

NINTH AMENDMENT TO LEASE NO. 915  
BETWEEN THE CITY OF LOS ANGELES AND  
SAN PEDRO PUBLIC MARKET, LLC  
FOR THE COMMERCIAL REDEVELOPMENT OF THE PORTS O' CALL SITE  
AT THE PORT OF LOS ANGELES

THIS Ninth AMENDMENT ("Ninth Amendment") to Lease No. 915 ("Lease") is made and entered by and between the CITY OF LOS ANGELES, a municipal corporation, acting by order of and through its Board of Harbor Commissioners, ("Board") of the Harbor Department ("Harbor Department" or "City") and SAN PEDRO PUBLIC MARKET LLC, a California Limited Liability Company (referred to as "Lessee").

RECITALS

WHEREAS, City and Lessee entered into the Lease on June 17, 2016 for the commercial redevelopment of the Ports O' Call Site at the Port of Los Angeles ("Port"); and

WHEREAS, effective as of November 21, 2019, the City approved a change in the control of the Lessee; and

WHEREAS, City and Lessee entered into the First Amendment on February 14, 2020, the Second Amendment on December 30, 2020, the Third Amendment on December 9, 2021, the Fourth Amendment on June 8, 2022, the Fifth Amendment on August 24, 2022, the Sixth Amendment on December 3, 2024, the Seventh Amendment on December 3, 2024, and the Eighth Amendment on June 17, 2025;

NOW, THEREFORE, in consideration of the terms, covenants, and conditions hereinafter contained to be kept and performed by the respective parties hereto, IT IS MUTUALLY AGREED that the Lease be amended as follows:

**Section 1.** The Lease is hereby amended to include the following as additional "WHEREAS" clauses in the Recitals as follows:

"WHEREAS, in June 2025, the Board certified SEIR (Supplemental Environmental Impact Report), SCH (State Clearinghouse) No. 2005061041, to the 2009 EIR/EIS (the "2025 SEIR", together with the 2016 Addendum, the 2019 Addendum, and the 2009 EIR/EIS, collectively the "EIR/EIS")."

**Section 2.** The Lease is hereby amended to include a new Article 2, Section 5.15 as follows:

"Section 5.15 Limit on Number of Fireworks Shows. Lessee shall limit the number of fireworks shows at the amphitheater to up to five (5) fireworks shows per year and all five shows shall strictly comply with all applicable noise mitigation measures set forth in Exhibit K(a). The limitation on the number of fireworks shows in this Section 5.15 supersede all other provisions of this Lease, including but not limited to the number of

fireworks shows set forth in Exhibit K(a). In the event the number of fireworks shows stated in this Section 5.15 conflicts with the number of fireworks shows specifically set forth in MM-NOI-11 as stated in Exhibit K(a), this Section 5.15 shall control. This Section 5.15 is not intended to change any other requirements or conditions set forth in Exhibit K(a).”

**Section 3.** Article 2, Section 9.2 of the Lease is hereby deleted in its entirety and replaced with the following:

“9.2 Upgrade Obligations. At any time during the Term, but no later than twenty (20) years after the opening of the Premises to the public (which is expected to occur on or around June 1, 2026), the Executive Director and Lessee will meet and negotiate in good faith with respect to additional capital investments on the Premises to repair, renew and replace the improvements. In connection with such reinvestment, the Parties shall consider the requirements for any further adjustments in rent and the required terms for recapture of, and a market rate return on, any such reinvestment. Any resulting agreement will be subject and adherent to any and all approvals and/or requirements of the Charter and the Act.”

**Section 4.** Exhibit K of the Lease is hereby deleted in its entirety and replaced with Exhibit K(a) which is attached hereto and incorporated by reference. The Permit is hereby further amended to delete any and all references to Exhibit K(a) in the Permit and to replace such reference with a reference to Exhibit K(a).

**Section 5.** Exhibit E of the Lease is hereby deleted in its entirety and replaced with Exhibit E(b) which is attached hereto and incorporated by reference. The Permit is hereby further amended to delete any and all references to Exhibit E(a) in the Permit and to replace such reference with a reference to Exhibit E(b).

**Section 6.** Except as specifically provided herein, this Ninth Amendment shall not in any manner alter, change, modify, or affect any of the rights, privileges, duties, or obligations of either of the parties hereto under or by any reason of said Lease, and except as expressly exercised herein, all of the terms, covenants, and conditions of said Lease, as exercised, shall remain in full force and effect.

[signature page follows]

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IN WITNESS WHEREOF, the parties hereto have executed this Ninth Amendment on the date of the left of their signatures.

THE CITY OF LOS ANGELES, by its Board of Harbor Commissioners


Dated: \_\_\_\_\_, 20\_\_

By \_\_\_\_\_  
Executive Director

Attest: \_\_\_\_\_  
Board Secretary

SAN PEDRO PUBLIC MARKET LLC  
a California limited liability company

Dated: \_\_\_\_\_, 20\_\_

By:   
ERIC JOHNSON, V.P.  
(Print/type Name and Title)

By: \_\_\_\_\_  
\_\_\_\_\_  
(Print/type Name and Title)

APPROVED AS TO FORM AND LEGALITY

February 24, 2026  
HYDEE FELDSTEIN SOTO, City Attorney  
STEVEN Y. OTERA, General Counsel

By   
HELEN J. SOK, Deputy City Attorney

**EXHIBIT K(a)**

**SUMMARY OF MITIGATION MEASURES FOR SAN PEDRO WATERFRONT  
ADDENDUM – SAN PEDRO PUBLIC MARKET WEST HARBOR  
MODIFICATION PROJECT**

**[See attached. This page intentionally left blank.]**

This is a summary of the mitigation measures contained in the San Pedro Waterfront Mitigation Monitoring and Reporting Program (MMRP) that apply specifically to the San Pedro Public Market (SPPM) Project and is not a replacement for the Final MMRP which was approved by the Board. However, this summary table includes certain modifications compared to Table 2-1 in the approved MMRP in order to tailor all applicable mitigation measure requirements to the SPPM Project. Such modifications include: 1) removing language for construction equipment requirements which have sunsetted 2) adding language to the "Methods" and "Implementation" sections to specifically indicate the requirements of the SPPM Developer (Developer) and 3) requiring that the Developer follow the Paleontological Monitoring and Mitigation Plan San Pedro Waterfront Project which the Harbor Department developed as a requirement of Mitigation Measure CR-4.

Mitigation Monitoring and Reporting Program Summary for the San Pedro Waterfront Addendum – San Pedro Public Market Project

Mitigation Measure	Timing and Methods	Responsible Parties
<p style="text-align: center;"><b>Air Quality and Meteorology: Construction</b></p> <p><b>MM AQ-1. Harbor Craft Engine Standards.</b> All harbor craft used during the construction phase of the proposed Project shall, at a minimum, be repowered to meet the cleanest existing marine engine emission standards or EPA Tier 2. Additionally, where available, harbor craft shall meet the proposed EPA Tier 3 (which are proposed to be phased-in beginning 2009) or cleaner marine engine emission standards.</p> <p>The above harbor craft measure shall be met unless one of the following circumstances exists and the contractor is able to provide proof that any of these circumstances exists:</p> <ul style="list-style-type: none"> <li>▪ A piece of specialized equipment is unavailable in a controlled form within the state of California, including through a leasing agreement;</li> <li>▪ A contractor has applied for necessary incentive funds to put controls on a piece of uncontrolled equipment planned for use on the proposed Project, but the application process is not yet approved, or the application has been approved, but funds are not yet available; or</li> <li>▪ A contractor has ordered a control device for a piece of equipment planned for use on the proposed 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 proposed Project has the controlled equipment available for lease.</li> </ul>	<p><b>Timing:</b> During specified construction phases.</p> <p><b>Methods:</b> This measure shall be incorporated into the LAHD and Developer contract specifications for all construction work to reduce the impact of construction diesel emissions. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications.</p>	<p><b>Implementation:</b> LAHD and Developer through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p>
<p><b>MM AQ-3. Fleet Modernization for Onroad Trucks.</b></p> <ol style="list-style-type: none"> <li>1. Trucks hauling materials such as debris or fill shall be fully covered while operating off Port property.</li> <li>2. Idling shall be restricted to a maximum of 5 minutes when not in use.</li> <li>3. Tier Specifications.</li> </ol> <p>All onroad heavy-duty diesel trucks with a GVWR of 19,500 pounds or greater used on site or to transport materials to and from the site shall comply with</p>	<p><b>Timing:</b> Throughout all construction phases.</p> <p><b>Methods:</b> This measure shall be incorporated into the LAHD and Developer contract specifications for all construction work to reduce the impact of construction diesel emissions. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by</p>	<p><b>Implementation:</b> LAHD and Developer through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction</p>

<i>Mitigation Measure</i>	<i>Timing and Methods</i>	<i>Responsible Parties</i>
<p>2010 emission standards, where available.</p> <p>A copy of each unit's certified EPA rating, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.</p> <p>The above standards/specifications shall be met unless one of the following circumstances exists and the contractor is able to provide proof that any of these circumstances exists:</p> <p>A piece of specialized equipment is unavailable in a controlled form within the state of California, including through a leasing agreement;</p> <p>A contractor has applied for necessary incentive funds to put controls on a piece of uncontrolled equipment planned for use on the proposed Project, but the application process is not yet approved, or the application has been approved, but funds are not yet available; or</p> <p>A contractor has ordered a control device for a piece of equipment planned for use on the proposed 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 proposed Project has the controlled equipment available for lease.</p>	<p>LAFD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications.</p> <p>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:</p> <ol style="list-style-type: none"> <li>1. A piece of specialized equipment is unavailable in a controlled form within the state of California, including through a leasing agreement.</li> <li>2. 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.</li> <li>3. A contractor has ordered a control device for a piece of equipment planned for use on the project, or the contractor has ordered a new piece of controlled equipment to replace the uncontrolled equipment, but that order has not been completed by the manufacturer or dealer. In addition, for this exemption to apply, the contractor must attempt to lease controlled equipment to avoid using uncontrolled equipment, but no dealer within 200 miles of the project has the controlled equipment available for lease.</li> </ol>	<p>Management Division</p>
<p><b>MM AQ-4. Fleet Modernization for Construction Equipment.</b></p> <ol style="list-style-type: none"> <li>1. Construction equipment shall incorporate, where feasible, emissions savings technology such as hybrid drives and specific fuel economy</li> </ol>	<p><b>Timing:</b> Throughout all construction phases.  <b>Methods:</b> This measure shall be incorporated into the LAHD and Developer contract</p>	<p><b>Implementation:</b> LAHD and Developer through Construction Contractor</p>

<i>Mitigation Measure</i>	<i>Timing and Methods</i>	<i>Responsible Parties</i>
<p>standards.</p> <p>2. Idling shall be restricted to a maximum of 5 minutes when not in use.</p> <p>3. Tier Specifications:</p> <p>All offroad diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations.</p> <p>A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.</p> <p>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:</p> <ul style="list-style-type: none"> <li>▪ A piece of specialized equipment is unavailable in a controlled form within the state of California, including through a leasing agreement.</li> <li>▪ A contractor has applied for necessary incentive funds to put controls on a piece of uncontrolled equipment planned for use on the project, but the application process is not yet approved, or the application has been approved, but funds are not yet available.</li> </ul> <p>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.</p> <p><b>MM AQ-5. Additional Fugitive Dust Controls.</b> The calculation of fugitive dust (PM10) from unmitigated proposed project earth-moving activities assumes a 75% reduction from uncontrolled levels to simulate rigorous watering of the site and use of other measures (listed below) to ensure proposed project compliance with SCAQMD Rule 403.</p>	<p>specifications for all construction work to reduce the impact of construction diesel emissions. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications.</p>	<p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p>
<p><b>MM AQ-5. Additional Fugitive Dust Controls.</b> The calculation of fugitive dust (PM10) from unmitigated proposed project earth-moving activities assumes a 75% reduction from uncontrolled levels to simulate rigorous watering of the site and use of other measures (listed below) to ensure proposed project compliance with SCAQMD Rule 403.</p>	<p><b>Timing:</b> Throughout all construction phases. <b>Methods:</b> This measure shall be incorporated into the LAHD and Developer contract specifications for all construction work to reduce the impact of fugitive</p>	<p><b>Implementation:</b> LAHD and Developer through Construction Contractor <b>Monitoring and Reporting:</b></p>

<i>Mitigation Measure</i>	<i>Timing and Methods</i>	<i>Responsible Parties</i>
<p>The construction contractor shall apply for a SCAQMD Rule 403 Dust Control Permit.</p> <p>The construction contractor shall further reduce fugitive dust emissions to 90% from uncontrolled levels. The construction contractor shall designate personnel to monitor the dust control program and to order increased watering or other dust control measures, as necessary, to ensure a 90% control level. Their duties shall include holiday and weekend periods when work may not be in progress. The following measures, at minimum, must be part of the contractor Rule 403 dust control plan:</p> <ul style="list-style-type: none"> <li>▪ Active grading sites shall be watered one additional time per day beyond that required by Rule 403;</li> <li>▪ Contractors shall apply approved, nontoxic chemical soil stabilizers to all inactive construction areas or replace groundcover in disturbed areas;</li> <li>▪ Construction contractors shall provide temporary wind fencing around sites being graded or cleared;</li> <li>▪ Trucks hauling dirt, sand, or gravel shall be covered or shall maintain at least 2 feet of freeboard in accordance with Section 23114 of the California Vehicle Code;</li> <li>▪ Construction contractors shall install wheel washers where vehicles enter and exit unpaved roads onto paved roads or wash off tires of vehicles and any equipment leaving the construction site;</li> <li>▪ The grading contractor shall suspend all soil disturbance activities when winds exceed 25 mph or when visible dust plumes emanate from a site; disturbed areas shall be stabilized if construction is delayed; and</li> <li>▪ Trucks hauling materials such as debris or fill shall be fully covered while operating off LAHD property.</li> <li>▪ A construction relations officer shall be appointed to act as a community liaison concerning onsite construction activity including resolution of issues related to PM10 generation;</li> <li>▪ All streets shall be swept at least once a day using South Coast Air Quality Management District (SCAQMD) Rule 1186, 1186.1 certified street sweepers or roadway washing trucks if visible soil materials are carried to</li> </ul>	<p>dust (PM10) emissions. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications.</p>	<p>Environmental Management Division, Construction Management Division</p>

