driving. Effects of the Proposed Project, including noise, on wildlife are discussed and assessed in Section 3.3, *Biological Resources*, and mitigation measures for potential noise impacts are provided. The Proposed Project does not include any in-water pile driving, so there would be no hydroacoustic (underwater noise) impacts.

Response to Comment Letter Sams, Nancy

SAMS-1 The comment expresses displeasure and concern for potential noise produced by the Proposed Project. The commenter’s preference for an enclosed venue is noted. The commenter is referred to response PYUN-19 for information on why an enclosed venue was not selected. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Sandell, Scott

SANDELL-1 The comment expresses opposition to the Proposed Project and states that chief concerns are noise, traffic, and pollution— all of which are included among the significant and unavoidable environmental impacts in the Draft SEIR. The Draft SEIR evaluated air quality (pollution) impacts, noise impacts, and transportation impacts in Section 3.2, *Air Quality*; Section 3.8, *Noise*; and Section 3.9, *Transportation*, respectively. The air quality impacts were determined to remain significant and unavoidable per the 2009 SPW EIR/EIS, but would not result in new or substantially more severe impacts as a result of the Proposed Project. New significant and unavoidable noise impacts not previously identified in the 2009 SPW EIS/EIR or 2016 SPPM Addendum would result from the proposed amphitheater events and fireworks displays. The implementation of mitigation measures (MM-) NOI-1 through MM-NOI-14 would lessen these impacts but would not change the determination. Additionally, new significant and unavoidable transportation impacts would occur because the Proposed Project would result in a net increase in regional vehicle miles traveled (VMT). Transportation Demand Management (TDM) strategies are required as MM-TRAN-1. However, because of the operational and administrative inefficiencies and challenges of implementing TDM for special-event venues, TDM mitigation measures are not expected to reduce the Proposed Project’s VMT impact to less-than-significant levels. This comment is introductory to the comments that follow (comments SANDELL-3 through SANDELL-13). LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

SANDELL-2 The comment states the opinion that the noise analysis in the Draft SEIR is inadequate, “focuses on a narrow swath of San Pedro and Terminal Island,” and ignores the potential impacts on many thousands of people. The comment also says that sounds from the port (e.g., beeping cranes, music from departing cruise ships, and the national anthem from Fort MacArthur) can travel long distances from the source. Regarding the size of the area analyzed for amphitheater noise, it is noted that the area is quite large; the amphitheater noise mapping provided in the Draft SEIR covers an area of approximately 3.5 square miles. Although the noise analysis does not extend as far as the neighboring cities, it does extend more than a mile to the west where the majority of nearby noise-sensitive receptors (e.g., homes) are located. The noise mapping covers the closest impacted receptors in all directions from the Proposed Project site, and noise would continue to attenuate with distance at locations farther from the Proposed Project site.

SANDELL-3 The comment says that, in recent years, the port has allowed concerts at Berth 46 (outer harbor area) that have disturbed residents in San Pedro and Rancho Palos Verdes and claims that, despite complaints, the port appears to have done little to mitigate the disturbances from these current concerts. The comment also mentions raves held at the Queen Mary in Long Beach that generated noise complaints in San Pedro, Rancho Palos Verdes, Rolling Hills Estates, and as far away as Lomita, Harbor City, and Torrance. It should be noted that the raves mentioned in this

comment are in jurisdictions outside the control of LAHD, and LAHD cannot comment on any sound system or decibel limits used in the raves mentioned in the comment.

