

## ES.1 Introduction

This Draft Subsequent Environmental Impact Report (SEIR) assesses impacts related to the West Harbor Modification Project (Proposed Project) proposed by the Los Angeles Harbor Department (LAHD). The LAHD administers development within the Port of Los Angeles (POLA) and overall Port operations. The Proposed Project is located within POLA, adjacent to the City of Los Angeles, in the community of San Pedro. The Port is located in San Pedro Bay within the County of Los Angeles, approximately 20 miles south of downtown Los Angeles. The Port is adjacent to the community of San Pedro to the west, the Wilmington community to the north, the Port of Long Beach to the east, and the Pacific Ocean to the south. In total, the Port encompasses approximately 7,300 acres of land and water along 43 miles of waterfront.

A Final Environmental Impact Statement (EIS)/Environmental Impact Report (EIR) for the San Pedro Waterfront (SPW) Project was certified by the Board of Harbor Commissioners (Board) on September 29, 2009 (State Clearinghouse [SCH] No. 2005061041) (referred to hereafter as the 2009 SPW EIS/EIR). It addressed potential impacts associated with implementation of redevelopment of the SPW area. In May 2016, the Board approved an addendum to the 2009 SPW EIS/EIR for the San Pedro Public Market (SPPM) Project (2016 SPPM Addendum), which has been renamed the West Harbor Project. The Proposed Project herein represents a change to the SPPM and SPW Projects previously reviewed in accordance with CEQA. No changes are proposed that would affect any federal permits or require any federal approvals. Therefore, National Environmental Policy Act evaluation is not required for the Proposed Project.

The Proposed Project involves development modifications to 2.5 of the previously approved 6.4-acre Discovery Sea Amusement Area in the southern portion of the SPPM Project site, which comprises a total of approximately 42 acres, formerly the site of the Ports O' Call Village, located between the Los Angeles Harbor's Main Channel and Harbor Boulevard from Berths 73-Z to 83 within the Port. The Proposed Project also includes improvements to the 20-acre overflow parking lot and the demolition of the Red Car maintenance facility located at 208 E. 22nd Street.

This Draft SEIR has been prepared in accordance with the requirements of the City of Los Angeles Guidelines for the Implementation of the California Environmental Quality Act of 1970 (Article I) (CEQA) (California Public Resources Code [PRC] Section 21000 et seq.) and the Guidelines for Implementation of the California Environmental Quality Act (CEQA Guidelines) (14 California Code of Regulations [CCR] Section 15000 et seq.). The LAHD is the CEQA lead agency because the Proposed Project is proposed within the Port of Los Angeles.

This Draft SEIR describes the affected resources and evaluates the potential impacts to those resources because of the construction and operation of the Proposed Project.

## ES.2 Purpose of this Draft SEIR

This Draft SEIR will be used to inform decision-makers and the public about the potential significant environmental effects of the Proposed Project and selected alternatives. Section 1.4 describes the agencies that are expected to use this document, including the lead, responsible, and trustee agencies under CEQA. Section 1.5 describes the scope and content required of an EIR, and Section 1.6 describes the intended uses of this document.

This Draft SEIR is being provided to the public for review, comment, and participation in the planning process. After public review and comment, a Final SEIR will be prepared. The Final SEIR will include responses to comments on the Draft SEIR received from agencies, organizations, and individuals. It will be distributed to provide the basis for decision-making by the lead agency, as described below, and other concerned agencies.

### ES.2.1 CEQA Introduction

This Draft SEIR is being prepared by the LAHD in compliance with CEQA (PRC Section 21000 et seq.) and the CEQA Guidelines (14 CCR Section 15000 et seq.), which require the evaluation of potential environmental impacts resulting from the LAHD discretionary decisions.

In 1970, the California legislature enacted CEQA, requiring public agency decision-makers to consider the environmental effects of their actions. When a state or local agency determines that a proposed project has the potential to significantly affect the environment an EIR is prepared. According to Section 15121 (a) of the CEQA Guidelines (CCR, Title 14, Division 6, Chapter 3), the purpose of an EIR is to serve as an informational document that identifies significant effects of a proposed project on the environment, identifies alternatives to the project, and indicates the manner in which those significant effects can be mitigated or avoided. A public agency must mitigate or avoid significant environmental impacts of projects it carries out or approves whenever it is feasible to do so. In instances where significant impacts cannot be avoided or mitigated, the project may nonetheless be carried out or approved if the approving agency finds that economic, legal, social, technological, or other benefits outweigh the unavoidable significant environmental effects.

LAHD operates the Port under the legal mandates of the Port of Los Angeles Tidelands Trust (Los Angeles City Charter, Article VI, Sec. 601; California Tidelands Trust Act of 1911) and the California Coastal Act (PRC Section 30700 et seq.), which identify the Port and its facilities as a primary economic/coastal resource of the state and an essential element of the national maritime industry for promotion of commerce, navigation, fisheries, and harbor operations. Activities should be water dependent and give highest priority to navigation, shipping, and necessary support and access facilities to accommodate the demands of foreign and domestic waterborne commerce. LAHD is chartered to develop and operate the Port to benefit maritime uses and functions as a landlord by leasing Port properties to more than 300 tenants.

The actions under consideration by LAHD with the Proposed Project involve physical changes to the environment that would have a significant impact. In addition, comments provided by public agencies, including responsible and trustee agencies, and the public in response to the Notice of Preparation (NOP) have also indicated that the Proposed Project may have significant impacts. Accordingly, an EIR is required. This Draft SEIR evaluates the direct, indirect, and cumulative

impacts of the Proposed Project in accordance with the provisions set forth in CEQA and the CEQA Guidelines.

The primary intended use of this Draft SEIR by LAHD is to inform agencies considering permit applications and other actions required to construct, lease, and operate the Proposed Project and to inform the public of the potential environmental consequences of the Proposed Project and alternatives. LAHD's certification of the SEIR, Notice of Completion (NOC), and Statement of Overriding Considerations (if necessary) will document the Port's decision as to the adequacy of the SEIR and will inform subsequent decisions by the LAHD whether to approve and construct the Proposed Project. LAHD will use this Draft SEIR to support permit applications, construction contracts, the lease, and other actions required to implement the Proposed Project and to adopt mitigation measures that, where possible, could reduce or eliminate significant environmental impacts.

Other agencies (federal, state, regional, and local) that have jurisdiction over some part of the Proposed Project or a resource area affected by the Proposed Project are expected to utilize this SEIR as part of their approval or permit processes.

## ES.3 Existing Setting/Affected Environment

The Proposed Project analysis covers the modification of the West Harbor Project, formerly the SPPM Project, with the construction and operation of a 6,200-seat, outdoor Amphitheater, a larger Ferris wheel, and development of a parking lot at 208 E. 22nd Street, to complement the other elements already approved in the 2009 SPW EIS/EIR and 2016 SPPM Addendum. The Proposed Project locations are further described in subsection 2.2, *Project Location and Setting*.

### ES.3.1 Regional Context Port of Los Angeles

The Proposed Project is located within the Port of Los Angeles. The Port is located in San Pedro Bay within the County of Los Angeles, approximately 20 miles south of downtown Los Angeles. The Port is adjacent to the community of San Pedro to the west, the Wilmington community to the north, the Port of Long Beach to the east, and the Pacific Ocean to the south. In total, the Port encompasses approximately 7,300 acres of land and water along 43 miles of waterfront.

The Port is an area of mixed uses, supporting various maritime-themed activities. The Port operations are predominantly centered on shipping activities, including containerized, break-bulk, dry-bulk, liquid-bulk, auto, and intermodal rail shipping. In addition to the large shipping industry at the Port, there is also a cruise ship industry and a commercial fishing fleet. The Port also accommodates boat repair yards, and provides slips for approximately 3,950 recreational vessels, 150 commercial fishing boats, 35 miscellaneous small service crafts, and 15 charter vessels that handle sport fishing and harbor cruises. The Port has retail shops and restaurants, which are primarily along the west side of the Main Channel. It also has recreation, community, and cultural facilities, such as a public swimming beach, Cabrillo Beach Youth Camp, the Cabrillo Marine Aquarium, and the Los Angeles Maritime Museum.

## ES.3.2 Local Project Setting and Nearby Land Uses

The Proposed Project site (Project site) is within the SPW area. Steep bluffs to the northwest provide a natural physical edge between portions of the San Pedro community and Project site. There are residences approximately 1,450 feet to the west of the Project site. The 208 E. 22nd St. Parking Lot is located between Miner Street and Harbor Boulevard, south of the SPPM Project site.

