Addendum to the
Berths 302-306 APL Container Terminal Project
Final Environmental Impact Report

APP No. 081203-131

SCH No. 2009071031

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1. Introduction

A Final Environmental Impact Report (Final EIR) for the proposed Berths 302-306 American President Lines Container Terminal Project (alternatively referred to as Pier 300) to be operated by Eagle Marine Services, LTD (APL/EMS) was certified by the Los Angeles Board of Harbor Commissioners (Board) on June 7, 2012 (SCH# 2009071031 and APP No. 081203-131). The Board also approved the project itself, including improvements and expansion to the existing Pier 300 container terminal (Alternatively referred to as Project or Approved Expansion Project). The Board then issued and approved a Level III Coastal Development Permit (CDP #1207) on June 21, 2012. The overall purpose of the Approved Expansion Project was to "optimize and expand the cargo-handling capacity at the terminal to accommodate the increased throughput demand" expected at the Port of Los Angeles (Final EIR, Section ES.2.3, page ES-5). This expansion would be achieved through waterside and landside improvements at the site as described more fully in Section 2.1.2 below. The Final EIR was prepared by the City of Los Angeles Harbor Department (LAHD) as Lead Agency under the California Environmental Quality Act (CEQA) to address the significant environmental effects of the proposed project, recommend mitigation measures to avoid or minimize the significant effects, and describe a range of reasonable alternatives. As will be described more fully below, APL/EMS chose not to develop the Approved Expansion Project and instead has now proposed a smaller revised project that continues with its current operations with minor modifications while extending the term of its existing lease for financial stability (Proposed Revised Project). Accordingly, this Addendum is being prepared pursuant to the requirements of CEQA and focuses on the incremental changes to the Approved Expansion Project and assesses any new significant impacts or an increase in severity of previously identified impacts that would occur as a result of the Proposed Revised Project pursuant to CEQA Guidelines Section 15162 et seq.

2. Background

2.1.1 Facility Overview

At approximately 291 acres, the Pier 300 terminal is the second largest cargo container terminal at the Port of Los Angeles. APL/EMS is the permit holder and terminal operator and has an existing lease (Permit #733) that will expire in 2027. The Pier 300 terminal has four berths with approximately 4,000 feet of wharf, 16 wharf cranes and an on-dock rail yard that can accommodate nearly three full intermodal unit trains. Two dedicated lead rail tracks within the terminal connect to the main rail line within the Alameda Corridor. Other facility features include 15 inbound and 8 outbound truck lanes, 600 refrigerated container plugs, maintenance and repair facilities and two marine buildings (Final EIR, Figure2-3). As analyzed in the Final EIR, the CEQA baseline year of June 2008-July 2009 showed 1,128,080 twenty-foot equivalent units (TEUs), the standard for measuring container activity handled at the terminal with 247 annual ship calls and other operational activity as summarized in Table 1-2 of the Final EIR.

2.1.2 Previously Assessed and Approved Expansion Project

The Board certified the Final EIR and approved the Project that contained the following project-related components:

- The addition of 56 acres to the existing 291 acres to Berths 302-306;
- The construction of approximately 1,250 feet (4 acres) of concrete wharf to create Berth 306;

- The installation of up to 8 new cranes on the new wharf at Berth 306;
- The installation of Alternative Maritime Power (AMP) along the new wharf at Berth 306;
- Dredging at Berth 306 with disposal of approximately 20,000 cubic yards of material either beneficially reused, placed at an approved confined disposal facility (CDF) site, or disposed of at an existing ocean disposal site;
- The improvement of approximately 41 acres of already constructed but unimproved fill as container terminal back land with infrastructure that could support traditional diesel-powered operations, electric equipment operations, as well as potentially automated operations on the Berth 306 back lands;
- The redevelopment of approximately 2 acres of the former (LAXT) conveyor right of way and approximately 7 acres of former backland behind Berth 301 into container terminal back land;
- The development of approximately 2 acres of existing land northeast of the current main gate for a new out gate location;
- The modification of the outbound gates associated with the main gate;
- The modification of the terminal entrance lanes;
- The modification of Earle Street;
- The installation of 4 new cranes at Berths 302-205;
- The conversion of a portion of the existing dray container storage unit area to a refrigerated container unit (refer) storage area equipped with plug-in electric power;
- The demolition and reconstruction of the Roadability Facility;
- The expansion of the Power Shop facilities by constructing and operating a separate two-story Power Shop Annex building; and,
- The installation of utility infrastructure at various areas in the existing back lands. (See Section 2.5.1 – Project Elements, of the Final EIR).

The Board adopted a Mitigation Monitoring and Reporting Program for the Approved Expansion Project on June 7, 2012. As will be discussed below, APL/EMS chose not to implement the Approved Expansion Project.

Figures 1 and 2 below highlight the Approved Expansion Project and the Proposed Revised Project.

Figure 1 – Approved Expansion Project at Full Buildout as Assessed in Final EIR

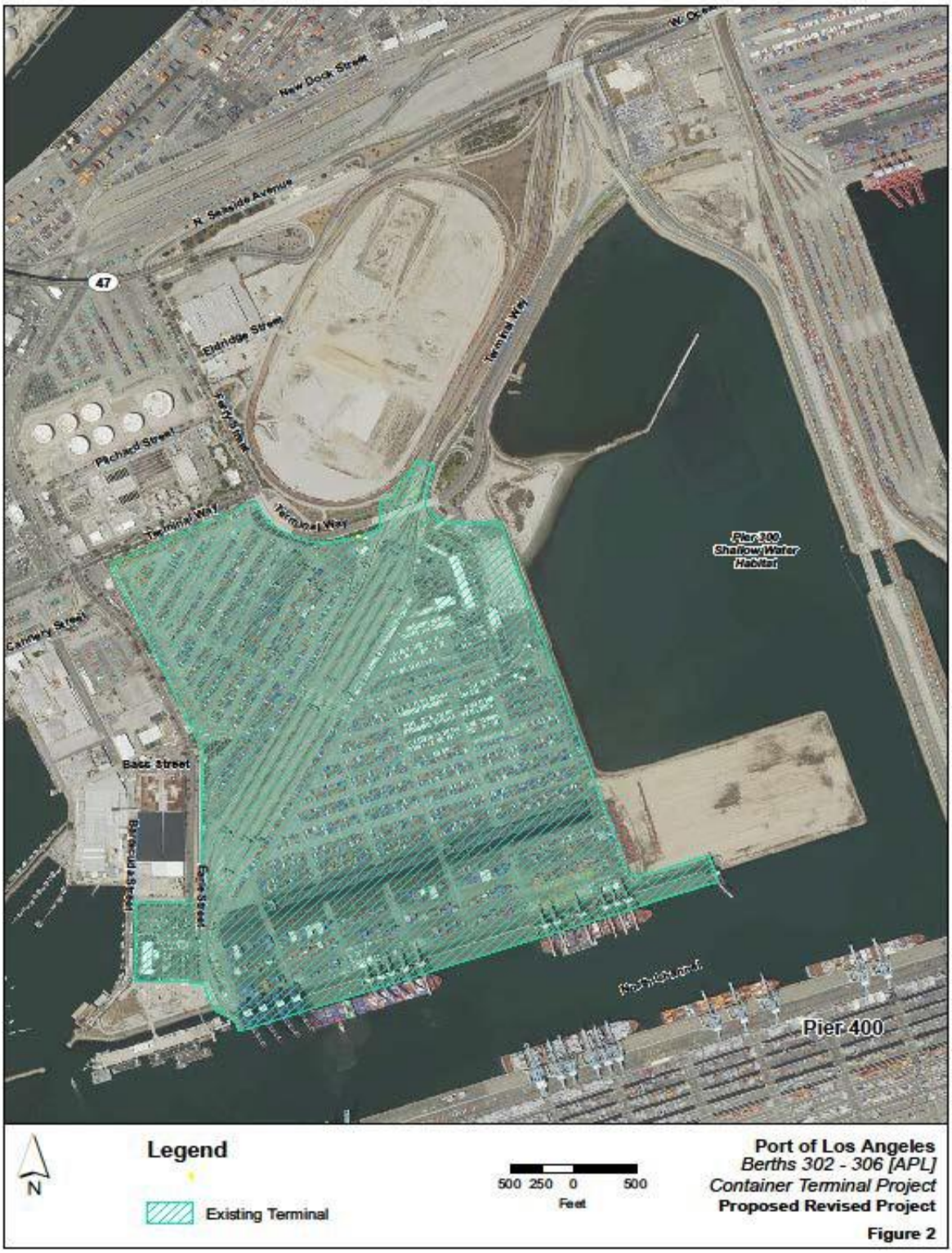


Figure 2 – Proposed Revised Project

2.1.3 Suspended Lease Negotiations

Following the certification of the Final EIR and throughout 2013, APL/EMS and LAHD continued to negotiate a proposed amendment to Permit #733 to implement the Approved Expansion Project. In the meantime, due to the long lead-time needed for crane delivery and installation, APL/EMS ordered four new cranes to be installed at Berths 302–305 (see Table 1). These cranes were already analyzed and assessed in the Final EIR (Final EIR, Chapter 2 – Project Description). LAHD executed a Coastal Development Permit for the cranes on July 20, 2012, and the cranes were installed in 2013. The cranes sat unused until 2015 (personal communication between LAHD and the tenant, September 8, 2016).

In April 2013, negotiations of the Proposed Lease Amendment were complicated when APL/EMS filed a claim for breach of contract against LAHD.

In 2014, APL/EMS informed LAHD that it wanted the back land expansion area developed as a traditional terminal, but that it also wanted to complete the electrification design. APL/EMS indicated that it wanted a design for an electrified facility but did not want to commit to purchasing the equipment or carrying out the Approved Expansion Project at that time, as APL/EMS was uncertain as to how it wanted to configure or operate the back land area. By late November 2014, APL/EMS had determined that it was unwilling to commit to the capital costs of electrification but desired a conventionally designed terminal that could later be converted to an electrified operation if they so choose.

During these protracted negotiations, from August 2014 to August 2015, APL/EMS constructed minor facility improvements at the site including the installation of one sliding gate, fencing and four turnstiles near the administration building for security; and, the addition of 92 reefer plugs. These improvements were evaluated and considered in the Final EIR.

Finally, due to rising costs of construction and uncertainty as to design features of the terminal back land area, issues arose concerning APL/EMS' ability to amortize the cost of the improvements over the remaining term of the permit, which expires in 2027. In early 2015, the parties began to discuss a modified project that eventually led to the Proposed Revised Project that is the New Orient Lines (NOL) subject of this Addendum.

During this period of negotiations, APL/EMS' parent company Singapore-based NOL announced it had suffered significant financial losses. In calendar year 2013, NOL lost $85 million and in 2014 NOL lost $59 million. NOL was obliged to submit a note to the Singapore stock exchange after recording three consecutive years of losses. NOL's revenue continued to slump in 2015, as box volumes carried on American President Lines vessels worldwide fell 13%, to just under 2.5 million TEUs.

Subsequent to these financial developments, in 2016 APL/EMS and its parent company NOL were acquired by French based CMA CGM shipping line. During this period of corporate financial uncertainty, management changes occurred at APL/EMS and negotiations with LAHD for the Proposed Expansion Project were suspended.

3. Proposed Revised Project

APL/EMS, now a subsidiary company to CMA CGM, proposes a substantially revised and downsized project that would continue with current operations with a few minor modifications. There would be no development of Berth 306 under the Proposed Revised Project. Due to the delays resulting from the extended Approved Expansion Project permit negotiations and the recent acquisition by CMA CGM, APL/EMS is now requesting to add a 16-year lease extension (proposed lease Amendment) to allow it to continue operating through 2043 to provide the financial stability to operate.[1] The proposed Revised Project now includes the following components.

- Extension of Permit 733 for 16 years through 2043; and,
- Replacement of eight existing 280' cranes at the facility with new taller cranes approximately 375 feet in order to better service newer vessels expected to utilize Berths 302-305.

The Proposed Revised Project would have a maximum throughput capacity of approximately 2.4M TEUs (Personal communication between LAHD and the tenant, August 31, 2016, and AECOM 2016). Though the Proposed Revised Project would be much smaller than what was analyzed in the Final EIR, the mitigation measures set forth in the adopted Mitigation Monitoring and Report Plan (MMRP) for the Approved Expansion Project remain. The proposed modified timing for mitigation measures is attached hereto as a revised MMRP (Revised MMRP). Appendix A - Revised MMRP includes strikeouts and underlined texts to show revisions to timing and sequencing of mitigation measures. Please note no mitigation measures were deleted as a result of the Proposed Revised Project. The Environmental Compliance Plan for the Revised MMRP can be found in Appendix C.

The following mitigation measures listed below were altered in some way to make minor clarifications, remove a deadline that has passed or address the change in timing from the Final EIR to the Proposed Revised Project.

MM AQ-2 – Cargo Ships Used During Construction
MM AQ-3 – On-Road Trucks Used During Construction
MM AQ-4 – Construction Equipment (Except Vessels, Harbor Craft and On-Road Trucks) Requirements
MM-AQ 10 – Vessel Speed Reduction Program
MM AQ-11 – Cleaner OGV Engines
MM-AQ 13 – Yard Tractors at Berths 302-306 Terminal
MM AQ 14 – Yard Equipment at Berth 302-306 Railyard
MM AQ 15 – Yard Equipment at Berth 302-306 Terminal
MM AQ 16 – Truck Idling Reduction Measure
MM AQ 18 – Energy Audit
MM AQ 19 – Recycling
LM AQ-1 – Periodic Review of New Technology and Regulations

[1] *While extending the useful, economic life of a project is not an environmental impact, LAHD has chosen to proceed with this Addendum for purposes of full public disclosure. Denhe v. County of Santa Clara (1981) 115 cal. App3rd 827, 840*

4. Purpose

This Addendum has been prepared in accordance with the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code [PRC] 21000 et seq.), and the State CEQA Guidelines (California Code of Regulation Title 14, Section 15000 et seq.), and focuses on changes to the original project description and any impacts that would occur as a result of the Proposed Revised Project and Revised MMRP. The scope of analysis contained within this Addendum addresses all environmental resource areas. All previously identified mitigation measures for the Final EIR, subject to the revisions set forth above, would be incorporated into the Proposed Lease Amendment commencing upon Proposed Lease Amendment approval.

This analysis has determined that none of the conditions set forth in CEQA Guidelines 15162 and 15163 calling for the preparation of a subsequent or supplemental EIR would occur as a result of the above described changes and additions. There are no new significant environmental effects and no substantial increase in the severity of previously identified significant effects that would occur as a result of the Proposed Revised Project and revised mitigation measures. There are no known mitigation measures or alternatives that were previously considered infeasible but are now considered feasible that would substantially reduce one or more significant effects on the environment previously identified in the Final EIR. Similarly, there are no known mitigation measures or alternatives that are considerably different than those required by the adopted Final EIR that would substantially reduce one or more significant effects on the environment identified in the adopted Final EIR. Therefore, neither a subsequent EIR nor a supplemental EIR, as defined under California Environmental Quality Act (CEQA) Sections 15162 and 15163, respectively, is required. An Addendum to the Final EIR, as permitted under Section 15164, is appropriate.

An Addendum need not be circulated for public review but can be included in or attached to the adopted Final EIR. The decision-making body considers the Addendum prior to making a decision on the project along with the previously certified Final EIR/EIS.

Specifically, Section 15162 of the State CEQA Guidelines states that, for a project covered by a certified EIR or adopted negative declaration, no subsequent EIR or negative declaration shall be prepared for that project unless the Lead Agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

1) Substantial changes are proposed in the project that will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;

2) Substantial changes occur with respect to the circumstances under which the project is undertaken that will require major revisions of the previous EIR or negative declaration due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or

3) New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR, was certified as

complete or the negative declaration was adopted, shows any of the following:

a. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
b. Significant effects previously examined will be substantially more severe than shown in the previous EIR or negative declaration;
c. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
d. Mitigation measures or alternatives that are considerably different from those analyzed in the previous EIR or negative declaration would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

5. Scope and Content

This Addendum describes all of the affected environmental resources and evaluates the changes in the impacts that were previously described in the 2012 Final EIR with respect to the changes to the Approved Expansion Project.

For purposes of determining whether new or substantially more severe "significant effects" would occur under CEQA Guidelines Section 15162, the criteria for determining whether environmental effects would be significant in this analysis are the same as the significance thresholds contained within the certified EIR.

The analysis in this Addendum focuses on the changes to the impacts that would occur as a result of the proposed revised Project (Permit Amendment #9 to Permit #733) and proposed revised mitigation measures. The following resource topics were evaluated in the preparation of the Final EIR and have been re-evaluated as part of this Addendum:

- Aesthetics
- Air Quality, Meteorology and Greenhouse Gases
- Biological Resources
- Cultural Resources
- Geology
- Ground Transportation
- Groundwater and Soils
- Hazards and Hazardous Materials
- Land Use
- Marine Transportation
- Noise
- Public Services and Utilities
- Recreation
- Water Quality, Sediments and Oceanography
- Cumulative Impacts

The following resource categories were addressed in the Initial Study/Notice of Preparation for the Final EIR and were dismissed from further evaluation as having no potential to be adversely affected by the Approved Expansion Project. The following categories were re-visited as part of this Addendum to determine if the Proposed Revised Project would create a new impact not identified in the Final EIR. There were no new impacts identified and no mitigation measures are required.

- Agricultural Resources – This resource area was eliminated from analysis in the Draft and Final EIR due to the Project's lack of proximity to any prime farmland, unique farmland, agricultural use, forest land or timberland. This conclusion is not altered under the Proposed Revised Project.
- Mineral Resources – This resource area was eliminated from analysis in the Draft and Final EIR due to the Project site's lack of any known mineral resource on a man-made fill site. This conclusion is not altered under the Proposed Revised Project.
- Population/Housing – This resource area was eliminated from analysis in the Draft and Final EIR due to the Project's lack of growth-inducing components or the potential to displace people or housing as the Project is built on an existing industrial site only. This conclusion is not altered under the Proposed Revised Project.

6. Previous Environmental Documents Incorporated by Reference

Consistent with Section 15150 of the California State CEQA Guidelines, the following documents, available for review at the Port of Los Angeles Environmental Management Division, were used in preparation of this Addendum and are incorporated herein by reference:

- **Berths 302-306 APL Container Terminal Project, Notice of Preparation**. (SCH #2009071021 and APP #081203-131). This document identified all environmental resource areas and determined which areas may be potentially impacts by the project. This document is incorporated by reference because those resource areas eliminated from analysis in the Draft and Final EIR are being reevaluated to ensure that this Proposed Revised Project does not trigger a new impact not previously assessed. This document was circulated for a 30-day public review and comment period. This document can be accessed through the Environmental Management Division at 222 West 6th Street, 9th Floor, San Pedro, CA or via the LAHD website under the Environment tab.

- **Berths 302-306 APL Container Terminal Project Draft EIR/EIS, December 16, 2011.** (SCH #2009071031 and APP No. 081203-131). This document addressed all potential environmental impact areas from the original project and included the full project description, existing setting, environmental checklist, comparison of project alternatives, socioeconomic impact analysis, growth-inducing impacts and any significant irreversible changes. This document is incorporated by reference as all environmental analyses contained therein are being utilized for a comparison against the proposed project change (i.e., 16-year lease extension) to ensure that no new impact is created and no previously identified impact is exacerbated. The document was circulated for a 60- day public review and comment period.

This document can be accessed through the Environmental Management Division at 222 West 6th Street, 9th Floor, San Pedro, CA or via the LAHD website under the Environment tab.

- **Berths 302-306 APL Container Terminal Project Final EIR/EIS, June 7, 2012.** (SCH #2009071031 and APP No. 081203-131). This document was the Final EIR/EIS after the public review process and scoping meeting. It contains all mitigation measures and reporting requirements as well as public comments received on the document and responses to those comments and any changes between the Draft EIR/EIS and the Final EIR/EIS. This document is being incorporated by reference as all mitigation measures and reporting requirements and lease measures contained therein are still applicable to the project and will be included as standard conditions of project approval. This document can be accessed through the Environmental Management Division at 222 West 6th Street, 9th Floor, San Pedro, CA or via the LAHD website under the Environment tab.

7. Required Permits and Approvals

The following permits and approvals would be required for the Proposed Revised Project:

- Lease Amendment #9 to Permit #733
- Revised Mitigation Monitoring and Reporting Program
- LAHD Engineering Permit
- LAHD Coastal Development Permit

Figure 3 - Regional Location of the Proposed Project

8. Environmental Analysis

8.1 Aesthetics

8.1.1 Final EIR Conclusions

Aesthetic impacts of the Approved Expansion Project were presented in the Final EIR, Chapter 3.1. The analysis determined there would be no impacts related to the Approved Expansion Project's potential to damage scenic resources within a state scenic highway, create a source of light or glare, or generate significant shading effects. The Final EIR evaluated 12 proposed new cranes that would be added to the Project site. The proposed 12 new cranes were assessed for an overall increase in crane density from 12 cranes to a total of 24 cranes at the site with a height increase for those 12. Table 1 – "Cranes Evaluated in the Final EIR Versus the Proposed Revised Project," highlights the proposed project- related changes.

Table 1
Cranes Evaluated in the Final EIR versus Proposed Revised Project

	Previous Condition (Prior to Approved Expansion Project)	Approved Expansion Project (not constructed)	Current Status	Proposed Revised Project
Cranes	12 original cranes 280 feet high when stowed at a 45 degree angle	24 cranes (12 new cranes plus 12 original cranes) New cranes would have been 340 feet when stowed at a 45 degree angle	16 cranes (four new cranes plus 12 original cranes) Four new cranes are 340 feet when stowed at a 45 degree angle	16 cranes (four new cranes plus eight new replacement cranes plus four original cranes) Eight replacement cranes are approximately 370 feet when stowed at a 45 degree angle

An analysis of existing views toward the proposed Project site was conducted to identify key viewing areas most visible to sensitive viewer groups. An inventory of viewing areas was developed that included approximately 14 representative viewpoints located from various angles and locations surrounding the project site. The Final EIR found that impacts from all elements of the construction and operation of the proposed Project were found to be less than significant with no mitigation measures required (Final EIR, Section 3.1, pages 3.1-1 and 3.1-2).

8.1.2 Proposed Revised Project

As described in Table 1, the Proposed Revised Project would have a maximum of 16 cranes located on Berths 302-305, the same number as approved for Berths 302-305 under the Approved Expansion Project. (The Approved Expansion Project also permitted eight cranes on Berth 306 which is not part of the Proposed Revised Project). For this reason, crane density impacts from the Proposed Revised Project would be the same or less than the Proposed Expansion Project and would therefore be less than significant for the same reasons as determined in the Final EIR (Ibid). Crane heights were also evaluated in the Final EIR. As described in Table 1, crane heights for the Proposed Revised Project would consist of 4 cranes equal in height to the 12 original Pier 300 facility cranes that were analyzed in the Final EIR (280' in stowed position), 4 cranes equal in height to the 12 new cranes analyzed in the Final EIR (340' in stowed position), and 8 new cranes (375' in stowed position) that would replace 8 of the 12 original cranes.

To ensure that the 8 replacement cranes would not create an adverse aesthetics impact not previously identified in the Final EIR, a representative viewpoint from the Final EIR was revisited for a comparison

of density and crane height between existing conditions, the Approved Expansion Project and the Proposed Revised Project.