- SANDELL-4** The comment states lower-frequency sound waves (i.e., bass) are a particular problem and, while noise can spread in unpredictable ways, the comment claims it is actually quite predictable on San Pedro Hill. The noise modeling and analysis considered the combined music noise at all frequencies; the unmitigated and mitigated noise levels described in Draft SEIR pertain to the total noise, including low-, mid-, and high-frequency sounds.
- SANDELL-5** The comment states that a much larger regional study of the noise impacts should be undertaken in any EIR for the Proposed Project and that more mitigation procedures would likely need to be explored. The amphitheater noise mapping provided in the Draft SEIR covers an area of approximately 3.5 square miles and extends more than a mile to the west where the majority of nearby noise-sensitive receptors (e.g., homes) are located. This analysis area includes all the closest noise-sensitive receptors to the Proposed Project where the greatest impacts would occur. Because mitigation measures are based on these worst-case impacts, they would not change if more distant receptors were added to the analysis.
- SANDELL-6** The comment states that, with the proposed mitigation, residents would appear to have little to no recourse to address their noise complaints, and the proposed front-of-house noise monitoring would protect concertgoers, but it does not “take into account at all the noise that would be sent into the surrounding community.” The topic of noise complaints is addressed in response to comment SANDELL-7. Although noise monitoring is required at the front-of-house position (MM-NOI-3), recommended noise reductions and noise limits would directly benefit the surrounding community because the noise levels inside and outside the amphitheater are directly correlated. As noted in the Draft SEIR: “For a given set of conditions (i.e., sound system setup and atmospheric conditions) a 10 dBA reduction in front-of-house sound levels will translate directly to a 10 dBA reduction in noise levels in the community surrounding the Amphitheater.” The noise analysis in the Draft SEIR specifically assesses the noise levels in the surrounding community; the amphitheater noise mapping provided in the Draft SEIR covers an area of approximately 3.5 square miles and extends more than a mile to the west where the majority of nearby noise-sensitive receptors (e.g., homes) are located.
- SANDELL-7** This comment objected to the language of the mitigation measure regarding a noise-complaint hotline and/or website (MM-NOI-7), noting that the measure simply requires a response within two days and asking if a “response” could simply be acknowledging the complaint, with no action. The comment stated, “it would be far more effective to have a hotline that is continuously monitored and results in an actual real-time adjustment to the concert taking place,” such as was employed for a large music festival at the Queen Mary. In response to the public comments received, MM-NOI-7 has been revised as shown in Section 3.2.5, *Changes Made to Section 3.8, Noise*.

- SANDELL-8** The comment states that in “news stories and on social media, assurances are being given to the public that the sound impacts on our community would be minimal. Some have claimed this proposed venue would create only a few hours of noise a few nights a week.” Please see response to comment SANDELL-9, which is a combined response to both comments.
- SANDELL-9** This comment states that the Draft SEIR contradicts the assurances described in comment SANDELL-8 because it states that both amphitheater and fireworks noise impacts would remain significant and unavoidable after mitigation and would “allow for lengthy periods of noise during the day and night virtually any day of the year.” The Draft SEIR analyzes and assesses noise impacts under CEQA based on the Proposed Project description. The Draft SEIR is not based on, and is not responsible for, any claims or assertions made on other platforms such as news or social media. The Draft SEIR includes several mitigation measures to reduce the impacts of amphitheater and fireworks noise. However, the commenter is correct that the Draft SEIR concludes there will be significant and unavoidable impact after mitigation for both amphitheater and fireworks noise. The allowable number of amphitheater and fireworks events is addressed in response to comment SANDELL-10.
- SANDELL-10** The comment notes that the Draft SEIR states that the proposed amphitheater would host up to 100 Tier 1 events per year, plus an unknown number of other events, the sound system could be used no earlier than 8 a.m., the proposed end for concerts would be 10:30 p.m., and no later than 11 p.m., and there would be up to 25 fireworks shows per year, subject to permits. In response to public comments, the mitigation measures in the Final SEIR have been updated to reduce the number of fireworks shows per year from 25 to 13 (with only 2 fireworks shows per year lasting up to 20 minutes and the remaining fireworks shows lasting up to 10 minutes).
- SANDELL-11** This comment summarizes the time limits on amplified noise specified by the Proposed Project mitigation measures: "On any Tier 1 Event day that includes a public or private performance, the total use of amplified sound equipment for all activities (e.g., rehearsal, soundcheck, performance) will be limited to a cumulative total of 12 hours. Sound amplification may occur over multiple distinct intervals, as long as the sum of those intervals is 12 hours or less. On non-performance days, the total use of amplified sound equipment for all amplified events will be limited to no more than a cumulative total of up to 4 hours." Response to comment SANDELL-12 addresses this comment.
- SANDELL-12** This comment states that the time limits on amplified noise may be tolerable for some adults, but it is not tolerable for others including other adults, children whose studies or sleep will be disturbed, people who would like to enjoy the quiet of their home, yard or local park, or those whose options to escape the noise are limited because of work, illness or economics. The comment also states that many scientific studies have found “the effects of noise on human beings and animal life can be profoundly disruptive and harmful, especially when that noise is inescapable.” The stated time limits and durations represent the worst-case conditions that could occur at the Proposed Project site and are unlikely to occur on all event days. Numerous