<i>Mitigation Measure</i>	<i>Timing and Methods</i>	<i>Responsible Parties</i>
<p>adjacent streets;</p> <ul style="list-style-type: none"> <li>▪ Water or non-toxic soil stabilizer shall be applied three times daily to all unpaved parking or staging areas or unpaved road surfaces;</li> <li>▪ Roads and shoulders shall be paved; and</li> <li>▪ Water shall be applied three times daily or as needed to areas where soil is disturbed.</li> </ul>		
<p><b>MM AQ-6. Best Management Practices.</b> The following types of measures are required on construction equipment (including on-road trucks):</p> <ol style="list-style-type: none"> <li>1. Use diesel oxidation catalysts and catalyzed diesel particulate traps.</li> <li>2. Maintain equipment according to manufacturers' specifications</li> <li>3. Restrict idling of construction equipment to a maximum of 5 minutes when not in use</li> <li>4. Install high-pressure fuel injectors on construction equipment vehicles</li> </ol> <p>LAHD shall implement a process by which to select additional BMPs to further reduce air emissions during construction. The LAHD shall determine the BMPs once the contractor identifies and secures a final equipment list.</p>	<p><b>Timing:</b> Throughout all construction phases.</p> <p><b>Methods:</b> This measure shall be incorporated into the LAHD and Developer contract specifications for all construction work to reduce the impact of construction diesel emissions. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications.</p>	<p><b>Implementation:</b> LAHD and Developer through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p>
<p><b>MM AQ-7. General Mitigation Measure.</b></p> <p>For any of the above mitigation measures (MM AQ-1 through AQ-6), if a CARB-certified technology becomes available and is shown to be as good as or better in terms of emissions performance than the existing measure, the technology could replace the existing measure pending approval by the LAHD.</p>	<p><b>Timing:</b> Throughout all construction phases.</p> <p><b>Methods:</b> This measure shall be incorporated into the LAHD and Developer contract specifications. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity, which would include any proposed new technology.</p>	<p><b>Implementation:</b> LAHD and Developer through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p>

<i>Mitigation Measure</i>	<i>Timing and Methods</i>	<i>Responsible Parties</i>
<p><b>MM AQ-5. Special Precautions near Sensitive Sites.</b> When construction activities are planned within 1,000 feet of sensitive receptors (defined as schools, playgrounds, day care centers, and hospitals), the construction contractor shall notify each of these sites in writing at least 30 days before construction activities begin.</p>	<p><b>Timing:</b> Throughout all construction phases.  <b>Methods:</b> This measure shall be incorporated into the LAHD and Developer contract specifications for all construction work. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity which shall include a plan to notify sensitive receptors and shall be approved by the LAHD.</p>	<p><b>Implementation:</b> LAHD and Developer through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p>
<p><b>Biological Resources: Construction</b></p>		
<p><b>MM BIO-2. Conduct nesting bird surveys.</b> This measure applies if construction is to occur between February 15 and September 1. Prior to ground-disturbing activities, a qualified biologist will conduct surveys for the presence of black crowned night herons, blue herons, and other nesting birds within Berth 78-Ports O'Call or other appropriate and known locations within the study area that contain potential nesting bird habitat. Surveys will be conducted 24 hours 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) will be established and the tree/location containing the nest will be marked and will remain in place and undisturbed until a qualified biologist performs a survey to determine that the young have fledged or the nest is no longer active.</p>	<p><b>Timing:</b> During any construction between February 15 and September 1 of every year.  <b>Methods:</b> This measure shall be incorporated into LAHD and Developer contract specifications for all construction work. The construction contractor shall instruct construction personnel as part of normal construction procedures. LAHD shall arrange for the presence of the qualified biologist to monitor during construction activity.</p>	<p><b>Implementation:</b> LAHD and Developer through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p>
<p><b>MM BIO-3. Avoid marine mammals.</b> The contractor will be required to use sound abatement techniques to reduce both noise and vibrations from pile driving activities. Sound abatement techniques will include, but are not limited to, vibration or hydraulic insertion techniques, drilled or augured holes for cast-in-place piles, bubble curtain technology, and sound aprons where feasible. At the initiation of each pile driving event, and after breaks of more than 15 minutes, the pile driving will also employ a "soft-start" in which the hammer is</p>	<p><b>Timing:</b> During all in-water construction activities requiring pile driving.  <b>Methods:</b> This measure shall be incorporated into LAHD and Developer contract specifications for all construction work. The construction contractor shall instruct construction personnel as part of normal</p>	<p><b>Implementation:</b> LAHD and Developer through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction</p>

<i>Mitigation Measure</i>	<i>Timing and Methods</i>	<i>Responsible Parties</i>
<p>operated at less than full capacity (i.e., approximately 40-60% energy levels) with no less than a 1-minute interval between each strike for a 5-minute period.</p> <p>Pile driving activities occurring within the Outer Harbor will include establishment of a safety zone, and the area surrounding the operations will be monitored by a qualified marine biologist for pinnipeds. As the disturbance threshold level sound is expected to extend at least 1,000 feet from the steel pile driving operations, a safety zone will be established around the steel pile driving site and monitored for pinnipeds within a 1,200-foot-radius safety zone around the pile. As the steel pile driving site will move with each new pile, the 1,200 foot safety zone will move accordingly. 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 steel pile segment begins. If marine mammals are found within the safety zone, pile driving of the segment will be delayed until they move out of the area. If a marine mammal is seen above water and then dives below, the biologist will instruct the contractor to wait at least 15 minutes, and if no marine mammals are seen by the biologist in that time, it may be assumed that the animal has moved beyond the safety zone. 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 project vicinity.</p> <p>If pinnipeds enter the safety zone after pile driving of a segment has begun, pile driving will continue. The biologist will 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 will cease until the animal leaves the area. Pile driving cannot be terminated safely and without severe operational difficulties until reaching a designated depth. Therefore, if it is deemed operationally unsafe by the project engineer to discontinue pile driving activities, and a pinniped is observed in the safety zone, pile driving activities will continue until the critical depth is reached (at which time pile driving will cease) or until the pinniped leaves the safety zone. Prior to the initiation of each new pile driving episode, the area will again be thoroughly surveyed by the biologist</p>	<p>construction procedures. LAHD shall arrange for the presence of a qualified biologist to monitor during construction activity.</p>	<p>Management Division</p>
<b>Cultural Resources: Construction</b>		
<b>MM CR-3: Stop Work If Unanticipated Cultural Resources Are Identified</b>	<b>Timing: During initial ground disturbance</b>	<b>Implementation: LAHD,</b>

<i>Mitigation Measure</i>	<i>Timing and Methods</i>	<i>Responsible Parties</i>
<p><b>During Ground Disturbing Activities.</b> In the event that any artifact or an unusual amount of bone, shell, or non-native stone is encountered during construction, work will be immediately stopped and relocated from that area. The contractor will stop construction within 100 feet of the exposure of these finds until a qualified archaeologist, retained by LAHD in advance of construction, can be contacted to evaluate the find (see 36 CFR 800.11.1 and pertinent CEQA regulations). Examples of such cultural materials might include concentrations of ground stone tools such as mortars, bowls, pestles, and manos; chipped stone tools such as projectile points or choppers; flakes of stone not consistent with the immediate geology such as obsidian or fused shale; trash pits containing bottles and/or ceramics; or structural remains. If the resources are found to be significant, they will be avoided or will be mitigated consistent with SHPO guidelines as appropriate. All construction equipment operators will attend a pre-construction meeting presented by a professional archaeologist retained by LAHD to review types of cultural resources and artifacts that would be considered potentially significant to ensure operator recognition of these materials during construction.</p> <p>If human remains are encountered, there will be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent human remains. The Los Angeles County Coroner will be contacted to determine the age and cause of death. If the remains are not of Native American heritage, construction in the area may recommence. If the remains are of Native American origin, the most likely descendants of the deceased will be identified by the NAHC. LAHD and the USACE will consult with the Native American most likely descendant(s) to identify a mutually acceptable strategy for treating and disposing of, with appropriate dignity, the human remains and any associated grave goods as provided in PRC Section 5097.98. If the NAHC is unable to identify a most likely descendant; if the descendant fails to make a recommendation within 24 hours of being notified by the NAHC, LAHD, or the USACE; and if the descendant is not capable of reaching a mutually acceptable strategy through mediation by the NAHC, the Native American human remains and associated grave goods will be reburied with appropriate dignity on the proposed project site in a location not subject to further subsurface disturbance.</p>	<p>during construction</p> <p><b>Methods:</b> To avoid or reduce this potential impact, the Environmental Management Division (EMD) shall retain a qualified archaeologist. 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, EMD, and archaeologist</p>	<p>archaeological consultants (ICF Jones &amp; Stokes), Developer through construction contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p>
<p><b>Geology: Construction and Operation</b></p>		

<i>Mitigation Measure</i>	<i>Timing and Methods</i>	<i>Responsible Parties</i>
<p><b>MM GEO-1. Emergency response planning.</b> The tenants within the proposed project area will work with Port engineers and LAHD police to develop tsunami response training and procedures to assure that construction and operations personnel will be prepared to act in the event of a large seismic event. Such procedures will 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.</p> <p>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 and/or operations.</p>	<p><b>Timing:</b> At beginning of Construction and within first year of Operation (with annual updates)</p> <p><b>Method:</b> Construction: LAHD Engineering Division shall provide procedures for inclusion in bid specifications. 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 and/or operations. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications</p> <p><b>Method: Operations:</b> General requirements of this measure shall be incorporated into the lease. All tenants 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.</p>	<p><b>Implementation:</b> LAHD and Developer through Construction Contractor; tenant for operations.</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Port Operations, Construction Management Division, Real Estate Division.</p>
<b>Groundwater and Soils: Construction</b>		
<p><b>MM GW-1. Complete site remediation.</b> Unless otherwise authorized by the lead regulatory agency for any given site, the LAHD will remediate all</p>	<p><b>Timing:</b> Prior to or during grading activities</p> <p><b>Method:</b> Soil and groundwater remediation</p>	<p><b>Implementation:</b> LAHD through Construction</p>

<i>Mitigation Measure</i>	<i>Timing and Methods</i>	<i>Responsible Parties</i>
<p>contaminated soils within proposed project boundaries prior to or during demolition and grading activities. Remediation will occur in compliance with local, state, and federal regulations and as directed by the LACFD, DTSC, and/or RWQCB.</p> <p>Soil remediation will be completed such that contamination levels are below health screening levels established by OEHHA and/or applicable action levels established by the lead regulatory agency with jurisdiction over the site. Use of localized soil capping/paving, combined with agency-approved deed restrictions, may be an acceptable remediation measure in upland areas and/or risk-based soil assessments, but would be subject to the discretion of the lead regulatory agency.</p> <p>Existing groundwater contamination throughout the proposed project boundary will continue to be monitored and remediated, simultaneous and/or subsequent to site redevelopment, in accordance with direction provided by the RWQCB.</p> <p>Unless otherwise authorized by the lead regulatory agency for any given site, areas of soil contamination that will be remediated prior to or in conjunction with project demolition, grading, and construction would include, but not be limited to, the properties within and adjacent to the proposed Project.</p>	<p>shall be completed such that contamination levels are below health screening levels established by OEHHA and/or applicable action levels established by the lead regulatory agency with jurisdiction over the site. Soil contamination waivers may be acceptable as a result of encapsulation (i.e., paving) and/or risk-based soil assessments, but would be subject to the discretion of the lead regulatory agency.</p>	<p>Contractor.</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division, Real Estate Division. Environmental Management Division will conduct independent soil sampling as appropriate.</p>
<p><b>MIM GW-2.</b> LAHD will prepare a contamination contingency plan for non-specific facilities. The project site has a long history of industrial activity, so it is possible that future construction activity could encounter historical soil or groundwater contamination that had not been previously reported to regulatory agencies. The following contingency plan will be implemented to address previously unknown contamination during demolition, grading, and construction:</p> <p>a) All trench excavation and fill operations will be observed for the presence of chemicals of potential concern and petroleum products. Soils that are suspected to be impacted with chemicals of potential concern and/or petroleum products will be segregated from clean soil. Indications of contaminated/impacted soil may include but are not limited to: discolored soil, petroleum or organic odors, and/or visible sheen. In the event unexpected suspected chemically impacted material (soil or water) is encountered during construction, the contractor will notify LAHD's Chief Harbor Engineer, Director of Environmental Management, and Risk Management's Industrial Hygienist. LAHD will confirm the presence of</p>	<p><b>Timing:</b> Prior to construction</p> <p><b>Method:</b> LAHD will prepare a contamination contingency plan and the plan shall be included in bid specifications. Developer shall include the plan in any bid specifications. 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 and/or operations. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance</p>	<p><b>Implementation:</b> LAHD through Construction Contractor; Developer undertake soil disturbing construction activities.</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division, Real Estate Division. Environmental Management Division will conduct independent soil sampling as appropriate.</p>

<i>Mitigation Measure</i>	<i>Timing and Methods</i>	<i>Responsible Parties</i>
<p>the suspect material; direct the contractor to remove, stockpile, or contain the material; and characterize the suspect material identified within the boundaries of the construction area. Continued work at a contaminated site will require the approval of the Chief Harbor Engineer.</p> <p>b) As warranted, appropriate air monitoring equipment (e.g., photoionization detector, combustible gas indicator, organic vapor analyzer, etc.) will be present during grading and/or excavation activities in soils that are suspected to be impacted with chemicals of concern and/or petroleum products.</p> <p>c) Excavation of VOC-impacted soil will require obtaining and complying with a South Coast Air Quality Management District Rule 1166 permit.</p> <p>d) The remedial option(s) selected will be dependent upon a number of criteria (including but not limited to types of chemical constituents, concentration of the chemicals, health and safety issues, time constraints, cost, etc.) and will be determined on a site-specific basis. Both off-site and on-site remedial options will be evaluated.</p> <p>e) The extent of removal actions will be determined on a site-specific basis. At a minimum, the chemically impacted area(s) within the boundaries of the construction area will be remediated to the satisfaction of the lead regulatory agency for the site. The LAHID Project Manager overseeing removal actions will inform the contractor when the removal action is complete.</p> <p>f) Copies of hazardous waste manifests or other documents indicating the amount, nature, and disposition of such materials will be submitted to the Chief Harbor Engineer within 30 days of project completion.</p> <p>g) In the event that suspected contaminated soil is encountered, all onsite personnel handling the suspected contaminated material must be trained in accordance with the federal Hazardous Waste Operations and Emergency Response (HAZWOPER) standard. This training provides precautions and protective measures for workers remediating contaminated sites. Workers not certified with HAZWOPER training will not be allowed to resume work in suspected contaminated areas until appropriate site characterization confirms that contaminated soil, groundwater, or soil vapor are not present.</p> <p>h) As warranted, real-time perimeter and ambient air monitoring stations will be established during all grading, excavation, trenching, and/or soil handling activities associated with contaminated soil.</p>	<p>Plan throughout construction phases.</p>	