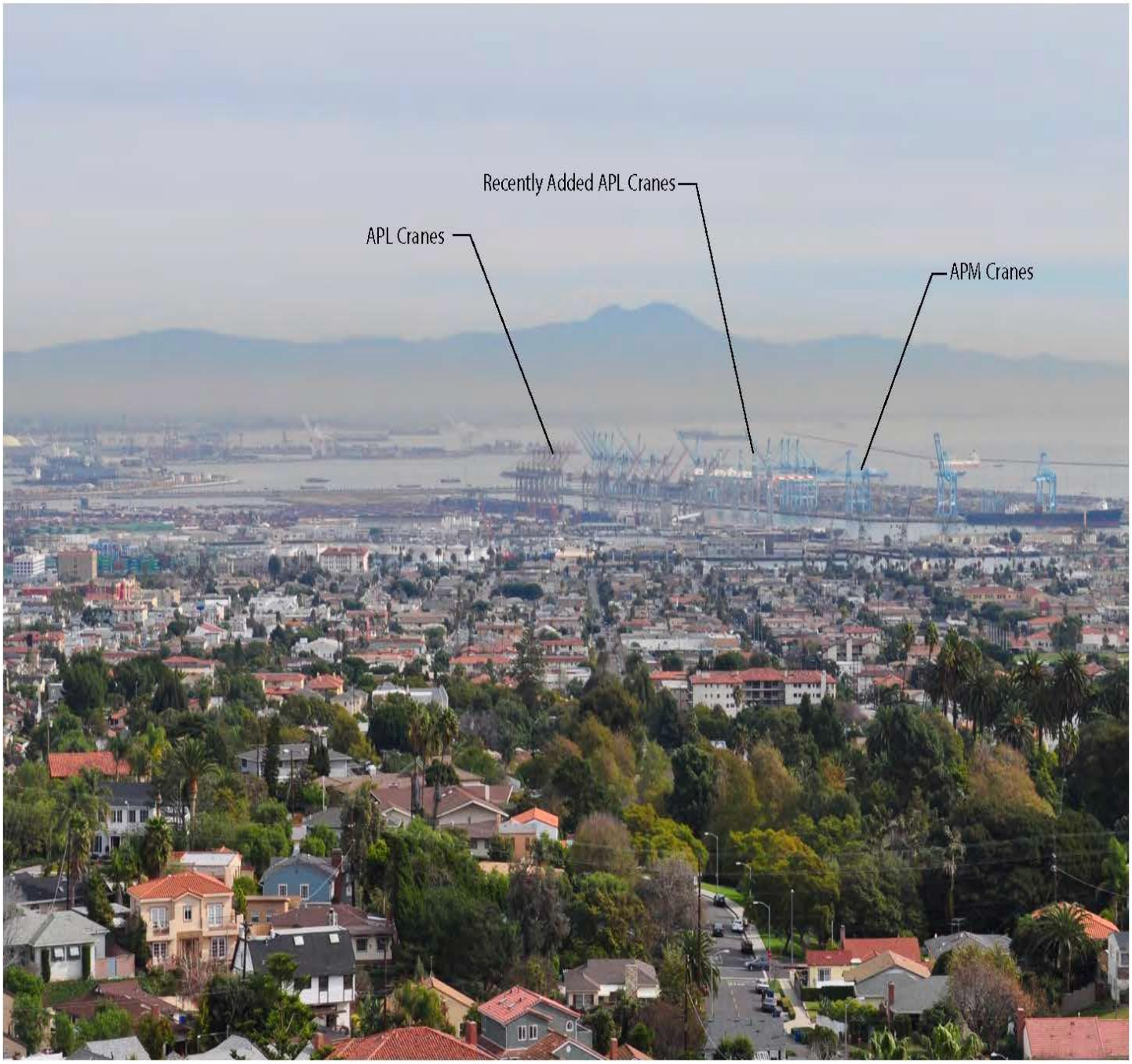
An analysis of existing views was conducted looking Southeast at Deana Dana Friendship Park. Figure 4 shows the viewpoint as it exists today at the time of this Addendum which includes the four cranes installed after the approval of the Final EIR. LAHD contracted with CDM Smith to create the following visual simulations:

- The first simulation is the Proposed Revised Project showing four original cranes (280' in stowed position), four recently installed cranes (340' in stowed position as was analyzed in the Final EIR), and eight replacement cranes (375' in stowed position). This simulation also includes 12 new APMT cranes in the background that have also been raised to 375'. The APMT crane raising project was approved by LAHD in 2014 and crane-raising construction has begun. This simulation is shown in Figure 5.

- The second simulation is a reproduction of Figure 3.1-19 from the Final EIR, showing the Approved Expansion Project with 12 original cranes (280' in stowed position) together with the 12 new cranes (340' in stowed position) as it was analyzed in the Final EIR. This simulation is shown in Figure 6.

As can be seen, there is little difference between the photos showing the existing condition (Figure 4), the Proposed Revised Project (Figure 5) and the originally Approved Expansion Project (Figure 6), other than Figures 4 and 5 show less cranes than what was contained in the Approved Expansion Project.

The Final EIR found that the Project would not result in negative changes to the visual character and quality of the existing landscape in the proposed Project area or surrounding area (Final EIR, page 3.1-2), and no mitigation measures were required. The Proposed Revised Project does not alter this finding because, as can be seen from the simulations, there would only be little discernable difference between the photos. Further, as described above, crane density for the Proposed Revised Project would be the same or less than what was considered in the Final EIR (Final EIR, page 3.1-1) as can also be seen in the photo simulations showing fewer cranes in the Proposed Revised Project.



Source: CDM Smith, 2016

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Berths 302 - 306 [APL] Container Terminal Project

Figure 4
Existing Setting

Figure 4
Looking Southeast from Deana Dana Friendship Park – Existing Setting

Source: CDM Smith, 2016

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Figure 5
Proposed Revised Project

Figure 5
Looking Southeast from Deana Dana Friendship Park – Proposed Revised Project

Source: CDM Smith, 2016

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Berths 302 - 306 [APL] Container Terminal Project

Figure 6
Approved Expansion Project

Figure 6
Looking Southeast from Deana Dana Friendship Park – Approved Expansion Project

8.2 Air Quality and Greenhouse Gases

8.2.1 Final EIR Conclusions

8.2.1.1 Construction

Construction of the Approved Expansion Project was estimated to occur over twenty-four months beginning in late 2012. Project construction was anticipated to take place six days per week between 6 a.m. and 4 p.m. to 6 p.m. Construction elements included the following:

- 1,250-foot wharf and advanced marine power (AMP) at Berth 306;
- Channel dredging along Berth 306;
- Crane delivery and installation for Berths 302-306;
- Development of 41-acre backlands at Berths 302-306;
- Demolish Roadability facility;
- Construction Roadability and Genset facilities;
- Expand power shop facilities;
- Develop 9 acres behind Berth 301;
- Develop new out-gate;
- Modify terminal entrance;
- Modify Earle Street gate;
- Convert dry container storage area to refrigerated container storage area; and,
- Install infrastructure throughout the backlands.

The Final EIR concluded that the Project would result in significant and unavoidable air quality impacts from volatile organic compounds (VOCs), carbon monoxide (CO), oxides of nitrogen (NOx), PM10, PM2.5 and greenhouse gases (GHGs) for construction. The Final EIR also determined that construction activities would result in significant and unavoidable impacts for PM10 and NOx with off-site ambient air pollution concentrations that exceed a SCAQMD threshold of significance. As stated under Section 2 – Background, lease negotiations with the tenant ceased after the certification of the Final EIR and the Project was put on hold.

No significant construction activities occurred after certification of the Final EIR. The only construction-related activities that occurred at the site included the installation of four new cranes in 2013. This activity was considered collectively as part of the full construction analysis in the previously assessed Project in the Final EIR (Final EIR, page 2-20). As discussed in Section. 2.1.3 above, the four cranes sat unused until 2015, at which time negotiations for the Project were suspended. Installation of one sliding gate, fencing and four turnstiles near the administration building for security; and, the addition of 92 reefer plugs also occurred. These facility modifications were assessed under the Final EIR.

8.2.1.2 Operations

Operation of the expanded Pier 300 terminal as evaluated in the Final EIR including a new concrete wharf, eight new cranes on the new wharf, improvement of approximately 41 acres of unimproved fill as container backland with the ability to potential automate operations, redevelopment of two acres of the former LAXT conveyor right of way and approximately 7 acres of the former LAXT backland behind Berth 301 into container backland and development approximately 2 acres of land northeast of the current main gate for a new out gate location. The project evaluated in the Final EIR at full build out would have increased the throughput capacity at the site by slightly more than one million twenty-foot equivalent units (TEUs). The 2008-2009 CEQA baseline used in the Final EIR assumed that 1,128,080 TEUs were being handled at the site with a potential increase up to 2.1M TEUs without any improvements. The Final

EIR analyzed that the build out of the project would allow for the annual throughput of approximately 3,206,000 TEUs. This would have been achieved only with the construction of the additional wharf, backlands expansion and improvements and other significant project components (Final EIR, Section 2.3).

The Final EIR evaluated average daily emissions associated with full build out and the throughput capacity of 3.2 million TEUs. Project impacts at the 2027 full build out years resulted in significant emissions of oxides of nitrogen (NOx) in the 2015, 2025 and 2027 analyzed years without mitigation measures. The Project resulted in significant emissions of volatile organic compounds (VOCs) in the 2027 full build out year. With the implementation of mitigation measures, emissions of VOCs remained significant and unavoidable (Final EIR, Table 3.2-30, page 3.2-118). Operations of the Project at full build out were also expected to create significant and unavoidable emissions in off-site ambient air pollutant concentrations that exceed a SCAQMD threshold of significance. Greenhouse gas emissions (GHGs) from the operations of the Project would exceed the CEQA significance threshold of 10,000 CO2e/year and would remain significant and unavoidable (Final EIR, Table 3.2-41, page 3.2-155). Lastly, the operations of the Project were determined to expose receptors to significant levels of Toxic Air Contaminants (TACs). The future cancer risk would be significant and unavoidable for residential and occupational receptors. The acute hazard index was also determined to be significant and unavoidable for occupational receptors. (Final EIR, Table 3.2-37b, page 3.2-142).

8.2.2 Proposed Revised Project

The Proposed Revised Project would allow the facility to operate for an additional 16 years through 2043 and would also result in the replacement of 8 of the original 12 Pier 300 cranes with slightly taller cranes.

8.2.2.1 Construction

The Proposed Revised Project would have no construction activities. Though crane installation by itself consists of very little activity, it was included in the Final EIR as part of the overall construction assessment for the Approved Expansion Project because it was proposed to occur at the same time as the other construction activities. The Final EIR found Approved Expansion Project construction activities to be significant and unavoidable (Final EIR, Section 3.2, page 3.2-1). With only installation of eight replacement cranes for the Proposed Revised Project and no other Approved Expansion Project construction activities, air quality impacts from Proposed Revised Project activities would produce significantly lower air quality emissions than what was previously assessed in the Final EIR. The one mitigation measure that was quantitatively associated with crane delivery in the Final EIR for the Approved Expansion Project – AQ-2 cargo ships used during construction – would be retained and required for the Proposed Revised Project. This mitigation measure would be required upon commencement of delivery of the eight brand new replacement cranes.

8.2.2.2 Operations

The project as originally proposed at full build-out would have added a total of 3.2 million TEUs with the accompanying vessel call increases, truck trips, rail trips and expanded use of Cargo Handling Equipment such as yard tractors, RTGs, top handlers, sidepicks, forklifts and miscellaneous equipment. All of these factors contributed to the air quality impacts associated with the Project. Operational assumptions included 390 vessel calls, 24 cranes at the site, over 3,000,000 annual truck trips, almost 3,000 rail trips and a container throughput capacity of 3.2 million TEUs per years. The highest emission categories were as follows: ships during transit and anchoring; ships during hoteling; trucks; terminal equipment; and trains.

The Proposed Revised Project without the expansion would result in throughput up to only approximately

2.4 million TEUs per year with only approximately 210 vessel calls per year. Ship calls would decrease by more than 53% compared to the Approved Expansion Project evaluated in the Final EIR. Since the Approved Expansion Project will not be constructed, the facility will be constrained by its current configuration and will not be able to reach the capacity of 3.2 million TEUs assumed in the Final EIR ("APL Terminal Vessel Activity," AECOM, September 28, 2016).

As a result, emissions associated with the operation of the Proposed Revised Project, such as terminal operations, ship calls, truck trips and rail operations, would be significantly lower than was assessed in the Final EIR. Further, extension of Permit #733 through 2043 would not contribute to any increase in emissions compared to the Final EIR analysis, since air quality impacts from operations expected to decline over time through ongoing implementation of the MMRP, and replacement of equipment, trucks, ships and trains with newer cleaner engines either naturally or as required by regulators. The Final EIR demonstrates this in its analysis of future emissions. Table 3.2-29 shows emissions at the 2008-2009 CEQA baseline year for the 2012 analysis year are estimated at 7,130 pounds per day. By the full build-out of the project in 2027 that includes the expansion, NOx emissions show a reduction of 953 pounds above the baseline. This is, again due to mitigation measures and ongoing upgrading of equipment over time.

The eight replacement cranes would be taller than the cranes assessed in the Final EIR, though the four cranes already purchased and at the height analyzed in the Final EIR would remain at the terminal. The benefit of taller cranes is that they can better service larger vessels expected to call at the terminal in the coming years. While taller cranes can better service larger ships, they do not increase the throughput at the site because the number of moves/hour decrease simply because of kinematics (i.e.; container lifts take longer in time due to greater vertical and horizontal distances the crane hoist has to move), compared to smaller cranes and/or the same cranes on smaller vessels. LAHD conducted an extensive study in 2014 at a neighboring terminal, APMT, regarding crane raises and potential throughput increases and resulting environmental impacts. The study found that as larger vessels call at the terminal, the number of vessel calls decreases. The number of lifts/hour (loading and unloading) also decreased as compared to the existing cranes. The reduced number of crane lifts/hour is supported by input from terminal operators as well as an independent model simulation performed by AECOM on behalf of LAHD (APM Terminal Capacity Analysis, 2014).

From an air quality perspective, the study also showed a reduction in peak day criteria pollutant emissions and diesel particulate matter (DPM) in the future compared to the existing conditions found in 2013. This reduction was due to a combination of factors, including the following: larger vessels such as 18,000 TEUs have been manufactured recently and are equipped with environmentally improved engines. There would also be a reduction in annual criteria and DPM emissions since vessel calls would decrease significantly in future years as the larger vessels can handle more cargo (APM Terminal Capacity Analysis, 2014). An overall reduction in vessel calls and increase in vessel size is evident in the analysis of the 2015 Port of Los Angeles emissions inventory. This report showed a 23 percent decline in containership arrivals between 2005 and 2015 while there was an increase of 9 percent in TEU volume. Average containers per call increased 41 percent from 2005 to 2015 (Port of Los Angeles, Inventory of Air Emissions, 2015, Table ES-1).

For these reasons, operational air quality impacts from the Proposed Revised Project would be less than what was found in the Final EIR. As a result, no new or additional mitigation measures are required. Nevertheless, all operational mitigation measures (see MMRP in Appendix A) will continue to be incorporated into the Proposed Lease Amendment and implemented using a phased schedule beginning the start date of the Proposed Lease Amendment approval with the same sequencing intervals that exist in the MMRP for the Approved Expansion Project.

Movement of commencement of mitigation timing from circa Final EIR certification in 2012 to the date of the Proposed Lease Amendment in 2016 would not alter air quality impacts assessed in the Final EIR for the following reasons. First, container volumes at the Pier 300 facility in 2015, the last calendar year prior to the date of this Addendum, were approximately equal to the baseline analyzed in the Final EIR (see Section 8.2.1.2 above). This makes the technical baseline for analysis of the Proposed Revised Project comparable to what was analyzed in the Final EIR for the Approved Expansion Project. Second, the Proposed Revised Project would have no construction impacts occurring contemporaneously with operations growth as compared to the Approved Expansion Project, thereby avoiding the technical additive effect of these two activities. This would reduce the intensity of initial impacts from the Proposed Revised Project as compared to the Approved Expansion Project. Third, the proposed ramp-up of container throughput for the Proposed Revised Project is much smaller overall for the Approved Expansion Project, which was projected to grow from 1.1 million TEUs to 3.2 million TEUs in approximately 10 years. The Proposed Revised Project is only projected to grow from 1.1 million TEUs to 2.4 million TEUs over that same time period and then stay at that level for an additional 16 years due to facility physical constraints. This would also reduce the intensity of impacts from the Proposed Revised Project as compared to the Approved Expansion Project. For all of these reasons – comparable technical assessment starting point, no contemporaneous construction activities, and a much smaller container ramp up – air quality impacts from the Proposed Revised Project would be less than what was analyzed in the Final EIR. Consequently, there is less need for immediate or extensive mitigation measures. Nevertheless, all operational mitigation measures, including the same timing and sequencing as presented in the Final EIR would be retained, starting with the date of the Proposed Lease Amendment. The Revised MMRP is shown in Appendix A in strikeout and underlined format.

8.3 Biological Resources

8.3.1 Final EIR Conclusions

Assessment of impacts to biological resources is presented in Chapter 3.3 of the Final EIR, which concludes that no critical habitat for any listed species exists within the Project site. There would be no impacts to Significant Ecological Areas (SEAs), kelp beds, eelgrass beds or wetlands due to construction or operations because none of these habitats are present at or near the site. The analysis of construction activities concludes that potential impacts could occur to elegant or Caspian terns if they are nesting on the 41-acre site during construction. In addition, potential impacts were identified to marine mammals during pile driving activities. Mitigation Measure BIO-01 was included to require nesting bird surveys prior to construction. LAHD's Standard Condition of Approval (SC) BIO-01 was also included to reduce any impacts to marine mammals during pile driving at Berth 306. With mitigation and the Standard Conditions of Approval, impacts to threatened, rare or candidate species and/or habitat were found to be less than significant. No other impacts related to the construction of the project were identified (Final EIR, Section 3.3, page 3.3-1 and 3.3-2).

Impacts to biological resources as a result of the expanded operations at the site were also evaluated in the Final EIR. The Final EIR assessed conflict with local plans and policies and ordinances that protect biological resources, interference with migratory fish or wildlife, modification of a special species habitat and interference with a federally protected wetland. The Final EIR concludes that the only adverse impact resulted from an increased number of ship calls with the potential to result in the introduction of non-native species into the Harbor via ballast water or vessel hulls and thus could substantially disrupt local biological communities. There were no mitigation measures identified for this adverse impact and impacts remained significant and unavoidable.

8.3.2 Proposed Revised Project

The Proposed Revised Project does not include any construction activities. The only modification at the site under the Proposed Revised Project would be bringing in eight replacement cranes to the site to accommodate larger vessels. The Final EIR included the addition of twelve new cranes at the site so the Proposed Revised Project would result in no change in the assessment from the Final EIR. There are no pile driving activities and no construction of the 41-acre backland parcel. Since no construction activities are planned for the Proposed Revised Project, construction activity evaluated in the Final EIR would not be exceeded. Impacts from construction are reduced and no new mitigation is required.

Since the Proposed Revised Project would not cause an increase in vessel calls, but rather, would be a decrease in vessel calls from evaluated in the Final EIR, it would not exacerbate impacts through the discharge of ballast water or biofouling of vessel hulls above that analyzed in the Final EIR. Similarly, due to reduced throughput and activity and no development of the 41-acre expansion area, impacts to significant ecological areas or natural plants communities that could be affected by the Proposed Revised Project would not exceed what was analyzed in the Final EIR. Migration by bird species that visit or pass through the Proposed Revised Project area would not be affected as no new structures would be built that would impede their movement. For the reasons described above, operation of the Proposed Revised Project would produce less impact to biological resources than those disclosed in the Final EIR with no new mitigation necessary. For all of these reasons, the Proposed Revised Project would require no new biological mitigation measures, nor would any of the previously identified mitigation measures be triggered under the Proposed Revised Project.

8.4 Cultural Resources

8.4.1 Final EIR Conclusions

The Final EIR determined that no known archaeological sites are recorded within the Project area and no evidence of prehistoric or historic archaeological material was identified during previous cultural resource site record and literature searches and archaeological surveys (Final EIR, Section 3.4, pages 3.4-1 and 3.4-2). As a result, no significant impacts were identified. Due to the extensive nature of previous ground disturbances within the Project area and the substantial depths to which the soils have been disturbed, it is highly unlikely that any unknown, intact archaeological deposits exist within soils in the proposed Project area. There are no structures onsite that possess unique or significant architectural value.

8.4.2 Proposed Revised Project

The Proposed Revised Project modifications include a lease extension of 16 years and the replacement of eight cranes at the site. There is no construction associated with the Proposed Revised Project. The eight replacement cranes would be located at an existing concrete wharf with no demolition involved. SC CR-1 is included in the MMRP but would not be triggered as a result of the Proposed Revised Project. For the reasons described above, the Proposed Revised Project would not cause any new or substantially more severe significant impacts to cultural resources beyond those disclosed in the Final EIR.

8.5 Geology

8.5.1 Final EIR Conclusions

The Final EIR assessed the geologic conditions and potential to expose people and structures to substantial adverse effects in the following areas: surface rupture, ground shaking and liquefaction; tsunamis or seiches; land subsidence/soil settlement; expansive soils; and, unstable soil conditions from excavation, grading or fill. The evaluation was based on published reports and the general geologic setting as indicators of potential geologic hazards as well as compliance with all applicable building codes, regulations, modern engineering and safety standards and LAHD policies and regulations. The analysis found that the topography at the Project site and surroundings is flat and not subject to landslides or mudflows. In addition, there are no prominent geologic or topographic features located at the site that could be destroyed as a result of Project implementation and the site contains no mineral resources. The Final EIR also determined that there is no substantial risk of flooding from an earthquake-based seiche or tsunami. Lease Measure (LM) GEO-1 – Emergency Response Planning, was incorporated into the Final EIR to ensure that no significant geological impacts could occur. LM GEO-01 states that the terminal operator will coordinate with LAHD engineers and Port Police to develop tsunami response training and procedures to assure that construction and operations personnel would be prepared in a large seismic event. The Final EIR identified no significant adverse impacts and no mitigation measures were required. (Final EIR, Section 3.5, pages 3.5-1 and 3.5-2).

8.5.2 Proposed Revised Project

The Project Revised Project includes a lease amendment to Permit #733 to extend the existing permit by 16 years and the replacement of eight existing cranes at the site. The Proposed Revised Project would have no construction activities. As a result, the modifications have no potential for increased exposure to tsunami- or seiche-related hazards, soil expansion, landslides, mudslides or the permanent loss of availability of any mineral resources beyond what was analyzed in the EIR. LM GEO-1 will remain in effect and will be adhered to as a condition of Proposed Lease Amendment approval. Based on the above analysis, the proposed revised project would not cause any new or substantially more severe significant impacts related to geologic resources beyond those disclosed in the Final EIR. No new mitigation measures are required and Mitigation Measures established by the Final EIR would remain in the proposed Revised MMRP and would apply, as appropriate to the Proposed Revised Project.

8.6 Ground Transportation

8.6.1 Final EIR Conclusions

The Final EIR assessed the capacity of existing circulation systems, potential conflict with congestion management programs, an increase in hazards, inadequate emergency access and inadequate parking. The Final EIR concluded that construction of the Approved Expansion Project would not result in significant impacts to ground transportation. Construction would not result in any short-term temporary increase in truck and auto traffic (Final EIR, Section 3.6, pages 3.6-1 and 3.6-2)

Operation of the Project was evaluated to determine whether there was a traffic impact or increase in public transit usage due to an increase in on-site employees. Operations were also evaluated and determined to pose no significant impact related to freeway congestion nor was a delay found at railroad grade crossing with the Project's vicinity. The analysis concluded that the Project had the potential to significantly impact a study location volume/capacity ratios or Level of Service (LOS). A potentially significant traffic impact was identified at the intersection of Navy Way and Reeves Avenue. Navy Way is an internal Port roadway that provides local access to Pier 300 and Pier 400 from Seaside Avenue/Ocean Boulevard and the Terminal Island Freeway (Ibid). Reeves Avenue is a two to three-lane roadway that serves the eastbound extension of Terminal Way between Navy Way and Nimitz Road. The incorporation of MM TRANS-1 was determined to reduce this impact to less than significance. This measure requires the re- striping of the southbound (and eastbound approach to accommodate the southbound dual right turns) to provide a right-turn lane, a shared through/right turn lane, and a through lane on the southbound approach. This mitigation would be triggered if the intersection drops to a Level of Service E or F in accordance with the Los Angeles Department of Transportation. The Project did not identify any other significant adverse impacts associated with operation of the terminal expansion (Ibid).

8.6.2 Proposed Revised Project

As compared to Approved Expansion Project evaluated in the Final EIR, the Proposed Revised Project results in a decrease in terminal capacity, vehicular truck and train volumes ("APL Terminal Vessel Activity," AECOM, September 28, 2016). The table below summarizes the truck and train volume reductions:

Table 2 – Truck and Train Volumes

	Annual Throughput (TEU)	Daily Truck Trips	Daily Trains
Approved Expansion Project	3,206,000	11,361	9.30
Proposed Revised Project	2,413,000	6,397	5.40

The Proposed Revised Project and the revised mitigation measures do not cause a new or more severe ground transportation impact or otherwise trigger any of the criteria set forth in CEQA Guidelines Section 15162 and 15163 that call for a subsequent or supplemental EIR.

As there were no CEQA NOP baseline transportation impacts, (construction-related traffic, vehicular on roadways, transit demand/operations, vehicular traffic on freeways; and rail traffic at roadway crossings during operations) for the Approved Expansion Project (see 3.6.4.5 of the Draft EIR), then by definition, the Proposed Revised Project with less vehicular and train volumes will not have any impacts either.