mitigation measures are proposed for the Proposed Project, and the Draft SEIR clearly discloses that amphitheater noise impacts would remain significant and unavoidable after mitigation. Specifically, the Draft SEIR states that, “With mitigation, Amphitheater noise levels at residences in San Pedro, west of the Proposed Project, would not exceed daytime ambient-noise levels and would exceed evening and nighttime ambient levels by less than 5 dBA. Overall, the mitigation would drastically reduce the number of residences in San Pedro west of the Project site that would be affected by Amphitheater noise levels in excess of ambient levels. However, even with mitigation, Amphitheater noise levels would continue to exceed ambient-noise levels by more than 5 dBA Leq(h) at multiple noise-sensitive receivers, including liveaboard vessels in Al Larson Marina, residences at Reservation Point, and liveaboard vessels in Cabrillo Marina.”

SANDELL-13 The comment is conclusory and summarizes concerns that have been addressed in responses to responses to comments SANDELL-2 through SANDELL-12. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Sax, Elizabeth

SAX-1 The comment expresses displeasure and concern regarding the Proposed Project. Concerns include topics such as safety, traffic, and noise. The commenter is referred to BOYAJIAN-3 and HEERY1-1 for information about security and public safety and to GONZALES-1 for information about traffic and noise impacts. The commenter’s preference for an enclosed venue is noted. The commenter is referred to response PYUN-19 for information on why an enclosed venue was not selected. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Schindler, Taran

**SCHIN
DLER-1** The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Shriver, Marianne

SHRIVER-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Shrum, JJ

SHRUM-1 The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Silber, Andrew

SILBER-1 The comment expresses support for the Proposed Project, and states that the Proposed Project is a long overdue opportunity to revitalize San Pedro's waterfront. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Skebe, Ed

SKEBE-1 The comment expresses displeasure and concern regarding the Proposed Project. Concerns include topics such as traffic, pollution, and noise. The commenter is referred to response to comment POP-3 for an extensive discussion about trash and pollution. Traffic, construction, and noise are discussed in Section 3.8 *Noise*, and Section 3.9, *Transportation*. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Smirke, Ann

SMIRKE-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Springer, Cathy

**SPRING
ER1-1** The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Springer, Jay

SPRINGER2-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter St. John, Barbara

STJOHN-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Stevens, EZ

STEVENS-1 The comment expresses displeasure and concern regarding the Proposed Project. Concerns include topics such as traffic and noise. The commenter is referred to

response GONZALES-1 for information about traffic and noise impacts. The commenter's preference for an enclosed venue is noted. The commenter is referred to response PYUN-19 for information on why an enclosed venue was not selected. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Sutton, Mona

SUTTON1-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Sutton, Mona

SUTTON2-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Swensson, Heli

SWENSSON-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Tahash, Nina

TAHASH-1 The comment expresses displeasure and concern regarding the Proposed Project. Concerns include topics such as traffic, construction, trash, pollution, and noise. Please refer to response to comments POP-3 and CE4K-37 for an extensive discussion about trash and pollution. Traffic, construction, and noise are discussed in Section 3.8, *Noise*, and Section 3.9, *Transportation*. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Taylor, Kimberly