<i>Mitigation Measure</i>	<i>Timing and Methods</i>	<i>Responsible Parties</i>
<p>1) All excavations will be filled with structurally suitable fill material that is free from contamination.</p>		
<b>Transportation and Circulation (Ground): Construction</b>		
<p><b>MM TC-1: Develop and implement a Traffic Control Plan throughout proposed project construction.</b> In accordance with the City's policy on street closures and traffic diversion for arterial and collector roadways, the construction contractor will prepare a traffic control plan (to be approved by the city and county engineers) before construction. The traffic control plan will include:</p> <ul style="list-style-type: none"> <li>a street layout showing the location of construction activity and surrounding streets to be used as detour routes, including special signage;</li> <li>a tentative start date and construction duration period for each phase of construction;</li> <li>the name, address, and emergency contact number for those responsible for maintaining the traffic control devices during the course of construction; and</li> <li>written approval to implement traffic control from other agencies, as needed.</li> </ul> <p>Additionally, the traffic control plan will include the following stipulations.</p> <ul style="list-style-type: none"> <li>Provide access for emergency vehicles at all times.</li> <li>Avoid creating additional delay at intersections currently operating at congested conditions, either by choosing routes that avoid these locations, or constructing during nonpeak times of day.</li> <li>Maintain access for driveways and private roads, except for brief periods of construction, in which case property owners will be notified.</li> <li>Provide adequate off-street parking areas at designated staging areas for construction-related vehicles.</li> <li>Maintain pedestrian and bicycle access and circulation during proposed project construction where safe to do so. If construction encroaches on a sidewalk, a safe detour will be provided for pedestrians at the nearest crosswalk. If construction encroaches on a bike lane, warning signs will be posted that indicate bicycles and vehicles are sharing the roadway.</li> </ul>	<p><b>Timing:</b> Prior to construction activities, to be implemented during construction.</p> <p><b>Methods:</b> This measure shall be completed by the LAHD and Developer, with compliance reported to the Board of Harbor Commissioners.</p>	<p><b>Implementation:</b> LAHD and Developer</p> <p><b>Monitoring and Reporting:</b> LAHD Environmental Management and Engineering Divisions</p>

<i>Mitigation Measure</i>	<i>Timing and Methods</i>	<i>Responsible Parties</i>
<p>Traffic controls may include flag persons wearing Occupational Safety and Health Administration-approved vests and using a "Stop/Slow" paddle to warn motorists of construction activity.</p> <p>Maintain access to Metro, LADOT, MAX, PVPTA, and LAHD transit services and ensure that public transit vehicles are detoured.</p> <p>Post standard construction warning signs in advance of the construction area and at any intersection that provides access to the construction area.</p> <p>Construction warning signs will be posted, in accordance with local standards or those set forth in the Manual on Uniform Traffic Control Devices (Federal Highway Administration 2001) in advance of the construction area and at any intersection that provides access to the construction area.</p> <p>During lane closures, notify LAFD and LAPD, as well as the Los Angeles County Sheriff's and Fire Departments, of construction locations to ensure that alternative evacuation and emergency routes are designed to maintain response times during construction periods, if necessary.</p> <p>Provide written notification to contractors regarding appropriate routes to and from construction sites, and weight and speed limits for local roads used to access construction sites. Submit a copy of all such written notifications to the City of Los Angeles Planning Department.</p> <p>Repair or restore the road right-of-way to its original condition or better upon completion of the work.</p>		
<b>Noise: Construction</b>		
<p><b>MM NOI-1. Construct temporary noise barriers, muffle and maintain construction equipment, prohibit idling, locate equipment, use quiet construction equipment, and notify residents.</b> The following will reduce the impact of noise from construction activities:</p> <p>a) <b>Temporary Noise Barriers.</b> When construction is occurring within 500 feet of a residence or park, temporary noise barriers (solid fences or curtains) will be located between noise-generating construction activities and sensitive receivers.</p> <p>b) <b>Construction Equipment.</b> All construction equipment powered by internal</p>	<p><b>Timing:</b> Throughout all construction phases.</p> <p><b>Methods:</b> This measure shall be incorporated into contract specifications for all construction work to reduce noise the impacts. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases. Enforcement shall include</p>	<p><b>Implementation:</b> LAHD and Developer through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p>

<i>Mitigation Measure</i>	<i>Timing and Methods</i>	<i>Responsible Parties</i>
<p>combustion engines will be properly muffled and maintained.</p> <p>c) <b>Idling Prohibitions.</b> Unnecessary idling of internal combustion engines near noise sensitive areas will be prohibited.</p> <p>d) <b>Equipment Location.</b> All stationary noise-generating construction equipment, such as air compressors and portable power generators, will be located as far as practical from existing noise sensitive land uses.</p> <p>e) <b>Quiet Equipment Selection.</b> Select quiet construction equipment whenever possible. Comply where feasible with noise limits established in the City of Los Angeles Noise Ordinance.</p> <p>f) <b>Notification.</b> Notify residents within 500 feet to the proposed project site of the construction schedule in writing.</p>	<p>oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications.</p>	
<p><b>MM NOI-2. Construction Hours.</b> Construction activities for the proposed Project would not exceed the ambient noise level by 5 dBA at a noise sensitive use between the hours of 6:00 p.m. and 7:00 a.m. Monday through Friday, before 8:00 a.m. or after 6:00 p.m. on Saturday, or at any time on Sunday. If extended construction hours are needed during weekdays under special circumstances, LAHD and the contractor will provide at least 72 hours' notice to sensitive receptors within 0.5 miles of the construction area. Under no circumstances will construction hours exceed the range prescribed by the City of Los Angeles Municipal Code.</p>	<p><b>Timing:</b> During construction.</p> <p><b>Methods:</b> This measure shall be incorporated into contract specifications for all construction work to reduce noise the impacts. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications.</p>	<p><b>Implementation:</b> LAHD and Developer through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p>
<p><b>Utilities and Public Services: Construction</b></p>		

<i>Mitigation Measure</i>	<i>Timing and Methods</i>	<i>Responsible Parties</i>
<p><b>MM PS-2: Recycle construction materials.</b> Demolition and/or excess construction materials will be separated on site for reuse/recycling or proper disposal. During grading and construction, separate bins for recycling of construction materials will be provided on site.</p>	<p><b>Timing:</b> Throughout construction.  <b>Methods:</b> This measure shall be incorporated into contract specifications for all construction work to improve recycling efforts. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager to ensure compliance with contract specifications.</p>	<p><b>Implementation:</b> LAHD and Developer through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p>
<p><b>MM PS-3: Use materials with recycled content.</b> Materials with recycled content, such as recycled steel from framing and recycled concrete and asphalt from roadway construction, will be used in project construction. Wood chippers registered through the California Air Resources Board's Portable Equipment Registration Program will be operated on site during construction. Wood from tree removal, not from demolished structures, will be reused as landscape cover, further reducing the quantity of wood that would otherwise be disposed of at solid waste facilities.</p>	<p><b>Timing:</b> Throughout construction.  <b>Methods:</b> This measure shall be incorporated into contract specifications for all construction work to improve recycling efforts. The contractor(s) shall submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager to ensure compliance with contract specifications.</p>	<p><b>Implementation:</b> LAHD and Developer through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p>
<p><b>Utilities and Public Services: Operation</b></p>		

<i>Mitigation Measure</i>	<i>Timing and Methods</i>	<i>Responsible Parties</i>
<p><b>MM PS-4: Comply with AB 939.</b> LAHD and Port tenants will implement a Solid Waste Management Program including the following measures to achieve a 50% reduction of current waste generation percentages by 2037 and ensure compliance with the California Solid Waste Management Act (AB 939).</p> <ol style="list-style-type: none"> <li>Provide space and/or bins for storage of recyclable materials on the project site. All garbage and recycle bin storage space will be enclosed and plans will show equal area availability for both garbage and recycle bins in storage spaces.</li> <li>Establish a recyclable material pick-up area for commercial buildings.</li> <li>Participate in a curbside recycling program to serve the new development.</li> <li>Develop a plan for accessible collection of materials on a regular basis.</li> <li>Develop source reduction measures that indicate the method and amount of expected reduction.</li> <li>Implement a program to purchase materials that have recycled content for project construction and operation (e.g., lumber, plastic, office supplies).</li> <li>Provide a resident-tenant/employee education pamphlet to be used in conjunction with available Los Angeles County and federal source reduction educational materials. The pamphlet will be provided to all commercial tenants by the leasing/property management agency.</li> <li>Include lease language requiring tenant participation in recycling/waste reduction programs, including specification that janitorial contracts support recycling.</li> </ol>	<p><b>Timing:</b> Throughout all operational years.</p> <p><b>Methods:</b> This measure shall be incorporated into the Cruise Line, Cruise Terminal, Catalina Express, Tug Company and Ports O'Call Developer leases. If the tenant proposes replacing any mitigation measure, the tenant must first make a formal request to the Port's Executive Director. The Executive Director will then consider the proposal. Annual staff reports shall be made available to the Board at a regularly scheduled public Board Meeting.</p>	<p><b>Implementation:</b> Cruise Line, Cruise Terminal, Catalina Express, Tug Company and Ports O'Call Developer leases and LAHD</p> <p><b>Monitoring and Reporting:</b> LAHD Environmental Management and Real Estate Divisions</p>
<p><b>MM PS-5: Water Conservation and Wastewater Reduction.</b> LAHD and Port tenants will implement the following water conservation and wastewater reduction measures to further reduce impacts on water demand and wastewater flows.</p> <ol style="list-style-type: none"> <li>The landscape irrigation system will be designed, installed, and tested to provide uniform irrigation coverage for each zone. Sprinkler head patterns will be adjusted to minimize overspray onto walkways and streets. Each zone (sprinkler valve) will water plants having similar watering needs (i.e., shrubs, flowers, and turf will not be in the same watering zone). Automatic irrigation timers will be set to water landscaping during early morning or late evening hours to reduce water losses from evaporation. Irrigation run times will be adjusted for all zones seasonally, reducing length and</li> </ol>	<p><b>Timing:</b> Throughout all operational years.</p> <p><b>Methods:</b> This measure shall be incorporated into the Cruise Line, Cruise Terminal, Catalina Express, Tug Company and Ports O'Call Developer leases. If the tenant proposes replacing any mitigation measure, the tenant must first make a formal request to the Port's Executive Director. The Executive Director will then consider the proposal. Annual staff reports shall be made available to the Board at a regularly scheduled public Board Meeting.</p>	<p><b>Implementation:</b> Cruise Line, Cruise Terminal, Catalina Express, Tug Company and Ports O'Call Developer leases and LAHD</p> <p><b>Monitoring and Reporting:</b> LAHD Environmental Management and Real Estate Divisions</p>

<i>Mitigation Measure</i>	<i>Timing and Methods</i>	<i>Responsible Parties</i>
<p>frequency of waterings in the cooler months (i.e., fall, winter, spring). Adjust sprinkler timer run time to avoid water runoff, especially when irrigating sloped property. Sprinkler times will be reduced once drought-tolerant plants have been established.</p> <p>b. Drought-tolerant, low water consuming plant varieties will be used to reduce irrigation water consumption.</p> <p>c. Recycled water will be used for irrigation and toilet flushing (dual-flushing)</p> <p>d. Ultra-low-flush toilets, ultra-low-flush urinals, and water-saving showerheads must be installed in both new construction and when remodeling. Low flow faucet aerators will be installed on all sink faucets.</p> <p>e. Significant opportunities for water savings exist in air conditioning systems that utilize evaporative cooling (i.e., employ cooling towers). LADWP will be contacted for specific information of appropriate measures.</p> <p>f. Recirculating or point-of-use hot water systems will be installed to reduce water waste in long piping systems where water must be run for considerable period before heated water reaches the outlet.</p>		
<p><b>MM PS-6: Employ energy conservation measures.</b> During the design process, LAHD will consult with LADWP's Efficiency Solutions Business Group regarding possible energy efficiency measures. LAHD and its tenants will incorporate measures to meet or, if possible, exceed minimum efficiency standards for Title XXIV of the California Code of Regulations, such as:</p> <p>a. Built-in appliances, refrigerators, and space-conditioning equipment will exceed the minimum efficiency levels mandated in the California Code of Regulations.</p> <p>b. High-efficiency air conditioning will be installed that is controlled by a computerized energy-management system in office and retail spaces and provides the following:</p> <ul style="list-style-type: none"> <li>a variable air-volume system that results in minimum energy consumption and avoids hot water energy consumption for terminal reheat,</li> <li>a 100% outdoor air-economizer cycle to obtain free cooling in appropriate climate zones during dry climatic periods,</li> <li>sequentially staged operation of air-conditioning equipment in accordance with building demands,</li> </ul>	<p><b>Timing:</b> Throughout all operational years.</p> <p><b>Methods:</b> This measure shall be incorporated into the Cruise Line, Cruise Terminal, Catalina Express, Tug Company and Ports O' Call Developer leases. If the tenant proposes replacing any mitigation measure, the tenant must first make a formal request to the Port's Executive Director. The Executive Director will then consider the proposal. Annual staff reports shall be made available to the Board at a regularly scheduled public Board Meeting.</p>	<p><b>Implementation:</b> Cruise Line, Cruise Terminal, Catalina Express, Tug Company and Ports O' Call Developer leases and LAHD</p> <p><b>Monitoring and Reporting:</b> LAHD Environmental Management and Real Estate Divisions</p>