LAHD conducted a new vehicular traffic analysis (roadways/freeways) for the Proposed Revised Project to determine if extending the lease an additional 16 years would create a new impact to an intersection or freeway or exacerbate a previously identified impact. The analysis was based on the configuration of the Proposed Revised Project, which precludes the Pier 300 terminal from ever reaching the TEU capacity evaluated in the Final EIR. The new traffic analysis for the year 2043 was conducted using the estimated maximum terminal capacity of 2,413,000 TEU/year, which is the amount that could be processed at the terminal given its current configuration. This analysis was conducted using the same methodologies as contained in the approved EIR/EIS. The trip generation and traffic assignment models have been updated to reflect the following: the latest terminal capacities of all container terminals in both ports; all on-dock rail yard capacities; cargo rail mode splits from the latest POLA/POLB cargo forecasts; and updated non-port traffic volumes outside the ports. This information was then used for the traffic impact analysis. (See Appendix B for level of service results).

The results of the analysis indicate that the Proposed Revised Project capacity volume (2.4M TEUs), would not have any new traffic impacts beyond the sole impact previously identified in the EIR at the intersection of Navy Way/Reeves Avenue. The impact identified at this location can be fully mitigated with the mitigation measure identified in the Final EIR.

MM TRANS-1: Navy Way and Reeves Avenue - Re-stripe the southbound (and eastbound approach to accommodate the southbound dual right-turns) to provide a right-turn lane, a shared through/right turn lane, and a through lane on the southbound approach. This mitigation would only be constructed when the intersection operates at LOS E or worse. As such, the Port would monitor LOS after the project is completed. No mitigation is required until LOS E or F in accordance with Los Angeles Department of Transportation standards which identify LOS D or better as acceptable traffic operating conditions.

For these reasons, implementation of the Proposed Revised Project and revised mitigation measures would not cause any new or more severe significant impacts to ground transportation beyond those disclosed in the Final EIR. No new mitigation measures are required. Mitigation Measures established by the Final EIR would remain in the proposed Revised MMRP and would apply, as appropriate, to the Proposed Revised Project.

8.7 Groundwater and Soils

8.7.1 Final EIR Conclusions

The Final EIR assessed impacts to groundwater and soils from construction and operation of the Project.

Specifically, the Final EIR assessed the exposure of toxic substances or other contaminants associated with historical uses at the port, an expansion of a contaminated area due to construction and operation, changes to potable water levels, the reduction in groundwater recharge capacity, and the violation of regulatory water quality standards at an existing production well. The primary features of the project that could affect groundwater and soils were from construction-related activities such as the modification and development of entrances and gates, the development of the back lands behind Berths 302-306, modifications to the existing Power Shop and the development of the former LAXT right-of-way. All impacts to groundwater and soils were determined to result in less than significant impacts or no impacts. The Final EIR concluded that the Project would not excavate significant quantities of surface soil nor would it result in groundwater contamination or the reduction in groundwater or existing potable water levels. The analysis determined that construction activities may encounter toxic substances or other contaminants associated with historical Port uses resulting in short-term exposure to construction/operations personnel during the 24-month construction duration. However, the Final EIR concluded that the Project would handle, transport, remediate and/or dispose all contaminated soil in accordance with all applicable federal, state and local laws and regulations in accordance with the State Department of Toxic Substance Control and the Los Angeles Regional Water Quality Control Board. (Final EIR, Section 3.7, pages 3.7-1 through 3.7-3).

To ensure impacts remain less than significant, LAHD included two Lease Measures outlining site remediation procedures and a Contamination Contingency Plan. LM GW-1 – Site Remediation, requires the Tenant to address all contaminated soils with the proposed Project boundaries discovered during demolition and grading activities. LM GW-2 – Contamination Contingency Plan requires a plan to be developed and implemented to address contamination discovered during demolition, grading and construction.

8.7.2 Proposed Revised Project

The Proposed Revised Project includes a lease amendment to allow for additional 16 years at the Pier 300 Terminal through 2043 and the replacement of eight cranes. There are no construction components proposed for the Proposed Revised Project. As a result, it would not adversely affect groundwater and soils. The 30 acres are already developed and are part of the existing operational setting at the facility. For these reasons, the Proposed Revised Project would not result in new exposure of contaminated soils and/or groundwater or require dewatering operations. Therefore, the Proposed Revised Project would not cause any new or substantially more several impacts to groundwater and soils beyond what was disclosed in the Final EIR.

Lease Measures GW-1 and GW-2 remain in the Mitigation Monitoring and Reporting Plan. No additional mitigation measures are necessary.

8.8 Hazards and Hazardous Materials

8.8.1 Final EIR Conclusions

The Final EIR concluded that the proposed Project would not result in any impacts to hazards and hazardous materials. The Final EIR analyzed the potential impacts of hazards and hazardous materials related to releases of hazardous materials to the environment, and impacts on public health and safety from fires, explosions, and releases of hazardous materials associated with construction and operation of the Project. The Final EIR determined that the Project would not significantly increase the risks associated with the probability of a hazardous spill or release. The Project would also not result in an

increased risk or frequency of potential acts of terrorism or an increased likelihood of tsunami-induced flooding or seismic events that would result in fuel releases from ships or hazardous substances from containers. Although the Project would increase the throughput of TEUs and associated truck-related traffic, the increase was not determined to significantly increase the risk of regional injury or fatality rates. There were no mitigation measures identified for Hazards or Hazardous Materials (Final EIR, Section 3.8, pages 3.8-1 and 3.8-2).

8.8.2 Proposed Revised Project

The Proposed Revised Project does not include any proposed construction at the facility nor would it result in increased storage or usage of any hazardous or flammable materials. The facility would continue to operate for an extended period of time and continue to utilize the land already included at the site but under Permit #733. The replacement of eight cranes would not increase the terminal's capacity and, therefore, would not change usage of potentially hazardous materials or cause an increase in hazards. Therefore, the Proposed Revised Project would not cause any new significant impacts related to hazards and hazardous materials beyond the impacts disclosed in the Final EIR and no mitigation measures are necessary. Mitigation Measures established by the Final EIR would nevertheless remain in the proposed Revised MMRP and would apply, as appropriate, to the Proposed Revised Project.

8.9 Land Use

8.9.1 Final EIR Conclusions

Section 3.9 of the Final EIR evaluated potential land use impacts from the proposed Project. The analysis found that the Approved Expansion Project would be consistent with the adopted land use/density designation in the Community Plan which allows for commercial and industrial uses at the site, redevelopment plan or specific plan. The Approved Expansion Project was also found to be consistent with the General Plan and the Port of Los Angeles Master Plan. The Project was also evaluated for a potential to substantially affect the types and/or extent of existing land uses in the area or cause a secondary effect on any land uses in the area. There were no significant land use impacts associated with the Project and no mitigation measures were necessary. (Final EIR, Section 3.9, page 3.9-1

8.9.2 Proposed Revised Project

The Proposed Revised Project includes amendments to Permit #733 to allow the facility to continue operating for an additional 16 years through 2043 and the replacement of eight cranes. These modifications remain consistent with the industrial land use designation at the site. There would be no difference in the type of activity occurring at the site, and thus no potential to affect the land use or cause a secondary impact to the surrounding community. There is no growth or expansion associated with the Proposed Revised Project as the facility would remain in its current configuration. The Proposed Revised Project modifications would not cause any new or substantially more severe significant impacts related to land use beyond those disclosed in the Final EIR and no mitigation measures were required.

8.10 Marine Transportation

8.10.1 Final EIR Conclusions

Section 3.10 of the Final EIR evaluated the expansion of the existing container terminal. The analysis determined that there would be increased marine traffic during construction of Berth 306. The construction improvements included the dredging of approximately 20,000 cubic yards along Berth 306. The existing wharf would also be extended 1,250 linear feet to create Berth 306 and would include pile driving. Cargo ships would also be utilized for crane installation. The analysis determined that the

construction-related marine traffic identified in the Final EIR would not substantially interfere with operation of designated vessel traffic lanes or impair the level of safety for vessels navigating the Main Channel, Harbor or Precautionary Area. The utilization of standard safety precautions and compliance with standard vessel safety regulations imposed by the Port and the United States Coast Guard when piloting vessels through harbor waters would ensure that the short-term presence of construction barges, derricks and support boats would not create a significant adverse impact. Impacts were found to be less than significant and no mitigation was required (Final EIR, Section 3.10, page 3.10-1).

Upon full buildout, the analysis determined that there would be an increase in vessel calls of 143 ship calls per year when functioning at the maximum capacity at 2027. This increase was evaluated in comparison to the CEQA baseline period of July 2008- June 2009. In addition, the operation of the terminal upon full buildout was also not determined to substantially interfere with operation of designated vessel traffic lanes or impair the level of safety for vessels navigating the Main Channel, Harbor or Precautionary Area. Although vessel calls would increase traffic in the Pier 300 channel, Outer Harbor and Precautionary Area, the Final EIR determined that the traffic increase would not increase vessel congestion or compromise safety within these areas or in the open-ocean approach corridors. As a result, vessel congestion and safety impacts associated with operation of the Project would be less than significant under CEQA with no mitigation required.

8.10.2 Proposed Revised Project

The Proposed Revised Project includes amendments to Permit #733 to allow the facility to continue operating for an additional 16 years through 2043 and the replacement of eight cranes. The Approved Expansion Project did not occur so the additional vessel calls previously assessed in the Final EIR would be reduced under the Proposed Revised Project to be approximately 210 per year, which is a decrease from the full build out of the Approved Expansion Project as well as a decrease from the CEQA baseline period used in the analysis. As a result, there is no marine traffic related to construction and operational marine traffic will decrease from what was previously assessed. Therefore, implementation of the Proposed Revised Project would not cause any new significant impacts to marine transportation beyond those disclosed in the Final EIR.

8.11 Noise

8.11.1 Final EIR Conclusions

Section 3.11 of the Final EIR addressed potential noise impacts as a result of the construction and operation of the proposed Project. Construction noise related to pile driving was determined to result in significant noise impacts to noise sensitive uses at Reservation Point and Fish Harbor. Mitigation Measures MM NOI-1 – Noise Reduction During Pile Driving, was included in the analysis. MM NOI-1 would require a silencing kit or sound insulation system capable of limited maximum noise levels at 50 feet from the pile driver to 104 decibels or less for wharf construction. The pile driver would initiate a soft start which would induce marine mammals and birds to leave the area before the equipment reaches full energy mode. MM NOI-2 was also included to erect temporary noise attenuation barriers adjacent to the pile driving equipment as necessary and feasible. There were no operational impacts associated with the proposed expansion identified in the Final EIR and no mitigation measures were required (Final EIR, Section 3.11, pages 3.11-1 and 3.11-2).

8.11.2 Proposed Revised Project

The Proposed Revised Project includes amendments to Permit #733 to allow the facility to continue operating for an additional 16 years through 2043 and the replacement of eight cranes. There are no longer any construction impacts other than the replacement of eight cranes as no construction occurred at the facility nor is it planned for the Proposed Revised Project. Further, any equipment used at the site as well as the replacement cranes will not create new noise impact; but rather, may be quieter than older equipment due to the use of newer technology and the ability to run more efficiently. No findings or conclusions are altered as a result of the Proposed Revised Project and no new mitigation is necessary (Fred M. Svinth, INCE, Illingworth and Rodkin, Inc. via electronic mail, September 21, 2016). Mitigation Measures established by the Final EIR would nevertheless remain in the proposed Revised MMRP and would apply, as appropriate to the Proposed Revised Project.

8.12 Recreation

8.12.1 Final EIR Conclusions

Section 3.12 of the Final EIR evaluated Recreation impacts as a result of the proposed terminal expansion. The analysis evaluated whether the Project would result in a substantial physical deterioration or expansion of existing park or recreational facilities or include the construction of new facilities. Construction-related noise impacts were identified that could potentially disrupt the Al Larson Marina, which is the nearest recreational resource to the proposed Project. However, with the implementation of MM NOI-1 and MM NOI-2 described above, impacts were found to be less than significant. There were no impacts to Recreation identified as a result of operation of the Project (Final EIR, Section 3.12, pages 3.12- 1 and 3.12-2).

8.12.2 Proposed Revised Project

The Proposed Revised Project include amendments to Permit #733 to allow the facility to continue operating for an additional 16 years through 2043 and the replacement of eight cranes. Since the only potential recreational impact identified in the Final EIR was related to noise, the analysis in Section 8.11.2 (Noise) above would also apply to recreation. The Proposed Revised Project would be substantially smaller than the Approved Expansion Project and therefore would generate less noise and less potential impacts to recreation. Further, as also described in Section 8.11.2, during the 16 year lease extension, noise impacts would be expected to decline with time due to improved equipment and operations. This would also generate less potential impacts to recreation. For all these reasons, recreational impacts from the Proposed Revised Project would be less than what was analyzed in the Final EIR. No new mitigation is required.

8.13 Public Services and Utilities

8.13.1 Final EIR Conclusions

Section 3.13 of the Final EIR evaluated impacts to Public Services and Utilities. Public services include fire protection, emergency medical services and police protection). Public utilities include water services, wastewater, storm drains, solid waste, energy facilities, electricity and/or natural gas demand. The analysis determined that the Project would not increase the demand for additional law enforcement and facilities such that the USCG, LAPD, and LAHD's Port Police would not be able to maintain an adequate level of service without additional facilities. Project operations would affect emergency response times because the site would have the same land use and similar layout and same distances to fire stations as the

existing terminal. The Final EIR concluded that construction and expansion of the terminal would require on-site water or wastewater lines, these increases would be negligible and the overall operation requiring the water or generating the wastewater would be similar to baseline conditions. The Final EIR concluded that the Los Angeles Department of Water and Power (LADWP) had more than enough electrical power to supply the Approved Expansion Project (Final EIR, page, 3.13-41). In addition, solid waste generation and disposal associated with the construction of the proposed Project would result in less than significant impacts to landfill capacity. Standard Conditions of Approval were included to ensure that solid waste and demolition debris would be minimized wherever possible. SC PS-1 calls for the recycling of construction materials and SC PS-2 calls for the use of recycled materials during construction wherever feasible (Final EIR, Section 3.13, pages 3.13-1 and 3.13-2).

8.13.2 Proposed Revised Project

The Proposed Revised Project does not adversely impact Public Services or Utilities. The Project is significantly smaller than what was analyzed in the Final EIR and will not generate a need for additional energy or public services or utilities beyond what was analyzed in the Final EIR. The modifications do not alter the findings of the Final EIR and no new mitigation is necessary.

8.14 Water Quality, Sediments and Oceanography

8.14.1 Final EIR Conclusions

Impacts to water quality from possible spills and discharges, stormwater runoff, risk of flooding, and sediments, were analyzed in the Final EIR. The Final EIR concluded that Project-related construction would not be not expected to create pollution, contamination, a nuisance, or violate any water quality standards, and impacts to water quality from in-water construction activities and disposal would be less than significant. Spills or leaks that occur on land would be contained and cleaned up before any impacts to surface water quality can occur. Spills from dredges or barges could directly affect water quality within West Basin, resulting in a visible film on the surface of the water; however, the probability of an accidental spill from a vessel to the Harbor that would cause a nuisance or adversely affect beneficial uses is low. Therefore, accidental spills of pollutants would cause less than significant impacts. Potential water surface and water column impacts could result from Project construction (including dredging, wharf construction, and pile driving), runoff and accidental spills. Operational impacts could result from runoff, changes to water circulation, erosion, vessel spills, illegal discharges and contaminant leaching. All potential impacts were identified as less than significant and no mitigation measures were required (Final EIR, Section 3.14, page 3.14-1).

8.14.2 Proposed Revised Project

The Proposed Revised Project includes amendments to Permit #733 to allow the facility to continue operating for an additional 16 years through 2043 and the replacement of eight cranes. There are no longer any construction impacts as no construction occurred at the facility nor is it part of the Proposed Revised Project. Operations will not expand as evaluated in the Final EIR; but rather, will occur within the existing configuration of the terminal. No findings or conclusions are altered as a result of the proposed modifications and no mitigation is necessary. Mitigation Measures established by the Final EIR would nevertheless remain in the proposed Revised MMRP and would apply, as appropriate to the Proposed Revised Project.

8.15 Cumulative Impacts

8.15.1 Final EIR Conclusions

CEQA requires an analysis that evaluates the potential for the proposed Project, together with past, present, and reasonably foreseeable future projects in the cumulative geographic scope of each resource area, to make a cumulatively considerable contribution to a significant cumulative impact.

The Final EIR for the APL terminal expansion project found that after mitigation; impacts would remain significant for the following areas: air quality, meteorology and greenhouse gases and biological resources. Significant and unavoidable air quality impacts were determined from construction activities. Emissions of VOCs, CO, NOx, PM10, PM2.5 and GHGs remained significant with mitigation. Air quality emissions from operations remained significant and unavoidable for VOCs and GHGs as well as the exposure to Toxic Air Contaminants (TACs). The Final EIR concluded that the increased number of ship calls has the potential to result in the introduction of non-native species into the Harbor via ballast water or vessel hulls and thus could substantially disrupt local biological communities. Impacts to biological resources from this potential impact were found to be significant and unavoidable.

Impacts were found to be significant but could be mitigated to less than significant impacts for the following impact areas: Biological resources for construction, Noise for construction and Ground Transportation for operations. Lease Measures or Standards Conditions of Approval were imposed for the following impacts areas to ensure that their impacts do not reach a significance threshold: Cultural Resources; Biological Resources; Geology; Groundwater and Soils; and, Public Services and Utilities.

When looking at projects in the past, present and reasonably foreseeable future in the vicinity of the APL Terminal, the Final EIR concluded that the project would make a cumulatively considerable contribution to a significant cumulative impacts in the following resource areas: Air Quality, Meteorology and Greenhouse Gases; Biological Resources; and, Noise. These areas have been revisited below to ensure that the Project modifications do not exacerbate any findings made in the Final EIR.

8.15.2 Aesthetics

Potentially cumulative aesthetics impacts were evaluated due to a potential impact to a scenic vista due to the obstruction of views, damage to scenic vistas, the degradation of an existing visual character or quality of the site, the creation of a new source of light and glare or a change to the overall visual character or quality of a landscape. The Final EIR concluded that the Project would not result in any cumulatively significant aesthetics impacts. (Final EIR, Section 4.2.1, pages 4-27 through 4-35). The Proposed Revised Project would not alter this conclusion.

8.15.3 Air Quality, Meteorology and Greenhouse Gases

The Final EIR found cumulatively significant impacts to air quality during construction that would remain even after implementation of mitigation measures. The analysis determined that operation of the Project would result in a cumulatively significant impact to air quality for odors, VOCs and would cumulatively exceed an ambient air quality standard for NOx. The Project was not found to have a cumulatively considerable impact relative to non- cancer health risks. However, The analysis determined that emissions of TACs from the Project would make a cumulatively consideration contribution to a significant cumulative impact relative to cancer risks relative to CEQA baseline levels for all receptor types. Further, the Project would result in a cumulatively considerable and unavoidable contribution to a significant impact relative to climate change under CEQA as well (Final EIR, Section 4.2.2, pages 4-35 through 4-48).

The Proposed Revised Project includes amendments to Permit #733 to allow the facility to continue operating for an additional 16 years through 2043 and the replacement of eight cranes. Construction associated with the Approved Expansion Project did not occur. The operational expansion of the terminal did not occur. Only minor modifications occurred at the site and there are no plans to expand the terminal as a result of these modifications. Air quality impacts are significantly lower than what was evaluated in the Final EIR and would be subject to the same mitigation that was already identified in the Final EIR. As a result, the combine cumulative impacts of the Final EIR and the first Addendum would be lower than what was previously assessed.

For the reasons described above, the Proposed Revised Project would not cause the incremental contributions to significant impacts on air quality (as described in the Final EIR) to be substantially more cumulatively considerable than disclosed in the Final EIR.

8.15.4 Biological Resources

The Final EIR determined that the Project would make a cumulatively consideration contribution to a significant impact to marine mammals (the potential contribution to whale mortality) from vessel strikes under CEQA (Final EIR, Section 4.2.3, pages 4-48 through 4-62).

The Proposed Revised Project includes amendments to Permit #733 to allow the facility to continue operating for an additional 16 years through 2043 and the replacement of eight cranes. Construction associated with the Project did not occur. The operational expansion of the terminal did not occur. Vessel calls will decrease as a result of the Project's expansion being put on hold. There is no expansion associated with the proposed modifications; therefore, the Proposed Revised Project would not cause incremental contributions to be substantially more cumulative than what was disclosed in the Final EIR.

8.15.5 Noise

The Final EIR found that construction noise impacts could be cumulatively significant. However, with the imposition of mitigation measures, this impact was found to be less than significant. Noise impacts were evaluated for the potential to disrupt sensitive receptors and to exceed 5 decibels or more at a noise-sensitive use. There were no cumulatively significant noise impacts associated with the Final EIR (Final EIR, Section 4.2.11, pages 4-135 through 4-140).

The Proposed Revised Project includes amendments to Permit #733 to allow the facility to continue operating for an additional 16 years through 2043 and the replacement of eight cranes. Construction associated with the Project did not occur. The operational expansion of the terminal did not occur. There is no expansion associated with the proposed modifications; therefore, the Proposed Revised Project would not cause incremental noise contributions to be substantially more cumulative than what was disclosed in the EIR.

9. Conclusions

None of the conditions as described under Sections 15162 and 15163 of the State CEQA Guidelines requiring a subsequent or supplemental EIR have occurred under the proposed modified Project. No new significant environmental effects and no substantial increase in the severity of previously identified significant effects would occur as a result of the proposed modified Project. Impacts previously identified under air quality, biological resources ground transportation and noise are reduced under the Proposed Revised Project as construction previously assumed will not occur nor will the expanded throughput subsequent to project construction as assessed in the Final EIR. Furthermore, there are no known mitigation measures or project alternatives that were previously considered infeasible but are now considered feasible that would substantially reduce one or more significant effects on the environment identified in the adopted Final EIR.

The Proposed Revised Project would have lower throughput, terminal activity, ship calls, truck movements, and train activity than was analyzed in the Final EIR. For these reasons, the proposed modifications would create no potential adverse impacts beyond what was evaluated in the Final EIR.

10. Acronyms

AMP	Alternative Maritime Power
APL	American President Lines Container Terminal
APMT	APM Terminals
APP	Application for Port Permit
AQ	Air Quality
BIO	Biological Resources
Board	Los Angeles Board of Harbor Commissioners
CDF	Confined Disposal Facility
CDP	Coastal Development Permit
CEQA	California Environmental Quality Act
CHE	Cargo Handling Equipment
CO	Carbon Monoxide
CO2e	Carbon Dioxide Equivalent Units
CR	Cultural Resources
DPM	Diesel Particulate Matter
EIR	Environmental Impact Report
EMS	Eagle Marine Services LTD
Final EIR	Final Environmental Impact Report
GEO	Geology
GHG	Greenhouse Gases
GW	Groundwater and Soils
LADOT	Los Angeles Department of Transportation
LADWP	Los Angeles Department of Water and Power
LAHD	Los Angeles Harbor Department
LAPD	Los Angeles Police Department
LAXT	Los Angeles Export Terminal
LM	Lease Measure
LOS	Level of Service
MM	Mitigation Measure
MMRP	Mitigation Monitoring and Report Plan
NOI	Noise
NOx	Oxides of Nitrogen
PM10	Particulate Matter, 10 micron in diameter
PM2.5	Particulate Matter, 2.5 micron in diameter
PRC	Public Resources Code
PS	Public Services and Utilities
Refer	Refrigerated Container Unit
RTGs	Rubber Tired Gantry Cranes
SC	Standard Condition of Approval
SCAQMD	South Coast Air Quality Management District
SCH	State Clearinghouse
SEAs	Significant Ecological Areas
TACs	Toxic Air Contaminants
TEUs	Twenty-foot Equivalent Units
TRANS	Transportation
USCG	United States Coast Guard
VOCs	Volatile Organic Compounds

11. References

AECOM, *APL Terminal Vessel Activity*, prepared on behalf of Los Angeles Harbor Department, September 28, 2016.

AECOM, *APM Terminal Capacity Analysis*, prepared on behalf of Los Angeles Harbor Department, March 31, 2014.

Los Angeles Harbor Department, Berths 302-306 APL Container Terminal Project, Notice of Preparation, July 2009.

Los Angeles Harbor Department, Berths 302-306 APL Container Terminal Project, Draft Environmental Impact Report/Environmental Impact Statement, December 2011.

Los Angeles Harbor Department, Berths 302-306 APL Container Terminal Project, Final Environmental Impact Report/Environmental Impact Statement, June 7, 2012.