TAYLOR-1 The comment expresses general displeasure and concern regarding the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Teuber, David

TEUBER-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Thompson, Jake

**THOMP
SON-1** The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Thornton, Dawn

**THORN
TON-1** The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Townsend, Camila and Stan Hicks

**TOWN
SEND-1** The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Trusela, Josephine

TRUSELA-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Ungaro1, Henry

UNGARO1-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Ungaro2, Henry

UNGARO2-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Valanejad, Kamran

**VALANE
JAD-1** The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter van Hoorn1, Gus

**VAN
HOORN1-1** The comment expresses concern about noise pollution produced by the Proposed Project. Please note that the venue would be designated non-smoking. Also, please refer to Section 3.8, *Noise*, of the Draft SEIR for information about noise pollution. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter van Hoorn2, Gus

**VAN
HOORN2-1** The comment expresses concern about noise pollution produced by the Proposed Project. Please refer to response to comment VANHOORN1-1. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Vance, Hannah

VANCE-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Vanderark, K

**VANDER
ARK-1** The comment expresses general concerns about air quality, traffic issues, and sound pollution, as well as air and water pollution, but does not provide specific criticism of the Draft SEIR's conclusions. Specific information about the Proposed Project's impacts in these areas is found in Section 3.2, *Air Quality*; Section 3.7 *Hydrology and Water Quality*; Section 3.8, *Noise*; and Section 3.9, *Transportation*, of the Draft SEIR. The air quality and hydrology impacts were determined to remain significant and unavoidable per the 2009 SPW EIR/EIS, but would not result in new or substantially more severe impacts as a result of the Proposed Project. The Draft SEIR concluded significant and unavoidable impacts related to both amphitheater noise and fireworks noise, as well as vehicle miles traveled-related transportation impacts. The 2009 SPW EIS/EIR similarly concluded that noise impacts associated with construction of the Proposed Project would be significant and unavoidable even with implementation of mitigation measures MM-NOI-1 and MM-NOI-2.

LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter von Kalinowski, Penelope

**VONKALI
NOWSKI -1** The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. The concerns of incoming traffic in the San Pedro area are noted, and the potential solutions are appreciated. Please note that mitigation measure MM-TRAN-1 includes transportation demand management (TDM) strategies that would be implemented to the greatest extent feasible. These strategies include coordinating with LA Metro or the Los Angeles Department of Transportation to determine the feasibility of expanding services during events. The TDM also encourages the use of shuttle services from satellite parking lots. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Wallis, Cameron

WALLISC-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Wallis, Kristie A

WALLIS1-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Wallis, Kris

WALLIS2-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Wehmeyer, Jeremy

**WEH
MEYER-1** The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Wilkinson, Joselyn

**WILKIN
SON-1** The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Wixed1, Laurie

WIXED1-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Wixed2, Laurie

WIXED2-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Yokoyama, Jerome

**YOKO
YAMA-1** The comment states that the events held along the waterfront can cause echoing due to the noise bouncing off the glass condominiums on the hillside. The comment states that if an EIR was prepared they would be interested in seeing the findings. The commenter is referred to Section 3.8, *Noise*, of the Draft SEIR where the fireworks, traffic noise, concert noise, and construction noise are all modeled and analyzed. The findings are contained therein.