<i>Mitigation Measure</i>	<i>Timing and Methods</i>	<i>Responsible Parties</i>
<p>the isolation of air conditioning to any selected floor or floors, and considers the applicability of the use of thermal energy storage to handle cooling loads.</p> <p>c. Ventilation air will be cascaded from high-priority areas before being exhausted, thereby decreasing the volume of ventilation air required. For example, air could be cascaded from occupied space to corridors and then to mechanical spaces before being exhausted.</p> <p>d. Lighting system heat will be recycled for space heating during cool weather. While exhaust lighting-system heat will be recycled from the buildings, via ceiling plenums, to reduce cooling loads in warm weather.</p> <p>e. Low and medium static-pressure terminal units will be installed, as well as ductwork to reduce energy consumption by air-distribution systems.</p> <p>f. Buildings must be well sealed to prevent outside air from infiltrating and increasing interior space-conditioning loads. Where applicable, design building entrances with vestibules to restrict infiltration of unconditioned air and exhausting of conditioned air.</p> <p>g. A performance check of the installed space-conditioning system will be completed by the developer/installer prior to issuance of the certificate of occupancy to ensure that energy-efficiency measures incorporated into the proposed Project operate as designed.</p> <p>h. Exterior walls will be finished with light-colored materials and high-emissivity characteristics to reduce cooling loads. Interior walls will be finished with light-colored materials to reflect more light and, thus increase light efficiency.</p> <p>i. White reflective material will be used for roofing meeting California standards for reflectivity and emissivity to reject heat.</p> <p>j. Thermal insulation that exceeds requirements established by the California Code of Regulations will be installed in walls and ceilings.</p> <p>k. Window systems will be designed to reduce thermal gain and loss, thus reducing cooling loads during warm weather and heating loads during cool weather.</p> <p>l. Heat-rejecting window treatments will be installed, such as films, blinds, draperies, or others on appropriate exposures.</p> <p>m. Fluorescent and high-intensity discharge lamps that give the highest light output per watt of electricity consumed will be installed wherever possible,</p>		

<i>Mitigation Measure</i>	<i>Timing and Methods</i>	<i>Responsible Parties</i>
<p>including all street and parking lot lighting, to reduce electricity consumption. Reflectors will be used to direct maximum levels of light to work surfaces.</p> <p>n. Photosensitive controls and dimmable electronic ballasts will be installed to maximize the use of natural daylight available and reduce artificial lighting load.</p> <p>o. Occupant-controlled light switches and thermostats to permit individual adjustment of lighting, heating, and cooling will be installed to avoid unnecessary energy consumption.</p> <p>p. Time-controlled interior and exterior public area light will be installed, limited to that which is necessary for safety and security.</p> <p>q. Mechanical systems (HVAC and lighting) in the building will be controlled with timing systems to prevent accidental or inappropriate conditioning or lighting of unoccupied space.</p> <p>r. Windowless walls or passive solar inset of windows will be incorporated, where feasible, in building design.</p> <p>s. Project will focus pedestrian activity within sheltered outdoor areas.</p>		
<b>Recreation: Construction</b>		
<p><b>MM REC-1. Maintain pedestrian access during construction.</b> The LAHD and construction contractors will follow standard safety procedures to protect pedestrian traffic from construction hazards, including providing brightly colored fencing and signage indicating closures and safety directing pedestrian traffic around construction areas. This will also require coordinated construction activities such that pedestrian access can be routed around construction with a minimum increase in distance.</p>	<p><b>Timing:</b> During Construction  <b>Methods:</b> This measure shall be incorporated into the LAHD and Developer design and contract specifications.  The contractor shall adhere to these specifications and Compliance Plan throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications.</p>	<p><b>Implementation:</b> LAHD and Developer through Construction Contractor  <b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p>
<p><b>MM REC-2. Maintain bicycle access during construction.</b> The LAHD and construction contractors will provide signage notifying users of bike lanes of closure as well as signage directing users to alternative bike routes. Alternative</p>	<p><b>Timing:</b> During Construction  <b>Methods:</b> This measure shall be incorporated into the LAHD and Developer design and</p>	<p><b>Implementation:</b> LAHD and Developer through</p>

<i>Mitigation Measure</i>	<i>Timing and Methods</i>	<i>Responsible Parties</i>
<p>bike lanes in the proposed project vicinity include a north-south Class II bike path along the entire length of South Gaffey Street, and an east-west Class III bike path on 9<sup>th</sup> from North Harbor Boulevard west to State Route 213. LAHD will be required to inform the public prior to commencement of construction resulting in closures or possible disruptions to bike paths. Public sources to notify will, at minimum, include the City of Los Angeles Department of Transportation Bicycle Program, and Los Angeles area bicycling groups.</p>	<p>contract specifications. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications.</p>	<p>Construction Contractor <b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p>
<p><b>MM REC-3. Maintain parking during construction.</b> The LAHD and construction contractors will minimize parking obstructions during construction periods by placing construction areas out of roadways and parking lots, where possible. In areas where construction staging areas and construction activities must impede access to parking areas, detour signs and lane striping will direct traffic to additional off-site parking areas. LAHD will provide shuttle service to remote parking areas in the event that offsite parking areas are farther than 1 mile from existing waterfront areas and the Waterfront Red Car Line does not adequately service the offsite parking areas.</p>	<p><b>Timing:</b> During Construction <b>Methods:</b> This measure shall be incorporated into the LAHD and Developer design and contract specifications. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications.</p>	<p><b>Implementation:</b> LAHD and Developer through Construction Contractor <b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p>
<p><b>MM REC-4. Maintain vehicle access during construction.</b> The LAHD and construction contractors will minimize obstructions to vehicle access during construction periods by placing construction areas out of roadways and parking lots, where possible. In areas where construction staging areas and construction activities must impede access to roadways, detour signs and lane striping will safely direct traffic around construction areas.</p>	<p><b>Timing:</b> During Construction <b>Methods:</b> This measure shall be incorporated into the LAHD and Developer design and contract specifications. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications.</p>	<p><b>Implementation:</b> LAHD and Developer through Construction Contractor <b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p>
<p><b>MM REC-6. Maintain access to open waters of the harbor during construction.</b> The LAHD and construction contractors will minimize obstructions to open waters of the harbor during construction periods by placing</p>	<p><b>Timing:</b> During Construction <b>Methods:</b> This measure shall be incorporated into the LAHD and Developer design and</p>	<p><b>Implementation:</b> LAHD and Developer through Construction Contractor</p>

<i>Mitigation Measure</i>	<i>Timing and Methods</i>	<i>Responsible Parties</i>
<p>construction staging areas out of high-traffic waterways, parking lots leading to boat ramps, and boat docks, where possible. LAHD will embark on a public awareness campaign, providing information about construction periods, construction areas, closures, and suggestions of alternative boating areas. LAHD will inform the public prior to commencement of construction that will result in closures or possible disruptions to open waters of the harbor. Public notifications will, at minimum, include notifying local boating groups and posting flyers at boat ramps in the proposed project vicinity. LAHD will offer boater safety training for the public, specifically with respect to safe navigation around construction activities.</p>	<p>contract specifications. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications.</p>	<p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p>
<p><b>MM REC-7. Maintain docking space and dock access during construction.</b> The LAHD and construction contractors will minimize obstructions to docking space and dock access during construction periods by placing construction staging areas away from boat docks where possible. LAHD will embark on a public awareness campaign, providing information about construction periods, construction areas, closures, and suggestions of alternative boating areas and docking locations. In cases where docking space will be closed or removed and existing tenants need alternative docking space, LAHD will provide temporary docking space in the near vicinity of the proposed Project. LAHD will provide notification and signage to direct users to these temporary alternative docking areas. LAHD will inform the public prior to commencement of construction that will result in closures or possible disruptions to dock access. Public notifications will, at minimum, include notifying local boating groups and posting flyers at boat ramps in the proposed project vicinity. LAHD will offer boater safety training for the public, specifically with respect to safe navigation around construction activities.</p>	<p><b>Timing:</b> During Construction <b>Methods:</b> This measure shall be incorporated into the LAHD and Developer design and contract specifications. The contractor shall adhere to these specifications and Compliance Plan throughout construction phases. Enforcement shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications.</p>	<p><b>Implementation:</b> LAHD and Developer through Construction Contractor <b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p>
<b>Other Requirements: Construction</b>		
<p><b>Adherence to program to mitigate impacts on nonrenewable paleontologic resources developed by LAHD pursuant to MM CR-4</b></p>	<p><b>Timing:</b> During Construction <b>Methods:</b> The Paleontological Monitoring and Mitigation Plan San Pedro Waterfront Project shall be incorporated into the LAHD and Developer design and contract specifications. The contractor shall adhere to this Plan throughout construction phases. Enforcement</p>	<p><b>Implementation:</b> LAHD and Developer through Construction Contractor <b>Monitoring and Reporting:</b> Environmental Management Division, Construction</p>

<i>Mitigation Measure</i>	<i>Timing and Methods</i>	<i>Responsible Parties</i>
	shall include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications.	Management Division

# Summary of New or Modified Mitigation Measures for the West Harbor Modification Project Subsequent EIR

This is a summary of the new and modified mitigation measures contained in the West Harbor Modification Project Subsequent Environmental Impact Report (EIR) Mitigation Monitoring and Reporting Program (MMRP) that apply specifically to the West Harbor Modification Project. Modified mitigation measures apply to specific measures contained in the San Pedro Waterfront Addendum – San Pedro Public Market Project Final MMRP which was approved by the Board in April 2016 and incorporated into Lease No. 915 granted to San Pedro Public Market LLC (SPPM). Such modifications include: 1) removing language for construction equipment engine requirements which have sunsetted 2) adding language to the “Methodology” and “Implementation” sections to specifically indicate the requirements of the SPPM Developer (Developer) and 3) updates to referenced documents and requirements. The MMRP also includes new mitigation measures identified in the Subsequent EIR for the West Harbor Modification Project and new Project Features that are added to the MMRP for tracking and monitoring purposes.

The following Mitigation Measures were modified from the 2016 MMRP in the Final SEIR (as described in their respective resource area chapters) and are included here for reference:

Mitigation Measure	Timing and Methodology	Responsible Parties
<p><b>This measure replaces the measure in the 2016 MMRP MM-AQ-4: Fleet Modernization for Construction Equipment.</b> 1. Construction equipment will incorporate, where feasible, emissions-savings technology such as hybrid drives and specific fuel economy standards.</p> <p>2. Idling will be restricted to a maximum of 5 minutes when not in use.</p> <p>3. Tier Specifications: All offroad diesel-powered construction equipment greater than 50 hp will meet the Tier 4 emission standards, where available. In addition, all construction equipment will be outfitted with BACT devices certified by CARB. Any emissions-control device used by the contractor will achieve emissions reductions that are no less than what could be achieved by a Level 3</p>	<p><b>Timing:</b> Throughout all construction phases.</p> <p><b>Methodology:</b> This measure will be incorporated into LAHD and Tenant contract specifications for all construction work to reduce the impact of construction diesel emissions. The contractor(s) will submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor will adhere to these specifications and Environmental Compliance Plan</p>	<p><b>Implementation:</b> LAHD and Developer through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p>

Mitigation Measure	Timing and Methodology	Responsible Parties
<p>diesel-emissions control strategy for a similarly sized engine, as defined by CARB regulations.</p> <p>A copy of each unit's certified tier specification, BACT documentation, and CARB or SCAQMD operating permit will be provided at the time of mobilization of each applicable unit of equipment. Construction-equipment measures will be met, unless one of the following circumstances exist and the contractor is able to provide proof that any of these circumstances exists.</p> <ul style="list-style-type: none"> <li>• A piece of specialized equipment is unavailable in a controlled form within the state of California, including through a leasing agreement;</li> <li>• A contractor has applied for necessary incentive funds to put controls on a piece of uncontrolled equipment planned for use on the project, but the application process is not yet approved, or the application has been approved, but funds are not yet available; and/or</li> <li>• A contractor has ordered a control device for a piece of equipment planned for use on the project, or the contractor has ordered a new piece of controlled equipment to replace the uncontrolled equipment, but that order has not been completed by the manufacturer or dealer. In addition, for this exemption to apply, the contractor must attempt to lease controlled equipment to avoid using uncontrolled equipment, but no dealer within 200 miles of the project has the controlled equipment available for lease</li> </ul>	<p>throughout construction phases. Enforcement will include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications.</p>	
<p><b>This measure replaces the measure in the 2016 MMRP MM-PS-5: Water Conservation and Wastewater Reduction.</b></p> <p>LAHD and Port Tenants will implement the following water-conservation and wastewater-reduction measures to further reduce impacts on water demand and wastewater flows.</p> <p>a. The landscape-irrigation system will be designed, installed, and tested to provide uniform irrigation coverage for each zone. Sprinkler-head patterns will be adjusted to minimize overspray onto walkways and streets. Each zone (i.e., sprinkler valve) will water</p>	<p><b>Timing:</b> Throughout all operational years.  <b>Methodology:</b> This measure will be incorporated into Tenant's lease and construction requirements.</p>	<p><b>Implementation:</b> LAHD and Developer through Construction Contractor  <b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p>

Mitigation Measure	Timing and Methodology	Responsible Parties
<p>plants having similar watering needs (i.e., shrubs, flowers, and turf will not be in the same watering zone). Automatic irrigation timers will be set to water landscaping during early-morning or late-evening hours to reduce water loss from evaporation. Irrigation run times will be adjusted for all zones seasonally, reducing the length and frequency of watering in the cooler months (i.e., fall, winter, and spring). Sprinkler-timer run times will be adjusted to avoid water runoff, especially when irrigating sloped property. Sprinkler times will be reduced once drought-tolerant plants have been established.</p> <p>b. Drought-tolerant, low-water-consuming plant varieties will be used to reduce irrigation-water consumption.</p> <p>c. Recycled water will be used for irrigation and toilet-flushing (i.e., dual-flushing) on notification from LADWP that recycled water is available and on notification from Port Engineering that necessary connections are available prior to construction.</p> <p>d. Ultra-low-flush toilets, ultra-low-flush urinals, and water-saving showerheads must be installed in both new and replacement construction. Low-flow faucet aerators will be installed on all sink faucets. e. Significant opportunities for water savings exist in air-conditioning systems that utilize evaporative cooling (i.e., employ cooling towers). LADWP will be contacted for specific information on appropriate measures. f. Recirculating, or point-of-use, hot-water systems will be installed to reduce water waste in long piping systems where water must be run for a considerable period of time before heated water reaches the outlet</p>		