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Appendix A – Mitigation Monitoring and Reporting Plan

REVISED MITIGATION MONITORING AND REPORTING PROGRAM

Berths 302-306 [APL] Container Terminal Project

Addendum #1 to the Final Environmental Impact Report / EIS certified in June 2012

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THE PORT OF LOS ANGELES

October 2016

Mitigation Monitoring and Reporting Program

Introduction/Background

A Final Environmental Impact Report (Final EIR) for the proposed Berths 302-306 American President Lines Container Terminal Project to be operated by Eagle Marine Services, LTD (APL/EMS) was certified by the Los Angeles Board of Harbor Commissioners (Board) on June 7, 2012 (SCH #2009071031 and APP No. 081203-131). The Board also approved the project itself, including improvements and expansion to the existing Pier 300 container terminal (Alternatively referred to as Project or Approved Expansion Project). The Board then issued and approved a Level III Coastal Development Permit (CDP #1207) on June 21, 2012. The overall purpose of the Approved Expansion Project was to "optimize and expand the cargo-handling capacity at the terminal to accommodate the increased throughput demand" expected at the Port of Los Angeles (Final EIR, Section ES.2.3, page ES-5). This expansion would be achieved through waterside and landside improvements at the site. The Final EIR was prepared by the City of Los Angeles Harbor Department (LAHD) as Lead Agency under the California Environmental Quality Act (CEQA) to address the significant environmental effects of the proposed project, recommend mitigation measures to avoid or minimize the significant effects, and describe a range of reasonable alternatives.

At approximately 291 acres, the Pier 300 terminal is the second largest cargo container terminal at the Port of Los Angeles. APL/EMS is the permit holder and terminal operator and has an existing lease, (Permit #733) that will expire in 2027. Subsequent to completion of the Final EIR, APL/EMS chose not to develop the Approved Expansion Project and instead has now proposed a smaller revised project that continues with its current operations with minor modifications while extending the term of their existing lease for financial stability (Proposed Revised Project). Accordingly, an Addendum is now being prepared pursuant to the requirements of CEQA and focuses on the incremental changes to the Approved Expansion Project and assesses any new significant impacts or an increase in severity of previously identified impacts that would occur as a result of the Proposed Revised Project pursuant to CEQA Guidelines Section 15162 et seq.

Though the Proposed Revised Project would be much smaller than what was analyzed in the Final EIR, the mitigation measures set forth in the adopted Mitigation Monitoring and Report Plan (MMRP) for the Approved Expansion Project remain, though with timing and sequencing that would begin at the time amendments to Permit #733 are approved that would allow implementation of the Proposed revised Project. The proposed modified timing for mitigation measures is set forth herein as a revised MMRP (Revised MMRP). The Revised MMRP includes strikeouts and underlined texts to show revisions to timing and sequencing of mitigation measures. Please note no mitigation measures were deleted as a result of the Proposed Revised Project.

Monitoring and Reporting Procedures

Mitigation measures, lease measures and standard conditions of approval will be implemented in accordance with this MMRP. Construction bid specifications, if necessary, shall include all applicable construction measures and the contractor(s) work plans shall be provided to LAHD Environmental Management Division (EMD) for review and approval. Operational mitigation measures and lease measures will be monitored by EMD and any specified responsible parties designated by EMD.

The Proposed Revised Project modifications do not currently contain any significant construction components; however, all measures will remain herein as was originally certified in the 2012 Final EIR.

The LAHD shall be responsible for administering the MMRP and ensuring that all parties comply with its provisions. The LAHD may delegate monitoring activities to staff, consultants, or contractors. All construction mitigation measures will be included in the bid specifications in order to document how the contractor intends to comply with all measures applicable to the contract including application of Best Management Practices (BMPs). All mitigation measures and leasing policy requirements will be included in leases and lease amendments. The LAHD will ensure that monitoring is documented through periodic reports and that deficiencies are promptly corrected. The designated environmental monitor will track and document compliance with mitigation measures, note any problems that may result, and take appropriate action to rectify problems.

Mitigation Monitoring and Reporting Program Implementation

Pursuant to Public Resources Code 21081.6 and CEQA Guidelines Section 15097, this MMRP was prepared to verify compliance with individual mitigation measures. This MMRP identifies each mitigation measure by discipline as well as the entity (organization) responsible for its implementation and the timing.

Finally, an Environmental Compliance Plan has been prepared to assist with MMRP implementation and can be found as Appendix C to the Addendum.

Mitigation Monitoring and Reporting Program Summary

Table 1. Mitigation Monitoring and Reporting Program Summary for the Berths 302-306 [APL] Container Terminal Project

Mitigation Measure, Lease Measure or Standard Condition of Approval	*Timing and Methods*	*Responsible Parties*
Air Quality, Meteorology and Greenhouse Gases: Construction		
MM AQ-1. Harbor Craft Used During Construction. 1. All harbor craft with C1 or C2 marine engines must utilize a USEPA Tier-3 engine, or cleaner. 2. All dredging equipment shall be electric.	**Timing:** During specified construction phases, **Methods:** This measure shall be incorporated into the LAHD bid and contract specifications for all construction work to reduce the impact of construction diesel emissions. The contractor shall adhere to these specifications throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications. 1. This measure shall be met unless the contractor is able to provide proof that one of the following circumstances exists: ▪ A piece of specialized equipment is unavailable in a controlled form, or within the required Tier level, within the state of California, including through a leasing agreement; ▪ A contractor has applied for necessary incentive funds to put controls on a piece of uncontrolled equipment planned for use on the project, but the application process is not yet approved, or the application has been approved, but funds are not yet available; ▪ A contractor has ordered a control device for a piece of equipment planned for use on the project, or the contractor has ordered a new piece of controlled equipment to replace the uncontrolled equipment, but that order has not been completed by the manufacturer or dealer. In addition, for this exemption to apply, the contractor must attempt to lease controlled equipment to avoid using	**Implementation:** LAHD through Construction Contractor **Monitoring and Reporting**: Environmental Management Division, Construction Management Division

Mitigation Measure, Lease Measure or Standard Condition of Approval	*Timing and Methods*	*Responsible Parties*
	uncontrolled equipment, but no dealer within 200 miles of the project has the controlled equipment available for lease. 2. This measure shall be met unless contractor can demonstrate that such equipment is not feasible for a specific activity.	
MM AQ-2. Cargo Ships Used During Construction. 1. All ships and barges used primarily to deliver construction-related materials to a LAHD-contractor construction site shall comply with the expanded Vessel Speed Reduction Program (VSRP) of 12 knots between 40 nautical miles (nm) from Point Fermin and the Precautionary Area. 2. These ships must also use low-sulfur fuel (maximum sulfur content of 0.1~~2~~ percent) in auxiliary engines, main engines, and boilers within 40 nm of Point Fermin in accordance with the 200 nm federal Emission Control Area. ~~This condition is superseded by CARB regulations for ships operating within 24 nm of the shoreline where the maximum allowable sulfur content is 0.1 percent. This mitigation measure goes above and beyond CARB's rule in that it requires 0.2 percent sulfur fuel between 25 and 40 nm, whereas the CARB rule requires 0.1 percent sulfur fuel, but only applies to vessels within 24 nm of the shoreline.~~	**Timing:** During specified construction phases. **Methods:** This measure shall be incorporated into the LAHD bid and contract specifications for all construction work to reduce the impact of construction diesel emissions. The contractor shall adhere to these specifications throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications.	**Implementation:** LAHD through Construction Contractor **Monitoring and Reporting**: Environmental Management Division, Construction Management Division
MM AQ-3~~. Fleet Modernization for~~ On-Road Trucks Used During Construction. 1. Trucks hauling material such as debris or any fill material will be fully covered while operating off Port property. 2. Idling will be restricted to a maximum of 5 minutes when not in use. 3. USEPA Standards: ~~-~~ For On-road trucks with a gross vehicle weight rating (GVWR) of at least 19,500 pounds: Comply with USEPA 2010 ~~2007~~ on-road emission standards for PM_{10} and NOx. ~~(0.01 grams per brake horsepower-hour (g/bhp-hr) and 1.2 g/bhp-hr or better, respectively).~~	**Timing:** During specified construction phases. **Methods:** This measure shall be incorporated into the LAHD bid and contract specifications for all construction work to reduce the impact of construction diesel emissions. The contractor shall adhere to these specifications throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications. The construction equipment measures shall be met, unless one of the following circumstances exist and the contractor is able to provide proof that any of these circumstances exists: • A piece of specialized equipment is unavailable in a	**Implementation:** LAHD through Construction Contractor **Monitoring and Reporting**: Environmental Management Division, Construction Management Division

Mitigation Measure, Lease Measure or Standard Condition of Approval	*Timing and Methods*	*Responsible Parties*
	controlled form within the state of California, including through a leasing agreement. • A contractor has applied for necessary incentive funds to put controls on a piece of uncontrolled equipment planned for use on the project, but the application process is not yet approved, or the application has been approved, but funds are not yet available. • A contractor has ordered a control device for a piece of equipment planned for use on the project, or the contractor has ordered a new piece of controlled equipment to replace the uncontrolled equipment, but that order has not been completed by the manufacturer or dealer. In addition, for this exemption to apply, the contractor must attempt to lease controlled equipment to avoid using uncontrolled equipment, but no dealer within 200 miles of the project has the controlled equipment available for lease.	
MM AQ-4. ~~Fleet Modernization for~~ Construction Equipment (Except Vessels, Harbor Craft and On-Road Trucks) Requirements. 1. Construction equipment will incorporate, where feasible, emissions-savings technology such as hybrid drives and specific fuel economy standards. 2. Idling will be restricted to a maximum of 5 minutes when not in use. 3. Equipment Engine Specifications: ☐ Tier 4 equipment shall be considered based on availability at the time the construction bid is issued. ☐ ~~At a minimum, prior to January 1, 2015, all off-road diesel-powered construction equipment greater than 50 ph will meet Tier 3 off-road emission standards at a minimum. In addition, this equipment will be retrofitted with a CARB-verified Level 3 DECS.~~ ☐ ~~From January 1, 2015 on:~~ All off-road diesel-powered construction equipment greater than 50 hp will meet Tier 4 off-road emission standards at a minimum.	**Timing:** During specified construction phases. **Methods:** This measure shall be incorporated into the LAHD bid and contract specifications for all construction work to reduce the impact of construction diesel emissions. The contractor shall adhere to these specifications throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications. The construction equipment measures shall be met, unless one of the following circumstances exist and the contractor is able to provide proof that any of these circumstances exists: • A piece of specialized equipment is unavailable in a controlled form within the state of California, including through a leasing agreement. • A contractor has applied for necessary incentive funds to put controls on a piece of uncontrolled equipment planned for use on the project, but the application process is not	**Implementation:** LAHD through Construction Contractor **Monitoring and Reporting:** Environmental Management Division, Construction Management Division

Mitigation Measure, Lease Measure or Standard Condition of Approval	*Timing and Methods*	*Responsible Parties*
	yet approved, or the application has been approved, but funds are not yet available. • A contractor has ordered a control device for a piece of equipment planned for use on the project, or the contractor has ordered a new piece of controlled equipment to replace the uncontrolled equipment, but that order has not been completed by the manufacturer or dealer. In addition, for this exemption to apply, the contractor must attempt to lease controlled equipment to avoid using uncontrolled equipment, but no dealer within 200 miles of the project has the controlled equipment available for lease.	
MM AQ-5. Construction Best Management Practices (BMPs). LAHD shall implement BMPs to reduce air emissions from all LAHD-sponsored construction projects, including: 1. Use of diesel oxidation catalysts and catalyzed diesel particulate traps. 2. Maintain equipment according to manufacturer's specifications. 3. Restricting idling of construction equipment and on-road heavy-duty trucks to a maximum of 5 minutes when not in use. 4. Install high-pressure fuel injectors on construction equipment vehicles. 5. Maintain a minimum buffer zone of 300 meters between truck traffic and sensitive receptors. 6. Improve traffic flow by signal synchronization. 7. Enforce truck parking restrictions. 8. Provide on-site services to minimize truck traffic in or near residential areas, including, but not limited to, the following services: meal or cafeteria services, automated teller machines, etc. 9. Re-route construction trucks away from congested streets or sensitive receptor areas. 10. Provide dedicated turn lanes for movement of construction trucks and	**Timing:** During specified construction phases. **Methods:** This measure shall be incorporated into the LAHD bid and contract specifications for all construction work to reduce the impact of construction diesel emissions. The LAHD shall determine the BMPs once the contractor identifies and secures a final equipment list. The contractor shall adhere to these specifications throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications.	**Implementation:** LAHD through Construction Contractor **Monitoring and Reporting**: Environmental Management Division, Construction Management Division

Mitigation Measure, Lease Measure or Standard Condition of Approval	*Timing and Methods*	*Responsible Parties*
equipment on- and off-site. 11. Use electric power in favor of diesel power where available.		
MM AQ-6. Additional Fugitive Dust Controls. 1. SCAQMD Rule 403 requires a Fugitive Dust Control Plan be prepared and approved for construction sites. Construction contractors are required to obtain a 403 Permit from SCAQMD prior to construction. 2. Applicable Rule 403 measures/BMPs to reduce dust shall be included in the contractor's Fugitive Dust Control Plan, at a minimum.	**Timing:** During specified construction phases. **Methods:** This measure shall be incorporated into the LAHD bid and contract specifications for all construction work to reduce the impact of fugitive dust (PM10) emissions. The contractor shall adhere to these specifications throughout construction activities. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications.	**Implementation:** LAHD through Construction Contractor **Monitoring and Reporting**: Environmental Management Division, Construction Management Division
MM AQ-7. General Mitigation Measure. For any of the above mitigation measures (MM AQ-1 through AQ-6), if a CARB-certified technology becomes available and is shown to be as good as or better in terms of emissions performance than the existing measure, the technology could replace the existing measure pending approval by LAHD. Measures will be set at the time a specific construction contract is advertised for bids.	**Timing:** During specified construction phases. **Methods:** This measure shall be incorporated into the LAHD bid and contract specifications. The contractor(s) shall submit a plan for review and approval by LAHD prior to beginning any construction activity, which would include any proposed new technology.	**Implementation:** LAHD through Construction Contractor **Monitoring and Reporting**: Environmental Management Division, Construction Management Division
MM AQ-8. Special Precautions near Sensitive Sites. All construction activities located within 1,000 feet of sensitive receptors (defined as schools, playgrounds, daycares, and hospitals) shall notify each of these sites in writing at least 30 days before construction activities begin.	**Timing:** During specified construction phases. **Methods:** This measure shall be incorporated into the LAHD bid and contract specifications for all construction activity. The contractor(s) shall submit for review and approval by LAHD prior to beginning of any construction activity, a plan to notify sensitive receptors.	**Implementation:** LAHD through Construction Contractor **Monitoring and Reporting**: Environmental Management Division, Construction Management Division

Mitigation Measure, Lease Measure or Standard Condition of Approval	*Timing and Methods*	*Responsible Parties*
Air Quality, Meteorology and Greenhouse Gases: Operation		
MM AQ-9. Alternative Maritime Power (AMP) APL ships calling at Berths 302-306 must use AMP at the following percentages with hoteling in the Port: - 2017: 70 percent of total ship calls. - 2026: 95 percent of total ship calls.	**Timing:** During operation. **Methods:** This measure shall be incorporated into the lease agreements. Tenant shall submit bi-annual compliance report documenting compliance to the Environmental Management Division. Vessel calls shall be monitored by the Wharfingers Office and the Environmental Management Division. Enforcement shall include oversight by the Real Estate Division. Annual staff reports shall be made available to the Board at a regularly scheduled public Board Meeting.	**Implementation:** APL, LAHD **Monitoring and Reporting**: Marine Exchange, LAHD Wharfingers, Environmental Management and Real Estate Divisions
MM AQ-10. Vessel Speed-Reduction Program. All ships calling at Berths 302-306 shall comply with the expanded VSRP of 12 knots between 40 nm from Point Fermin and the Precautionary Area in the following implementation schedule: - ~~2014 and thereafter:~~ 95 percent	**Timing:** ~~During operation.~~ This measure will commence beginning the second calendar year after lease amendment approval. **Methods:** This measure shall be incorporated into the lease agreements. Tenant shall be monitored by the Wharfingers and the Environmental Management Division through data provided from the Marine Exchange. Bi-annual tenant compliance reports shall be supplied to the Environmental Management Division Enforcement shall include oversight by the Real Estate Division. Annual staff reports shall be made available to the Board at a regularly scheduled public Board	**Implementation:** APL, LAHD **Monitoring and Reporting**: Marine Exchange, LAHD Wharfingers, Environmental Management and Real Estate Divisions
MM AQ-11. Cleaner OGV Engines. The Tenant shall seek to maximize the number of vessels calling at the Berths 302-306 terminal that meet the IMO NOx limit of 3.4 g/kW-hr. ~~The IMO Tier 2 NOx standards came into effect January 1, 2011 for new vessels. IMO Tier 3 NOx standards will become effective January 1, 2016 for new vessels operating in Emission Control Areas.~~ When ordering new ships bound for the Port of Los Angeles, the purchaser shall confer with the ship designer and engine manufacturer to determine the feasibility of incorporating all emission reduction technology and/or design options.	**Timing:** ~~During operation.~~Immediately following approval of the Lease Amendment Agreement. **Methods:** This measure shall be incorporated into the lease agreements. Tenant shall submit quarterly reporting forms documenting compliance to LAHD. Wharfingers and Environmental Management Division will independently monitor through monitoring data provided by the Marine Exchange. Bi-annual tenant compliance reports shall be supplied to the Environmental Management Division. Enforcement shall include oversight by the Real Estate	**Implementation:** APL, LAHD **Monitoring and Reporting**: Marine Exchange, LAHD Wharfingers, Environmental Management and Real Estate Divisions

Mitigation Measure, Lease Measure or Standard Condition of Approval	*Timing and Methods*	*Responsible Parties*
	Division. Annual staff reports shall be made available to the Board at a regularly scheduled public Board Meeting.	
MM AQ-12: OGV Engine Emissions Reduction Technology Improvements. When using or retrofitting existing ships bound for the Port, the Tenant shall determine the feasibility of incorporating all emission reduction technology and/or design options. Such technology shall be designed to reduce criteria pollutant emissions (NOx and DPM). Some examples of potential methods for reducing emissions from large marine diesel engines include: • Direct Water Injection • Fuel Water Emulsion • Humid Air Motor • Exhaust Gas Recirculation • Selective Catalytic Reduction • Continuous Water Injection • Slide Valves	**Timing:** During operation. **Methods:** This measure shall be incorporated into the lease agreements. Biannual tenant compliance reports shall be supplied to the Environmental Management Division. Enforcement shall include oversight by the Real Estate Division. Annual staff reports shall be made available to the Board at a regularly scheduled public Board Meeting.	**Implementation:** APL, LAHD **Monitoring and Reporting**: Environmental Management and Real Estate Divisions
MM AQ-13: Yard Tractors at Berths 302-306 Terminal. ~~By the end of 2013, a~~All yard tractors operated at the terminal shall meet USEPA Tier 4 non-road or 2007 on-road emission standards.	**Timing:** ~~During operation.~~ Beginning the second calendar year following Lease Amendment Approval. **Methods:** This measure shall be incorporated into the lease agreements. Bi-annual tenant compliance reports shall be supplied to the Environmental Management Division. Enforcement shall include oversight by the Real Estate Division. Annual staff reports shall be made available to the Board at a regularly scheduled public Board Meeting.	**Implementation:** APL, LAHD **Monitoring and Reporting**: Environmental Management and Real Estate Divisions

Mitigation Measure, Lease Measure or Standard Condition of Approval	*Timing and Methods*	*Responsible Parties*
MM AQ-14: Yard Equipment at Berth 302-306 Railyard. All diesel powered equipment operated at the Berths 302-306 terminal rail yard shall implement the requirements discussed below in MM AQ-15**.**	**Timing:** The measure will commence by the end of the third calendar year after Lease Amendment Approval.~~During operation.~~ **Methods:** This measure shall be incorporated into the lease agreements. Bi-annual tenant feasibility reports shall be supplied to the Environmental Management Division. Enforcement shall include oversight by the Real Estate Division. Annual staff reports shall be made available to the Board at a regularly scheduled public Board Meeting.	**Implementation:** APL, LAHD **Monitoring and Reporting**: Environmental Management and Real Estate Divisions
MM AQ-15: Yard Equipment at Berths 302-306 Terminal. ~~☐ By the end of 2012: all terminal equipment equipped with Tier 1 or 2 engines less than 750 hp must meet 2010 on-road or Tier 4 standards by 2012.~~ ~~☐ By the end of 2012, the highest available Verified Diesel Emissions Controls (VDECs) shall be installed on all Tier 3 equipment.~~ ~~☐ By the end of 2015: a~~All terminal equipment ~~equipped with Tier 3~~ engines shall meet USEPA Tier 4 non-road engine standards.	**Timing:** ~~During operation~~The measure will commence by the end of the third calendar year after Lease Amendment Approval. **Methods:** This measure shall be incorporated into the lease amendment agreement~~s~~. Bi-annual tenant compliance reports shall be supplied to the Environmental Management Division. Enforcement shall include oversight by the Real Estate Division. Annual staff reports shall be made available to the Board at a regularly scheduled public Board Meeting.	**Implementation:** APL, LAHD **Monitoring and Reporting**: Environmental Management and Real Estate Divisions
MM AQ-16. Truck Idling-Reduction Measure. Within six months of the effective date of the L~~l~~ease ~~a~~Amendment Approval ~~agreement~~ and thereafter for the remaining term of the Permit and any holdover, the terminal operator shall ensure that truck idling is reduced to less than 30 minutes in total or 10 minutes at any given time while on the terminal through measures that include but are not limited to, the following: • The operator shall maximize the durations when the main gates are left open, including during off-peak hours (6pm to 7am) • The operator shall implement an appointment-based system for receiving and delivering containers to minimize truck queuing (trucks lining up to enter and exit the terminal's gate) • The operator shall design the main entrance and exit gates to exceed the	**Timing:** ~~During operation.~~This measure will commence six month from the date of Lease Amendment Approval. **Methods:** This measure shall be incorporated into the lease agreements. Bi-annual tenant compliance reports shall be supplied to the Environmental Management Division. Enforcement shall include oversight by the Real Estate Division. Annual staff reports shall be made available to the Board at a regularly scheduled public Board Meeting.	**Implementation:** APL, LAHD **Monitoring and Reporting**: Environmental Management and Real Estate Divisions

Mitigation Measure, Lease Measure or Standard Condition of Approval	*Timing and Methods*	*Responsible Parties*
average hourly volume of trucks that enter and exit the gates (truck flow capacity) to ensure queuing is minimized.		
MM AQ-17: Compact Fluorescent Light Bulbs. All interior buildings on the premises shall exclusively use fluorescent light bulbs, compact fluorescent light bulbs, or a technology with similar energy-saving capabilities, for ambient lighting within all terminal buildings. The tenant shall also maintain and replace any LAHD-supplied compact fluorescent light bulbs.	**Timing:** During construction and operation **Methods:** For newly constructed buildings, this measure shall be incorporated into the LAHD design and bid and contract specifications. The contractor shall adhere to these specifications throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications. For all buildings: This measure shall be incorporated into the lease agreements and shall be implemented initially by LAHD, and thereafter by the tenant. Bi-annual tenant compliance reports shall be supplied to the Environmental Management Division. Enforcement shall include oversight by the Real Estate Division. Annual staff reports shall be made available to the Board at a regularly scheduled public Board Meeting.	**Implementation:** APL, LAHD **Monitoring and Reporting**: Environmental Management Division, Construction Management Division
MM AQ-18: Energy Audit. The tenant shall conduct an energy audit by a third party of its choice every 5 years and install innovative power saving technology (1) where it is feasible; and (2) where the amount of savings would be reasonably sufficient to cover the costs of implementation. Such systems help to maximize usable electric current and eliminate wasted electricity, thereby lowering overall electricity use.	**Timing:** ~~During operation (every five years).~~ This measure shall be required every five years with the first audit occurring five year after Lease Amendment Approval and every five years thereafter. **Methods:** This measure shall be incorporated into the lease agreements. A compliance report shall be supplied to the Environmental Management Division within six months of every energy audit. Enforcement shall include oversight by the Real Estate Division. Annual staff reports shall be made available to the Board at a regularly scheduled public Board	**Implementation:** APL, LAHD **Monitoring and Reporting:** Environmental Management Division, Construction Management Division
MM AQ-19: Recycling The tenant shall ensure a minimum of ~~40 percent of all waste generated in all terminal buildings is recycled by 2014 and~~ 60 percent of all waste generated in all terminal buildings is recycled. ~~by 2016.~~ Recycled materials shall include: (a) white and colored paper; (b) post-it notes; (c) magazines; (d) newspaper; (e) file	**Timing:** ~~During operation.~~This measure will commence upon Lease Amendment Approval. **Methods:** This measure shall be incorporated into the lease agreements. Bi-annual tenant compliance reports shall be supplied to the Environmental Management Division.	**Implementation:** APL, LAHD **Monitoring and Reporting**: Environmental Management