Railroad lines extend through the Project area from the former Westway Terminal, past the SPPM Project site within the former S.P. (Southern Pacific) Railyard, both along the east side of Harbor Boulevard and under the Vincent Thomas Bridge at the northern end of the SPW area. Just south of the SPPM Project site, in the Southern Pacific Slip (S.P. Slip), is an active commercial fishing fleet. For over 100 years, the Port has been a premier location for commercial fishing. Today, although smaller than it once was, the commercial fishing fleet at the Port is intact, providing fresh fish to both U.S. and Asian markets. The Municipal Fish Market at Berth 72, adjacent to the S.P. Slip, is associated with these fishing operations.

Berths 91 to 93 to the north of the SPPM Project site are currently used by the World Cruise Center, which has been active at the Port for over 50 years (Port of Los Angeles 2020a). The World Cruise Center is composed of two terminal buildings in an 18-acre dedicated cruise facility. The Los Angeles Maritime Museum is located within Berth 84.

## ES.3.3 CEQA Baseline

To determine significance, the Proposed Project is compared to a baseline condition. The baseline includes the Approved Project, which is the project analyzed and cleared in the certified 2009 SPW EIS/EIR as amended by the 2016 SPPM Addendum. The difference between the Proposed Project and the baseline is then compared to a threshold to determine if the difference between the two is significant. The CEQA baseline is fixed for the duration of the Proposed Project at the conditions that prevailed at the time of the NOP (in this case, April 14, 2022).

Section 15125(a) of the CEQA *Guidelines* provides the following:

An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time of the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective. This environmental setting will *normally* constitute the baseline physical conditions by which a lead agency determines whether an impact is significant.

The existing conditions are discussed in Section ES.3.

A description of the baseline conditions is included in Section 2, *Project Description*, of the Draft SEIR and, when special circumstances are present, details are provided in the respective sections of the Draft SEIR's Chapter 3 "Environmental Analysis," prior to the impact analysis. These environmental conditions constitute the baseline physical conditions by which the CEQA lead agency determines whether an impact would be significant.

## ES.4 Proposed Project

### ES.4.1 Project Background

A Final Environmental Impact Statement (EIS)/Environmental Impact Report (EIR) for the SPW Project was certified by the Board of Harbor Commissioners (Board) on September 29, 2009 (SCH No. 2005061041) (referred to hereafter as the 2009 SPW EIS/EIR). It addressed potential impacts associated with implementation of the redevelopment of the SPW area. In May 2016, the Board approved an Addendum to the 2009 SPW EIS/EIR for the SPPM Project (2016 SPPM Addendum), which has been renamed as the West Harbor Project. The Proposed Project herein represents a change to the SPPM Project and SPW Project previously reviewed in accordance with CEQA. No changes are proposed that affect any federal permits or require any federal approvals. Therefore, no National Environmental Policy Act evaluation is required for the Proposed Project.

One of the primary objectives of the SPW Project was enhanced visitor-serving commercial opportunities within the Ports O' Call area along the main channel. Many of the significant environmental impacts identified in the 2009 SPW EIS/EIR were determined to be less than significant or were reduced to a level that is considered less than significant through either the adoption of mitigation measures or the incorporation of project revisions. Impacts related to aesthetics, air quality and meteorology, biological resources, geology, noise, recreation, ground transportation and circulation, and water quality sediments and oceanography, however, were identified as significant and unavoidable in the 2009 SPW EIS/EIR. For those impact areas, LAHD adopted a Statement of Overriding Considerations and a Mitigation Monitoring and Reporting Program containing 91 mitigation measures to address these impacts, during both construction and operation of the SPW Project.

The SPPM Project included a more specific concept for the former Ports O' Call Village site, including a 500-seat outdoor amphitheater, a Ferris wheel, and various amusement attractions. In May 2016, LAHD prepared the 2016 SPPM Addendum to address development of a smaller building area, the inclusion of a portion of the Town Square originally evaluated in the 2009 SPW EIS/EIR, reconfiguration of the waterfront promenade, extension of the term of the proposed lease from 30 years to 50 years, and possible modification to the U.S. Army Corps of Engineers permits. The 2016 SPPM Addendum found that the SPPM Project, with incorporation of mitigation, would not result in any new significant impacts or a substantial increase in the severity of previously identified impacts that were analyzed in the 2009 SPW EIS/EIR. A revised Mitigation Monitoring and Reporting Program identifying 28 mitigation measures that apply specifically to the SPPM Project was incorporated into the 2016 SPPM Addendum. In November 2019, a second Addendum to the 2009 SPW EIS/EIR was prepared to extend the duration of the lease for an additional 16 years.

### ES.4.2 Project Purpose and Objectives

The purpose of the Proposed Project includes:

1. Enhancement and revitalization of the existing SPW area by including a substantially larger outdoor concert amphitheater and entertainment lawn venue/park space and additional attractions (hereinafter referred to as the West Harbor Modification Project) to attract visitors to the SPW

area, thereby increasing the positive public visibility of San Pedro in general and the waterfront specifically;

2. Update previously adopted mitigation measures to reflect changes since their consideration including the addition of the 208 E. 22nd Street Parking Lot Improvements;
3. Provide public access to the SPW through increased parking amenities and pedestrian walkways;
4. Provide for a variety of waterfront uses, including berthing for visiting vessels and harbor service craft, as well as other recreational, commercial, and Port-related waterfront uses; and
5. Provide for enhanced visitor-serving commercial opportunities within the former site of Ports O' Call Village (now the *Project Site*), complementary to those found in downtown San Pedro and the larger SPW Project.

### ES.4.3 Proposed Project Elements

As more particularly described below, the Proposed Project would create an outdoor Amphitheater that would occupy approximately 2.1 acres, including an area of more than 50,000 square feet with an artificial lawn, an approximately 35,000-square-foot stage, backstage, loading areas, and box office area, an approximately 22,000-square-foot space accommodating concessions, merchandise sales, restrooms located south of the lawn, and circulation space east and west of the lawn area.

Amphitheater capacity would be 6,200 patrons. The artificial lawn would be cleaned (e.g., power washed and vacuumed) as needed and would be permeable to promote infiltration.

In addition, the Proposed Project would include a 175-foot-diameter Ferris wheel, which differs from the 100-foot-diameter Ferris wheel that was included in and analyzed in the 2016 SPPM Addendum. The Ferris wheel would be located on the northern portion of the Project Site, in the former City Park area currently referred to as *North Park*.

With approval of the Proposed Project, amusement attractions previously approved for the Discovery Sea Amusement Area in the 2016 SPPM Addendum, the amusement attractions component of the Proposed Project would be developed in the former City Park area, currently referred to as the North Park area of the Project Site. Attractions could include double-decker carousel, wave swings, a drop tower, or other amusement attractions found in similar waterfront destinations; these structures are not anticipated to exceed 75 feet in height.

The Proposed Project would maintain other elements and uses previously approved for the 6.4-acre Discovery Sea Amusement Area, including building improvements, park area, distributed green spaces, and garden areas on the remaining approximately 3 acres. Other previously analyzed project elements, such as the retail, restaurant, and commercial uses, would remain the same under the Proposed Project as described and analyzed in the 2016 and 2019 SPPM Addenda.

Although the parking analyzed in the 2009 SPW EIS/EIR and 2016 and 2019 SPPM Addenda would be utilized for all uses within the Proposed Project, both existing and proposed, there was concern during the NOP scoping period that parking would be insufficient. Therefore, based on the comments received during the NOP comment period, improvements to the 208 E. 22nd Street Parking Lot have been added to the Proposed Project; additional parking spaces would also be available for the larger

SPW Project. Under existing conditions, the 22nd Street overflow lot has 150 paved and marked stalls, with an unpaved/unmarked area for approximately 500 additional cars, should the need arise; and the existing combined paved and unpaved areas total 6.75 acres.