The following Mitigation Measures from the 2016 MMRP were removed due to inapplicability and/or redundancy with current standards and regulations:

- MM-AQ-25: Recycling
- MM-AQ-28: Energy Audit
- MM-PS-4: Comply with AB 939
- MM-PS-6: Employ Energy Conservation Measures

**Mitigation Monitoring and Reporting Program Summary for the West Harbor Modification Project**

Mitigation Measure or Project Feature	Timing and Methodology	Responsible Parties
<p><b>Air Quality and Meteorology: Construction</b></p> <p><b>This measure replaces the measure in the 2016 MMRP MM-AQ-3: Fleet Modernization for On-Road Trucks During Construction</b></p> <ol style="list-style-type: none"> <li>Trucks hauling materials such as debris or fill will be fully covered while operating off Port property.</li> <li>Idling will be restricted to a maximum of 5 minutes when not in use.</li> <li>Tier Specifications:                             <ul style="list-style-type: none"> <li>From January 1, 2024, to December 31, 2026: All on-road heavy-duty diesel trucks with a gross vehicle weight rating (GVWR) of 19,500 pounds or greater used on site or to transport materials to and from the site shall comply with 2012 emission standards, or newer, where available.</li> <li>Post January 1, 2027: All on-road heavy duty diesel trucks used on site or to transport materials to and from the site shall comply with 2015 emission standards, or newer, where available.</li> </ul> </li> </ol> <p>A copy of each unit’s certified U.S. Environmental Protection Agency (USEPA) rating, Best Available Control Technology (BACT) documentation, and CARB or South Coast Air Quality Management District (SCAQMD) operating permit shall be provided at the time of mobilization of each applicable unit of equipment.</p>	<p><b>Timing:</b> Throughout all construction phases.</p> <p><b>Methodology:</b> This measure will be incorporated into LAHD and Tenant contract specifications for all construction work to reduce the impact of construction diesel emissions. The contractor(s) will submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor will adhere to these specifications and Environmental Compliance Plan throughout construction phases. Enforcement will include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications.</p>	<p><b>Implementation:</b> LAHD and Developer through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p>
<p><b>This measure replaces the measure in the 2016 MMRP MM-AQ-5: Fugitive Dust.</b></p> <p>The calculation of fugitive dust (i.e., PM<sub>10</sub>) from unmitigated Proposed Project earth-moving activities assumes a 75-percent reduction from uncontrolled levels to simulate rigorous watering of the site and use of other measures (listed below) to ensure Proposed Project compliance with SCAQMD Rule 403.</p>	<p><b>Timing:</b> Throughout all construction phases.</p> <p><b>Methodology:</b> This measure will be incorporated into the LAHD and Tenant contract specifications for all construction work to reduce the impact of fugitive dust (PM<sub>10</sub>)</p>	<p><b>Implementation:</b> LAHD and Developer through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p>

Mitigation Measure or Project Feature	Timing and Methodology	Responsible Parties
<p>The construction contractor will apply for a SCAQMD Rule 403 Dust Control Permit. The construction contractor will further reduce fugitive dust emissions to 61-percent from uncontrolled levels. The construction contractor will designate personnel to monitor the dust control program and to order increased watering or other dust control measures, as necessary, to ensure a 61-percent control level. Their duties will include holiday and weekend periods when work may not be in progress.</p> <p>The following measures, at minimum, must be part of the contractor Rule 403 dust control plan.</p> <ol style="list-style-type: none"> <li>1. Active grading sites will be watered one additional time per day beyond that required by Rule 403;</li> <li>2. Contractors will apply approved nontoxic chemical soil stabilizers to all inactive construction areas or replace groundcover in disturbed areas;</li> <li>3. Construction contractors will provide temporary wind fencing around sites being graded or cleared;</li> <li>4. Trucks hauling dirt, sand, or gravel will be covered or will maintain at least 2 feet of freeboard in accordance with Section 23114 of the California Vehicle Code;</li> <li>5. Construction contractors will install wheel washers where vehicles enter and exit unpaved roads onto paved roads or wash off tires of vehicles and any equipment leaving the construction site;</li> <li>6. The grading contractor will suspend all soil-disturbing activities when winds exceed 25 miles per hour or when visible dust plumes emanate from a site; disturbed areas will be stabilized if construction is delayed;</li> <li>7. Trucks hauling materials such as debris or fill will be fully covered while operating off LAHD property;</li> <li>8. A construction relations officer will be appointed to act as a community liaison concerning onsite construction activity, including resolution of issues related to PM<sub>10</sub> generation;</li> </ol>	<p>emissions. The contractor(s) will submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor will adhere to these specifications and Environmental Compliance Plan throughout construction phases. Enforcement will include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications.</p>	

Mitigation Measure or Project Feature	Timing and Methodology	Responsible Parties
<p>9. All streets will be swept at least once a day using SCAQMD Rule 1186, 1186.1-certified street sweepers or roadway-washing trucks if visible soil materials are carried to adjacent streets;</p> <p>10. Water or nontoxic soil stabilizer will be applied three times daily to all unpaved parking or staging areas or unpaved road surfaces;</p> <p>11. Roads and shoulders will be paved; and</p> <p>12. Water will be applied three times daily or as needed to areas where soil is disturbed.</p>		
<p><b>This measure replaces the measure in the 2016 MMRP MM-AQ-27: Light-Emitting Diode (LED) Lightbulbs.</b></p> <p>All buildings and exterior lighting will use LED light bulbs.</p>	<p><b>Timing:</b> Throughout all construction phases.</p> <p><b>Methodology:</b> This measure will be incorporated into the LAHD and Tenant contract specifications for all construction work. The contractor(s) will submit an Environmental Compliance Plan to the LAHD prior to beginning any construction activity.</p>	<p><b>Implementation:</b> LAHD and Developer through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> Environmental Management Division, Construction Management Division</p>
<p><b>Air Quality: Operations</b></p> <p><b>MM-AQ-31: Zero-Emission Shuttle Buses.</b></p> <p>To the extent commercially available for rent, the Tenant shall use zero-emission shuttle buses from Port-owned parking lots to the amphitheater during ticketed events.</p>	<p><b>Timing:</b> Six months prior to the opening of the Amphitheater and throughout all operational phases.</p> <p><b>Methodology:</b> This measure will be incorporated into the Tenant’s lease. Enforcement will include oversight by the LAHD Environmental Management and Real Estate Divisions. The Tenant will comply with the measure through contracts and/or agreements with selected vendors. In the event zero-emission shuttle buses are not commercially available within the local and greater</p>	<p><b>Implementation: Developer</b></p> <p><b>Monitoring and Reporting:</b> Environmental Management and Real Estate Divisions</p>

Mitigation Measure or Project Feature	Timing and Methodology	Responsible Parties
<p><b>Biological Resources: Operation</b></p> <p><b>PF-BIO-1: Compliance with Local Regulations.</b>                      Tenant will ensure agreements with Event Organizers contain provisions regarding compliance with applicable local regulations regarding event-generated waste. Event organizers will comply with all applicable City of Los Angeles Ordinances pertaining to waste reduction, single-use plastic and expanded polystyrene (EPS) foam (or Styrofoam) bans and the reduction of disposable foodware and accessories.</p>	<p><b>Timing:</b> Throughout all operational phases.  <b>Methodology:</b> This measure will be incorporated into the Tenant's lease. Enforcement will include oversight by the LAHD Environmental Management and Real Estate Divisions. The Tenant will comply with the measure through contracts and/or agreements with all vendors operating in conjunction with the Amphitheater.</p>	<p><b>Implementation:</b> Developer through contracts  <b>Monitoring and Reporting:</b> Environmental Management and Real Estate Divisions</p>
<p><b>MM-BIO-7: Trash Management and Post-Event Cleanup.</b>                      To prevent trash and debris produced by Amphitheater events from entering nearby waters and causing harm to sensitive marine environments and species, a Standard Operating Procedure (SOP) will be developed for trash management and post-event cleanup. The SOP will be reviewed by LAHD prior to implementation. At a minimum, the SOP must include the following:</p> <ul style="list-style-type: none"> <li>• Trash receptacles must be covered containers to deter animals (e.g., gulls) from easily accessing litter and prevent wind-blown trash from entering the Harbor. The number and placement of receptacles must be adequate to accommodate the event.</li> <li>• Following any events at the Project Site, trash will be removed from all venue locations including at the Amphitheater, parking lots, parks, surrounding walkways, and open areas as soon as practicable, and no later than 4 hours following the event. Trash and debris will be properly disposed of in accordance with all applicable regulations.</li> </ul>	<p><b>Timing:</b> Prior to and immediately following Amphitheater events, all clean-up must be completed as soon as practicable, and no later than four hours following the event.  <b>Methodology:</b> Per SOP for post-event cleanup. This measure will be incorporated into the Tenant's lease. Enforcement will include oversight by the LAHD Environmental Management and Real Estate Divisions. Annual staff reports will be made available to the Board at a regularly scheduled public board meeting. The Tenant will comply with the measure through contracts and/or agreements with all vendors</p>	<p><b>Implementation:</b> LAHD, Developer, and Parking Lot Operator  <b>Monitoring and Reporting:</b> Environmental Management and Real Estate Divisions</p>

Mitigation Measure or Project Feature	Timing and Methodology	Responsible Parties
<ul style="list-style-type: none"> <li>For events, the event organizer and/or parking lot operator will be responsible for cleaning the 208 E. 22nd Street Parking Lot. For non-concert events and general use, the event applicants will be responsible for cleaning the 208 E. 22nd Street Parking Lot. When used for Amphitheater concerts, the 208 E. 22nd Street Parking Lot will be subject to the requirement that all trash will be removed as soon as practicable, and no later than 4 hours following the event, as described in the above bullet point.</li> </ul>	<p>operating in conjunction with the Amphitheater.</p>	
<p><b>MM-BIO-8: Marine Mammal Monitoring During Fireworks Events.</b></p> <p>A qualified biologist will monitor marine mammals at Outer Harbor 1 and Outer Harbor 2 (see Figure 3.3-2) at Tenant expense during fireworks shows at least once per month for the first year of operation to determine whether event noises are negatively affecting marine mammals in the area. All monitoring will be conducted in accordance with a Marine Mammal Monitoring Plan that will be prepared by a qualified biologist and approved by LAHD in coordination with NMFS. A <i>qualified biologist</i> is a person who, by reason of their knowledge of the natural sciences and the principles of marine biology, acquired by marine biology education and experience, performs services including, but not limited to, consultation investigation, surveying, evaluation, planning, or responsible supervision of marine biology activities when those professional services require the application of biological principles and techniques.</p> <p>Any observed disturbances will be reported to LAHD and NMFS within 24 hours. Within 30 days following the completion of each monitoring event, the qualified biologist will prepare a report for submittal to West Harbor, LAHD, and NMFS that details the findings of the monitoring results. This report will include an introduction/background, methods, results, discussion, and recommendations. Recommendations may include BMPs, additional monitoring, continuance of monitoring if impacts are observed, or other measures to ensure that no incidental</p>	<p><b>Timing:</b> During the first year of operations at the time of Amphitheater fireworks show, at least once per month.</p> <p><b>Methodology:</b> Monitoring of marine mammals at Outer Harbor 1 and Outer Harbor 2 by a qualified biologist per the Marine Mammal Monitoring Plan. Document any discernible negative changes in marine mammal behavior. Report findings within 30 days of the monitoring. Suggest future program modifications if significant impacts are observed. This measure will be incorporated into the Tenant's lease. Enforcement will include oversight by the LAHD Environmental Management and Real Estate Divisions. The Tenant will comply with the measure through a contract and/or agreement with the LAHD Environmental Management Division for all activities and costs associated with work performed by a qualified biologist, including implementation</p>	<p><b>Implementation:</b> LAHD and Developer  <b>Monitoring and Reporting:</b> Environmental Management and Real Estate Divisions</p>

Mitigation Measure or Project Feature	Timing and Methodology	Responsible Parties
<p>harassment or other significant impact occurs at the monitoring sites, up to and including cessation of fireworks shows. If discernable negative changes in marine mammal behavior are observed, then consultation with NMFS will be initiated to develop measures to avoid negative impacts.</p> <p><b>MM-BIO-9: California Least Tern Nesting Colony Monitoring During Fireworks Events.</b></p> <p>LAHD least tern monitors will monitor the California least tern nesting colony at Pier 400 at Tenant expense during fireworks shows, when terns are present during the California least tern nesting season (i.e., March 15–August 31), to ensure that event noise does not negatively affect nesting birds. Monitoring will be performed by a qualified biologist.</p> <p>Any disturbances that result from monitored activities will be reported within 24 hours to LAHD, USFWS, and CDFW. Following the first season of monitoring, results will be assessed and shared with USFWS and CDFW, who will determine whether further monitoring would be necessary. Within 30 days of each monitoring event, the qualified biologist will prepare a report for submittal to West Harbor, LAHD, USFWS, and CDFW that details the findings of the monitoring results. All monitoring will be conducted in accordance with a California Least Tern Nesting Colony Monitoring Plan that will be prepared by the LAHD in coordination with USFWS and will be approved by the Port's Environmental Management Division and biology team. This report will include an introduction/background, methods (including monitoring timeframe), life stage of California least tern present, observations of any stressors and negative bird behavior, and any recommendations. Recommendations may include BMPs, additional monitoring, continuance of monitoring if impacts are observed, or other measures to ensure that no significant impact occurs at the nesting site, up to and including cessation of firework shows. If discernable negative changes in bird behavior are observed, then consultation with USFWS and</p>	<p>of applicable BMPs and protective measures.</p> <p><b>Timing:</b> At the time of Amphitheater fireworks shows, during the California least tern nesting season (i.e., March 15–August 31, as applicable).</p> <p><b>Methodology:</b> Monitoring of the California least tern nesting colony at Pier 400 by an LAHD least tern monitor during Amphitheater fireworks shows. Future program modifications will be suggested if significant impacts are observed. This measure will be incorporated into the Tenant's lease. Enforcement will include oversight by the LAHD Environmental Management and Real Estate Divisions. The Tenant will comply with the measure through a contract and/or agreement with the LAHD Environmental Management Division for all activities and costs associated with work performed by a qualified biologist, including implementation of applicable BMPs and protective measures.</p>	<p><b>Implementation:</b> LAHD Developer</p> <p><b>Monitoring and Reporting:</b> Environmental Management and Real Estate Divisions</p>