Mitigation Measure, Lease Measure or Standard Condition of Approval	*Timing and Methods*	*Responsible Parties*
folders; (f) all envelopes including those with plastic windows; (g) all cardboard boxes and cartons; (h) all metal and aluminum cans; (i) glass bottles and jars; and; (j) all plastic bottles.	Enforcement shall include oversight by the Real Estate Division. Annual staff reports shall be made available to the Board at a regularly scheduled public Board Meeting.	Division, Construction Management Division
MM AQ-20: Tree Planting. The applicant shall plant shade trees around the main terminal building, and the tenant shall maintain all trees through the life of the lease.	**Timing:** During construction and operation **Methods:** This measure shall be incorporated into the LAHD design and bid and contract specifications. The contractor shall adhere to these specifications throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications. This measure shall also be incorporated into the lease agreements for ongoing maintenance. Bi-annual tenant compliance reports shall be supplied to the Environmental Management Division. Enforcement shall include oversight by the Real Estate Division. Annual staff reports shall be made available to the Board at a regularly scheduled public Board Meeting.	**Implementation:** APL, LAHD **Monitoring and Reporting**: Environmental Management Division, Construction Management Division
LM AQ-1: Periodic Review of New Technology and Regulations. ~~LAHD~~ The Port shall require the Berths 302-306 tenant to review, in terms of feasibility and benefits, any Port-identified or other new emissions-reduction technology, and report to LAHD. Such technology feasibility reviews shall take place every five years, and at the time of the LAHD's consideration of any lease amendment or facility modification for the proposed Project site. If the technology is determined bythe LAHD to be feasible in terms of cost, technical and operational feasibility, the tenant shall work with the LAHD~~LAHD~~ to implement such technology. Potential technologies that may further reduce emission and/or result in cost-savings benefits for the tenant may be identified through future work on the CAAP, Technology Advancement Program, Zero Emissions Technology Program, and terminal automation. Over the course of the lease, the tenant and the LAHD shall work together to identify potential new technologies. Such	**Timing:** ~~During operation.~~This measure will commence upon Lease Amendment Approval. **Methods:** This measure shall be incorporated into the lease agreements. This measure does not meet all of the criteria for CEQA or NEPA mitigation but is considered an important lease measure to reduce future emissions.	**Implementation:** APL, LAHD **Monitoring and Reporting**: Tenant of Berths 302-306

Mitigation Measure, Lease Measure or Standard Condition of Approval	*Timing and Methods*	*Responsible Parties*
technology shall be studied for feasibility, in terms of cost, technical and operational feasibility, and emissions reduction benefits. As partial consideration for the ~~LAHD~~ Port agreement to issue the ~~p~~Permit to the tenant, the tenant shall implement ~~not less frequently than once every 5 years following the effective date of the permit,~~ new air quality technological advancements that may be identified in the abovementioned 5-year reports, ~~,~~ subject to mutual agreement on operational feasibility and cost sharing, which shall not be unreasonably withheld.		
LM AQ-2: Substitution of New Technology. If any kind of technology becomes available and is shown to be as good or as better in terms of emissions reduction performance than the existing measure, the technology could replace the existing measure pending approval by the LAHD. The technology's emissions reductions must be verifiable through USEPA, CARB, or other reputable certification and/or demonstration studies to the LAHD's satisfaction.	**Timing:** During operation. **Methods:** This measure shall be incorporated into the lease agreements. This measure does not meet all of the criteria for CEQA or NEPA mitigation but is considered an important lease measure to reduce future emissions.	**Implementation:** APL, LAHD **Monitoring and Reporting**: Tenant of Berths 302-306
Biological Resources: Construction		
MM BIO-1. Conduct nesting bird surveys. This measure applies only if construction on the 41-acre undeveloped area is to occur between February 15 and September 1. Prior to ground disturbing activities, a qualified biologist shall conduct surveys for the presence of tern nests on the 41-acre backlands, and within the proposed Project site that contains potential nesting bird habitat. Surveys shall be conducted no later than 1 week prior to the clearing, removal, or grubbing of any vegetation or ground disturbance. If active nests of species protected under the MBTA and/or similar provisions of the California Fish and Game Code (i.e., native birds including but not limited to the black-crowned night heron) are located, then a barrier installed at a 50–100 foot radius from the nest(s) shall be established. The barrier will remain until a qualified biologist determines that the young have fledged or the	**Timing:** If construction occurs between February 15 and September 1, biological surveys will be conducted within two weeks of ground clearing activities. **Methods:** This measure shall be incorporated into the LAHD bid and contract specifications for all construction work to ensure contractor(s) are aware of potential work area limitations. The contractor shall adhere to these specifications throughout construction activities. Biologists will survey site for active bird nests. If nests are present, a barrier installed at a 50-100 foot radius from the nest(s) shall be established and construction will avoid those sites. The barrier will remain until a qualified biologist determines that the young have	**Implementation:** LAHD, USACE **Monitoring and Reporting**: Environmental Management Division, Construction Management Division

Mitigation Measure, Lease Measure or Standard Condition of Approval	*Timing and Methods*	*Responsible Parties*
nest is no longer active.	fledged or the nest is no longer active. Enforcement shall include oversight by the LAHD project/construction manager.	
SC BIO-1. Avoid marine mammals and avoid impacts to nesting birds at the Project site. Although it is expected that marine mammals will voluntarily move away from the area at the commencement of the vibratory or "soft start" of pile driving activities, as a precautionary measure, pile-driving activities occurring as part of the wharf extension shall include establishment of a safety zone, and the area surrounding the operations will be monitored by a qualified marine biologist for pinnipeds. A 100-meter-radius safety zone will be established around the pile-driving site and monitored for marine mammals. As the pile-driving site will move with each new pile, the 100-meter safety zone shall move accordingly. Prior to commencement of pile-driving, observers on shore or by boat will survey the safety zone to ensure that no marine mammals are seen within the zone before pile-driving of a pile segment begins. If a marine mammal is observed within 10 meter of pile-driving operations, pile-driving shall be delayed until the marine mammals moves out of the area. If a marine mammal in the 100-meter safety zone is observed, but more than 10 meter away, the contractor shall wait at least 15 minutes to commence pile-driving. If the marine mammal has not left the 100-meter safety zone after 15 minutes, pile-driving can commence with a "soft start." This 15-minute criterion is based on a study indicating that pinnipeds dive for a mean time of 0.50 minutes to 3.33 minutes; the 15-minute delay will allow a more than sufficient period of observation to be reasonably sure the animal has left the proposed Project vicinity. If marine mammals enter the safety zone after pile-driving of a segment has begun, pile-driving shall continue. The biologist shall monitor and record the species and number of individuals observed, and make note of their behavior patterns. If the animal appears distressed, and if it is operationally safe to do so, pile-driving shall cease until the animal leaves the area. Prior to the initiation of each new pile-driving episode, the area shall again be thoroughly surveyed by the biologist.	**Timing**: If applicable, this measure must be conducted during all in-water construction activities requiring pile driving located in the Outer Harbor. **Methods:** This measure shall be incorporated into LAHD contract specifications for all construction work to ensure contractor(s) are aware of potential work area limitations. The construction contractor shall instruct construction personnel to comply with the measure as part of normal construction procedures. LAHD shall arrange for the presence of a qualified biologist to monitor during construction activity.	**Implementation:** LAHD, Construction Contractor **Monitoring and Reporting**: Environmental Management Division, Construction Management Division

Mitigation Measure, Lease Measure or Standard Condition of Approval	*Timing and Methods*	*Responsible Parties*
SC BIO-2: NMFS Notification. The Los Angeles Harbor Department (LAHD) will notify the National Marine Fisheries Service (NMFS) no less than 14 calendar days prior to commencing construction, dredging, and disposal operations associated with the proposed Project. LAHD will also notify NMFS no less than five calendar days prior to completion of construction, dredging, and disposal operations.	**Timing:** Prior to (no less than 14 calendar days) commencing construction, dredging, and disposal operations associated with the proposed Project. Also no less than five calendar days prior to completion of construction, dredging, and disposal operations. **Methods:** This measure shall be incorporated into LAHD contract specifications for all construction work. The contractor shall notify LAHD no less than 17 calendar days prior to commencing construction and no less than 8 calendar days prior to completion of construction, dredging, and disposal operations. LAHD will then notify NMFS.	**Implementation:** LAHD, Construction Contractor **Monitoring and Reporting**: Environmental Management Division, Construction Management Division
Cultural Resources: Construction		
SC CR-1: Stop Work in Area if Prehistoric and/or Archaeological Resources are Encountered. In the unlikely event that any artifact, or an unusual amount of bone, shell, or non-native stone is encountered during construction, work shall be immediately stopped, the area secured, and work relocated to another area until the found materials can be assessed by individuals competent to assess their value. Examples of such cultural materials might include concentrations of grinding stone tools such as mortars, bowls, pestles, and manos; chipped stone tools such as projectile points or choppers; flakes of stone not consistent with the immediate geology such as obsidian or fused shale; historical trash pits containing bottles and/or ceramics; or structural remains. The contractor shall stop construction within 10 meters (30 feet) of the exposure of these finds until a qualified archaeologist can be retained by the Port to evaluate the find (see 36 CFR 800.11.1 and California Code of Regulations, Title 14, Section 15064.5(f)). If the resources are found to be significant, they shall be avoided or shall be mitigated consistent with Section 106 or State Historic Preservation Officer Guidelines. All construction equipment operators shall attend a preconstruction meeting presented by a professional archaeologist retained by the Port that shall review types of cultural resources and artifacts that would be considered potentially significant, to ensure operator recognition of these materials during construction.	**Timing:** During initial ground disturbance during construction **Methods:** To avoid or reduce this potential impact, the Environmental Management Division shall retain a qualified archaeologist and notify applicable Tribal representatives. This measure shall be incorporated into the LAHD bid and contract specifications for all construction work to ensure contractor(s) are aware of potential work area limitations. The Construction Manager/Contractor shall instruct construction personnel as part of normal construction procedures to halt/redirect construction activities if any materials are uncovered that are suspect of being associated with historical or prehistoric occupation. If materials are found, the construction contractor shall contact the Construction Manager, Environmental Management Division, and archeologist.	**Implementation:** LAHD, archaeological consultants **Monitoring and Reporting:** Environmental Management Division, Construction Management Division

Mitigation Measure, Lease Measure or Standard Condition of Approval	*Timing and Methods*	*Responsible Parties*
Prior to beginning construction, the Port shall meet with applicable Native American Groups, including the Gabrieliño/Tongva Tribal Council, to identify areas of concern. A trained archaeologist shall monitor construction at identified areas. In addition to monitoring, a treatment plan shall be developed in conjunction with the Native American Groups to establish the proper way of extracting and handling all artifacts in the event of an archaeological discovery.		
Geology: Construction and Operation		
LM GEO-1. Emergency Response Planning Lease Requirement. The terminal operator shall work with LAHD Engineers and Port police to develop tsunami response training and procedures to assure that construction and operations personnel shall be prepared to act in the event of a large seismic event. Such procedures shall include immediate evacuation requirements in the event that a large seismic event is felt at the proposed Project site, as part of overall emergency response planning for this proposed Project.	**Timing:** Prior to construction and/or operation **Method: Construction:** LAHD Engineering Division shall provide procedures for inclusion in construction bid and contract specifications as well as work with the tenant to develop a plan as part of the lease agreement. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications **Method: Operations:** General requirements of this measure shall be incorporated into the lease. The Tenant and LAHD shall prepare an emergency response plan for submittal to the LAHD within first year of operation. Enforcement shall include oversight by the Real Estate Division. Annual staff reports shall be made available to the Board at a regularly scheduled public Board Meeting.	**Implementation:** LAHD through Construction Contractor; tenant for operations. **Monitoring and Reporting:** Environmental Management Division, Port Operations, Construction Management Division, Real Estate Division.
Groundwater and Soils: Construction		
LM GW-1: Site Remediation. Unless otherwise authorized by the lead regulatory agency for any given site, the LAHD and/or Tenant (i.e., APL) shall address all contaminated soils within proposed Project boundaries discovered during demolition and grading activities. Contamination existing at the time of discovery shall be the responsibility of the past and/or current property owner. Contamination as a result of the construction process shall be the responsibility of the LAHD and/or	**Timing:** Prior to and concurrent with proposed Project construction. **Method:** LAHD and/or Tenant will prepare a contamination contingency plan and the plan shall be included in bid specifications and leasing agreement. Such procedures will be included in any bid specifications for construction or operations personnel, with a copy of such bid specifications to	**Implementation:** LAHD through Construction Contractor; Tenant to undertake soil disturbing construction activities. **Monitoring and Reporting:** Environmental Management

Mitigation Measure, Lease Measure or Standard Condition of Approval	*Timing and Methods*	*Responsible Parties*
Tenant contractors. Remediation shall occur in compliance with local, state, and federal regulations, and as directed by the lead regulatory agency for the site (such as the Los Angeles RWQCB or DTSC). Soil removal shall be completed such that remaining contamination levels are below risk based health screening levels for industrial sites established by OEHHA and/or applicable action levels (e.g., Environmental Screening Levels, Preliminary Remediation Goals) established by the lead regulatory agency with jurisdiction over the site. Soil contamination waivers may be acceptable as a result of encapsulation (i.e., paving) and/or risk-based soil assessments for industrial sites, but are subject to the review of the lead regulatory agency and LAHD. Excavated contaminated soil shall be properly disposed of off-site unless use of such material on-site is beneficial to construction and approved by the agency overseeing environmental concerns. All imported soil to be used as backfill in excavated areas shall be sampled to ensure that it is suitable for use as backfill at an industrial site.	be provided to LAHD, including a completed copy of its operations emergency response plan prior to commencement of construction activities. The contractor shall adhere to these specifications and throughout construction phases.	Division, Construction Management Division, Engineering Division, Real Estate Division. Environmental Management Division will conduct independent soil sampling as appropriate.
LM GW-2: Contamination Contingency Plan. The following contingency plan shall be implemented to address previously unknown contamination during demolition, grading, and construction: a) All trench excavation and filling operations shall be observed for the presence of free petroleum products, chemicals, or contaminated soil. Soil suspected of contamination shall be segregated from other soil. In the event soil suspected of contamination is encountered during construction, the contractor shall notify the LAHD Project Engineer. The LAHD shall confirm the presence of the suspect material and direct the contractor to remove, stockpile or contain, and characterize the suspect material. Continued work at a contaminated site shall require the approval of the LAHD Project Engineer. b) Excavation of VOC-impacted soil may require obtaining and complying with a South Coast Air Quality Management District Rule 1166 permit. c) The remedial option(s) selected shall be dependent upon a suite of criteria (including but not limited to types of chemical constituents, concentration of the chemicals, health and safety issues, time constraints, cost, etc.) and shall be determined on a site-specific basis. Both off-site and on-site remedial options may be evaluated.	**Timing:** Prior to and concurrent with proposed Project construction. **Method:** LAHD and/or Tenant will prepare a contamination contingency plan and the plan shall be included in bid specifications and leasing agreement. Such procedures will be included in any bid specifications for construction or operations personnel, with a copy of such bid specifications to be provided to LAHD, including a completed copy of its operations emergency response plan prior to commencement of construction activities. The contractor shall adhere to these specifications throughout construction phases.	**Implementation:** LAHD through Construction Contractor; Tenant to undertake soil disturbing construction activities. **Monitoring and Reporting:** Environmental Management Division, Construction Management Division, Engineering Division, Real Estate Division. Environmental Management Division will conduct independent soil sampling as appropriate.

Mitigation Measure, Lease Measure or Standard Condition of Approval	*Timing and Methods*	*Responsible Parties*
d) The extent of removal actions shall be determined on a site-specific basis. At a minimum, the impacted area(s) within the boundaries of the construction area shall be remediated to the satisfaction of the LAHD and the lead regulatory agency for the site. The LAHD Project Manager overseeing removal actions shall inform the contractor when the removal action is complete. e) Copies of hazardous waste manifests or other documents indicating the amount, nature, and disposition of such materials shall be submitted to the LAHD Project Manager within 60 days of project completion. f) In the event that contaminated soil is encountered, all on-site personnel handling or working in the vicinity of the contaminated material must be trained in accordance with USEPA and Occupational Safety and Health and Administration (OSHA) regulations for hazardous waste operations or demonstrate they have completed the appropriate training. Training must provide protective measures and practices to reduce or eliminate hazardous materials/waste hazards at the work place. g) When impacted soil must be excavated, air monitoring will be conducted as appropriate for related emissions adjacent to the excavation. All excavations shall be backfilled with structurally suitable fill material that is free from contamination.		
Transportation (Ground): Operation		
MM TRANS-1: Navy Way and Reeves Avenue. Re-stripe the southbound (and eastbound approach to accommodate the southbound dual right-turns) to provide a right-turn lane, a shared through/right turn lane, and a through lane on the southbound approach.	**Timing:** After construction of the proposed Project, when the intersection is determined to be operating at LOS E or worse. **Methods:** This mitigation would only be constructed when the intersection operates at LOS E or worse. LAHD will monitor the LOS of this location as part of its ongoing port-area intersection monitoring activities and will perform periodic traffic analysis of intersection LOS after the Project is completed. The mitigation measure shall be completed within five years of this determination.	**Implementation:** LAHD **Monitoring and Reporting**: LAHD Environmental Management and Engineering Divisions

Mitigation Measure, Lease Measure or Standard Condition of Approval	*Timing and Methods*	*Responsible Parties*
Noise: Construction		
MM NOI-1: Noise Reduction during Pile Driving. The contractor shall be required to use a pile driving system, such as a Bruce hammer (with silencing kit), an IHC Hydrohammer SC series (with sound insulation system), or equivalent silenced hammer, which is capable of limiting maximum noise levels at 50 feet from the pile driver to 104 dBA, or less, for wharf construction. With implementation of standard condition of approval SC BIO-1, the pile driving would initiate with a soft start, in which the hammer is operated at a reduced energy, followed by a waiting period. The soft start technique would induce marine mammals and birds to leave the immediate area before pile hammer reaches full energy.	**Timing:** During construction. **Methods:** This measure shall be incorporated into the LAHD bid and contract specifications for all construction work. The construction contractor shall ensure that the proposed pile driving equipment and measures are used during construction. The LAHD shall evaluate the contractor proposals with regard to reducing pile driving noise. The LAHD would subsequently perform periodic inspections to ensure that the approved equipment and methods are being used.	**Implementation:** LAHD through Construction Contractor **Monitoring and Reporting:** Environmental Management Division, Construction Management Division
MM NOI-2: Erect Temporary Noise Attenuation Barriers Adjacent to Pile Driving Equipment, Where Necessary and Feasible. Erect temporary noise attenuation barriers suitable for pile driving equipment as needed. The barriers should be installed directly between the equipment and the nearest noise sensitive use to the construction site. The need for and feasibility of noise attenuation barriers should be evaluated on a case-by-case basis considering the distance to noise sensitive receptors, the available space at the construction location, and taking account of safety and operational considerations.	**Timing:** Throughout construction. **Methods:** This measure shall be incorporated into the LAHD bid and contract specifications for all construction work. The contractor should install noise attenuation barriers, where feasible according to the above criteria in consultation with the LAHD and shall be monitored for compliance by the LAHD.	**Implementation:** LAHD through Construction Contractor **Monitoring and Reporting:** Environmental Management Division, Construction Management Division
Utilities and Public Services: Construction		
SC PS-1: Recycling of Construction Materials. Demolition and/or excess construction materials shall be separated on-site for reuse/recycling or proper disposal. During grading and construction, separate bins for recycling of construction materials shall be provided on-site.	**Timing:** Throughout construction. **Methods:** This measure shall be incorporated into bid and contract specifications for all construction work to improve recycling efforts. The contractor shall adhere to these specifications throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager to ensure compliance with contract specifications.	**Implementation:** LAHD through Construction Contractor **Monitoring and Reporting**: Environmental Management Division, Construction Management Division

Mitigation Measure, Lease Measure or Standard Condition of Approval	*Timing and Methods*	*Responsible Parties*
SC PS-2: Materials with Recycled Content. Materials with recycled content shall be used in Project construction where feasible. Chippers on-site during construction shall be used to further reduce excess wood for landscaping cover.	**Timing:** Throughout construction. **Methods:** This measure shall be incorporated into bid and contract specifications for all construction work to improve recycling efforts. The contractor shall adhere to these specifications throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager to ensure compliance with contract specifications.	**Implementation:** LAHD through Construction Contractor **Monitoring and Reporting**: Environmental Management Division, Construction Management Division

Notes:
LAHD = Los Angeles Harbor Department
MM = Mitigation Measure
LM = Lease Measure
SC = Standard Condition of Approval

Appendix B – Traffic Analysis Memo

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MEMORANDUM

To: Chris Cannon
Kerry Cartwright,
P.E. Port of Los
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From: Sean Daly
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October 6, 2016

RE: Pier 300 Lease Extension Traffic Analysis for 2043

This technical memorandum presents the cumulative traffic methodology and analysis of the Proposed Revised Project of a lease amendment to allow for additional 16 years at the Pier 300 Terminal through 2043 in order to identify potential significant impacts under CEQA and NEPA. The analysis indicates no change in the significant impact determination from the Final EIR which identified a potentially significant traffic impact at the intersection of Navy Way and Reeves Avenue. Navy Way is an internal Port roadway that provides local access to Pier 300 and Pier 400 from Seaside Avenue/Ocean Boulevard and the Terminal Island Freeway. Reeves Avenue is a two to three-lane roadway that serves the eastbound extension of Terminal Way between Navy Way and Nimitz Road. The incorporation of MM TRANS-1 was determined to reduce this impact to less than significance. This measure requires the re-striping of the southbound (and eastbound approach to accommodate the southbound dual right turns) to provide a right-turn lane, a shared through/right turn lane, and a through lane on the southbound approach. This mitigation would be triggered if the intersection drops to a Level of Service E or F in accordance with the Los Angeles Department of Transportation. The analysis did not identify any other significant adverse impacts associated with operation of the terminal expansion.

This cumulative traffic analysis for CEQA and NEPA impact determination was conducted using the estimated maximum terminal capacity of 2,413,000 TEU/year, which is the amount that could be processed at the terminal given its current configuration. The analysis was based on the configuration of the Proposed Revised Project, which precludes the Pier 300 facility from ever reaching the TEU capacity evaluated in the Final EIR. As compared to Approved Expansion Project evaluated in the Final EIR, the Proposed Revised Project results in a decrease terminal capacity resulting in reduced vehicular truck and train volumes.

This analysis was conducted using the same methodologies as contained in the approved EIR/EIS. The trip generation and traffic assignment models have been updated to reflect the following: the latest terminal capacities of all container terminals in both ports, all on-dock railyard capacities; cargo rail mode splits from the latest POLA/POLB cargo forecasts; and updated non-port traffic volumes outside the ports.

Traffic Analysis Methodology and Assumptions

Impacts of the proposed Project, were assessed by quantifying differences between Future Year 2043 Cumulative Without Project and Future Year 2043 With Project conditions. Future Year 2043 Cumulative

traffic conditions were estimated by assuming funded transportation improvements, traffic due to regional traffic growth, and traffic increases resulting from Port terminal throughput growth. Local traffic growth was forecast based on a computerized traffic analysis `tool known as the PortTAM Model, which includes traffic growth for the Port and the local area. A specific assumed transportation improvement under cumulative conditions is the Navy Way/Seaside Avenue Interchange. This project entails the removal of the traffic signal and the construction of new northbound Navy Way-to-westbound Seaside Avenue trumpet-style connector ramp. The project is contained in the Southern California Association of Governments (SCAG) 2012 2016 Regional Transportation Plan / Sustainable Communities Strategy (RTP/SCS). Recent studies have determined the project would be needed by the year 2025.