As part of the Proposed Project, the entirety of the 22-acre site at 208 E. 22nd Street, with the exception of 1.92 acres of already paved parking and some landscaping along the east side, would be paved and reconfigured to accommodate up to 2,600 parking stalls. A pedestrian/bicycle pathway would be constructed in the northwestern portion of the site near Miner Street and connect the western side of the parking lot to Harbor Boulevard directly north of the parking lot. A new 1,000-square-foot restroom would also be constructed at the northernmost corner of the lot. An additional entrance would be provided along Harbor Boulevard, which would require removal of the existing Red Car maintenance facility, loading platform, rails, and parking lot along Miner Street, along with the Pacific Performance Racing building at the corner of Harbor Boulevard and 22nd Street. Building demolition would include the two-story, 3,500-square-foot building at 264 W. 22nd Street and the 3,000-square-foot, single-story building at 270 W. 22nd Street. Site grading would require importing up to 49,000 cubic yards of soil because of the need to cap an area of contaminated soil (Figure 2-8). Up to 5,000 cubic yards of soil would be exported from the site. Grading activities are scheduled to occur over approximately 30 days.

## **ES.5 Summary of Project Alternatives**

### **ES.5.1 Requirements for Alternatives Analysis**

CEQA Guidelines Section 15126.6 requires that an EIR, describe a range of reasonable alternatives to a proposed project, or to the location of the project, which would feasibly attain most of the basic objectives of the proposed project but would avoid or substantially lessen any significant environmental impacts. An EIR need not consider every conceivable alternative to a project. Rather it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation. According to CEQA Guidelines, the EIR should compare merits of the alternatives and determine an environmentally superior alternative. LAHD defines a reasonable range of alternatives in light of its legal mandates under the Port of Los Angeles Tidelands Trust (Los Angeles City Charter, Article VI, Sec. 601), the California Coastal Act (PRC Div 20 S30700 et seq.), and LAHD's leasing policy. The EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project.

The lead agencies may make an initial determination as to which alternatives are feasible and therefore merit in-depth consideration, and which alternatives are infeasible.

### **ES.5.2 Alternatives Analyzed in this EIR**

Various alternatives were considered during preparation of this Draft SEIR. CEQA requires that an EIR present a range of reasonable alternatives to the Proposed Project. Accordingly, the Proposed Project and two alternatives including a No Project Alternative and a half-capacity amphitheater alternative have been considered. Both alternatives meet most of the Proposed Project objectives and purpose and need statement, as required by CEQA, and have been analyzed in this Draft SEIR to provide sufficient information and meaningful detail about the environmental effects of each

alternative, so that informed decision-making can occur. The two alternatives that were carried through the analysis of impacts are:

- Alternative 1 —No Project Alternative (based on the approved 2009 EIR; as updated in the 2016 EIR Addendum, as applicable); and
- Alternative 2 —Half-Capacity Amphitheater Alternative.

### **ES.5.2.1 Alternative 1 – No Project Alternative**

This alternative considers what would reasonably be expected to occur on the site if the Proposed Project did not occur. In this case, Alternative 1 would not allow implementation of the Proposed Project or other physical improvements associated with the Proposed Project. Without the development of the Proposed Project, the area would still be developed under the approved 2009 SPW EIS/EIR and 2016 SPPM Addendum, as applicable, for the Project site.

### **ES.5.2.2 Alternative 2 – Half-Capacity Amphitheater Alternative**

This alternative would include all of the improvements of the Proposed Project, except the amphitheater would have half as much seating capacity. The Proposed Project would have 6,200 seats, whereas Alternative 2 would have 3,100 seats.

## **ES.6 Environmental Impacts**

### **ES.6.1 Scope of Analysis**

The scope of this Draft SEIR was established based on the initial study prepared pursuant to CEQA and comments received during the notice of preparation (NOP) review process. The scope of analysis and technical work plans developed as part of preparing this draft EIR were designed to ensure that the comments received from regulatory agencies and the public during the NOP review process would be addressed.

This Draft SEIR focuses on the significant *environmental effects* of the Proposed Project and alternatives and their relevance to the decision-making process. *Environmental impacts*, as defined by CEQA, include physical effects on the environment. The CEQA Guidelines (Section 15360) define the environment as follows:

*The physical conditions which exist within the areas which will be affected by a proposed project, including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance.*

The Proposed Project would result in significant impacts related to the following topics, which are discussed in detail in this SEIR:

- Aesthetics;
- Air Quality;



- Biological and Aquatic Resources;
- Cultural Resources;
- Greenhouse Gas Emissions;
- Hazards and Hazardous Materials;
- Hydrology and Water Quality;
- Noise;
- Transportation;
- Tribal Cultural Resources; and
- Public Services.

Section 3.0, *Environmental Analysis*, discusses issues that would be significantly affected by the Proposed Project or alternatives. The criteria for determining the significance of environmental impacts in this Draft SEIR analysis are described in the section titled “Thresholds of Significance” under each resource topic in Chapter 3. Mitigation measures to reduce impacts to a less-than-significant level are proposed whenever feasible.

## **ES.6.2 Impacts Not Considered in this Draft SEIR**

The following environmental topics were fully analyzed and addressed in the Initial Study/NOP (Appendix A) and will not be discussed further in this Draft SEIR:

- Agricultural and Forestry Resources;
- Energy;
- Geology and Soils;
- Land Use and Planning;
- Mineral Resources;
- Population and Housing;
- Recreation;
- Utilities; and
- Wildfire.

## **ES.6.3 Mitigation Measures (MM) and Project Features (PF) Referenced in this Draft SEIR**

The Draft SEIR also evaluates modifications to the previously approved Mitigation Monitoring and Reporting Program (MMRP) for the 2009 SPW Project EIS/EIR and the revised MMRP for the 2016 SPPM Addendum. These modifications are necessary to update previous mitigation measures to

current regulatory standards or modify/remove them based on their effectiveness and need. Mitigation measures proposed for modification or removal in this analysis are denoted with an asterisk (\*).

- Air Quality
  - **MM-AQ-3:** Fleet Modernization for On-Road Trucks During Construction\*
  - **MM-AQ-4:** Fleet Modernization for Construction Equipment\*
  - **MM-AQ-5:** Fugitive Dust\*
  - **MM-AQ-6:** Best Management Practices
  - **MM-AQ-7:** General Mitigation Measure During Construction
  - **MM-AQ-8:** Special Precautions Near Sensitive Sites
  - **MM-AQ-25:** Recycling\*
  - **MM-AQ-27:** Light-Emitting Diode (LED) Lightbulbs\*
  - **MM-AQ-28:** Energy Audit\*
  - **MM-AQ-31:** Zero-Emission Shuttle Buses
- Biological Resources
  - **MM-BIO-2:** Conduct Nesting Bird Surveys
  - **MM-BIO-7:** Trash Management and Post-Event Cleanup
  - **MM-BIO-8:** Marine Mammal Monitoring During Fireworks Events
  - **MM-BIO-9:** California Least Tern Nesting Colony Monitoring During Fireworks Events
  - **MM-BIO-10:** Biodegradable Venue Products
  - **MM-BIO-11:** Abandoned Nest Clearance Must Avoid Breeding Bird Season
- Cultural Resources
  - **MM-CR-3:** Stop Work if Unanticipated Cultural Resources Are Identified During Ground Disturbing Activities
- Greenhouse Gas Emissions
  - **PF-GHG-1:** Install Solar Canopies over Main Parking Lot
- Hazards and Hazardous Materials
  - **MM-HAZ-1:** Develop a Soil Management Plan (SMP) for the 208 E. 22nd Street Parking Lot Site
- Hydrology and Water Quality
  - **MM-GW-1:** Complete Site Remediation
  - **MM-GW-2:** Create a Contamination Contingency Plan
- Noise
  - **PF-NOI-1:** Incorporate Sound-Focusing Design into the Amphitheater Sound System

- **MM-NOI-1:** Construct Temporary Noise Barriers, Muffle and Maintain Construction Equipment, Prohibit Idling, Locate Equipment, Use Quiet Construction Equipment, and Notify Residents
- **MM-NOI-2:** Construction Hours
- **MM-NOI-3:** Limit Noise Levels within the Amphitheater during All Tier 1 Events
- **MM-NOI-4:** Require All Tier 1 Events to Utilize the House Public Address/Sound Reinforcement System
- **MM-NOI-5:** Monitor Amphitheater Noise for All Tier 1 Events
- **MM-NOI-6:** Noise Reporting Requirements Following Amphitheater Events
- **MM-NOI-7:** Establish a Noise Complaint Hotline and/or Website
- **MM-NOI-8:** Enforce a Curfew and Restrict the Hours of Use and Duration for the Amphitheater Amplified Sound System
- **MM-NOI-9:** Fines for Non-Compliance
- **MM-NOI-10:** Restrict the Total Number of Tier 1 Event Performance Days to 100 per Year
- **MM-NOI-11:** Restrict the Total Number of Firework Displays to 25 per Year
- **MM-NOI-12:** Limit the Duration of All Firework Displays
- **MM-NOI-13:** Limit the Use of “Salute” Fireworks
- **MM-NOI-14:** Replace Fireworks Displays with Drone Displays
- Transportation
  - **MM-TRANS-1:** Implementation of Transportation Demand Management (TDM) Strategies
- Public Services
  - **MM-PS-1:** Coordinate with Law Enforcement Agencies (Construction Phase)\*
  - **MM-PS-4:** Comply with AB939\*
  - **MM-PS-5:** Water Conservation and Wastewater Reduction\*
  - **MM-PS-6:** Employ Energy Conservation Measures\*
  - **MM-PS-7:** Operational Safety Measures

## **ES.6.4 Impacts of the Proposed Project Considered in this Draft SEIR**

Sections 3.1 through 3.11 discuss the anticipated potential environmental effects of the Proposed Project. Summary descriptions of the significant impacts, mitigation measures, and residual impacts for the Proposed Project and alternatives are provided in Table ES-1, *Summary of Project Impacts and Mitigation Measures*.