Mitigation Measure or Project Feature	Timing and Methodology	Responsible Parties
<p>CDFW will be initiated to develop measures to avoid negative impacts on California least terns.</p> <p><b>MM-BIO-10: Biodegradable Venue Products.</b> Wherever reusable, compostable, and/or recyclable products are infeasible or not required by regulations, event organizers will invest in biodegradable products (e.g., confetti, decorations, packaging, single-use items) for all Amphitheater events to prevent injury and damage to surrounding sensitive marine environments and protect species from harmful materials (e.g., plastics, mylar, metals). Event organizers are encouraged to utilize reusable food ware, drinkware, napkins, and accessories for dine-in services, to the extent feasible. Event organizers are encouraged to procure paper products (i.e., napkins and event literature) that are unbleached and contain a minimum of 30-percent post-consumer recycled content.</p>	<p><b>Timing:</b> Prior to and during Amphitheater events. <b>Methodology:</b> This measure will be incorporated into the Tenant's lease. Enforcement will include oversight by the LAHD Environmental Management and Real Estate Divisions. The Tenant will comply with the measure through contracts and/or agreements with all vendors operating in conjunction with the Amphitheater.</p>	<p><b>Implementation: Developer Monitoring and Reporting:</b> Environmental Management and Real Estate Divisions</p>
<p><b>MM-BIO-11: Abandoned Nest Clearance Must Avoid Breeding Bird Season.</b> To avoid impacts on nesting birds protected under the MBTA and/or similar provisions of the CFG Code, clearance of abandoned bird nests on the Ferris wheel, Amusement Attractions, or other Proposed Project structures (e.g., Amphitheater) must occur outside of the breeding-bird season (February 15–September 1), unless a qualified biologist determines that the nest has been abandoned.</p>	<p><b>Timing:</b> Any nest clearance must occur outside of the breeding-bird season (February 15–September 1). <b>Methodology:</b> General nest-clearance procedures will be developed that are compliant with protections under the MBTA and similar provisions of the CFG Code. This can include removal, such as scraping or pressure-washing, and disposal of unoccupied or partially constructed nests that do not contain eggs or nestlings.</p>	<p><b>Implementation: Developer Monitoring and Reporting:</b> Environmental Management and Real Estate Divisions</p>
<p><b>Greenhouse Gas Emissions: Construction</b></p> <p><b>PF-GHG-1: Install Solar Canopies over West Harbor Main Parking Lot.</b> Prior to the opening of the Amphitheater, the Tenant will have entered into a binding contract with a third-party solar developer to construct and install solar-panel canopies (i.e., photovoltaic</p>	<p><b>Timing:</b> During construction prior to the opening of the Amphitheater <b>Method:</b> This measure will be incorporated into the Tenant's lease and Tenant contract specifications for</p>	<p><b>Implementation: Developer Monitoring and Reporting:</b> Environmental Management and Real Estate Divisions.</p>

Mitigation Measure or Project Feature	Timing and Methodology	Responsible Parties
<p>system) that are designed to generate approximately 1.4 megawatts (MW) of direct current (DC) electricity. In the event Tenant's solar developer defaults and fails to deliver the solar improvements, Tenant will inform the Executive Director and use commercially reasonable efforts to identify and replace the solar developer on terms substantially similar to original solar contract.</p>	<p>all construction work. The contractor(s) will submit an Environmental Compliance Plan to the LAHD prior to beginning any construction activity. Enforcement will include oversight by the LAHD Environmental Management and Real Estate Divisions.</p>	
<p><b>Hazardous Materials: Construction</b></p>		
<p><b>MM-HAZ-1: Develop a Soil Management Plan (SMP) for the 208 E. 22nd Street Parking Lot Site.</b></p> <p>The Proposed Project sponsor will retain the services of a qualified environmental-engineering firm to prepare and implement an SMP during site preparation and grading activities. The SMP will be designed to protect human health and the environment and include protocols, measures, and techniques for the proper handling, management, and disposition of affected soils found on site and in any areas of offsite work during site preparation and grading activities. The SMP will also be designed to protect workers and offsite receptors during site activities and ensure the proper characterization, management, and/or disposal of contaminated environmental media that is above applicable environmental-screening levels. A commercial environmental-engineering firm with demonstrated expertise and experience in the preparation of SMPs will prepare the SMP, which will be stamped by an appropriately licensed professional and reviewed by LAHD Environmental Management. The SMP will be implemented throughout all ground-disturbing work.</p>	<p><b>Timing:</b> Prior to issuance of a construction contract and during construction</p> <p><b>Methodology:</b> This measure will be incorporated into the Tenant's lease and Tenant contract specifications for all construction work. The contractor(s) will submit an Environmental Compliance Plan to the LAHD prior to beginning any construction activity. Enforcement will include oversight by the LAHD Environmental Management and Real Estate Divisions.</p>	<p><b>Implementation:</b> Developer through Construction Contractor and Environmental Engineering Consultant.</p> <p><b>Monitoring and Reporting:</b> Environmental Management and Real Estate Divisions.</p>
<p><b>Noise: Construction</b></p>		
<p><b>PF-NOI-1: Incorporate Sound-Focusing Design into the Amphitheater Sound System.</b></p> <p>Design, install, and use a house sound system (i.e., loudspeakers and software processing) with sound-focusing capabilities that</p>	<p><b>Timing:</b> During design and construction of the Amphitheater</p> <p><b>Methodology:</b> This measure will be incorporated into the Tenant's lease and Tenant's contract specifications</p>	<p><b>Implementation:</b> Developer through Construction Contractor</p> <p><b>Monitoring and Reporting:</b> LAHD Environmental Management and Real Estate Divisions</p>

Mitigation Measure or Project Feature	Timing and Methodology	Responsible Parties
<p>provide the allowable front-of-house sound pressure level (SPL)<sup>1</sup> limits within the Amphitheater, while reducing the amount of noise energy spillage outside the Amphitheater. The loudspeaker system will allow for alternative system-tuning parameters to optimize community noise control under different atmospheric conditions.</p>	<p>for the design, installation, and operation of the Amphitheater sound system. Any sound system design team working on the project will include an individual with experience in sound-focusing design and implementation. The Tenant and/or their sound system designer will work with manufacturer(s) who offer hardware, software, and expertise capable of addressing the project's sound-focusing requirements through permanent or removable sound system installations. The Tenant, sound system designer, and manufacturer(s) will review the focused technical study (AcousticsLab 2022), <i>Music Performance Community Noise Level Estimation and Assessment</i>, to understand the intent and design parameters of the required system. The system will be installed per the manufacturer's specifications and tested to ensure it is operating within specified parameters for both favorable and unfavorable atmospheric conditions. Tenant staff will be trained by the manufacturer in the proper use of the system to minimize noise energy spillage outside the Amphitheater under the</p>	

<sup>1</sup> *Sound pressure* is the sound force per unit area, usually expressed in micro Pascals (or micro Newtons per square meter), where 1 Pascal is the pressure resulting from a force of 1 Newton exerted over an area of 1 square meter. The *sound pressure level* is expressed in decibels. *Sound pressure level* is the quantity that is directly measured by a sound level meter

Mitigation Measure or Project Feature	Timing and Methodology	Responsible Parties
<p><b>Noise: Operation</b></p> <p><b>MM-NOI-3: Limit Noise Levels within the Amphitheater during all Tier 1 Events.</b></p> <p>Limit the maximum front-of-house noise level within the Amphitheater during all Tier 1 Events to a 5-minute A-weighted equivalent noise level of 100 decibels, designated as 100 dBA <math>L_{eq(5min)}</math><sup>1</sup>. The <i>front-of-house</i> position is defined as the sound mixing position approximately 95 feet from the Amphitheater stage. The noise level will be monitored and reported in accordance with <b>MM-NOI-5, Monitor Amphitheater Event Noise, and MM-NOI-6, Noise Reporting Requirements Following Amphitheater Events</b>. Tier 1 Events are defined as all public or private performance events with amplified sound and intended audiences of more than 500 people. Tier 1 events may include, but are not limited to, Tenant events, public events, leased events, rental events, and other third-party events. Any supporting activities for a Tier 1 Event, such as sound checks and rehearsals, are considered part of the Tier 1 Event and will be subject to the same noise level restrictions, reporting, and penalties, regardless of the presence and/or size of the audience inside the Amphitheater at the time of such activities.</p> <p><sup>1</sup> <i>Equivalent Noise Level (<math>L_{eq}</math>)</i> is the average A-weighted noise level during the measurement period. The 5-minute <math>L_{eq}</math> values used for the analyses and assessment of Amphitheater noise levels are denoted as <math>L_{eq(5min)}</math>.</p>	<p><b>Timing:</b> During the operation of the Amphitheater.</p> <p><b>Methodology:</b> This measure will be incorporated into the Tenant's lease. Enforcement will include oversight by the LAHD Environmental Management and Real Estate Divisions. The Tenant will comply with the measure through contracts and/or agreements with all Users of the Amphitheater (any company or organization, and their associated staff, authorized to operate events at the Amphitheater, including the Tenant and any parties operating under a lease, contract, or permit) for Tier 1 events. This measure will also be implemented in conjunction with <b>MM-NOI-4, MM-NOI-5, and MM-NOI-6.</b></p>	<p><b>Implementation: Developer</b></p> <p><b>Monitoring and Reporting: LAHD</b> Port Police, Environmental Management and Real Estate Divisions</p>
<p><b>MM-NOI-4: Require all Tier 1 Events to Utilize the House Public Address/Sound Reinforcement System.</b> All leases, contracts, and/or permits for the use of the Amphitheater will require all Tier 1 Events to use the house sound system with the required noise-mitigation features implemented. Users<sup>2</sup> may provide alternative and/or additional stage sound monitors and consoles, but may not use alternative or additional sound system(s)</p>	<p><b>Timing:</b> During the operation of the Amphitheater.</p> <p><b>Methodology:</b> This measure will be incorporated into the Tenant's lease. Enforcement will include oversight by the LAHD Environmental Management and Real Estate</p>	<p><b>Implementation: Developer</b></p> <p><b>Monitoring and Reporting: LAHD</b> Environmental Management and Real Estate Divisions</p>

Mitigation Measure or Project Feature	Timing and Methodology	Responsible Parties
<p>to provide sound to the audience/front-of-house. All auxiliary sound must go through the house sound console prior to amplification, and the sound console must be controlled by an employee of the Tenant. Tier 2 Events (i.e., small events, attended by 500 people or less, such as community events or viewing parties) will be permitted to use an alternative temporary sound system, provided that the system generates lower noise levels than the house sound system. Under no circumstances will Users be permitted to disable or circumvent any of the noise-control measures required as part of the Amphitheater's lease.</p> <p><sup>2</sup> A User of the Amphitheater is any company or organization, and their associated staff, authorized to operate events at the Amphitheater, including the Tenant and any parties operating under a lease, contract, or permit.</p>	<p>Divisions. The Tenant will comply with the measure through contracts and/or agreements with all Users<sup>2</sup> of the Amphitheater for Tier 1 events.</p>	
<p><b>MM-NOL-5: Monitor Amphitheater Noise for all Tier 1 Events.</b>  <i>Noise Monitoring Requirements Prior to Project Occupancy</i>                      Prior to the use of the house sound system, the Tenant will construct and maintain a permanent noise-monitoring station at the front-of-house sound mixing location and will demonstrate to the satisfaction of the Port that the noise-monitoring station is functional. The noise monitoring hardware will meet the requirements of an ANSI Class 1 SLM and will be designed for permanent/semipermanent installation in outdoor environments under the full range of local weather conditions, including rain and fog. The noise monitoring station and associated software will be capable of data logging and continuous noise-level averaging over various time periods. At a minimum, the station will be capable of reporting the <math>L_{max}</math> and <math>L_{eq}</math> for each consecutive 1-minute, 5-minute, and 1-hour period, as well as the moving 3-minute and 5-minute average <math>L_{eq}</math>, accurately synchronized with the local time. The station will include an interface so the measurement results can be viewed in real time by staff designated to monitor noise levels. The interface will also be available and visible to the User at the front-of-house sound mixing location<sup>3</sup> so that the User can review noise levels in real time. Maintenance of the noise</p>	<p><b>Timing:</b> The noise monitoring system will be installed, tested, and deemed operational prior to the use of the house sound system and will be used and maintained for the operational life of the Amphitheater.  <b>Methodology:</b> This measure will be incorporated into the Tenant's lease. Enforcement will include oversight by the LAHD Environmental Management and Real Estate Divisions. The Tenant will comply with the measure through contracts and/or agreements with all Users of the Amphitheater (any company or organization, and their associated staff, authorized to operate events at the Amphitheater, including the Tenant and any parties operating under a lease, contract, or permit) for Tier 1 events.</p>	<p><b>Implementation: Developer Monitoring and Reporting:</b> LAHD Environmental Management and Real Estate Divisions</p>