Port Transportation Analysis Model (PortTAM)

Regional background (ambient) traffic growth for the analysis was estimated using data from the PortTAM Model, which includes cumulative background traffic growth. Background traffic growth occurs as a result of regional growth in employment, population, schools, and other activities. To determine the appropriate growth rates, the growth in non-port trips was determined using data from the SCAG regional model. It should be noted that most of the related projects are covered by the growth forecasts of the PortTAM Model. Other local projects are not included in the SCAG Regional Travel Demand Forecasting Model and were therefore separately accounted for in the PortTAM Model to ensure the analysis does not understate future cumulative impacts. All Ports of Long Beach and Los Angeles-projected container and non-container terminal traffic growth are included in the PortTAM Model. TransCAD is the software platform used for modeling. The PortTAM Model data is owned by Los Angeles Harbor Department (LAHD) and is housed and operated at consultant offices.

SCAG Regional Travel Demand Model

The SCAG Regional Travel Demand Model is the basis and “parent” of most subregional models in the Southern California six-county region, comprising Ventura, Los Angeles, Orange, San Bernardino, Riverside, and Imperial Counties. At the regional level, this model has the most comprehensive and current data—for both existing and future conditions—on housing, population, employment, and other socioeconomic input variables used to develop regional travel demand forecasts. The model has more than 4,200 zones, including 90 zones in the Port area, and a complete network of regional transportation infrastructure, including more than 3,520 miles of freeways and over 18,650 miles of major, primary, and secondary arterials.

For purposes of sub-regional transportation analysis (such as at the Port), the SCAG Regional Travel Demand Model provides the most comprehensive and dynamic tool to forecast the magnitude of trips and distribution of travel patterns anywhere in the region. However, by virtue of its design and function, the SCAG Regional Travel Demand Model is not (and cannot be) very detailed and precise in any specific area of the region, and this is the case in the Ports of Long Beach and Los Angeles focus area. Therefore, the PortTAM Model has been comprehensively updated and detailed in the Port focus area. In addition, typical “post-processing” of model data is used to reflect local conditions. The SCAG Regional Travel Demand Model is owned, developed, and housed at SCAG offices, and is used by agencies and consultants for sub-regional planning work, such as for Port environmental studies.

Ports of Los Angeles and Long Beach Trip Generation

Trip generation by the Ports of Los Angeles and Long Beach were estimated by adding traffic resulting from the terminal expansion and associated throughput growth. Terminal volumes were developed by comparing the Ports of Los Angeles’ and Long Beach’s 2016 Cargo Forecast (Mercator International and Oxford Economics, 2016) with Ports’ latest estimates for future capacity. For the former, the 2016 forecast predicts that cargo demand will reach 34.3 million TEUs in 2035 and 41.1 million TEUs in 2040. The cargo

forecasts predict how much cargo would come through the Ports without considering whether the Ports have the capacity to handle those volumes. Accordingly, in addition to forecasting cargo volumes, the Ports evaluate the physical and operational elements of the terminals to provide an accurate and realistic forecast of future capacity. To estimate the future maximum capacity of each terminal through 2045, the Ports use a methodology that relies on two capacity models: one that analyzes the terminals' backland (or container yard; CY) capacity and one that analyzes the terminals' berth capacity (a terminal could be berth constrained or backlands constrained or evenly balanced between the two). For the CY capacity, the Port has also utilized a simulation model to aid the estimate of overall terminal capacity, when and where appropriate. The modelers make realistic assumptions regarding different physical improvements (e.g., increasing the length of a berth or adding more container yard) and operating parameters (e.g., increasing the number of hours worked per day or crane productivity or decreasing the amount of time containers are allowed to remain in the terminal) to estimate the future operating capacity of each terminal, including ones projected to be built. For the POLA terminals, the POLA has computed updated capacity analyses since the last cargo forecast of 2009. For the following container terminals, the updated capacities are reported in previously certified EIR documents: TraPac, YTI, and EMS/APL. For the POLB terminals, capacities were obtained directly from the POLB staff. The results of the capacity modeling show that, even with the assumed changes in physical configurations and operating practices, future throughput at the San Pedro Bay Ports will is projected to be constrained at 35,217,000 TEUs. This capacity is expected to be reached at about the year 2036.

Port-related trip generation was developed using the LAHD's 'QuickTrip/TrainBuilder' Model (hereafter referred to as just 'QuickTrip'). Port-related trip generation is separated into four classes of vehicles:

- Bobtails: tractor-only;
- Chassis: tractor plus chassis;
- Container: tractor and chassis with loaded or empty container; and
- Auto: Employee automobiles and other auto visitor trips.

Operating conditions under each of the analysis years was defined by changing operating parameters as follows: modified weekend activity; expanded terminal operating hours; increased on-dock rail use; and, increased dual transactions within the terminal. These operating parameters affect the amount of truck traffic generated by the terminals to their estimated maximum capacity. Cargo volume (throughput) would increase over the years, and terminals would also change their operations to accommodate the increase in containers. Accordingly, these operational changes are already being put into place. It should be noted that increased throughput does not directly translate into a proportional increase in truck trips due to the different terminal operating parameters over the years. For example, truck trips could actually decrease at certain terminals in the future due to the implementation and expansion of on-dock rail, even with greater throughput. This is because the increase in on-dock capacity is even greater than the increase in throughput, thus resulting in fewer truck trips but more containers processed through the terminal.

QuickTrip

Traffic growth related to the proposed Project was developed using the QuickTrip truck generation model. QuickTrip is a spreadsheet truck trip generation model that was developed for the Ports of Long Beach and Los Angeles Transportation Study (POLB and POLA, 2001). QuickTrip estimates terminal truck flows by hour of the day based on TEU throughput and using assumed terminal operating parameters. The QuickTrip model was run and tested against the gate data (gate counts and historical gate data from the terminals). These data (TEU per container ratio, monthly TEU throughput, mode split, hours of operation, dual move percentage, worker shift splits, and peaking factors) were input into QuickTrip for each terminal. QuickTrip was validated by comparing estimates of gate activity to actual gate counts conducted in the field. The results of the validation exercise indicate that the QuickTrip model is able to estimate truck movements by day and peak hour within two percent to 10 percent of actual counts for all terminals (both directions combined), depending on which peak hour is modeled.

The Port throughput provides the “demand” for the proposed Project; therefore, the daily and hourly loaded container truck trips to/from the proposed Project/alternatives were determined using QuickTrip.

Trip generation for the proposed Project and alternatives for the analysis years was derived from projected TEU forecast provided by LAHD relative to the expected capacity of the proposed Project terminal in each scenario by using the LAHD’s QuickTrip trip generation tool.

Trip distribution was based on data from the PortTAM Model, which is based on truck driver origin/destination surveys (actual surveys of truck drivers at the gates), as well as from longshore worker place of residence data.

Intersection Methodology and Analysis

Level of service (LOS) is a qualitative indication of an intersection’s operating conditions as represented by traffic congestion and delay and the volume to capacity (V/C) ratio. For intersections, it is measured from LOS A (excellent conditions) to LOS F (very poor conditions), with LOS D (V/C of less than 0.900, fair conditions, for signalized intersections) typically considered to be the threshold of acceptability. The relationship between V/C ratio and delay, and LOS for signalized intersections is shown in **Table 1**.

Table 1: Level of Service Criteria—Intersections

Signalized Intersections (V/C Ratio)	LOS	Traffic Conditions
0 to 0.600	A	Excellent. Little or no delay/congestion. No vehicle waits longer than one red light, and no approach phase is fully used.
>0.601 to 0.700	B	Very Good. Slight congestion/delay. An occasional approach phase is fully utilized; many drivers begin to feel somewhat restricted within groups of vehicles.
>0.701 to 0.800	C	Good. Moderate delay/congestion. Occasionally, drivers may have to wait through more than one red light; backups may develop behind turning vehicles.
>0.801 to 0.900	D	Fair. Significant delay/congestion. Delays may be substantial during portions of the rush hours, but enough lower volume periods occur to permit clearing of developing lines, preventing excessive backups.
>0.901 to 1.000	E	Poor. Extreme congestion/delay. Represents the most vehicles that the intersection approaches can accommodate; may be long lines of waiting vehicles through several signal cycles.
> 1.000	F	Failure. Intersection failure/gridlock. Backups from nearby locations or cross streets may restrict or prevent movement of vehicles out of the intersection approaches. Tremendous delays with continuously increasing queue lengths.

Source: Transportation Research Board (TRB), 1980; TRB, 2010

The study intersections are located in the City of Los Angeles, the City of Long Beach, and the City of Carson. For purposes of this analysis, the locally defined thresholds of significance at intersections are used. Although the City of Los Angeles has a different method to assess intersection-operating conditions than that used by the City of Carson and the City of Long Beach, the methodologies are similar and generally yield similar results and conclusions.

Intersection levels of service in the City of Los Angeles were assessed using the LADOT Critical Movement Analysis (CMA) method as published in the *Los Angeles Department of Transportation Traffic Study Policies and Procedures* (LADOT, 2013). For signalized intersections, LOS values were determined by using CMA methodology contained in the *Transportation Research Board's Circular No. 212 – Interim Materials on Highway Capacity* (TRB, 1980).

Consistent with City of Carson and the City of Long Beach guidelines for analyses, traffic conditions in the vicinity of the proposed Project and within the City of Carson or the City of Long Beach's jurisdiction were analyzed using an intersection capacity-based methodology known as the *Intersection Capacity Utilization Methodology*, referred to hereinafter as the ICU Methodology.

For this analysis, it is assumed that trucks use more roadway capacity than automobiles because of their size, weight, and acceleration capabilities when compared to autos. The concept of passenger car equivalent (PCE)[1] is used in the study to adjust for the effect of trucks in the traffic stream. A PCE factor of 1.1 was applied to tractors (bobtails), and a PCE factor of 2.0 was applied to chassis and to the container truck volumes for the LOS calculations. This means tractors are calculated as using 10 percent more roadway capacity than autos, and chassis and container trucks are calculated as using 100 percent more roadway capacity than autos. These factors are consistent with factors applied in previous port studies, including the *Draft Port of Los Angeles Baseline Transportation Study* (*Baseline Transportation Study*) (POLA, 2004). They are also consistent with subsequent work conducted for various environmental studies in the Port area.

Many of the methodologies employed in this CEQA/NEPA technical traffic analysis are based on, and consistent with, the methodologies developed for the *Baseline Transportation Study*. This includes a computerized traffic analysis tool called the PortTAM Model, the trip generation methodology, and the intersection analysis methodologies. However, the *Baseline Transportation Study* was not conducted specifically for this proposed Project, and the precise assumptions and figures used in preparation of this Draft EIS/EIR are Project-specific. The PortTAM Model was updated to integrate with the SCAG 2012-2035 RTP/SCS model.

Impact Determination: Long-term vehicular traffic associated with the proposed Project would not significantly impact volume/capacity ratio or level of service.

Traffic conditions with the proposed Project were compared to the Future Year 2043 Cumulative Without Project conditions to determine the proposed Project's incremental impacts, and then the incremental impacts were assessed using the following significance criteria.

[1] PCE is defined as the amount of capacity in terms of passenger cars used by a single heavy vehicle of a particular type under specified roadway, traffic, and control conditions.

For intersections in the cities of Carson and Long Beach, proposed project operations would have a significant impact under CEQA or NEPA on transportation/circulation if it increases an intersection's V/C ratio in accordance with the following guideline:

- V/C ratio of 0.02 or greater if the final LOS is E or F.

In the City of Los Angeles, proposed Project operations would have a significant impact under CEQA or NEPA on transportation/circulation if it increases an intersection's V/C ratio in accordance with the following guidelines:

- V/C ratio increase greater than or equal to 0.04 if final LOS is C;
- V/C ratio increase greater than or equal to 0.02 if final LOS is D; or
- V/C ratio increase greater than or equal to 0.01 if final LOS is E or F.

Table 2 compares the proposed Project operating conditions at each study intersection relative to baseline conditions, and identifies impacts using the significance criteria described previously.
Based on the results of the traffic study as presented in Table 2, the proposed Project would result in significant adverse traffic and circulation system related impacts at one study location: the intersection of Navy Way/Reeves Avenue.

Mitigation Measures

- MM TRANS-1: Navy Way and Reeves Avenue - Re-stripe the southbound (and eastbound approach to accommodate the southbound dual right-turns) to provide a right-turn lane, a shared through/right turn lane, a through lane and a left turn on the southbound approach from a shared through/right turn lane, through lane, and a left turn lane. This mitigation would only be constructed when the intersection operates at LOS E or worse. As such, the Port would monitor LOS after the project is completed. No mitigation is required until LOS E or F in accordance with Los Angeles Department of Transportation standards which identify LOS D or better as acceptable traffic operating conditions.

Residual Impacts

As shown in Table 3, after mitigation the potential impacts identified at the Navy Way/Reeves Avenue intersection would be mitigated to less than significant.

Table 2: Year 2043 Cumulative Intersection Impact Analysis

		Year 2043 Cumulative Without Project						Year 2043 Cumulative With Project						Cumulative Impact Determination					
		AM Peak Hour		MD Peak Hour		PM Peak Hour		AM Peak Hour		MD Peak Hour		PM Peak Hour		Difference			Impact?		
Intersection	Jurisdiction	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	AM	MD	PM	AM	MD	PM
1. SR-47 (Terminal Island Fwy) at Ocean Blvd WB Ramps	Long Beach	D	0.807	F	1.008	F	0.951	D	0.812	F	1.008	F	0.951	0.005	0.000	0.000	No	No	No
2. SR-47 (Terminal Island Fwy) at Ocean Blvd EB Ramps	Long Beach	E	0.970	F	1.619	F	1.300	E	0.975	F	1.624	F	1.305	0.005	0.005	0.005	No	No	No
3. Navy Way at Seaside Ave	Los Angeles	Not an intersection in 2043 – assumed to be free-flow interchange																	
4. Ferry St at Seaside Ave/SR-47 Ramps	Los Angeles	C	0.732	E	0.923	F	1.064	C	0.741	E	0.932	F	1.073	0.009	0.009	0.009	No	No	No
5. Henry Ford Ave at Anaheim Street	Los Angeles	D	0.845	F	1.182	F	1.168	D	0.848	F	1.187	F	1.172	0.003	0.005	0.004	No	No	No
6. Henry Ford/Pier A Way/SR-47/103 Ramps	Los Angeles	B	0.664	A	0.572	B	0.634	B	0.664	A	0.574	B	0.634	0.000	0.002	0.000	No	No	No
7. Henry Ford Avenue at Denni Street	Los Angeles	A	0.444	C	0.760	C	0.785	A	0.445	C	0.762	C	0.787	0.001	0.002	0.002	No	No	No
8. Pacific Coast Highway at O St	Los Angeles	D	0.897	D	0.830	E	0.913	D	0.897	D	0.830	E	0.913	0.000	0.000	0.000	No	No	No
9. Alameda Blvd at O St	Los Angeles	A	0.562	D	0.854	C	0.769	A	0.563	D	0.856	C	0.771	0.001	0.002	0.002	No	No	No
10. Alameda St Ramp/Sepulveda Blvd (on Sepulveda Blvd)	Carson	F	1.034	F	1.055	F	1.153	F	1.034	F	1.056	F	1.153	0.000	0.001	0.000	No	No	No
11. Alameda St/Sepulveda Blvd ramp (on Alameda St)	Long Beach	C	0.757	E	0.916	E	0.936	C	0.758	E	0.919	E	0.936	0.001	0.003	0.000	No	No	No
12. Sepulveda Blvd / Terminal Island Fwy (SR-103)	Carson	B	0.621	B	0.696	C	0.734	B	0.622	B	0.697	C	0.735	0.001	0.001	0.001	No	No	No
13. Ferry Street at Terminal Way	Los Angeles	A	0.554	A	0.374	A	0.185	A	0.554	A	0.375	A	0.185	0.000	0.001	0.000	No	No	No
14. Navy Way at Reeves Ave	Los Angeles	A	0.600	D	0.869	B	0.677	B	0.611	D	0.889	B	0.691	0.011	0.020	0.014	No	**Yes**	No

Table 3: Year 2043 Cumulative Intersection Impact Analysis – Mitigation

		Year 2043 Cumulative Without Project						Year 2043 Cumulative With Project						Cumulative Impact Determination					
		AM Peak Hour		MD Peak Hour		PM Peak Hour		AM Peak Hour		MD Peak Hour		PM Peak Hour		Difference			Impact?		
Intersection	Jurisdiction	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	LOS	V/C	AM	MD	PM	AM	MD	PM
14. Navy Way at Reeves Ave	Los Angeles	A	0.600	D	0.869	B	0.677	A	0.478	C	0.745	B	0.691	-0.122	-0.124	0.014	No	No	No

Freeway Methodology and Analysis

State Highway and Metro Congestion Management Program (CMP) Analyses

In accordance with the California Department of Transportation's (Caltrans') "Guide for the Preparation of Traffic Impact Studies" (Caltrans, 2002), several freeway mainline segments were analyzed for potential impacts. The locations analyzed were over and above those prescribed by the Metro CMP Traffic Impact Analysis (TIA) Guidelines, which are as follows:

- CMP arterial monitoring intersections, including freeway on-ramp or off-ramp, where the proposed Project would add 50 or more trips to the intersection during either the A.M. or P.M. weekday peak hours.
- CMP freeway monitoring locations where the proposed Project would add 150 or more trips, in either direction, during either the A.M. or P.M. weekday peak hours.

Pursuant to Caltrans' traffic study requirements, freeway roadway segments were also analyzed using the operational analysis methodology provided in the *Highway Capacity Manual* (2010 HCM). For those locations projected to be operating at LOS F, the freeway segments were also analyzed in compliance with the County of Los Angeles CMP (Metro, 2010) to utilize D/C ratio to determine LOS.
The 2010 HCM is a fundamental reference document that incorporates the latest research on highway capacity and quality of service. The 2010 HCM uses density (in passenger cars per mile per lane) to define LOS. The relationship between density and LOS for freeway segments is shown **Table 4**.

Table 4: Freeway HCM Level of Service Criteria

Freeway Level of Service (LOS)	Density in passenger cars/mile/lane
A	< = 11
B	> 11–18
C	> 18–26
D	> 26–35
E	> 35–45
F	> 45

Source: TRB, 2010

The CMP is the official source of data for regional coordination of traffic studies in the County of Los Angeles. The CMP uses the Density/Capacity (D/C) ratio to determine LOS. The relationship between the D/C ratio and LOS for freeway segments per the CMP is shown in **Table 5**. LOS F(1) through F(3) designations are assigned where severely congested (less than 25 mph) conditions prevail for more than one hour, converted to an estimate of peak hour demand in the table above.

CMP arterial monitoring stations were analyzed in compliance with the County of Los Angeles CMP guidelines (Metro, 2010). However, since the County of Los Angeles CMP guidelines permit intersection LOS calculations to be conducted using the CMA/Circular 212 method (the same analysis method used by the City of Los Angeles), no additional CMP analysis is required at CMP arterial monitoring stations.

Table 5: Freeway CMP Level of Service Criteria

Freeway Level of Service (LOS)	Volume/Capacity Ratio
A	0.01–0.35
B	>0.35–0.54
C	>0.54–0.77
D	>0.77–0.93
E	>0.93–1.00
F(0)	>1.00–1.25
F(1)	>1.25–1.35
F(2)	>1.35–1.45
F(3)	>1.45

Source: Metro, 2010

Impact Determination: Proposed project operations would not significantly increase freeway congestion.

A traffic impact analysis is required at the following locations, according to the CMP, TIA Guidelines (Metro, 2010) and in accordance with the "Agreement Between City of Los Angeles and Caltrans District 7 On Freeway Impact Analysis Procedures":

- CMP arterial monitoring intersections, including freeway on-ramp or off-ramp, where the proposed Project would add 50 or more trips during either the A.M. or P.M. weekday peak hours.
- CMP freeway monitoring locations where the proposed Project would add 150 or more trips during either the A.M. or P.M. weekday peak hours. The CMP freeway monitoring stations expected to be affected by the proposed Project are in the following locations:
  - I-405 at Santa Fe Avenue (CMP Station 1066);
  - SR-91 east of Alameda Street and Santa Fe Avenue (CMP Station 1033);
  - I-710 between I-405 and Del Amo Boulevard (CMP Station 1079);
  - I-710 north of I-105, north of Firestone Boulevard (CMP Station 1080);
  - I-710 between PCH and Willow Street (CMP Station 1078); and
  - I-110 south of C Street (CMP Station 1045).

Additional freeway segments were also evaluated to assess the increases in traffic congestion along major area freeway segments.

- SR-47 at the Vincent Thomas Bridge;
- SR-47/SR-103 at Commodore Schuyler Heim Bridge:
- I-110 north of 223rd Street:
- I-110 north of I-405:
- I-710 north of Alondra Boulevard:
- I-710 north of Florence Avenue.

The proposed Project would result in additional truck trips on the surrounding freeway system. **Tables 6 and 7** summarize the change to freeway monitoring locations as well as the additional freeway segments due to the proposed Project.

The analysis shows that the proposed Project would not cause an increase of 0.02 or more of the D/C ratio of any freeway link operating at LOS F or worse. The amount of proposed Project-related traffic that would be added at all other freeway links would not be of sufficient magnitude to meet or exceed the threshold of significance of the CMP relative to CEQA baseline conditions.

Based on the above, the proposed Project would not result in a significant traffic impact under CEQA.

Mitigation Measures

No mitigation is required.

Residual Impacts

Impacts would be less than significant.

Table 6: Year 2043 Cumulative Freeway Impact Analysis – AM Peak Hour

			Northbound / Westbound												Southbound / Eastbound									
			Future Year 2043 Baseline					Future Year 2043 Project					Change in D/C	Sig. Imp	Future Year 2043 Baseline					Future Year 2043 Project					Change in D/C	Sig. Imp
AM Peak	Location	Cap.	Vol	Density	LOS	D/C	LOS	Vol	Density	LOS	D/C	LOS			Vol	Density	LOS	D/C	LOS	Vol	Density	LOS	D/C	LOS		
#1 I-405	between I-110 and I-710 (CMP monitoring station—Santa Fe Ave)	11,750	11,143	44.8	E	0.95	E	11,143	44.8	E	0.95	E	0.00	No	9,256	32.1	D	-		9,256	32.1	D	-		-	No
#2 SR-91	West of I-710 (CMP monitoring station—east of Alameda St/Santa Fe Ave interchange)	14,100	8,999	24.5	C	-		8,999	24.5	C	-		-	No	8,411	22.7	C	-		8,412	22.7	C	-		-	No
#3 I-110	North of I-405 (CMP monitoring station n/o Jct. 405, s/o Del Amo)	11,750	11,013	43.7	E	0.94	E	11,017	43.7	E	0.94	E	0.00	No	12,714	63.9	F	1.08	F(0)	12,718	64.0	F	1.08	F(0)	0.00	No
#4 I-710	North of PCH (CMP monitoring station—north of Jct. SR-1 [PCH], Willow St)	6,750	8,517	148.5	F	1.26	F(0)	8,532	151.0	F	1.26	F(0)	0.00	No	9,794	**	F	1.45	F(2)	9,812	**	F	1.45	F(3)	0.00	No
#5 I-110	South of C Street (CMP monitoring station—south of "C" St)	9,400	8,226	38.2	E	0.88	D	8,235	38.3	E	0.88	D	0.00	No	7,460	32.4	D	-		7,468	32.5	D	-		-	No

** Exceeds Highway Capacity Manual density/capacity calculation

Table 7: Year 2043 Cumulative Freeway Impact Analysis – PM Peak Hour

			Northbound / Westbound												Southbound / Eastbound									
			Future Year 2043 Baseline					Future Year 2043 Project					Change in D/C	Sig. Imp	Future Year 2043 Baseline					Future Year 2043 Project					Change in D/C	Sig. Imp
PM Peak	Location	Cap.	Vol	Density	LOS	D/C	LOS	Vol	Density	LOS	D/C	LOS			Vol	Density	LOS	D/C	LOS	Vol	Density	LOS	D/C	LOS		
#1 I-405	between I-110 and I-710 (CMP monitoring station—Santa Fe Ave)	11,750	10,282	38.2	E	0.88	D	10,282	38.2	E	0.88	D	0.00	No	11,651	49.8	F	0.99	E	11,651	49.8	F	0.99	E	0.00	No
#2 SR-91	West of I-710 (CMP monitoring station—east of Alameda St/Santa Fe Ave interchange)	14,100	7,462	20.1	C	-		7,462	20.1	C	-		-	No	8,452	22.8	C	-		8,453	22.8	C	-		-	No
#3 I-110	North of I-405 (CMP monitoring station n/o Jct. 405, s/o Del Amo)	11,750	10,156	37.3	E	0.86	D	10,162	37.4	E	0.86	D	0.00	No	10,997	43.6	E	0.94	E	11,002	43.6	E	0.94	E	0.00	No
#4 I-710	North of PCH (CMP monitoring station—north of Jct. SR-1 [PCH], Willow St)	6,750	5,475	35.2	E	0.81	D	5,503	35.4	E	0.82	D	0.00	No	6,047	40.5	E	0.90	D	6,067	40.7	E	0.90	D	0.00	No
#5 I-110	South of C Street (CMP monitoring station—south of "C" St)	9,400	5,104	20.7	C	-		5,120	20.7	C	-		-	No	5,513	22.3	C	-		5,523	22.4	C	-		-	No

Conclusions

Pursuant to the State's and the City of Los Angeles' procedures for determining traffic impacts, the proposed project condition is always compared to the future base (No project) condition; i.e.; cumulative conditions are used to assess potential "project" impacts. The results of the analysis indicate that the Revised Project capacity volume, as compared to the "No Project Alternative" volume of 2,153,000 reported in the EIR/EIS, would not have any new traffic impacts, beyond the sole impact previously identified in the EIR at the intersection of Navy Way/Reeves Avenue. The impact identified at this location can be fully mitigated with the mitigation measure identified in the EIR/EIS. Hence, the extension of the lease to the year 2043 and the replacement and/or addition of cranes to the existing terminal would not result in have any unavoidable, significant traffic impacts.