For each of the eleven environmental resources analyzed in this Draft SEIR, Section 3 identifies significant impacts associated with the Proposed Project and each of the two alternatives. The

following sections describe the significant and less than significant impacts for each resource and identify to which alternative the impacts apply.

**Table ES-1: Summary of Project Impacts and Mitigation Measures.**

Environmental Impacts	Impact Determination	Mitigation Measure	Impacts After Mitigation
<b>3.1 Aesthetics</b>			
<b>AES-1:</b> Would the Proposed Project, in non-urbanized areas, substantially degrade the existing visual character or quality of public views of the Project Site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the Proposed Project is in an urbanized area, would the Proposed Project conflict with applicable zoning and other regulations governing scenic quality?	The 2009 SPW EIS/EIR finding of “less-than-significant impacts” remains valid for the Proposed Project.	None required.	No new or substantially more severe significant impacts would occur. No mitigation would be required.
<b>AES-2:</b> Would the Proposed Project create a new source of substantial light or glare that would adversely affect daytime or nighttime views in the area?	The 2009 SPW EIS/EIR finding of “no impact” is no longer valid for the Proposed Project. Impacts are now less than significant.	None required.	No new or substantially more severe significant impacts would occur. No mitigation would be required.
<b>3.2 Air Quality</b>			
<b>AQ-1:</b> Would the Proposed Project result in new construction emissions that exceed the SCAQMD regional peak-daily emission thresholds of significance in Table 3.2-5 and/or increase the severity of impacts considered in the 2009 SPW EIS/EIR or 2016 SPPM Addendum?	The 2009 SPW EIS/EIR finding of “significant and unavoidable impacts” remains valid for the Proposed Project.	<b>MM-AQ-3 through MM-AQ-8</b>	No new or substantially more severe significant impacts would occur.
<b>AQ-2:</b> Would the Proposed Project result in ambient air pollutant concentrations from construction activities that exceed NAAQS or CAAQS and/or increase the severity of impact considered in the 2009 SPW EIS/EIR or 2016 SPPM Addendum?	The 2009 SPW EIS/EIR finding of “significant and unavoidable impacts” remains valid for the Proposed Project.	<b>MM-AQ-3 through MM-AQ-8</b>	No new or substantially more severe significant impacts would occur.
<b>AQ-3:</b> Would the Proposed Project result in new operational emissions that exceed the SCAQMD regional peak daily emission thresholds of significance and/or increase the severity of impact considered in the	The 2009 SPW EIS/EIR finding of “significant and unavoidable impacts” remains valid for the Proposed Project.	<b>MM-AQ-31</b>	No new or substantially more severe significant impacts would occur.

Environmental Impacts	Impact Determination	Mitigation Measure	Impacts After Mitigation
<p>2009 SPW EIS/EIR or 2016 SPPM Addendum?</p> <p><b>AQ-4:</b> Would the Proposed Project result in ambient air pollutant concentrations from operational activities that exceed NAAQS or CAAQS and/or increase the severity of impact considered in the 2009 SPW EIS/EIR or 2016 SPPM Addendum?</p>	<p>The 2009 SPW EIS/EIR finding of “significant and unavoidable impacts” remains valid for the Proposed Project.</p>	<p><b>MM-AQ-31</b></p>	<p>No new or substantially more severe significant impacts would occur.</p>
<p><b>AQ-5:</b> Would the Proposed Project result in on-road traffic that would contribute to an exceedance of the 1-hour or 8-hour CO standards and/or increase the severity of impact considered in the 2009 SPW EIS/EIR or 2016 SPPM Addendum?</p>	<p>The 2009 SPW EIS/EIR finding of “less-than-significant impacts” remains valid for the Proposed Project.</p>	<p>None Required.</p>	<p>No new or substantially more severe significant impacts would occur. No mitigation would be required.</p>
<p><b>AQ-6:</b> Would the Proposed Project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people and/or increase the severity of impact considered in the 2009 SPW EIS/EIR or 2016 SPPM Addendum?</p>	<p>The 2009 SPW EIS/EIR finding of “less-than-significant impacts” remains valid for the Proposed Project.</p>	<p>None Required.</p>	<p>No new or substantially more severe significant impacts would occur. No mitigation would be required.</p>
<p><b>AQ-7:</b> Would the Proposed Project expose receptors to significant levels of TACs per the following SCAQMD thresholds and/or increase the severity of impact identified in the 2009 SPW EIS/EIR or 2016 SPPM Addendum?</p>	<p>The 2009 SPW EIS/EIR finding of “significant and unavoidable impacts” remains valid for the Proposed Project.</p>	<p><b>MM-AQ-3 through MM-AQ-8 and MM-AQ-31</b></p>	<p>No new or substantially more severe significant impacts would occur.</p>
<p><b>AQ-8:</b> Would the Proposed Project conflict with or obstruct implementation of an applicable air quality plan and/or increase the severity of impact considered in the 2009 SPW EIS/EIR or 2016 SPPM Addendum?</p>	<p>The 2009 SPW EIS/EIR finding of “less-than-significant impacts” remains valid for the Proposed Project.</p>	<p>None Required.</p>	<p>No new or substantially more severe significant impacts would occur. No mitigation would be required.</p>
<p><b>3.3 Biology</b></p>			
<p><b>BIO-1:</b> Would the Proposed Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status species in local or regional plans, policies, or regulations, or by CDFW or USFWS?</p>	<p>The 2009 SPW EIS/EIR finding of “significant and unavoidable impacts” remains valid for the Proposed Project.</p>	<p><b>MM-BIO-2, MM-BIO-7, MM-BIO-8, MM-BIO-9, MM-BIO-10, and MM-BIO-11</b></p>	<p>No new or substantially more severe significant impacts would occur.</p>

Environmental Impacts	Impact Determination	Mitigation Measure	Impacts After Mitigation
<b>BIO-2:</b> Would the Proposed Project have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by CDFW or USFWS?	The 2009 SPW EIS/EIR finding of “significant and unavoidable impacts” remains valid for the Proposed Project.	<b>MM-BIO-7 and MM-BIO-10</b>	No new or substantially more severe significant impacts would occur.
<b>3.4 Cultural Resources</b>			
<b>CUL-1:</b> Would the Proposed Project cause a substantial adverse change in the significance of a historical resource pursuant to CEQA Section 15064.5?	The 2009 SPW EIS/EIR finding of “no impacts” remains valid for the Proposed Project.	None Required.	No new or substantially more severe significant impacts would occur. No mitigation would be required.
<b>CUL-2:</b> Would the Proposed Project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5?	The 2009 SPW EIS/EIR finding of “less than significant impacts” remains valid for the Proposed Project.	<b>MM-CR-3</b>	No new or substantially more severe significant impacts would occur.
<b>CUL-3:</b> Would the Proposed Project disturb any human remains, including those interred outside of dedicated cemeteries?	The 2009 SPW EIS/EIR finding of “less than significant impacts” remains valid for the Proposed Project.	<b>MM-CR-3</b>	No new or substantially more severe significant impacts would occur.
<b>3.5 Greenhouse Gases</b>			
Would the Proposed Project result in construction and operational activities that conflict with an applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions and/or increase the severity of impact considered in the 2009 SPW EIS/EIR or 2016 SPPM Addendum?	The 2009 SPW EIS/EIR finding of “significant impacts” remains valid for the Proposed Project.	<b>PF-GHG-1, MM-TRAN-1, MM-AQ-3, MM-AQ-4, MM-AQ-6, MM-AQ-7, MM-AQ-27, and MM-AQ-31</b>	No new or substantially more severe significant impacts would occur.
<b>3.6 Hazards</b>			
<b>HAZ-1:</b> Would the Proposed Project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	The 2009 SPW EIS/EIR finding of “less-than-significant impacts” remains valid for the Proposed Project.	None required.	No new or substantially more severe significant impacts would occur. No mitigation would be required.
<b>HAZ-2:</b> Would the Proposed Project create a significant hazard to the public or the environment by being located on a hazardous-materials site and through reasonably foreseeable upset and accident conditions	The 2009 SPW EIS/EIR finding of “significant impacts” remains valid for the Proposed Project.	<b>MM-HAZ-1</b>	No new or substantially more severe significant impacts would occur.