Response to Comment Letter Young, Laurie

YOUNG1-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter Young, Mike

YOUNG2-1 The comment expresses support for the Proposed Project and conveys satisfaction that the Draft SEIR has provided mitigation measures to address environmental issues as needed. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter West Harbor Modification Project Public Meeting Transcript

WHMPM- 1: Heyman, Bruce Exec Director, LAMI

WHMPM- 1: The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

WHMPM-2: Noel Gould, CSPNC Board Member

WHMPM-2: This comment expresses concern with the calculations used for the greenhouse gas emissions and air quality analysis including emissions from vehicles traveling to the greater San Pedro Waterfront development. This comment expresses concern with increases to traffic causing impacts on air quality and greenhouse gas emissions. The commenter is referred to the corresponding Sections (3.2 and 3.5) for the analyses that included traffic counts in the modeling for air quality impacts. The next comment expresses concern with the ability to monitor birds and marine mammals during fireworks events. The monitoring will occur both prior to and during the events in well-lit areas during the event season, by qualified biologists who have experience monitoring the species of concern. Please see MM-BIO-8 and MM-BIO-9 regarding the event monitoring requirements. This comment also expresses concern with noise impacts in the residential area to the west of the site. The commenter is referred to Section 3.8, *Noise*, which identified the Proposed Project as having significant impacts due to increases in ambient noise levels at multiple noise-sensitive receivers, including liveaboard vessels in Al Larson Marina, residences at Reservation Point, and liveaboard vessels in Cabrillo Marina. The noise impacts from the Proposed Project were determined to be significant and unavoidable. The later comment expresses concern with bass spillover from the venue into the neighboring areas of San Pedro. The commenter also expressed concerns with tailgating and traffic. The commenter is referred to Section 3.9, *Transportation*, and response to comment HEERY1-1 for information about transportation and security concerns. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

WHMPM-3: James Preston Allen

WHMPM-3: The commenter expresses concern with traffic analysis including the greater San Pedro Waterfront and its impacts to Air Quality. The air quality impacts of the Proposed Project were determined to remain significant and unavoidable per the 2009 SPW EIR/EIS, but would not result in new or substantially more severe impacts as a result of the Proposed Project. The Proposed Project was considered in the context of the San Pedro Waterfront Development, and the commenter is referred to Appendix G-2 for an informational operational analysis and BOYAJIAN-2 for discussion of the findings of Section 3.9, *Transportation*. The comment expresses concern with bass spillover from the venue into the neighboring areas of San Pedro. The commenter is

referred to SANDELL-4 for a discussion of the noise modeling in the Draft SEIR. The comment also recommends replacing the term “amphitheater” with a more appropriate term. While the term amphitheater typically refers to a natural or manmade half-circle with tiered structure; there are other examples of “amphitheaters” in the Southern California region which do not meet this criteria. Renderings of the Proposed Project were included in the Draft SEIR’s Project Description. The Tenant prefers to continue using the term amphitheater. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

WHMPM-4: Jack Baric

WHMPM-4: The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

WHMPM-5: Joleen Deaderage

WHMPM-5: The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

WHMPM-6: Anthony A Luna

WHMPM-6: The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

WHMPM-7: Linda Alexander

WHMPM-7: The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

WHMPM-8: Rock Ashfield, Chamber of Commerce, Neighborhood Council

WHMPM-8: The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

WHMPM-9: Gabriela Medina, Board Member, San Pedro Chamber of Commerce

WHMPM-9: The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

WHMPM-10: John Bagakis, Small Business Owner

WHMPM-10: The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

WHMPM-11: Elise Swanson, President San Pedro Chamber of Commerce

WHMPM-11: The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

WHMPM-12: Mona Sutton, Board of Directors, Chamber of Commerce, Coastal San Pedro Committee Member

WHMPM-12: The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

WHMPM-13: Ryan Blaney, Exec Director, San Pedro Business Improvement District

WHMPM-13: The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

WHMPM-14: Michael Ungaro, CEO, Fish Market

WHMPM-14: The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

WHMPM-15: Aksel Palacios, Director of Port and Capital Projects for Tim McOsker

WHMPM-15: The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

WHMPM-16: James Campeau

WHMPM-16: The comment expresses concern with bass spillover from the venue into the neighboring areas of San Pedro. The commenter is referred to SANDELL-4 for a discussion of the noise modeling in the Draft SEIR. The commenter also expressed a preference for classical music acts to perform at the venue. This comment does not pertain to the CEQA analysis, however, the event organizer provided a sample list of acts suitable for a venue of this size that included a variety of genres. The commenter also expressed concern with events outside of the allowed 100 Tier 1 event days. The amphitheater will be available for use for Tier 2 events oriented toward 500 or fewer

attendees but will not be permitted to operate for Tier 1 events in excess of 100 days per MM-NOI-10. This will be enforced through the Tenant's lease. The commenter is referred to response to comment HEERY1-1 for information about security concerns. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