Mitigation Measure or Project Feature	Timing and Methodology	Responsible Parties
<p>monitoring equipment will include annual calibration of the noise measurements system. The front-of-house noise monitoring microphone will have an unobstructed line of sight to the sound system loudspeaker arrays.</p> <p>The funding required to meet all costs associated with the required noise monitoring will be the financial responsibility of the Tenant. Such costs may include, but are not limited to, payment of technicians or contractors involved in the monitoring process and any costs associated with the purchase, installation, repair, maintenance, or replacement of the sound-monitoring equipment, including any software or hardware required to support the measurement and reporting program.</p> <p><i>Noise Monitoring Requirements during Tier 1 Events</i></p> <p>The noise-monitoring station will be active during all Tier 1 Events. During all Tier 1 Events, the Tenant will designate staff member(s) to monitor noise levels via the noise-monitoring station. The designated staff member(s) will possess at least 1 year of verifiable experience related to noise monitoring and will be knowledgeable in the fundamentals of noise propagation and operation of noise-monitoring equipment. Alternatively, staff with less than 1 year of experience may conduct noise-monitoring duties under the training and supervision of an individual with at least 5 years of relevant noise-monitoring experience who is knowledgeable in the fundamentals of noise propagation and operation of noise-monitoring equipment. The designated staff member(s) will observe current noise-measurement data from the monitoring station to identify potential violations.</p> <p>If the measured noise approaches levels that indicate a potential violation of the 100 dBA <math>L_{eq(5min)}</math> front-of-house limit, then the Tenant will take immediate action to reduce amplified noise levels. Immediate actions can include, but are not limited to, reduced sound amplification, temporary suspension of sound amplification, transitioning to quieter portions of the performance, and early termination of events if other actions fail to control noise levels. Proactive steps should be taken to reduce noise levels and</p>		

Mitigation Measure or Project Feature	Timing and Methodology	Responsible Parties
<p>avoid the need for noise-related event termination, and any decision to terminate a performance should consider the effect a shutdown may have on the audience.</p> <p><sup>3</sup> The front-of-house sound mixing location refers to the location within the audience area in front of the stage where the mixing board/console is located and sound levels are controlled by the User's sound engineer.</p>		
<p><b>MM-NOI-6: Noise Reporting Requirements Following Amphitheater Events.</b></p> <p>A sound-monitoring data report will be generated for each Tier 1 Event that includes all amplified activities at the Amphitheater. The report should show the measured <math>L_{max}</math> and <math>L_{eq}</math> for each consecutive 1-minute, 5-minute, and 1-hour period throughout each affected day and should indicate the start and end times of each activity (e.g., rehearsal, sound check, performance). Any <math>L_{eq(5min)}</math> that exceeds 100 dBA at the front-of-house monitoring location will be clearly flagged in the report, and a consolidated summary of all noise exceedances (if any) throughout each day will be provided. The report will identify any actions taken to reduce excessive noise levels and should evaluate the results of these actions.</p> <p>The Tenant will maintain a log of all sound-monitoring data reports to provide a permanent record and document any violations of the sound level limit(s) that occurred. For events that cause any violations of the sound-level limits, or for event logs requested at any time by the Executive Director, the sound monitoring log will be furnished to the Port within 48 hours of the conclusion of the event. For all other events, the sound monitoring log will be furnished to the Port within 30 days. All sound monitoring data and associated reports will be maintained by the Tenant for a minimum of 5 years after each event day.</p>	<p><b>Timing:</b> Reports should be prepared after each Tier 1 event. For events that cause any violations of the sound-level limits, the sound monitoring log will be furnished to the Port within 48 hours of the conclusion of the event.</p> <p><b>Methodology:</b> This measure will be incorporated into the Tenant's lease. Enforcement will include oversight by the LAHD Environmental Management and Real Estate Divisions. The Tenant will comply with the measure through contracts and/or agreements with all Users of the Amphitheater (any company or organization, and their associated staff, authorized to operate events at the Amphitheater, including the Tenant and any parties operating under a lease, contract, or permit) for Tier 1 events. The requirements for sound-monitoring data reporting after all Tier 1 Events will be incorporated into the lease agreement(s) with the Amphitheater Tenant. The format and delivery of the sound-monitoring data</p>	<p><b>Implementation: Developer</b></p> <p><b>Monitoring and Reporting: LAHD</b> Environmental Management and Real Estate Divisions</p>

Mitigation Measure or Project Feature	Timing and Methodology	Responsible Parties
<p><b>MM-NOI-7: Establish a Noise-Complaint Hotline and/or Website.</b></p> <p>The Tenant will maintain a dedicated noise-complaint hotline and/or website for the proposed Amphitheater, which will be staffed during all events to respond in real-time, to the extent feasible, to any complaints. At all times, the Tenant will remain in control of the sound emanating from the venue, directly operating the sound boards and/or overseeing those that do. The phone number/web address for the hotline will be published on the Tenant’s public website. All noise complaints will be documented and addressed by the Tenant. Complaint logs will be provided to the LAHD on an annual basis or as requested by the Executive Director.</p>	<p>report will be via methods deemed acceptable to the Port.</p> <p><b>Timing:</b> The hotline and/or website will be set up prior to the operation of the Amphitheater and be available at least 24 hours before and 7 days after any Tier 1 or Tier 2 Event at the Amphitheater.</p> <p><b>Methodology:</b> This measure will be incorporated into the Tenant’s lease. Enforcement will include oversight by the LAHD Environmental Management and Real Estate Divisions. The Tenant will comply with the measure through contracts and/or agreements with all Users of the Amphitheater (any company or organization, and their associated staff, authorized to operate events at the Amphitheater, including the Tenant and any parties operating under a lease, contract, or permit). All noise complaints will be documented and addressed by the Tenant.</p> <p>Complaints will be accepted, and responses will be by one or more current communication methods (e.g., phone, text message, email, web form), and new methods may be added or substituted by the Tenant as they become available in the future. Complaint logs will be provided to the LAHD on an annual basis or as requested by the Executive Director.</p>	<p><b>Implementation:</b> Developer</p> <p><b>Monitoring and Reporting:</b> LAHD Environmental Management and Real Estate Divisions</p>

Mitigation Measure or Project Feature	Timing and Methodology	Responsible Parties
<p><b>MM-NOI-8: Enforce a Curfew and Restrict the Hours of Use and Duration for the Amphitheater's Amplified Sound System.</b> All events will conclude no later than 10:30 p.m. on all nights, unless prior written permission has been granted by the Executive Director or designated Deputy. In no case, however, will a performance extend past 11:00 p.m. The use of the sound system at the Amphitheater will start no earlier than 8:00 a.m. The Tenant is responsible for recording event start and end times and logs will be provided to the LAHD on an annual basis or as requested by the Executive Director.</p> <p>On any Tier 1 Event day that includes a public or private performance, the total use of amplified sound equipment for all activities (e.g., rehearsal, soundcheck, performance) will be limited to a cumulative total of 12 hours. Sound amplification may occur over multiple distinct intervals, as long as the sum of those intervals is 12 hours or less.</p> <p>On non-performance days, the total use of amplified sound equipment for all amplified events will be limited to no more than a cumulative total of up to 4 hours.</p>	<p><b>Timing:</b> During the operation of the Amphitheater.</p> <p><b>Methodology:</b> This measure will be incorporated into the Tenant's lease. Enforcement will include oversight by the LAHD Environmental Management and Real Estate Divisions. The Tenant will comply with the measure through contracts and/or agreements with all Users of the Amphitheater (any company or organization, and their associated staff, authorized to operate events at the Amphitheater, including the Tenant and any parties operating under a lease, contract, or permit).</p>	<p><b>Implementation:</b> Developer <b>Monitoring and Reporting:</b> LAHD Environmental Management, Port Police, and Real Estate Divisions</p>
<p><b>MM-NOI-9: Fines for Non-Compliance.</b> The maximum permissible front-of-house noise level within the Amphitheater is a 5-minute A-weighted equivalent noise level of 100 decibels, designated as 100 dBA <math>L_{eq(5min)}</math>. For the purposes of assessing compliance, the noise level will be assessed for each discrete consecutive 5-minute period starting at regular clock intervals (e.g., 8:00 p.m., 8:05 p.m., 8:10 p.m.). Every 5-minute interval during which the noise level exceeds 100 dBA <math>L_{eq(5min)}</math> will be considered one Offense, with the exception that the front-of-house noise limit does not apply to noise from fireworks that are operated in compliance with the Amphitheater lease and all other applicable permits and regulations.</p> <p>The noise monitoring station (as defined in <b>MM-NOI-5, Monitor Amphitheater Noise for all Tier 1 Events</b>) will include an interface that allows designated noise monitoring staff member(s) to view measured noise levels in real time. If sound levels exceed 100</p>	<p><b>Timing:</b> During the operation of the proposed Amphitheater with fines (if applicable) issued following any performances with noise violations.</p> <p><b>Methodology:</b> This measure will be incorporated into the Tenant's lease. Enforcement will include oversight by the LAHD Environmental Management and Real Estate Divisions. The Tenant will comply with the measure through contracts and/or agreements with all Users of the Amphitheater (any company or organization, and their associated staff, authorized to operate events at the Amphitheater, including the</p>	<p><b>Implementation:</b> Developer <b>Monitoring and Reporting:</b> LAHD Port Police, Environmental Management and Real Estate Divisions</p>

Mitigation Measure or Project Feature	Timing and Methodology	Responsible Parties
<p>dB<sub>A</sub>, sustained over any 3-minute interval, then the designated noise monitoring staff member(s) will issue the User an official warning to lower the sound levels. An official warning will be presumed to have been issued when sound levels exceed 100 dB<sub>A</sub>, sustained over any 3-minute interval, at the 3-minute mark. If additional violations occur, additional warnings and monetary penalties will apply as set forth below.</p> <ul style="list-style-type: none"> <li>• <b>First Offense:</b> A notification of Offense, including a second warning to lower sound levels, will be issued during the performance to lower if sound levels exceed 100 dB<sub>A</sub> L<sub>eq(5min)</sub> over any discrete consecutive 5-minute period starting at regular clock intervals (e.g., 8:00 p.m., 8:05 p.m., 8:10 p.m.).</li> <li>• <b>Second Offense:</b> A \$5,000 fine.</li> <li>• <b>Third Offense:</b> A \$7,500 fine.</li> <li>• <b>Subsequent Offenses:</b> \$10,000 per violation.</li> <li>• <b>Curfew Penalty:</b> A penalty of \$1,000 per minute for the first 5 minutes past 11:00 p.m. the applicable curfew for the event (10:30 p.m. or as established in MM-NOI-8). A penalty of \$5,000 per minute will be assessed thereafter.</li> </ul> <p>However, should sound levels exceed 105 dB<sub>A</sub> L<sub>eq(5min)</sub> at any time, there will be no warnings to lower the sound, and an immediate fine of \$10,000 will be assessed to the User and for any subsequent violations that also exceed 105 dB<sub>A</sub> L<sub>eq(5min)</sub>.</p>	<p>Tenant and any parties operating under a lease, contract, or permit). Violation penalties will be placed into a Fund managed by the Harbor Department for the purposes of (1) reimbursing Harbor Department administration costs associated with mitigation monitoring and additional Harbor Department expenditures associated with Amphitheater events (additional to any Tenant-funded cost obligations) and (2) if accrued funds at any time equal \$100,000 or more, a portion of such funds shall be managed by the Harbor Department as a West Harbor Mitigation Fund to fund project grants to mitigate noise impacts in the Port communities of San Pedro and Wilmington. Such potential project grants may include local San Pedro and Wilmington schools and community senior centers or 501(c)(3) charity(ies) with project purposes directly mitigating noise impacts in the Port communities of San Pedro and Wilmington. Local charities selected must not have any conflict of interest with the Tenant, unless such conflict is waived by the Executive Director.</p>	
<p><b>MM-NOI-10: Restrict the Total Number of Tier 1 Event Performance Days to 100 per Year.</b> The total number of Tier 1 Event performance days will not exceed 100 per calendar year. For Tier 1 Event performances that run over multiple days, each calendar day that includes a</p>	<p><b>Timing:</b> During the operation of the Amphitheater and repeated for every calendar year of Amphitheater operation.</p>	<p><b>Implementation:</b> Developer through Construction Contractor <b>Monitoring and Reporting:</b> LAHD Environmental Management and Real Estate Divisions</p>

Mitigation Measure or Project Feature	Timing and Methodology	Responsible Parties
<p>performance will count against the allowed total. For example, a 3-night run by the same artist would count as three separate Tier 1 Event performance days, or a 2-day jazz festival would count as two separate Tier 1 Event performance days. Soundchecks or rehearsals on non-performance days will not count against the allowed total, provided they comply with all other applicable restrictions (including noise levels, curfews, and durations).</p>	<p><b>Methodology:</b> This measure will be incorporated into the Tenant's lease. Enforcement will include oversight by the LAHD Environmental Management and Real Estate Divisions. The Tenant will comply with the measure through contracts and/or agreements with all Users of the Amphitheater (any company or organization, and their associated staff, authorized to operate events at the Amphitheater, including the Tenant and any parties operating under a lease, contract, or permit). A list of all past and planned future Tier 1 Event counts and dates will be maintained by the Tenant and verified at least once per year by the Port. The Tenant is responsible for accurate accounting of the events and for not overbooking events in any given year.</p>	
<p><b>MM-NOI-11: Restrict the Total Number of Firework Displays to 13 per Year.</b>                      The total number of firework displays will not exceed 13 per calendar year. 10 shows will be operated by the Tenant, and 3 shows annually will be operated by LAHD.</p>	<p><b>Timing:</b> During the operation of the Amphitheater and repeated for every calendar year of Amphitheater operation.  <b>Methodology:</b> This measure will be incorporated into the Tenant's lease. Enforcement will include oversight by the LAHD Environmental Management and Real Estate Divisions. The Tenant will comply with the measure through contracts and/or agreements with Users of the Amphitheater (any company or</p>	<p><b>Implementation:</b> LAHD and Developer  <b>Monitoring and Reporting:</b> LAHD Environmental Management and Real Estate Divisions</p>