Environmental Impacts	Impact Determination	Mitigation Measure	Impacts After Mitigation
involving the release of hazardous materials into the environment?			
<b>3.7 Hydrology and Water Quality</b>			
<b>HYD-1:</b> Would the Proposed Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?	The 2009 SPW EIS/EIR finding of “significant impacts” remains valid for the Proposed Project.	<b>MM-GW-1, MM-GW-2, MM HAZ-1, MM BIO-7, and MM BIO-10</b>	No new or substantially more severe significant impacts would occur.
<b>HYD-2:</b> Would the Proposed Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would result in substantial erosion or siltation on or off site; create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows?	The 2009 SPW EIS/EIR finding of “less-than-significant impacts” remains valid for the Proposed Project.	<b>MM-HAZ-1</b>	No new or substantially more severe significant impacts would occur.
<b>3.8 Noise</b>			
<b>NOI-1:</b> Would the Proposed Project generate a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?	The 2009 SPW EIS/EIR finding of “significant impacts” remains valid for the Proposed Project.	<b>PF-NOI-1 and MM NOI-1 through MM-NOI-14</b>	No new or substantially more severe significant impacts would occur.
<b>NOI-2:</b> Would the Proposed Project generate excessive ground-borne vibration or ground-borne noise levels?	The 2009 SPW EIS/EIR finding of “less-than-significant impacts” remains valid for the Proposed Project.	None required	No new or substantially more severe significant impacts would occur. No mitigation would be required.
<b>NOI-3:</b> Would the Proposed Project be located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within 2 miles of a public airport or public use airport and expose people residing or working in the project area to excessive noise levels?	The 2009 SPW EIS/EIR finding of “less-than-significant impacts” remains valid for the Proposed Project.	None required.	No new or substantially more severe significant impacts would occur. No mitigation would be required.

Environmental Impacts	Impact Determination	Mitigation Measure	Impacts After Mitigation
<b>3.9 Transportation</b>			
<b>TRAN-1:</b> Would the Proposed Project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	The 2009 SPW EIS/EIR finding of “less-than-significant impacts” remains valid for the Proposed Project.	None Required.	No new or substantially more severe significant impacts would occur. No mitigation would be required.
<b>TRAN-2:</b> Would the Proposed Project conflict or be inconsistent with State CEQA Guidelines Section 15064.3, subdivision (b)?	The 2009 SPW EIS/EIR finding of “significant impacts” remains valid for the Proposed Project.	<b>MM-TRAN-1</b>	No new or substantially more severe significant impacts would occur.
<b>3.10 Tribal Cultural Resources</b>			
<b>TCR-1:</b> Would the Proposed Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe and listed in or eligible for listing in the California Register of Historical Resources or in a local register of historical resources, as defined in Public Resources Code Section 5020.1(k)?	The 2009 SPW EIS/EIR finding of “less-than-significant impacts” remains valid for the Proposed Project.	<b>MM-CR-4</b>	No new or substantially more severe significant impacts would occur.
<b>TCR-2:</b> Would the Proposed Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe and a resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency	The 2009 SPW EIS/EIR finding of “less-than-significant impacts” remains valid for the Proposed Project.	<b>MM-CR-4</b>	No new or substantially more severe significant impacts would occur.



Environmental Impacts	Impact Determination	Mitigation Measure	Impacts After Mitigation
will consider the significance of the resource to a California Native American Tribe.			
<b>3.11 Public Services</b>			
<b>PUB-1:</b> Would the Proposed Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire or police protection?	The 2009 SPW EIS/EIR finding of “less-than-significant impacts” remains valid for the Proposed Project.	<b>MM-PS-1</b> and <b>MM-PS-7</b>	No new or substantially more severe significant impacts would occur.

CAAQS = California Ambient Air Quality Standards; CDFG = California Department of Fish and Wildlife; CEQA = California Environmental Quality Act; CO = carbon monoxide; EIR = Environmental Impact Report; EIS = Environmental Impact Statement; GHG = greenhouse gas; NAAQS = National Ambient Air Quality Standards; SCAQMD = South Coast Air Quality Management District; SPPM = San Pedro Public Market; SPW = San Pedro Waterfront; TAC = toxic air contaminant; USFWS = U.S. Fish and Wildlife Service

### ES.6.4.1 Summary of Significant and Unavoidable Environmental Impacts

As identified in Table ES-1, *Summary of Project Impacts and Mitigation Measures*, and in Chapter 3 of this Draft SEIR, the significant unavoidable impacts for the Proposed Project are as follows:

- Air Quality:
  - AQ-1: Would the Proposed Project result in new construction emissions that exceed the SCAQMD regional peak-daily emission thresholds of significance in Table 3.2-5 and/or increase the severity of impacts considered in the 2009 SPW EIS/EIR or 2016 SPPM Addendum?
  - AQ-2: Would the Proposed Project result in ambient air pollutant concentrations from construction activities that exceed National Ambient Air Quality Standards (NAAQS) or California Ambient Air Quality Standards (CAAQS) and/or increase the severity of impact considered in the 2009 SPW EIS/EIR or 2016 SPPM Addendum?
  - AQ-3: Would the Proposed Project result in new operational emissions that exceed the SCAQMD regional peak daily emission thresholds of significance in Table 3.2-7 and/or increase the severity of impact considered in the 2009 SPW EIS/EIR or 2016 SPPM Addendum?
  - AQ-4: Would the Proposed Project result in ambient air pollutant concentrations from operational activities that exceed NAAQS or CAAQS and/or increase the severity of impact considered in the 2009 SPW EIS/EIR or 2016 SPPM Addendum?

- AQ-7: Would the Proposed Project expose receptors to significant levels of toxic air contaminants per the following SCAQMD thresholds and/or increase the severity of impact identified in the 2009 SPW EIS/EIR or 2016 SPPM Addendum?
- Greenhouse Gases:
  - GHG-1: Would the Proposed Project result in construction and operational activities that conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing greenhouse gas emissions and/or increase the severity of impact considered in the 2009 SPW EIS/EIR or 2016 SPPM Addendum?
- Noise:
  - NOI-1: Would the Proposed Project generate a substantial temporary or permanent increase in ambient-noise levels in the vicinity of the project in excess of standards established in a local general plan or noise ordinance or applicable standards of other agencies?
- Transportation:
  - TRAN-2: Would the Proposed Project conflict or be inconsistent with State CEQA Guidelines Section 15064.3, subdivision (b)?

#### **ES.6.4.2 Summary of Significant Impacts That Can Be Mitigated, Avoided, or Substantially Lessened**

Table ES-1, *Summary of Project Impacts and Mitigation Measures*, identifies significant impacts associated with the Proposed Project that can be mitigated, avoided, or substantially lessened. This Draft SEIR has determined that implementation of the Proposed Project would result in significant impacts that can be mitigated to a less than significant level on:

- Biology:
  - BIO-1: Would the Proposed Project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a Candidate, Sensitive, or Special-Status Species in local or regional plans, policies, or regulations or by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service?
  - BIO-2: Would the Proposed Project interfere substantially with the movement of any native resident or migratory fish or wildlife species, or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?
- Hazards:
  - HAZ-2: Would the Proposed Project create a significant hazard to the public or the environment by being located on a hazardous-materials site and through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?
- Hydrology:
  - HYD-1: Would the Proposed Project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality?

- HYD-2: Would the Proposed Project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner that would result in substantial erosion or siltation on or off site; create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; or impede or redirect flood flows?
- Tribal Cultural Resources:
  - CUL-1: Would the Proposed Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe and listed in or eligible for listing in the California Register of Historical Resources or in a local register of historical resources, as defined in Public Resources Code Section 5020.1(k)?
  - CUL-2: Would the Proposed Project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe and determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency will consider the significance of the resource to a California Native American Tribe?
- Public Services:
  - PUB-1: Would the Proposed Project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for fire or police protection?