WHMPM-17: Kamran Valanejad

WHMPM-17: The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

WHMPM-18: Ann Carpenter, Braid Theory

WHMPM-18: The comment expresses support for the Proposed Project and a concern about the potential for the Proposed Project to generate microplastics. The commenter is referred to MM-BIO-10: *Biodegradable Venue Products* and CE4K-9. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

WHMPM-19: David Nastri

WHMPM-19: This comment expresses concern with the traffic impacts and parking limitations of the waterfront. The Draft SEIR Table 4-1 includes a list of related and cumulative projects near the Proposed Project that are included in the cumulative analysis. As discussed in response to comment CSPNC-35, operational deficiency evaluations (i.e. level of service) for intersections in the Project vicinity, is included for information purposes only in Appendix G-2 of this Draft SEIR as CEQA now requires analysis of transportation impacts under the vehicle miles traveled threshold. This evaluation takes into account the list of related and cumulative projects included in the Draft SEIR Table 4-1, in addition to general regional ambient traffic growth. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

WHMPM-20: Jacob Eisenberg, Board Member, San Pedro Chamber of Commerce

WHMPM-20: The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

WHMPM-21: Alejandro Barlow

WHMPM-21: This comment expresses concern with the noise mitigation applied to the Proposed Project and cited past regional events that were audible from the area. The commenter is referred to Section 3.8, *Noise*, of the Draft SEIR and response BOYAJIAN-4 for additional discussion. The commenter is referred to response to comment HEERY1-1 for information about security concerns. The commenter also

expressed concern about limited parking availability. The commenter is referred to Appendix H, *Event Parking and Management Plan*, of the Draft SEIR, which evaluated parking for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

WHMPM-22: Robin Rudisill, Coastal San Pedro Neighborhood Council member

WHMPM-22: The comment expresses concern with noise volume and spillover from the venue into the neighboring areas of San Pedro and the frequency of Tier 2 events. The limitations on dBA are explained in Section 3.8, *Noise*, and as part of MM-NOI-3. The commenter is referred to SANDELL-4 for a discussion of the noise modeling in the Draft SEIR, and CeSPNC-12 for a discussion of the distinction between Tier 1 and 2 events. The comment also expressed concern with local safety related to events and requested increased security. The commenter is referred to response to comment HEERY1-1 for information about security concerns. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

WHMPM-23: Laurie Wixted

WHMPM-23: The comment expresses support for the Proposed Project. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.

2.3.1.4 Procedural

Response to Comment Letter Coastal San Pedro Neighborhood Council

The comment is a dialogue between the President of the CSPNC and Port of Los Angeles staff whereby the commenter is asking about an extension to the public review period. The extension was granted and the public review period was extended to 65-days, ending on January 10, 2025.

Response to Comment Letter Erikson, Amy

The comment is a dialogue between Amy Erikson of the Angel's Gate Cultural Center and Port of Los Angeles staff whereby the commenter is asking that staff make sure the Angel's Gate Cultural Center comments reach Mike Galvin (Board of Harbor Commissioners) and the Port of LA administration. LAHD confirms that the letter did reach both parties; and this comment will be included in the Proposed Project record for the Board of Harbor Commissioners to consider.

Response to Comment Letter U.S. Army Corps of Engineers

The comment is a dialogue between USACE staff and Port of Los Angeles staff whereby the commenter is asking about in-water work; the question was answered by Port of Los Angeles staff. LAHD acknowledges this comment and will include it in the Proposed Project record for the Board of Harbor Commissioners to consider.