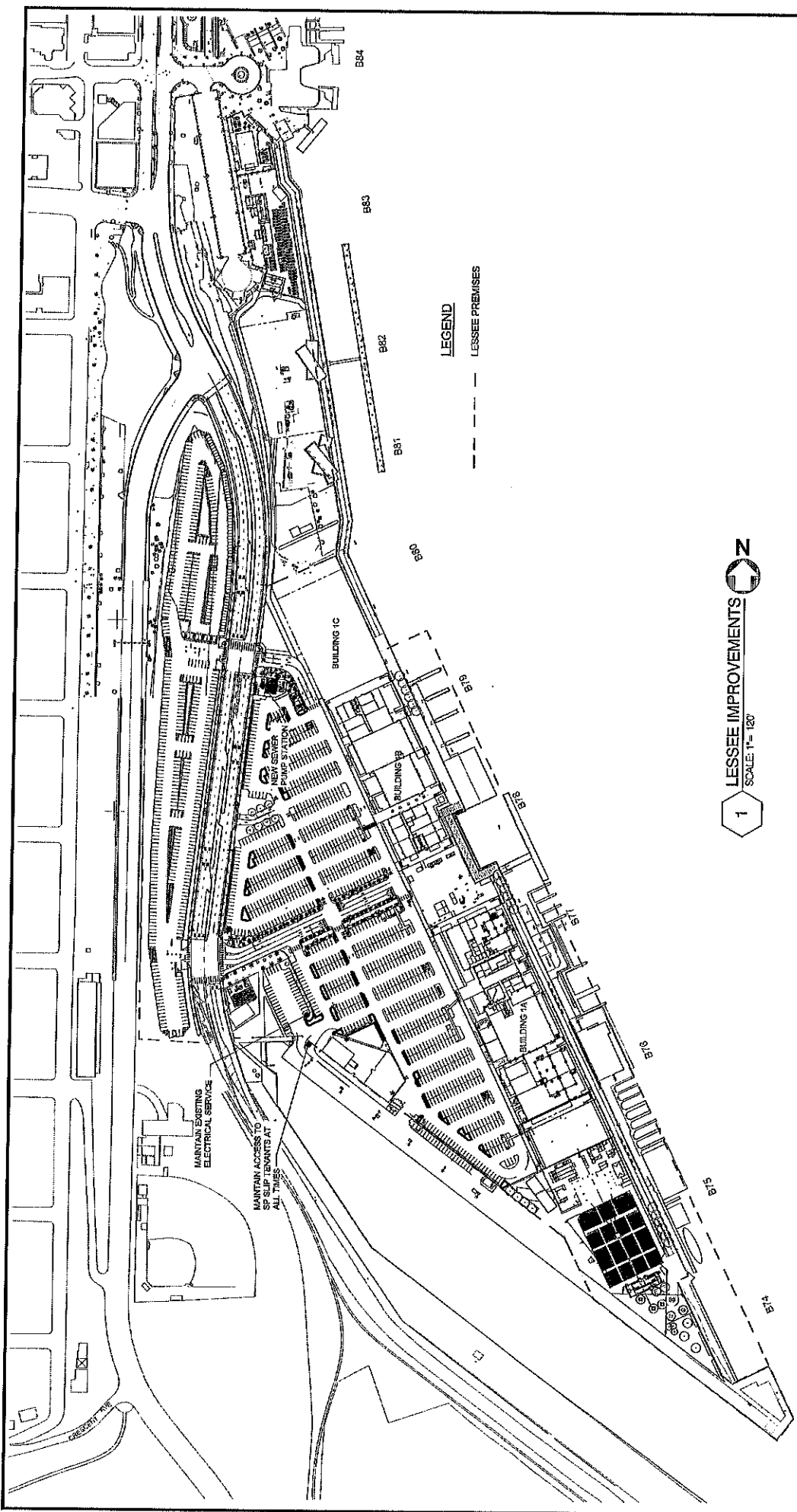
Mitigation Measure or Project Feature	Timing and Methodology	Responsible Parties
<p><b>MM-NOI-12: Limit the Duration of All Firework Displays.</b>                      The duration of all firework displays will be no longer than 10 minutes on all nights, with the exception of two firework displays that will be permitted to be up to 20 minutes, unless prior written permission has been granted by the Executive Director or designated Deputy. The Tenant is responsible for recording firework display start and end times, and logs will be provided to the LAHD on an annual basis or as requested by the Executive Director.</p>	<p>organization, and their associated staff, authorized to operate events at the Amphitheater, including the Tenant and any parties operating under a lease, contract, or permit) and all vendors designing, planning, and implementing the fireworks displays. A list of all past and planned future firework display counts and dates will be maintained by the Tenant and verified at least once per year by the Port. The Tenant is responsible for accurate accounting of the firework displays and for not allowing more than 13 events in any year.</p>	
	<p><b>Timing:</b> During the operation of the Amphitheater for all events involving fireworks.  <b>Methodology:</b> This measure will be incorporated into the Tenant's lease. Enforcement will include oversight by the LAHD Environmental Management and Real Estate Divisions. The Tenant will comply with the measure through contracts and/or agreements with Users of the Amphitheater (any company or organization, and their associated staff, authorized to operate events at the Amphitheater, including the Tenant and any parties operating under a lease, contract, or permit) and all vendors designing, planning, and implementing the fireworks displays.</p>	<p><b>Implementation: Developer</b>  <b>Monitoring and Reporting: LAHD</b>                      Environmental Management and Real Estate Divisions</p>

Mitigation Measure or Project Feature	Timing and Methodology	Responsible Parties
<p><b>MM-NOI-13: Eliminate the Use of “Salute” Fireworks.</b>                      Fireworks display events will not use concussion type, non-color shells such as “salutes” (salute fireworks, also known as maroon fireworks, are fireworks designed to make a very loud bang, or “report,” and an intense flash of light).</p>	<p><b>Timing:</b> During the operation of the Amphitheater for all events involving fireworks.  <b>Methodology:</b> This measure will be incorporated into the Tenant’s lease. Enforcement will include oversight by the LAHD Environmental Management and Real Estate Divisions. The Tenant will comply with the measure through contracts and/or agreements with Users of the Amphitheater (any company or organization, and their associated staff, authorized to operate events at the Amphitheater, including the Tenant and any parties operating under a lease, contract, or permit) and all vendors designing, planning, and implementing the fireworks displays.</p>	<p><b>Responsible Parties:</b> Developer  <b>Implementation:</b> Developer  <b>Monitoring and Reporting:</b> LAHD Environmental Management and Real Estate Divisions</p>
<p><b>MM-NOI-14: Replace Fireworks Displays with Drone Displays.</b>                      To the extent permitted by Amphitheater programming, available technology, and all applicable legal, safety, and permit requirements, replace firework displays with lighted drone displays.</p>	<p><b>Timing:</b> During the operation of the Amphitheater for all events involving fireworks.  <b>Methodology:</b> This measure will be incorporated into the Tenant’s lease. Enforcement will include oversight by the LAHD Environmental Management and Real Estate Divisions. The Tenant will comply with the measure through contracts and/or agreements with Users of the Amphitheater (any company or organization, and their associated staff, authorized to operate events at the Amphitheater, including the Tenant and any parties operating</p>	<p><b>Responsible Parties:</b> Developer  <b>Implementation:</b> Developer  <b>Monitoring and Reporting:</b> LAHD Environmental Management and Real Estate Divisions</p>

Mitigation Measure or Project Feature	Timing and Methodology	Responsible Parties
<p><b>Transportation: Operation</b></p> <p><b>MM-TRAN-1: Implementation of Transportation Demand Management (TDM) Strategies:</b></p> <p>a) <b>Event-Specific Expanded Public Transit:</b> Coordinate with LA Metro or LADOT to determine the feasibility of expanding services during events, including the feasibility of increasing frequency, network, or service hours.</p> <p>b) <b>Event-Ticket Packaging:</b> Include a link on the Amphitheater website to the LA Metro and LADOT Transit Pass purchase websites.</p> <p>c) <b>Traveler Information and Wayfinding:</b> Develop and implement event-tailored visitor information to support navigation by transit and improve wayfinding from nearby transit connections prior to the start of Amphitheater operations.</p> <p>d) <b>Event-Specific Education and Outreach:</b> Develop and implement social media and other marketing and outreach about mass transit and carpooling options for Amphitheater events prior to the start of Amphitheater operations.</p> <p>e) <b>Carpooling Incentive Program:</b> Develop and implement a carpooling incentive program and transit pass program for Amphitheater employees, with a goal of achieving an average vehicle ridership of 2.0 for Amphitheater employees</p>	<p>under a lease, contract, or permit ) and all vendors designing, planning, and implementing the fireworks displays. The Tenant will periodically investigate the viability of using drone displays in place of fireworks and work with the Port and Amphitheater Users to implement such displays if they are deemed feasible.</p>	
<p>a) <b>Event-Specific Expanded Public Transit:</b> Coordinate with LA Metro or LADOT to determine the feasibility of increasing frequency, network, or service hours.</p> <p>b) <b>Event-Ticket Packaging:</b> Include a link on the Amphitheater website to the LA Metro and LADOT Transit Pass purchase websites.</p> <p>c) <b>Traveler Information and Wayfinding:</b> Develop and implement event-tailored visitor information to support navigation by transit and improve wayfinding from nearby transit connections prior to the start of Amphitheater operations.</p> <p>d) <b>Event-Specific Education and Outreach:</b> Develop and implement social media and other marketing and outreach about mass transit and carpooling options for Amphitheater events prior to the start of Amphitheater operations.</p> <p>e) <b>Carpooling Incentive Program:</b> Develop and implement a carpooling incentive program and transit pass program for Amphitheater employees, with a goal of achieving an average vehicle ridership of 2.0 for Amphitheater employees</p>	<p><b>Timing:</b> During operations and events as applicable</p> <p><b>Methodology:</b> These strategies will be incorporated into the Tenant's lease. Enforcement will include oversight by the LAHD Environmental Management and Real Estate Divisions. Annual staff reports will be made available to the Board at a regularly scheduled public Board Meeting.</p>	<p><b>Implementation:</b> LAHD and Developer</p> <p><b>Monitoring and Reporting:</b> LAHD Port Police, Environmental Management Division, Goods Movement and Real Estate Divisions</p>

Mitigation Measure or Project Feature	Timing and Methodology	Responsible Parties
<p>f) <b>Designate Priority Parking Spaces for Electric and Clean Air Vehicles:</b> Designate parking spaces for Amphitheater guests for electric-vehicle charging and Clean-Air Vehicles</p> <p>g) <b>Encourage Use of Satellite Shuttle Service:</b> Encourage Amphitheater guests to use shuttle services from predetermined, offsite parking locations or transit connections (beyond proposed service for the 208 E. 22nd Street Parking Lot), such as those that connect to the Metro J (Silver) Line Bus Rapid Transit line in San Pedro, or the Metro A (Blue) Light Rail line in Downtown Long Beach. Coordinate with LA Metro to determine feasibility of locating a Metro A (Blue) Light Rail line shuttle stop near the Amphitheater.</p> <p>h) <b>Carpooling-Application Coordination:</b> Coordinate with existing rideshare/carpooling applications generally available in the marketplace to encourage carpooling to Amphitheater events.</p> <p>i) <b>Active Transportation Communication:</b> Share active transportation plans across digital-media channels, such as including website links to the Port’s connectivity plan. Additionally, partner with San Pedro’s Historic Waterfront Business Improvement District and/or other local parking-lot owners to communicate and direct the public to available public parking lots and transit-related amenities, trolley stops, and other circulation and transit-related options that may become available.</p> <p>j) <b>Provide End-of-Trip Bicycle Facilities:</b> Install and maintain end-of-trip bicycle facilities for employees or Amphitheater-event guest use. End-of-trip facilities include bicycle parking and lockers.</p>		
<p><b>Public Services: Construction</b></p> <p><b>This measure replaces the measure in the 2016 MMRP MM-PS-1: Coordinate with Law Enforcement Agencies (Construction Phase).</b></p> <p>LAHD will be required, pursuant to the Los Angeles Port Police Policy Manual (Port 2023) to coordinate with law-enforcement</p>	<p><b>Timing:</b> Prior to construction.</p> <p><b>Methodology:</b> LAHD will coordinate with law enforcement agencies during construction of all roadway improvement. Any coordination plans</p>	<p><b>Implementation:</b> LAHD and Developer</p> <p><b>Monitoring and Reporting:</b> LAHD, Port Police, Environmental Management and Real Estate Divisions</p>

Mitigation Measure or Project Feature	Timing and Methodology	Responsible Parties
<p>agencies during construction of all roadway improvements to establish emergency vehicular access and ensure continuous law enforcement access to surrounding areas.</p>	<p>will be incorporated into construction specifications. The contractor shall adhere to these specifications throughout construction phases. Enforcement will include oversight by the LAHD project/construction manager to ensure compliance with contract specifications.</p>	
<p><b>Public Services: Operation</b></p>		
<p><b>MM-PS-7: Operational Safety Measures</b>                      The Proposed Project would be required to implement the following:</p> <ul style="list-style-type: none"> <li>a) Utilize blue phones and cameras;</li> <li>b) Assign numbered lots and aisles for responding officers;</li> <li>c) To prevent a traffic backup on the street, install signage at the entrance that indicates when parking lots are full;</li> <li>d) Implement traffic-management procedures (refer to Appendix H, Event Parking Management and Circulation Plan, and Appendix I-1, Parking Management Plan, for detailed information); and</li> <li>e) The Tenant will ensure that adequate closed circuit television cameras are positioned throughout the site. The footage will be available to the emergency logistics team. Footage will be recorded and copies made available on request to the police during the event and up to 28 days after the event, if required for evidential purposes. Images should be of such quality and size to be able to identify offenders; and</li> <li>f) In addition, specific Amphitheater changes include the construction of escape lanes for concert crowds and a reduction in the amount of lighting in the harbor.</li> </ul>	<p><b>Timing:</b> Throughout all operational years.  <b>Methodology:</b> These strategies will be incorporated into the Tenant's lease. Enforcement will include oversight by the LAHD Environmental Management and Real Estate Divisions. If the Tenant proposes replacing any mitigation measure, then the Tenant must first make a formal request to the Port's Executive Director. The Executive Director will then consider the proposal. Annual staff reports will be made available to the Board at a regularly scheduled public Board Meeting.</p>	<p><b>Implementation:</b> LAHD and Developer  <b>Monitoring and Reporting:</b> LAHD Port Police, Environmental Management and Real Estate Divisions</p>



1 LESSEE IMPROVEMENTS  
 SCALE: 1" = 120'  
 N

120'  
 0' 120' 240'  
 SCALE: 1"=120'

01/06/2026

EXHIBIT E(b)  
 LESSEE IMPROVEMENTS