### ES.6.4.3 Summary of Project Alternatives Evaluated

Various alternatives were considered during preparation of this Draft SEIR. CEQA requires that an EIR present a range of reasonable alternatives to the Proposed Project. Accordingly, the Proposed Project and two alternatives including a No Project Alternative and a half-capacity amphitheater alternative meet most of the Proposed Project objectives and purpose and need statement, as required by CEQA and have been analyzed in this Draft SEIR to provide sufficient information and meaningful detail about the environmental effects of each alternative, so that informed decision-making can occur. The two alternatives that were carried through the analysis of impacts are:

- **Alternative 1 – No Project Alternative:** This alternative is based on the approved 2009 SPW EIS/EIR (Port 2009), as updated in the 2016 SPPM Addendum (ICF 2016), and the *2019 Addendum to the San Pedro Waterfront Project Environmental Impact Report for the San Pedro Public Market Project* (2019 SPPM Addendum) (ICF 2019), as applicable.

- **Alternative 2 – Half-Capacity Amphitheater Alternative:** This alternative would include all of the improvements of the Proposed Project, except that the amphitheater would have half as much seating capacity.

Alternative 1 would not meet project objective 2 and would meet objectives 1, 4, and 5 to a lesser extent as compared to the Proposed Project. Alternative 2 would implement a half-capacity (3,100-seat) Amphitheater and, as such, would have reduced impacts associated with air quality and transportation. Alternative 2 would meet all of the project objectives, but to a lesser extent as compared to the Proposed Project. The ability to meet the project objectives at a lesser extent would be because the reduced venue size would limit the type and quality of performances the venue would be able to entice. Alternative 1, the No Project Alternative, has been identified as the environmentally superior alternative. However, according to CEQA guidance, because Alternative 1 is considered the No Project Alternative, Alternative 2 would be considered the most environmentally superior option among the remaining alternative options. CEQA does not require the lead agency to choose the environmentally superior alternative. Instead, CEQA requires the lead agency to consider environmentally superior alternatives, weigh those considerations against the environmental impacts of the Proposed Project, and make findings that the benefits of those considerations outweigh the harm.

#### **ES.6.4.4 Cumulative Impacts**

The cumulative impact analysis considers the resources that are analyzed in Chapter 3 (Environmental Analysis) of this Draft SEIR. The Draft SEIR determined that construction and operation of the Proposed Project could make substantial contributions to cumulatively considerable impacts related to Air Quality and GHG. The Proposed Project, Alternative 1, and Alternative 2 would not change the determination of significance for Air Quality and GHG made in the 2009 SPW EIS/EIR and 2016 SPPM Addendum, as discussed in Section 3.2. Residual impacts would remain significant and unavoidable. The Proposed Project would add to impacts but would not create new impacts and would not substantially increase the severity of impacts deemed significant in the 2009 SPW EIS/EIR and 2016 SPPM Addendum. The Proposed Project would therefore make a cumulatively considerable contribution to existing cumulatively significant impacts. Impacts deemed significant in the 2009 SPW and 2016 SPPM Addendum would remain significant and unavoidable.

The No Project Alternative (Alternative 1) would not add to or change impacts identified in the 2009 SPW EIS/EIR or the 2016 SPPM Addendum and impacts deemed significant in the 2009 SPW and 2016 SPPM Addendum would remain significant and unavoidable.

Similar to the Proposed Project, the Half-Capacity Amphitheater (Alternative 2) would add to impacts but would not create new impacts and would not substantially increase the severity of impacts deemed significant in the 2009 SPW EIS/EIR and 2016 SPPM Addendum. Alternative 2 impacts would be similar to the Proposed Project. Alternative 2 would therefore make a cumulatively considerable contribution to existing cumulatively significant impacts. Impacts deemed significant in the 2009 SPW and 2016 SPPM Addendum would remain significant and unavoidable.

#### **ES.6.4.5 Growth-Inducing Impacts**

The CEQA Guidelines require an EIR to discuss the ways in which a project could foster economic or population growth or the construction of additional housing, either directly or indirectly, in the

surrounding environment. This includes ways in which a project would remove obstacles to population growth or trigger the construction of new community-services facilities that could cause significant effects (CEQA Guidelines § 15126.2).

To address this issue, potential growth-inducing effects are examined through the following considerations:

- Removal of obstacles to growth (e.g., through the construction or extension of major infrastructure facilities that do not presently exist in a project area or through changes in existing regulations pertaining to land development);
- Expansion requirements for one or more public services to maintain desired levels of service as a result of a project or alternatives;
- Facilitation of economic effects that could result in other activities that could significantly affect the environment; or
- Setting a precedent that could encourage and facilitate other activities that could significantly affect the environment.

Growth-inducing effects are not to be construed as necessarily beneficial, detrimental, or of little significance to the environment. This issue is presented to provide additional information about ways in which the Proposed Project could contribute to significant changes in the environment, beyond the direct consequences of developing the Proposed Project analyzed in this SEIR.

The Proposed Project could indirectly result in economic growth by increasing the number of patrons along the waterfront and in downtown San Pedro. Sales would be generated by businesses that would be engaged in supplying services and materials to the visiting patrons attending Amphitheater events, as well as businesses in the San Pedro area that would supply services to the Amphitheater for hosting events. Amphitheater attendees eating at a local restaurant and/or shopping at a local store would create direct economic benefits for those businesses. This could, in turn, lead to more investment and growth in the waterfront and downtown area, the impacts of which were analyzed and addressed in the 2009 SPW EIS/EIR and 2016 SPPM Addendum.

The other impacts of growth associated with the Proposed Project, such as those related to air quality, traffic, noise, public services, and utility consumption, were addressed throughout this Draft SEIR and the Initial Study (IS)/Notice of Preparation (NOP) provided in Appendix A.

## ES.7 Public Comment

The scoping process for this Draft SEIR was formally initiated on April 14, 2022, when LAHD submitted the NOP to the California State Clearinghouse for distribution to state agencies and to the County Clerk for public posting. Originally, the 30-day review period was scheduled to end on May 16, 2022. However, LAHD extended the public review period for an additional 30 days, which ended on June 15, 2022.

### ES.7.1 Issues Raised

Written comments received during the scoping process are included in Appendix A. A total of 58 comment letters were received: two from public agencies, 14 from organizations, and 42 from

individuals. A summary of the environmental comments received is provided in Table ES-2. Only comments that pertain to the environmental scope of this Draft SEIR are summarized.

**Table ES-2: Summary of Scoping Comments Received**

<b>Commenter</b>	<b>CEQA Concern(s)</b>	<b>Other Concern(s)</b>
<b>Agencies</b>		
City of Rancho Palos Verdes	<ul style="list-style-type: none"> <li>Noise – fireworks/sound system</li> <li>Air and water pollution – fireworks</li> </ul>	Illegal fireworks; fireworks triggering post-traumatic stress disorder (PTSD) in veterans or alarming pets
South Coast Air Quality Management District	<ul style="list-style-type: none"> <li>Air pollution – all phases, including construction</li> </ul>	
<b>Organizations</b>		
Cabrillo Beach Yacht Club	<ul style="list-style-type: none"> <li>Traffic and noise associated with increased use of the San Pedro waterfront</li> </ul>	Adequacy of parking
Coastal San Pedro Neighborhood Council	<ul style="list-style-type: none"> <li>Noise – concert noise impact on city and Port lands and waters</li> <li>Traffic – security for the venue</li> <li>Biology/water quality – pollution from microplastics</li> </ul>	Requests that the Proposed Project uses biodegradable materials and recyclables and incorporates the principles of the San Pedro Urban Greening Plan
Environmental Justice League	<ul style="list-style-type: none"> <li>Air quality/greenhouse gases – vehicular emissions and fireworks</li> <li>Land use                             <ul style="list-style-type: none"> <li>Is project consistent with Plan for a Healthy Los Angeles</li> <li>Is project consistent with Port Master Plan Env Justice policies?</li> <li>Does it require a Level II Coastal Development Permit? If so, has the California Coastal Commission Environmental Justice Policy been considered?</li> </ul> </li> <li>Noise – concert and loading docks; fireworks shows</li> <li>Recreation – replacing approved Discovery Sea Amusement Area with other amenities that may require tickets</li> <li>Public services – fire and police services effects on surrounding neighborhoods during concerts; emergency response times</li> </ul>	<ul style="list-style-type: none"> <li>Environmental Justice – proximity to communities that already bear adverse environmental impacts, specifically census tracts 6037296220 and 6037296110</li> <li>What portions will be available without tickets/payment?</li> </ul>
The Garden Church Board	<ul style="list-style-type: none"> <li>Noise – fireworks/sound system</li> <li>Air and water pollution – fireworks, microplastics</li> </ul>	<ul style="list-style-type: none"> <li>Fireworks affecting neighborhood residents, triggering PTSD in veterans or alarming pets. Strongly recommends removing fireworks from PD.</li> </ul>