As determined in the previously approved EIR, mitigation measures will be required by the year 2020. The following mitigation measure that was contained in the previously approved EIR will still be required by the year 2020, if satisfying the conditions below, and would reduce significant impacts to less than significant levels for the Revised Project:

- MM TRANS-1: Navy Way and Reeves Avenue - Re-stripe the southbound (and eastbound approach to accommodate the southbound dual right-turns) to provide a right-turn lane, a shared through/right turn lane, and a through lane on the southbound approach. This mitigation would only be constructed when the intersection operates at LOS E or worse. As such, the Port would monitor LOS after the project is completed. No mitigation is required until LOS E or F in accordance with Los Angeles Department of Transportation standards which identify LOS D or better as acceptable traffic operating conditions.

In addition, there was no additional delay found at railroad grading crossing or increased employees at the site who would now utilize public transit. The inclusion of a 30-acre parcel into the lease does not alter the baseline conditions at the site as the parcel was always part of the Project site and poses no expansion.

For these reasons, implementation of the proposed Project modifications and revised mitigation measures would not cause any new or more severe significant impacts to ground transportation beyond those disclosed in the Final EIR. No new mitigation measures are required. Mitigation Measures established by the Final EIR would remain in the proposed Revised MMRP and would apply, as appropriate to the Proposed Revised Project.

Appendix C – Environmental Compliance Plan

ENVIRONMENTAL COMPLIANCE PLAN

Berths 302-306 [APL] Container Terminal Project

Prepared for
Environmental Management Division
Los Angeles Harbor Department/Port of Los Angeles
San Pedro, CA 90731
(310) 732-3675

October 2016

I. MITIGATION MEASURES, LEASE MEASURES AND IMPLEMENTATION

The mitigation measures, standard conditions of approval and lease measures derived from the Final Environmental Impact Statement/Environmental Impact Report (EIS/EIR) for the Berths 302-306 American President Lines (APL) Expansion Project were adopted by the Board of Harbor Commission (Board) in June 2012 along with certification of the Final EIS/EIR.

The measures contained in the MMRP (and herein) reflect the project at full build out which included but are not limited to the following project components:

- installation of four new cranes at Berths 302-305;
- demolition and re-construction of the Roadability Facility,
- expansion of the Power Shop facilities;
- construction of 1,250 linear feet of concrete wharf space;
- installation of eight new cranes at Berth 306;
- dredging of approximately 20,000 cubic yards of materials; and,
- improvement of 41-acres of already constructed but unimproved backlands.

Due to the delay in the start of construction, the initial date for compliance was revised to reflect the new dates associated with Lease Amendment Approval.

Addendum #1 has been prepared to reflect the delays in project implementation and modify the project description to include the following new components: a lease amendment to Permit #733 for approximately 16 more years through 2043 and the installation of eight replacement cranes at the site. The Revised MMRP is now included to reflect that; while no measures are being excluded from the analysis, they need to be adjusted in compliance timing to reflect the new Lease Amendment Approval.

The implementation discussions within Section 1.0 establish the methods for complying with the mitigation measures, and standard control and lease measures. Sample reporting and documentation forms required for the Tenant can be found as Attachment II. The Tenant may establish their own forms as well.

Environmental Compliance Plan

A. AIR QUALITY AND GREENHOUSE GASES

MM AQ-1: Harbor Craft Used During Construction

1. All harbor craft with C1 or C2 marine engines must utilize a USEPA Tier 3 engine or cleaner.
2. All dredge equipment shall be electric.

MM AQ-1 Implementation: As part of mitigation monitoring during construction activities, LAHD will incorporate this measure into bid and contract specifications. The contractor must adhere to the specifications throughout the construction phases. The measure must be met unless it can be demonstrated that there are no feasible options. The tenant will submit a bi-annual form demonstrating compliance or indicating why compliance was infeasible.

Mitigation Reporting Frequency: LAHD shall be notified in writing 30 days prior to the start of construction if harbor craft or dredge equipment is used and updated every three months throughout construction as necessary.

Mitigation/Reporting Requirement: The Tenant shall maintain supporting documentation, including but not limited to logs of all harbor equipment and dredge equipment being used during construction and the tier specification. Following initial submittal of compliance, supporting documentation is required only for new equipment.

MM AQ-2: Cargo Ships Used During Construction:

1. All ships and barges used primarily to deliver construction-related materials to a LAHD-contractor construction site shall comply with the expanded Vessel Speed Reduction Program (VSRP) of 12 knots between 40 nautical miles (nm) from Point Fermin and the Precautionary Area. These ships must also use low-sulfur fuel (maximum sulfur content of 0.1 percent) in auxiliary engines, main engines, and boilers within 40 nm of Point Fermin in accordance with the 200 nm federal Emission Control Area.
2. These ships must also use low-sulfur fuel (maximum content of 0.1 percent) in auxiliary engines, main engines, and boilers within 40 nm of Point Fermin in accordance with the 200 nm federal Emission Control Area.

MM AQ-2 Implementation: As part of mitigation monitoring during construction activities, LAHD will incorporate this measure into bid and contract specifications. The contractor must adhere to the specifications throughout the construction phases. The measure must be met unless it can be demonstrated that there are no feasible options. The tenant will submit a bi-annual form demonstrating compliance or indicating why compliance was infeasible.

Mitigation Reporting Frequency: A log of all cargo ships used during construction must be maintained at the site and provided to LAHD on a semi-annual basis.

Mitigation/Reporting Requirement: The Tenant shall maintain supporting documentation, including but not limited to logs of all harbor equipment and dredge equipment being used during construction and the tier specification. Following initial submittal of compliance, supporting documentation is required only for new equipment.

MM AQ-3: On-Road Trucks Used During Construction:

1. Trucks hauling material such as debris or any fill material will be fully covered while operating off Port property.
2. Idling will be restricted to a maximum of 5 minutes when is not in use.
3. USEPA Standards: For On-road trucks with a gross vehicle weight rating (GVWR) of at least 19,500 bounds: Comply with USEPA 2010 on-road emission standards for PM and NOx.

MM AQ-3 Implementation: As part of the mitigation monitoring during construction activities, the Tenant will maintain a log of all construction equipment, including on road trucks, import

haulers and earth movers, used on the project. The log will include the truck specifications, delivery purpose, and a checklist to ensure compliance with the requirements.

The Tenant's contractor shall maintain a copy of each unit's certified USEPA rating, and CARB certification for any diesel emissions control system installed on such equipment. Such documentation shall be available at the time of mobilization of each applicable unit of equipment.

The requirements of AQ-3 will be part of the contractual agreement between Tenant and its construction contractors. Construction personnel will comply with these requirements and enforcement will include oversight by the Tenant, and LAHD.

Mitigation Reporting Frequency: Within 30 days prior to the start of construction and updated every six months throughout construction to reflect receipt of any new equipment.

Mitigation Reporting Requirement: The Tenant shall provide supporting documentation, including but not limited to logs of all on-road trucks being used during construction, equipment tier specifications, and CARB certifications. Following initial submittal of compliance, supporting documentation is required only for new equipment.

MM AQ-4: Construction Equipment (Except Vessels, Harbor-Craft and On-Road Trucks) Requirements.

1. Construction equipment will incorporate, where feasible, emissions-savings technology such as hybrid drives and specific fuel economy standards.
2. Idling will be restricted to a maximum of 5 minutes when not in use.
3. Equipment engine specifications
   a. Tier 4 equipment shall be considered based on availability at the time the construction bid is issued.
   b. All off-road diesel-powered construction equipment greater than 50 hp will meet Tier 4 off-road emission standards at a minimum.

MM AQ-4 Implementation: Implementation of AQ-4 will be accomplished by including these requirements into the contractual agreements between Tenant and all construction contractors to reduce the impact of construction diesel emissions. Construction personnel will be required to comply with these requirements and enforcement will include oversight by the Tenant and the LAHD.

As part of the mitigation monitoring during construction activities, the Tenant will maintain a log of all construction equipment used on the project that will include the equipment specifications and a checklist to ensure compliance with the requirements. The Tenant shall also acquire from project contractors, copies of the applicable construction equipment tier specifications, CARB certifications of diesel emission control devices, CARB equipment registrations, and/or SCAQMD permits, if required.

Construction equipment used for the project may incorporate, where available, emissions savings technology such as hybrid drives and specific fuel economy standards.

Idling of construction equipment will be restricted to a maximum of five minutes when not in use.

Should Tenant or LAHD identify onsite in-use construction equipment as non-compliant with the requirements of MM-AQ 4, the Contractor shall be instructed to immediately remove the piece of equipment from the site.

Mitigation Reporting Frequency: 30 days prior to the start of construction and updated every six months throughout construction to reflect receipt of any new equipment.

Mitigation/Reporting Requirement: The Tenant shall provide supporting documentation, including but not limited to logs of all construction equipment being used during construction; and if applicable, equipment tier specifications, CARB certifications of diesel emission control devices, CARB equipment registrations, and/or SCAQMD permits, Following initial submittal of compliance, supporting documentation is required only for new equipment.

MM AQ-5: Best Management Practices

The following BMPs shall be implemented to reduce air emissions from construction activities, including:

1. Use of diesel oxidation catalysts and catalyzed diesel particulate traps
2. Maintain equipment according to manufacturers' specifications
3. Restrict idling of construction equipment and on-road heavy duty trucks to a maximum of 5 minutes when not in use
4. Install high-pressure fuel injectors on construction equipment vehicles
5. Maintain a minimum buffer zone of 300 meters between truck traffic and sensitive receptors
6. Improve traffic flow by signal synchronization.
7. Enforce truck parking restrictions
8. Provide on-site services to minimize truck traffic in or near residential areas, including, but not limited to, the following services: meal or cafeteria services, automated teller machines, etc.
9. Re-route construction trucks away from congested streets or sensitive receptor areas.
10. Provide dedicated turn lanes for movement of construction trucks and equipment on- and off-site
11. Use electric power in favor of diesel power where available

MM AQ-5 Implementation: Implementation of AQ-5 will be accomplished by including the requirements as part of the contract specifications and the contractual agreement between the construction contractor and all tiered subcontractors. As previously mentioned in AQ-4, as part of the mitigation monitoring during construction activities, the Tenant will maintain a log of all construction equipment used on the project. The log will include the equipment specifications, and a checklist of requirements.

Enforcement will include oversight by the Tenant and the LAHD.

Mitigation Reporting Frequency: 30 days prior to the start of construction and updated every six months throughout construction to reflect receipt of any new equipment.

Mitigation/Reporting Requirement: The Tenant shall provide supporting documentation, including but not limited to logs of all construction equipment being used during construction; and if applicable, equipment tier specifications, CARB certifications of diesel emission control devices, CARB equipment registrations, and/or SCAQMD permits. Following initial submittal of compliance, supporting documentation is required only for new equipment.

MM AQ-6: Additional Fugitive Dust Controls:

1. SCAQMD Rule 403 requires a Fugitive Dust Control Plan be prepared and approved for construction sites. Construction contractors are required to obtain a 403 Permit from SCAQMD prior to construction.
2. Applicable Rule 403 measures/BMPs to reduce dust shall be included in the contractor's Fugitive Dust Control Plan, at a minimum.

MM AQ-6 Implementation: This measure shall be incorporated into the contract specifications for all construction work to reduce the impact of fugitive dust. The Tenant will include a SCAQMD trained dust control supervisor. This individual will be responsible for compliance with SCAQMD Rule 403. SCAQMD's Large Operator Notification Form will be submitted along with a dust management plan. Signage will be posted with a phone number for use by members of the community in the event of a dust event or concern. The dust control supervisor will maintain a log of any concerns received from the public and how the concerns were resolved. The log will be held and maintained by the Tenant.

Per the Sustainable Construction Guidelines (November 2009), if applicable, the application of paved roads and shoulders shall be implemented where feasible and practicable.

Mitigation Reporting Frequency: 30 days prior to the start of construction

Mitigation Reporting Requirement: This form shall be accompanied by a copy of the SCAQMD Large Operation Notification Form and project dust management plan.

MM AQ-7: General Mitigation Measure:

For any of the above mitigation measures (**MM AQ-3 through MM AQ-6**), if a CARB-certified technology becomes available and is shown to be as good as or better in terms of emissions performance than the existing measure, the technology may replace the existing measure pending approval by LAHD. Measures will be set at the time a specific construction contract is advertised for bids.

MM AQ-7 Implementation: The requirements of AQ-7 will be part of the contractual agreement between Tenant and its construction contractors. As part of the mitigation monitoring during construction activities, the Tenant will maintain a copy of each unit's certified USEPA rating, and CARB certification for any diesel emissions control system installed on such equipment. Such documentation shall be available at the time of mobilization of each applicable unit of equipment. Should new CARB-certified technology become available and is shown to be

as good as or better in terms of emissions performance than the existing measure, the technology shall replace the existing measure pending approval by LAHD.

Mitigation Reporting Frequency: One year after the start of construction, and updated annually.

Mitigation Reporting Requirement: This form shall be accompanied by a copy of the CARB certification indicating that a new technology is as good or better than the existing measure it replaces, or a summary review of CARB technologies indicating that no new technology are available to replace current mitigation measures.

MM AQ-8: Special Precautions near Sensitive Sites:

All construction activities (e.g., construction-related on-road traffic) located within 1,000 feet of sensitive receptors (defined as schools, playgrounds, daycares, and hospitals) shall notify each of these sites in writing at least 30 days before construction activities begin.

MM AQ-8 Implementation: The requirements of AQ-8 will be part of the contractual agreement between Tenant and its construction contractors. As part of the mitigation monitoring during construction activities, the Tenant will determine which sensitive receptors, if any, are located with 1,000 feet of project construction activities, including equipment lay-down and staging areas. The Tenant will be responsible for notifying each sensitive receptor facility 30 days prior to construction activities that will occur within 1,000 feet of those facilities.

Mitigation Reporting Frequency: 30 days prior to the start of construction

Mitigation Reporting Requirement: This form shall be accompanied by a copy of the communications that the Tenant provided to the affected sensitive receptors, or by the documentation used by the Tenant to determine that no sensitive receptors were located within 1,000 feet of the construction activity.

B. MITIGATION MEASURES - OPERATION

MM AQ-9: Alternative Maritime Power (AMP):

APL vessels calling at Berths 302-306 must use AMP at the following percentages while hoteling in the Port:

- 2017: 70 percent of total ship calls.
- 2026: 95 percent of total ship calls.

MM AQ-9 Implementation: Tenant shall maintain records listing all APL vessel calls and identify those calls that used AMP while at berth.

Mitigation Reporting Frequency: Tenant shall submit documentation of compliance to the LAHD Environmental Management Division on the 180th day after Lease Amendment Agreement approval and every six months, including during any holdover.

Mitigation Reporting Requirement: A form (see attached) documenting the information cited above shall be submitted to the LAHD and accompanied by applicable verification documents.

MM AQ-10: Vessel Speed Reduction Program (VSRP):

All ships calling at Berths 302-306 shall comply with the expanded VSRP of 12 knots between 40 nautical miles from Point Fermin and the Precautionary Area in the following implementation schedule:

- 95 percent

MM AQ-10 Implementation: Tenant shall obtain information from the Marine Exchange of Southern California (MESC) to identify ships that have approached the Pier 300 facility at a velocity not to exceed 12 knots between 20 nautical miles (nm) and 40 nm of Point Fermin.

Mitigation Reporting Frequency: Tenant shall submit documentation with information from the MESC showing compliance with AQ-10 to the LAHD Environmental Management Division on the 180th day after Lease Amendment Agreement approval and every six months thereafter, including during any holdover.

Mitigation Reporting Requirement: A form (see attached) documenting the information cited above shall be submitted to the LAHD and accompanied by applicable verification documents.

MM AQ-11: Cleaner OGV Engines:

The Tenant shall seek to maximize the number of vessels calling at the Berths 302-306 terminal that meet the IMO NOx limit of 3.4 g/kW-hr. When ordering new ships bound for the Port of Los Angeles, the purchaser shall confer with the ship designer and engine manufacturer to determine the feasibility of incorporating all emission reduction technology and/or design options.

MM AQ-11 Implementation: Tenant shall have discussions with shipping lines that send ships to the Port of Los Angeles to determine if it is possible for them to send ships to the Pier 300 facility that meet the most stringent engine NOx emissions standards available for OGV engines. Documentation of these discussions, whenever they occur, shall be submitted by Tenant to LAHD Environmental Management Division commencing the 180th day after approval of the Proposed Lease Amendment and yearly thereafter. Compliance documentation shall include correspondence documenting Tenant's communication with shipping lines, ship designer and/or engine manufacturer, and any records showing new ships purchased for service at the Pier 300 facility.

Mitigation Reporting Frequency: Reporting will begin six months after the Lease Amendment Approval and yearly thereafter for the term of the Permit and/or any holdover.

Mitigation Reporting Requirement: A form (see attached) documenting the information cited above shall be submitted to the LAHD and accompanied by applicable verification documents.

MM AQ-12: OGV Engine Emissions Reduction Technology Improvements:

When using or retrofitting existing ships bound for the Port, the Tenant shall determine the feasibility of incorporating all emission reduction technology and/or design options. Such technology shall be designed to reduce criteria pollutant emissions (NOx and DPM). Some examples of potential methods for reducing emissions from large marine diesel engines include:

- Direct Water Injection

- Fuel Water Emulsion
- Humid Air Motor
- Exhaust Gas Recirculation
- Selective Catalytic Reduction
- Continuous Water Injection
- Slide Valves

MM AQ-12 Implementation: As part of ongoing mitigation compliance meetings, Tenant and LAHD shall confer at least twice a year to determine whether any new technologies exist that would have the potential to reduce emissions from Pier 300 facility operations. Such determinations shall take into account commercial availability, technical feasibility, operational compatibility and the environmental benefit. Tenant shall prepare a memo to document any determinations that are made, or shall provide an email to indicate that no new technologies have emerged since the previous assessment.

Mitigation Reporting Frequency: Reporting will begin six months after the Lease Amendment Approval and occur every six months thereafter for the term of the Agreement and/or any holdover.

Mitigation Reporting Requirement:

A form (see attached) documenting the information cited above shall be submitted to the LAHD and accompanied by applicable verification documents.

MM AQ-13: Yard Tractors at Berths 302-306 Terminal:

All yard tractors operated at the terminal shall meet USEPA Tier 4 non-road or 2007 on-road emission standards.

MM AQ-13 Implementation: Any new yard tractors shall meet USEPA Tier 4 non-road or 2007 on-road emission standards. The technology's emissions reductions must be verifiable through USEPA, CARB, or other reputable certification and/or demonstration studies to the LAHD's satisfaction.

Mitigation Reporting Frequency: Reporting will begin six months after the Lease Amendment Approval and occur every six months thereafter for the term of the Agreement and/or any holdover.

Mitigation Reporting Requirement: A form (see attached) documenting the information cited above shall be submitted to the LAHD and accompanied by applicable verification documents.

MM AQ-14: Yard Equipment at Berths 302-306 Railyard:

All diesel powered equipment operated at the Berths 302-306 terminal rail yard shall implement the requirements discussed below in MM-AQ 15.

MM AQ-14 Implementation: Tenant will provide documentation showing all terminal equipment meets USEPA Tier 4 non-road engine standards. The technology's emissions reductions must be verifiable through USEPA, CARB, or other reputable certification and/or demonstration studies to the LAHD's satisfaction.

Mitigation Reporting Frequency: Reporting will begin six months after the Lease Amendment Approval and occur every six months thereafter for the term of the Agreement and/or any holdover.

Mitigation Reporting Requirement: A form (see attached) documenting the information cited above shall be submitted to the LAHD and accompanied by applicable verification documents.

MM AQ-15: Yard Equipment at Berths 302-306 Terminal:

All terminal equipment engines shall meet USEPA Tier 4 non-road engine standards.

MM AQ-15 Implementation: Tenant will provide documentation showing all terminal equipment meets USEPA Tier 4 non-road engine standards. The technology's emissions reductions must be verifiable through USEPA, CARB, or other reputable certification and/or demonstration studies to the LAHD's satisfaction.

Mitigation Reporting Frequency: Reporting will begin six months after the Lease Amendment Approval and occur every six months thereafter for the term of the Agreement and/or any holdover.

Mitigation Reporting Requirement: A form (see attached) documenting the information cited above shall be submitted to the LAHD and accompanied by applicable verification documents.

MM AQ-16: Truck Idling-Reduction Measure:

Within six months of the effective date of the Lease Amendment Approval and thereafter for the remaining term of the Permit and any holdover, the terminal operator shall ensure that truck idling is reduced to less than 30 minutes in total or 10 minutes at any given time while on the terminal through measures that include but are not limited to, the following:

- The operator shall maximize the durations when the main gates are left open, including during off-peak hours (6 pm to 7 am)
- The operator shall implement an appointment-based system for receiving and delivering containers to maximize truck queuing (trucks lining up to enter and exit the terminal's gate).
- The operator shall design the main entrance and exit gates to exceed the average hourly volume of trucks that enter and exit the gates (truck flow capacity) to ensure queuing is minimized.

MM AQ-16 Implementation: Tenant shall submit its idling plans to LAHD and will provide any updates to such plans if or when they are implemented.

Mitigation Reporting Frequency: Reporting will begin six months after the Lease Amendment Approval and occur every six months thereafter for the term of the Agreement and/or any holdover.

Mitigation Reporting Requirement: A form (see attached) documenting the information cited above shall be submitted to the LAHD and accompanied by applicable verification documents.

MM AQ-17: Compact Fluorescent Light Bulbs:

All interior buildings on the premises shall exclusively use fluorescent light bulbs, compact fluorescent light bulbs, or a technology with similar energy-saving capabilities, for ambient lighting within all terminal buildings. The Tenant shall also maintain and replace any LAHD-supplied compact fluorescent light bulbs.

MM AQ-17 Implementation: As part of the general operations and maintenance activities, compact fluorescent light bulbs will be used, and replaced when necessary, for ambient lighting. The implementation of MM AQ-17 will be accomplished by including this requirement in the lease amendment with the Tenant and as part of the architectural design-build scope of work for any new buildings to ensure compliance. Bi-annual tenant compliance reports shall be supplied to the LAHD Environmental Management Division.

Mitigation Reporting Frequency: Reporting will begin six months after the Lease Amendment Approval and occur every six months thereafter for the term of the Agreement and/or any holdover.

Mitigation Reporting Requirement: This form shall be submitted to the LAHD as defined above and accompanied by applicable verification/certification and specification documents to verify implementation

MM AQ-18: Energy Audit:

The Tenant shall conduct an energy audit by a third party of its choice every 5 years and install innovative power saving technology (1) where it is feasible; and (2) where the amount of savings would be reasonably sufficient to cover the costs of implementation. Such systems help to maximize usable electric current and eliminate wasted electricity, thereby lowering overall electricity use. This mitigation measure primarily targets large on-terminal electricity consumers, such as terminal lighting and cranes.

MM AQ-18 Implementation: In response to Assembly Bill 32, a third party energy audit will be required every five (5) years, or within the timeframe required by a superseding authority, to determine energy efficiency options and potential energy use reduction opportunities. A copy of the energy audit findings and the implementation of any energy reducing technology will be provided to the LAHD.

Documentation of compliance will be submitted on the 180th day of the effective date of the lease amendment, and/or at time of issuance of certificate of occupancy for any new buildings, and within six months of every energy audit thereafter. Tenant compliance reports shall be supplied to the LAHD Environmental Management Division.

Mitigation Reporting Frequency: Every five years from the date of Lease Amendment Approval.