Commenter	CEQA Concern(s)	Other Concern(s)
League of Women Voters of Palos Verdes Peninsula	<ul style="list-style-type: none"> <li>• Air quality/noise – fireworks</li> <li>• Hazards/water quality – fireworks</li> <li>• Greenhouse gases – chemical reactions of fireworks</li> </ul>	
Marine Mammal Care Center	<ul style="list-style-type: none"> <li>• Noise/marine biology –                             <ul style="list-style-type: none"> <li>○ Noise and light pollution impacts on marine wildlife</li> <li>○ Urges study on a cap for a “noise pollution budget”</li> </ul> </li> <li>• Hazards – fireworks trash and debris, microplastics</li> </ul>	
NAHC	<ul style="list-style-type: none"> <li>• Tribal cultural resources – request for consultation pursuant to Assembly Bill 52</li> </ul>	
Northwest San Pedro Neighborhood Council	<ul style="list-style-type: none"> <li>• Noise and light pollution from venue and fireworks</li> <li>• Hazards – seek alternatives to artificial turf (forever chemicals such as perfluoroalkyl and polyfluoroalkyl substances [PFAS]).</li> <li>• Traffic – venue events</li> <li>• Bio/air quality/water quality – debris and microplastics from fireworks</li> </ul>	<ul style="list-style-type: none"> <li>• Parking, security for venue</li> <li>• Boat and vehicle gatherings outside the project area for tailgate parties and/or fireworks watching</li> </ul>
Paddle Out Plastic	<ul style="list-style-type: none"> <li>• Aesthetics – light and glare, inadequate trash collection in existing condition (exacerbated by project)</li> <li>• Biological resources – noise, light, and water pollution impacts</li> <li>• Noise – venue noise impacts on wildlife</li> <li>• AQ and light pollution impacts on wildlife</li> <li>• WQ – trash and debris</li> <li>• Hazards – fireworks and artificial turf</li> <li>• Water use – from watering down the turf</li> </ul>	<ul style="list-style-type: none"> <li>• Requesting prohibitions on cheap single-use items and products, fireworks, polystyrene, artificial turf, smoking, and paper towels in restrooms</li> </ul>
Save Our Open Space	<ul style="list-style-type: none"> <li>• Land use                             <ul style="list-style-type: none"> <li>○ Project description not clear with respect to discretionary permits required.</li> <li>○ Is a Coastal Development Permit required?</li> </ul> </li> <li>• Aesthetics – light and glare                             <ul style="list-style-type: none"> <li>○ Will project comply with San Pedro Waterfront and Promenade Design Guidelines?</li> </ul> </li> <li>• Air quality – fireworks and artificial turf</li> <li>• Biological resources – marine wildlife impacts from trash and fireworks, sedimentation</li> <li>• Energy</li> </ul>	<ul style="list-style-type: none"> <li>• What fireworks permits from the U.S. Coast Guard are required?</li> <li>• Piecemealing – the Proposed Project does not intend to analyze construction-related impacts and vehicle trips</li> </ul>

Commenter	CEQA Concern(s)	Other Concern(s)
Sierra Club	<ul style="list-style-type: none"> <li>○ What threshold was used to determine that 393,879 gallons of fuel annually would not be a significant impact?</li> <li>● GHG – mobile source emissions</li> <li>● Hydrology/water quality – windblown debris, trash, confetti, into the channel</li> <li>● Land use – consistency with Port Master Plan policies and Public Trust Doctrine</li> <li>● Noise – fireworks and associated cleanup activities afterward</li> <li>● Water supply – water for 6,200 patrons</li> <li>● Hazards/noise/biology resources –                             <ul style="list-style-type: none"> <li>○ Artificial turf; trash from confetti, balloons, other plastic waste, and food container waste</li> <li>○ Impacts on wildlife from noise (both fireworks and venue)</li> <li>○ Trash from smoking and vaping resulting in microplastics in the ocean</li> </ul> </li> <li>● Greenhouse gases                             <ul style="list-style-type: none"> <li>○ Buildings need to be all-electric.</li> <li>○ Need car chargers.</li> </ul> </li> <li>● Water quality                             <ul style="list-style-type: none"> <li>○ If any laundry machines are proposed, they need filtration to keep microplastics from reaching the ocean.</li> </ul> </li> </ul>	<ul style="list-style-type: none"> <li>● Install water filling stations and plant trees.</li> <li>● Maintain landscaping without pesticides.</li> </ul>
Sierra Club’s Los Cerritos Wetlands Task Force	<ul style="list-style-type: none"> <li>● Water quality/biological resources                             <ul style="list-style-type: none"> <li>○ Opposed to the fireworks</li> <li>○ Cites public health threat and references the fact that San Francisco and San Diego Area Boards are requiring National Pollutant Discharge Elimination System permits for fireworks shows</li> <li>○ Cites the California Water Code 13267 Order No. R4-2022-0213 to provide relevant information on water quality impacts of the Big Bang on the Bay, Alamitos Bay</li> </ul> </li> </ul>	
San Pedro Bay Historical Society	<ul style="list-style-type: none"> <li>● Noise impacts on the historic Muller House Museum.                             <ul style="list-style-type: none"> <li>○ The Palos Verdes Peninsula is already a natural amphitheater, and the venue would exacerbate the noise issue.</li> </ul> </li> <li>● Echoes other residents’ concerns about water pollution, light pollution, air quality, traffic, and impacts on local wildlife.</li> </ul>	



<b>Commenter</b>	<b>CEQA Concern(s)</b>	<b>Other Concern(s)</b>
Unite Here, Local 11 – Local Hospitality Workers Union	<ul style="list-style-type: none"> <li>• Hazards/water quality – waste and single use plastics; artificial turf</li> </ul>	
<b>Individuals</b>		
Anderson, Natalie	<ul style="list-style-type: none"> <li>• Supportive of project</li> </ul>	
Benedict, Bryan	<ul style="list-style-type: none"> <li>• Supportive of project</li> </ul>	
Borst-Smith, Dave	<ul style="list-style-type: none"> <li>• Supportive of project but encourages a lot of thought be put into the placement of the sound system</li> </ul>	
Brown, James	<ul style="list-style-type: none"> <li>• Supportive of project</li> </ul>	
Budzinski, Nicole	<ul style="list-style-type: none"> <li>• Supportive of project, but concerned about the trash/debris generated</li> </ul>	
Burlingame-Smith, June	<ul style="list-style-type: none"> <li>• Noise – sound pollution; effects on sleep patterns, etc.</li> <li>• Traffic</li> <li>• Air quality</li> </ul>	<ul style="list-style-type: none"> <li>• Parking and effects on San Pedro downtown merchants</li> </ul>
Campeau, J	<ul style="list-style-type: none"> <li>• Noise – venue sound; atmospheric effects of the sound when Santa Ana winds blow in from the east; fireworks; police response sirens</li> <li>• Hazards – confetti, debris, cleanup</li> <li>• Biological resources – effects on marine and land wildlife</li> <li>• Traffic</li> <li>• Light and air pollution</li> </ul>	<ul style="list-style-type: none"> <li>• Poorly planned events causing disruptions to community</li> <li>• Effects on local businesses</li> <li>• Crime and parking problems</li> </ul>
Feldman, Laurie	<ul style="list-style-type: none"> <li>• Hazards – plastic trash and microplastics</li> </ul>	<ul style="list-style-type: none"> <li>• Parking, resident discounts, and signage</li> </ul>
Ferguson, Lisa	<ul style="list-style-type: none"> <li>• Generally opposed based on impacts related to biological resources, hazards (trash and chemicals), traffic, and air quality pollution</li> </ul>	
Ferguson, Lisa	<ul style="list-style-type: none"> <li>• Repeat of previous comment letter, but with a description of the project. Generally opposed based on impacts related to biological resources, hazards (trash and chemicals), traffic, air quality and pollution.</li> </ul>	
Gelfand, Robert	<ul style="list-style-type: none"> <li>• Traffic</li> <li>• Noise – venue</li> <li>• Requests additional information on what kind of performances would be scheduled</li> <li>• How far can we expect the noise to carry?</li> </ul>	<ul style="list-style-type: none"> <li>• Parking</li> </ul>
Gonzales, Celia	<ul style="list-style-type: none"> <li>• Noise – venue noise</li> <li>• Traffic – access, circulation for visitors</li> </ul>	<ul style="list-style-type: none"> <li>• Requests additional description of how parking will be handled for events</li> </ul>
Gould, Austin	<ul style="list-style-type: none"> <li>• Supportive of project</li> </ul>	

<b>Commenter</b>	<b>CEQA Concern(s)</b>	<b>Other Concern(s)</b>
Gould, Noel	<ul style="list-style-type: none"> <li>Noise pollution – venue</li> <li>Traffic – deficient infrastructure; lack of light rail service</li> <li>AQ – from idling vehicles, or looking for parking; food truck diesel/exhaust</li> <li>Hazards – trash/confetti</li> <li>Biology – harm to marine life</li> </ul>	<ul style="list-style-type: none"> <li>Inadequate parking</li> </ul>
Grennan, Jacqui	<ul style="list-style-type: none"> <li>Noise – venue noise</li> </ul>	
Hall, Joyce	<ul style="list-style-type: none"> <li>Supportive of project</li> </ul>	<ul style="list-style-type: none"> <li>Wonders where parking/handicapped parking is located</li> </ul>
Hall, Joyce	<ul style="list-style-type: none"> <li>Follow-up email asking if first email was received</li> </ul>	
Hattin, Donna	<ul style="list-style-type: none"> <li>Somewhat positive, but with reservations about space for children’s play areas, picnic areas, and trash/recycling.</li> </ul>	<ul style="list-style-type: none"> <li>Wonders about shower/bathroom facilities, adequate parking</li> </ul>
Larson, Keith	<ul style="list-style-type: none"> <li>Supportive of project.</li> </ul>	<ul style="list-style-type: none"> <li>Cautions the need for security and policing</li> </ul>
Leach, Drew	<ul style="list-style-type: none"> <li>Noise – disruptions from venue</li> </ul>	
Leach, Rosalyn	<ul style="list-style-type: none"> <li>Supportive of project</li> </ul>	<ul style="list-style-type: none"> <li>Requests grass “blanket” seating</li> </ul>
Lee, Marcia	<ul style="list-style-type: none"> <li>Traffic – congestion</li> </ul>	
McGahey, Barbera	<ul style="list-style-type: none"> <li>Supportive of project</li> </ul>	
Messel, Charles	<ul style="list-style-type: none"> <li>Traffic and noise – from the venue</li> </ul>	<ul style="list-style-type: none"> <li>Applauds the revenue generation but has concerns about where the revenue will go</li> </ul>
Moore, Rhonda	<ul style="list-style-type: none"> <li>Supportive of project</li> </ul>	<ul style="list-style-type: none"> <li>Requests healthy food options</li> </ul>
Nguyen, Stanly	<ul style="list-style-type: none"> <li>Supportive of project</li> </ul>	
Nizich-Atty, Robert	<ul style="list-style-type: none"> <li>Noise – venue noise</li> </ul>	
Paddock, Lori	<ul style="list-style-type: none"> <li>Traffic, noise, and pollution concerns</li> </ul>	
Ragland, Cathy	<ul style="list-style-type: none"> <li>Aesthetics – downgrade from the previous SPPM design</li> <li>Noise – venue noise will cause residents to have to close their windows</li> <li>Light pollution</li> <li>Traffic congestion – exacerbated</li> <li>Hazards/water quality – trash, single-use plastics, and artificial turf</li> </ul>	<ul style="list-style-type: none"> <li>Design “bait and switch” from the previously approved project</li> <li>Gentrification/affordable housing</li> </ul>
Ragland, Kenneth	<ul style="list-style-type: none"> <li>Noise – venue</li> </ul>	<ul style="list-style-type: none"> <li>Design “bait and switch” from the previously approved project</li> <li>Lack of outreach; environmental justice concerns.</li> <li>Concerned about use of amphitheater for paid events precluding other visitors from</li> </ul>

Commenter	CEQA Concern(s)	Other Concern(s)
Rasmussen, Karen	<ul style="list-style-type: none"> <li>Noise and light pollution from the venue</li> </ul>	enjoying the area (closing of the waterfront).
Rosenberger Halder, Laura	<ul style="list-style-type: none"> <li>Hazards/water quality – artificial turf; microplastics from the tire crumb</li> </ul>	<ul style="list-style-type: none"> <li>Requests a place to return used drink bottles</li> </ul>
Rosenberger Halder, Laura (revised letter)	<ul style="list-style-type: none"> <li>Hazards/water quality – artificial turf; microplastics from the tire crumb</li> </ul>	<ul style="list-style-type: none"> <li>Requests a place to return used drink bottles</li> </ul>
Sandell, Scott	<ul style="list-style-type: none"> <li>Noise and biological resources – venue noise</li> <li>Light pollution</li> <li>Air quality pollution</li> <li>Odors – from fireworks</li> <li>GHG emissions</li> <li>Land use – conflicts with circulation system programs and policies</li> <li>Traffic - CEQA vehicle miles traveled guidelines</li> <li>Aesthetics</li> </ul>	<ul style="list-style-type: none"> <li>Generally positive toward waterfront redevelopment but opposed to the amphitheater</li> </ul>
Schmidt, Crystal	<ul style="list-style-type: none"> <li>Noise – venue</li> </ul>	
Schueller, Kathleen	<ul style="list-style-type: none"> <li>Noise – venue</li> </ul>	
Thacker, Raechel	<ul style="list-style-type: none"> <li>Noise and biological resources – venue noise impacts</li> </ul>	
Williams, Lee	<ul style="list-style-type: none"> <li>Supportive of project</li> </ul>	
Williams, Tom	<ul style="list-style-type: none"> <li>Wants the context from the original Final EIR included, along with all modifications, previous goals and objectives, and any other modifications leading into this SEIR</li> </ul>	
Williams, Tom (revised)	<ul style="list-style-type: none"> <li>Wants the context from the original Final EIR included, along with all modifications, previous goals and objectives, and any other modifications leading into this SEIR</li> <li>Aesthetics – requests viewshed and soundshed assessment of light and noise impacts for venue events</li> <li>Hazards/historic land uses – contamination from previous uses.</li> <li>Requests historic aerial photos</li> <li>Land use – consistency concerns about using maritime property for entertainment purposes</li> <li>Recreation</li> <li>Traffic – visitors</li> <li>Hydrology – ocean discharges</li> <li>Sea level rise – need assessment</li> </ul>	<ul style="list-style-type: none"> <li>Environmental justice/equity – concerns about traffic trips generating noise/traffic/air quality issues on adjacent residents</li> <li>Parking</li> <li>Requests piecemealing analysis</li> <li>Requests process and conditions for setup and takedown of events</li> </ul>

Commenter	CEQA Concern(s)	Other Concern(s)
	<ul style="list-style-type: none"> <li>Biological resources – compensatory mitigation assessment</li> </ul>	
Young, Nancy	<ul style="list-style-type: none"> <li>Noise – venue noise</li> </ul>	

AQ = air quality; CEQA = California Environmental Quality Act; EIR = Environmental Impact Report; GHG = greenhouse gas; NAHC = Native American Heritage Commission; PD = project description; PFAS = perfluoroalkyl and polyfluoroalkyl substances; PTSD = post-traumatic stress disorder; SEIR = Subsequent Environmental Impact Report; SPPM = San Pedro Public Market; WQ = water quality

## ES.7.2 Issues to be Resolved in the SEIR

Section 15123(b) (3) of the CEQA Guidelines requires that an EIR contain issues to be resolved; this includes whether or how to mitigate significant impacts. The major issues to be resolved include decisions by the Lead Agency as to whether:

- This Draft SEIR adequately describes the environmental impacts of the Proposed Project and alternatives;
- The Proposed Project is preferable to one or more of the alternatives;
- The recommended mitigation measures should be adopted or modified;
- Additional mitigation measures need to be applied to the Proposed Project; or
- The Proposed Project should or should not be approved for implementation.