Mitigation Reporting Requirement: Assurance of implementation shall be provided to the LAHD and shall consist of written completion notice. This form shall be accompanied by applicable verification documents including:

- 3rd party Energy Audit Report including recommended technology and/or measures to reduce energy consumption
- Report on implemented and/or planned technology and/or measures including receipts and specifications

MM AQ-19: Recycling:

The Tenant shall ensure a minimum of 60 percent of all waste generated in all terminal buildings is recycled. Recycled materials shall include: (a) white and colored paper; (b) post-it notes; (c) magazines; (d) newspaper; (e) file folders; (f) all envelopes including those with plastic windows; (g) all cardboard boxes and cartons; (h) all metal and aluminum cans; (i) glass bottles and jars; and, (j) all plastic bottles.

MM AQ-19 Implementation: In accordance with Assembly Bill 939 – the California Integrated Waste Management Act – the Tenant will evaluate facility-wide recycling options. By 2016, a minimum of 60 percent of all non-hazardous waste will be recycled.

Documentation of compliance will be submitted on the 180th day of the effective date of the lease amendment and every six months thereafter. Bi-annual tenant compliance reports shall be supplied to the LAHD Environmental Management Division.

Mitigation Reporting Frequency: Reporting will begin six months after the Lease Amendment Approval and occur every six months thereafter for the term of the Agreement and/or any holdover.

Mitigation Reporting Requirement: Assurance of implementation shall be provided to the LAHD and shall consist of written completion notice. This form shall be accompanied by applicable verification documents including receipts and specifications.

MM AQ-20 – Tree Planting:

The Tenant shall plant shade trees around the main terminal building and the Tenant shall maintain all trees through the life of the lease.

Mitigation Reporting Frequency: This measure will commence during construction and operation activities.

Mitigation Reporting Requirement: Assurance of implementation of this measure shall be provided to LAHD project/construction manager to ensure compliance with the contract specifications. Bi-annual tenant compliance reports shall be supplied to EMD and enforcement will include oversight by the Real Estate Division.

LM AQ-1: Periodic Review of New Technology and Regulations:

LAHD shall require the Berths 302-306 Tenant to review, in terms of feasibility and benefits, any Port-identified or other new emissions-reduction technology, and report to LAHD. Such

technology feasibility reviews shall take place at the time of the LAHD's consideration of any lease amendment or facility modification for the project site. If the technology is determined by the LAHD to be feasible in terms of cost, technical and operational feasibility, the Tenant shall work with the LAHD to implement such technology.

Potential technologies that may further reduce emission and/or result in cost-savings benefits for the tenant may be identified through future work on the CAAP, Technology Advancement Program, Zero Emissions Technology Program, and terminal automation. Over the course of the lease, the Tenant and the LAHD shall work together to identify potential new technologies. Such technology shall be studied for feasibility, in terms of cost, technical and operational feasibility, and emissions reduction benefits.

As partial consideration for the LAHD agreement to issue the Permit to the tenant, the tenant shall implement, not less frequently than once every 5 years following the effective date of the permit, new air quality technological advancements, subject to mutual agreement on operational feasibility and cost sharing which shall not be unreasonably withheld.

LM AQ-1 Implementation: The Tenant will work closely with the LAHD regarding new technologies to reduce air emissions. Beginning five years from the commencement of the operations period, at the request of the LAHD, any new technologies identified by the LAHD will be evaluated to determine if their implementation is feasible (both from a technical and economic perspective). Upon a mutual agreement between Tenant and LAHD, such new technology will be implemented at the facility.

Mitigation Reporting Frequency: Every five years from the date of Lease Amendment Approval.

Mitigation Reporting Requirement: A form (see attached) documenting the information cited above shall be submitted to the LAHD and accompanied by applicable verification documents. Applicable verification documents may include:

- Report on any meetings with the LAHD to discuss new identified technology
- Report on evaluation of new technologies pursuant to request by LAHD in compliance with LM AQ-1
- If technology is implemented, receipts, certification documents and specification documents to verify purchase and implementation

LM AQ-2: Substitution of New Technology:

If any kind of technology becomes available and is shown to be as good or as better in terms of emissions reduction performance than the existing measure, the technology could replace the existing measure pending approval by the LAHD. The technology's emissions reductions must be verifiable through USEPA, CARB, or other reputable certification and/or demonstration studies to the LAHD's satisfaction.

LM AQ-2 Implementation: Should new USEPA, CARB, or other reputable certified technology become available and is shown to be as good as or better in terms of emissions performance than the existing measure, the technology shall replace the existing measure pending approval by the LAHD and upon a mutual agreement between Tenant and LAHD, such

new technology will be implemented at the facility. Documentation shall be submitted at a level agreed upon by the LAHD.

Mitigation Reporting Frequency: Only if applicable.

Mitigation Reporting Requirement: Supporting documentation shall be submitted at a level agreed upon by the LAHD.

C. BIOLOGICAL RESOURCES - CONSTRUCTION

MM BIO-1: Conduct Nesting Bird Surveys

This measure applies only if construction on the 41-acre undeveloped area is to occur between February 15 and September 1. Prior to ground disturbing activities, a qualified biologist shall conduct surveys for the presence of tern nests on the 41-acre backlands, and within the proposed Project site that contains potential nesting bird habitat. Surveys shall be conducted no later than 1 week prior to the clearing, removal, or grubbing of any vegetation or ground disturbance. If active nests of species protected under the MBTA and/or similar provisions of the California Fish and Game Code (i.e., native birds including but not limited to the black-crowned night heron) are located, then a barrier installed at a 50–100 foot radius from the nest(s) shall be established. The barrier will remain until a qualified biologist determines that the young have fledged or the nest is no longer active.

MM BIO-1 Implementation: Construction bid and contract specifications shall include the use of biologists to evaluate and survey the 41-acre development to identify potential nesting bird habitats. The tenant will insure that a barrier is constructed between 50-100 feet around an active bird nest if such a nest is identified. LAHD will be notified by the biologist at the site if an active nest is encountered and demonstrate that installation of the barrier occurred.

Mitigation Reporting Frequency: Only if applicable.

Mitigation Reporting Requirement: Supporting documentation shall be submitted at a level agreed upon by the LAHD.

SC BIO-1: Avoid Marine Mammals and Avoid Impacts to Nesting Birds at the Project Site

Although it is expected that marine mammals will voluntarily move away from the area at the commencement of the vibratory or "soft start" of pile driving activities, as a precautionary measure, pile-driving activities occurring as part of the wharf extension shall include establishment of a safety zone, and the area surrounding the operations will be monitored by a qualified marine biologist for pinnipeds. A 100-meter-radius safety zone will be established around the pile- driving site and monitored for marine mammals. As the pile-driving site will move with each new pile, the 100-meter safety zone shall move accordingly.

Prior to commencement of pile-driving, observers on shore or by boat will survey the safety zone to ensure that no marine mammals are seen within the zone before pile-driving of a pile segment begins. If a marine mammal is observed within 10 meter of pile-driving operations, pile-driving shall be delayed until the marine mammals moves out of the area. If a marine mammal in the 100-meter safety zone is observed, but more than 10 meter away, the contractor shall wait at

least 15 minutes to commence pile-driving. If the marine mammal has not left the 100-meter safety zone after 15 minutes, pile- driving can commence with a "soft start." This 15-minute criterion is based on a study indicating that pinnipeds dive for a mean time of 0.50 minutes to 3.33 minutes; the 15-minute delay will allow a more than sufficient period of observation to be reasonably sure the animal has left the proposed Project vicinity.

If marine mammals enter the safety zone after pile-driving of a segment has begun, pile-driving shall continue. The biologist shall monitor and record the species and number of individuals observed, and make note of their behavior patterns. If the animal appears distressed, and if it is operationally safe to do so, pile-driving shall cease until the animal leaves the area. Prior to the initiation of each new pile-driving episode, the area shall again be thoroughly surveyed by the biologist.

SC BIO-1 – Implementation: Construction bid and contract specifications shall include the use of a qualified biologist to monitor marine mammal activity during any pile driving construction activities. Pile driving activities will cease if a distressed marine mammal enters the region and LAHD and the construction personnel (and biologist) will document the presence of the marine mammals and what steps were taken (including stoppage) to ensure its safety.

Mitigation Reporting Frequency: Only if applicable.

Mitigation Reporting Requirement: Supporting documentation shall be submitted at a level agreed upon by the LAHD.

SC BIO-2: NMFS Notification

LAHD will notify the National Marine Fisheries Service (NMFS) no less than 14 calendar days prior to commencing construction, dredging, and disposal operations associated with the proposed Project. LAHD will also notify NMFS no less than five calendar days prior to completion of construction, dredging, and disposal operations.

SC BIO-2 – Implementation: LAHD must maintain documentation to demonstrate the NMFS was notified two weeks prior to construction activities described above occurring.

Mitigation Reporting Frequency: Only if applicable.

Mitigation Reporting Requirement: Supporting documentation shall be submitted at a level agreed upon by the LAHD.

D. CULTURAL RESOURCES

SC CR-1: Stop Work in Area if Prehistoric and/or Archaeological Resources are Encountered

In the unlikely event that any artifact, or an unusual amount of bone, shell, or non-native stone is encountered during construction, work shall be immediately stopped, the area secured, and work relocated to another area until the found materials can be assessed by individuals competent to assess their value.

Examples of such cultural materials might include concentrations of grinding stone tools such as mortars, bowls, pestles, and manos; chipped stone tools such as projectile points or choppers;

flakes of stone not consistent with the immediate geology such as obsidian or fused shale; historical trash pits containing bottles and/or ceramics; or structural remains. The contractor shall stop construction within 10 meters (30 feet) of the exposure of these finds until a qualified archaeologist can be retained by the Port to evaluate the find (see 36 CFR 800.11.1 and California Code of Regulations, Title 14, Section 15064.5(f)). If the resources are found to be significant, they shall be avoided or shall be mitigated consistent with Section 106 or State Historic Preservation Officer Guidelines. All construction equipment operators shall attend a preconstruction meeting presented by a professional archaeologist retained by the Port that shall review types of cultural resources and artifacts that would be considered potentially significant, to ensure operator recognition of these materials during construction.

Prior to beginning construction, the Port shall meet with applicable Native American Groups, including the Gabrieliño/Tongva Tribal Council, to identify areas of concern. A trained archaeologist shall monitor construction at identified areas. In addition to monitoring, a treatment plan shall be developed in conjunction with the Native American Groups to establish the proper way of extracting and handling all artifacts in the event of an archaeological discovery.

SC CR-1 – Implementation: Construction bid and contract specifications shall include the use of an archaeologist to evaluate and survey the area to determine if any materials are uncovered that are suspected of being associated with historical or prehistoric occupation. LAHD must retain an archaeologist and notify applicable Tribal representatives. LAHD must be notified in writing if any materials are uncovered and the contactor shall cease construction within 10 meters of the discovery.

Mitigation Reporting Frequency: Only if applicable.

Mitigation Reporting Requirement: Supporting documentation shall be submitted at a level agreed upon by the LAHD.

E. GEOLOGY - TSUNAMI RESPONSE

LM GEO-1: Emergency Response Planning Lease Requirement:

The terminal operator shall work with LAHD Engineers and Port police to develop tsunami response training and procedures to assure that personnel shall be prepared to act in the event of a large seismic event. Such procedures shall include immediate evacuation requirements in the event that a large seismic event is felt at the project site, as part of overall emergency response planning for this project.

LM GEO-1 Implementation: The Tenant will insure compliance with the specifications, including emergency response planning included in the operations and maintenance plan that includes facility-wide procedures for earthquake safety, seismic events and tsunami emergencies. The plan will include personnel awareness, training and response procedures (including evacuation protocols). The operations and maintenance plan will include input from local agencies to ensure that the appropriate response procedures are implemented in the event of an emergency. The Tenant will adopt and implement an Emergency Response Plan that will set forth education, training and response techniques in the event of an emergency. Training shall occur during the first year of operation, and annually thereafter. Documentation of training,

including the training manual and education materials/literature shall be maintained onsite and will be available for review by LAHD.

Mitigation Reporting Frequency: 30 days prior to the start of any construction.

Mitigation Reporting Requirement: Documentation of plan shall be maintained onsite and will be available for review by LAHD.

F. GROUNDWATER AND SOILS (CONSTRUCTION)

LM GW-1: Site Remediation:

Unless otherwise authorized by the lead regulatory agency for any given site, the LAHD and/or tenant (i.e., APL) shall address all contaminated soils within proposed project boundaries discovered during demolition and grading activities. Contamination existing at the time of discovery shall be the responsibility of the past and/or current property owner. Contamination as a result of the construction process shall be the responsibility of the LAHD or tenant contractors. Remediation shall occur in compliance with local, state, and federal regulations, and as directed by the lead regulatory agency for the site (such as the Los Angeles RWQCB or DTSC).

Soil removal shall be completed such that remaining contamination levels are below risk-based health screening levels for industrial sites established by OEHHA and/or applicable action levels (e.g., Environmental Screening Levels, Preliminary Remediation Goals) established by the lead regulatory agency with jurisdiction over the site. Soil contamination waivers may be acceptable as a result of encapsulation (i.e., paving) and/or risk-based soil assessments for industrial sites, but are subject to the review and approval of the lead regulatory agency and LAHD. Excavated contaminated soil shall be properly disposed of off-site unless use of such material on-site is beneficial to construction and approved by the agency overseeing environmental concerns. All imported soil to be used as backfill in excavated areas shall be sampled to ensure that it is suitable for use as backfill at an industrial site.

LM GW-1 Implementation: LAHD will include this requirement in the lease agreement with the Tenant. This measure shall be incorporated into the contract specifications for all Tenant's construction work to reduce the impact of contaminated soils. The Tenant shall contract with an environmental consultant for the testing of excavated soils and groundwater. If encountered, contaminated soils shall be disposed of in accordance with hazardous waste laws. Otherwise, soil shall be reused or disposed of in accordance with an approved Los Angeles RWQCB Soil Management Plan.

The Tenant shall not be responsible for remediating existing contamination outside of excavation zones.

Groundwater contamination, unrelated to the Tenant's activities, that may exist within the project boundary and areas of construction will be monitored and remediated by LAHD. The Tenant will coordinate construction activities with LAHD's monitoring and remedial efforts.

Mitigation Reporting Frequency: 30 days prior to the start of construction.

Mitigation Reporting Requirement: Supporting documentation is not required.

LM GW-2: Contamination Contingency Plan:

The following contingency plan shall be implemented to address contamination discovered during demolition, grading, and construction:

a. All trench excavation and filling operations shall be observed for the presence of free petroleum products, chemicals, or contaminated soil. Soil suspected of contamination shall be segregated from other soil. In the event soil suspected of contamination is encountered during construction, the contractor shall notify the LAHD's Project Engineer. The LAHD shall confirm the presence of the suspect material and direct the contractor to remove, stockpile or contain, and characterize the suspect material. Continued work at a contaminated site shall require the approval of the LAHD Project Engineer.

b. Excavation of VOC-impacted soil may require obtaining and complying with a South Coast Air Quality Management District Rule 1166 permit.

c. The remedial option(s) selected shall be dependent upon a suite of criteria (including but not limited to types of chemical constituents, concentration of the chemicals, health and safety issues, time constraints, cost, etc.) and shall be determined on a site-specific basis. Both off-site and on-site remedial options may be evaluated.

d. The extent of removal actions shall be determined on a site-specific basis. At a minimum, the impacted area(s) within the boundaries of the construction area shall be remediated to the satisfaction of the LAHD and the lead regulatory agency for the site. The LAHD Project Manager overseeing removal actions shall inform the contractor when the removal action is complete.

e. Copies of hazardous waste manifests or other documents indicating the amount, nature, and disposition of such materials shall be submitted to the LAHD Project Manager within 60 days of project completion.

f. In the event that contaminated soil is encountered, all on-site personnel handling or working in the vicinity of the contaminated material must be trained in accordance with USEPA and Occupational Safety and Health and Administration (OSHA) regulations for hazardous waste operations or demonstrate they have completed the appropriate training. Training must provide protective measures and practices to reduce or eliminate hazardous materials/waste hazards at the work place.

g. When impacted soil must be excavated, air monitoring will be conducted as appropriate for related emissions adjacent to the excavation.

All excavations shall be backfilled with structurally suitable fill material that is free from contamination.

LM GW-2 Implementation: LAHD will include this requirement in the lease agreement with the tenant. This measure shall be incorporated into the contract specifications for all construction work. The Tenant shall contract with an environmental consultant to address contamination discovered during demolition, grading, and construction. If encountered, contaminated soil shall be disposed of in accordance with hazardous waste laws. Otherwise, soil

shall be reused or disposed of in accordance with an approved Los Angeles RWQCB Soil Management Plan. The Tenant will be responsible for obtaining a permit and complying with SCAQMD Rule 1166 should construction include excavation of VOC-impacted soil. When impacted soil must be excavated, the Tenant will be responsible for obtaining a qualified air monitor to conduct air monitoring as appropriate for related emissions adjacent to the excavation. The Tenant will not commence construction within a specific work area until written clearance is provided from the appropriate regulatory agency with concurrence from the LAHD.

Mitigation Reporting Frequency: 30 days prior to the start of construction.

Mitigation Reporting Requirement: Prior to commencement of excavation and handling of VOC contaminated soil, Tenant shall provide a copy of an approved SCAQMD Rule 1166 Site Specific Mitigation Plan.

G. TRANSPORTATION

MM TRANS-1 – Navy Way and Reeves Avenue

Re-stripe the southbound (and eastbound approach to accommodate the southbound dual right-turns) to provide a right-turn lane, a shared through/right turn lane, and a through lane on the southbound approach.

MM TRANS-1 – Navy Way and Reeves Avenue Implementation: LAHD will monitor this intersection as part of its ongoing monitoring activities to ensure it does not reach an LOS E or worse. All monitoring activities and traffic analyses will be documented and maintained by LAHD Environmental Management Division.

Mitigation Reporting Frequency: LAHD will monitor the LOS of this location as part of its ongoing port- area intersection monitoring activities and will perform periodic traffic analyses of the intersection LOS after the Project is completed. The mitigation measure shall be completed within five years of this determination.

Mitigation Reporting Requirement: LAHD will maintain documentation to demonstrate that the LOS of the intersection did not reach LOS E or worse.

H. NOISE

MM NOI-1 - Noise Reduction from Pile Driving

The contractor shall be required to use a pile driving system, such as a Bruce hammer (with silencing kit), an IHC Hydrohammer SC series (with sound insulation system), or equivalent silenced hammer, which is capable of limiting maximum noise levels at 50 feet from the pile driver to 104 dBA, or less, for wharf construction. With implementation of standard condition of approval SC BIO-1, the pile driving would initiate with a soft start, in which the hammer is operated at a reduced energy, followed by a waiting period. The soft start technique would induce marine mammals and birds to leave the immediate area before pile hammer reaches full energy.

MM NOI – 1 – Noise Reduction from Pile Driving Implementation: This measure shall be incorporated into the contract specifications for all construction work and the LAHD should

review the bid to ensure this measure is included in all proposals. If necessary, noise attenuation barriers must be installed and the LAHD is responsible to monitor the construction site and document compliance.

Mitigation Reporting Frequency: 30 days prior to the start of any pile driving activities, if applicable.

Mitigation Reporting Requirement: Documentation related to the pile driving equipment shall be submitted to LAHD as necessary.

MM NOI – 2 – Erect Temporary Noise Attenuation Barriers Adjacent to Pile Driving Equipment, Where Necessary and Feasible

Erect temporary noise attenuation barriers suitable for pile driving equipment as needed. The barriers should be installed directly between the equipment and the nearest noise sensitive use to the construction site. The need for and feasibility of noise attenuation barriers should be evaluated on a case-by-case basis considering the distance to noise sensitive receptors, the available space at the construction location, and taking account of safety and operational considerations.

MM NOI – 2 – Erect Temporary Noise Attenuation Barriers Adjacent to Pile Driving Equipment, Where Necessary and Feasible Implementation: See Implementation Guidelines in MM NOI – 1 above.

Mitigation Reporting Frequency: 30 days prior to the start of any pile driving activities, if applicable.

Mitigation Reporting Requirement: Documentation related to the pile driving equipment shall be submitted to LAHD as necessary.

I. UTILITIES AND PUBLIC SERVICES

SC PS – 1 – Recycling of Construction Materials

Demolition and/or excess construction materials shall be separated on-site for reuse/recycling or proper disposal. During grading and construction, separate bins for recycling of construction materials shall be provided on-site.

SC PS-1 – Recycling of Construction Materials Implementation: This measure shall be incorporated into the contract specifications for all construction work and the LAHD should review the bid to ensure this measure is included in all proposals. LAHD is responsible for monitoring the construction site and documenting compliance with contract specifications.

Mitigation Reporting Frequency: 30 days prior to the start of construction.

Mitigation Reporting Requirement: Supporting documentation shall be submitted at a level agreed upon by the LAHD.

SC PS – 2 –Materials with Recycled Content

Materials with recycled content shall be used in Project construction where feasible. Chippers on-site during construction shall be used to further reduce excess wood for landscaping cover.

SC PS-2 – Materials with Recycled Content Implementation: This measure shall be incorporated into the contract specifications for all construction work and the LAHD should review the bid to ensure this measure is included in all proposals. LAHD is responsible for monitoring the construction site and documenting compliance with contract specifications.

Mitigation Reporting Frequency: 30 days prior to the start of construction.

Mitigation Reporting Requirement: Supporting documentation shall be submitted at a level agreed upon by the LAHD.

II. MITIGATION MONITORING AND REPORTING FORMS

Mitigation Monitoring and Reporting Forms are the documentation to be completed by the Tenant and submitted to the LAHD, to certify compliance that the EIR mitigation measures and lease measures have been implemented. The applicable operational mitigation monitoring and reporting forms are an attachment to this ECP. The mitigation monitoring and reporting forms will be submitted to the LAHD at the address below:

Port of Los Angeles - Environmental Management Division
425 S. Palos Verdes Street
San Pedro, CA 90731
Attention: CEQA Mitigation Coordinator

With the following identifier:

Berths 302-306 [APL] Container Terminal Project
State Clearinghouse No. 2009071031
ADP No. 081203-131

MM-XX – SAMPLE FORM (CONSTRUCTION)

Tenant: EMS
Project: Berths 302-306 [APL] Container Terminal Project
Application for Development Project Log Number: 081203-131
State Clearinghouse Number: 2009071031

Mitigation Measure: MM AQXXX

Mitigation Reporting Frequency: Six months following Lease Amendment Approval, if applicable based on any construction activities.

Mitigation Reporting Requirement: Documentation of training, including the training manual and education materials/literature shall be maintained onsite and will be available for review by LAHD.

COMPLIANCE STATUS:

Has compliance with the above mitigation measure, as set forth in the ECP, been met?
_____ Yes (please sign form) _____ No (If no, explain in next sections and sign form)

NON-COMPLIANCE:

Explain and/or discuss. Attach certification documents as well as document coordination with and acceptance of non-compliance or substitute equivalent.

STEPS TAKEN:

COMPLIANCE VERIFICATION:

By signing this form, I signify that I have complied with the measure as stated above.

_____
Name and Title of Person Completing Form

_____
Signature Date

_____
Name and Title of Responsible Person

_____
Signature Date

MM-XX – SAMPLE FORM (OPERATION)

Tenant: EMS
Project: Berths 302-306 [APL] Container Terminal Project
Application for Development Project Log Number: 081203-131
State Clearinghouse Number: 2009071031

Mitigation Measure: The Tenant shall work with LAHD Engineers and Port police to develop tsunami response training and procedures to assure that construction and operations personnel shall be prepared to act in the event of a large seismic event. Such procedures shall include immediate evacuation requirements in the event that a large seismic event is felt at the project site, as part of overall emergency response planning for this project.

Mitigation Reporting Frequency: During the first year of project operation and annually thereafter for the term of the Agreement and/or any holdover.

Mitigation Reporting Requirement: Documentation of training, including the training manual and education materials/literature shall be maintained onsite and will be available for review by LAHD.

COMPLIANCE STATUS:

Has compliance with the above mitigation measure, as set forth in the ECP, been met?
_____ Yes (please sign form) _____ No (If no, explain in next sections and sign form)

NON-COMPLIANCE:

Explain and/or discuss. Attach certification documents as well as document coordination with and acceptance of non-compliance or substitute equivalent.

STEPS TAKEN:

COMPLIANCE VERIFICATION:

By signing this form, I signify that I have complied with the measure as stated above.

_____
Name and Title of Person Completing Form

_____
Signature Date

_____
Name and Title of Responsible Person

_____
Signature Date