

## 1.1 Organization of the Final Subsequent Environmental Impact Report

This chapter presents background and introductory information for the West Harbor Modification Project (Proposed Project). This chapter also describes the Proposed Project and its purpose under the California Environmental Quality Act (CEQA); explains the authorities of the Los Angeles Harbor Department (LAHD or Port), the lead agency preparing this Final Subsequent Environmental Impact Report (Final SEIR); the scope and content of the Final SEIR; and the public outreach for the Proposed Project. Chapter 2, *Response to Comments*, contains the public comments on the Draft SEIR and the lead agency’s responses to those comments. Chapter 3, *Modifications to the Draft Subsequent Environmental Impact Report*, contains the changes made to the Draft SEIR for this Final SEIR.

## 1.2 California Environmental Quality Act Review Process

CEQA was enacted by the California Legislature in 1970 and requires public agency decision-makers to consider the environmental effects of their actions. When a state or local agency determines that a project has the potential for significant environmental effects, it is required to prepare an EIR. The purpose of an EIR is to identify potentially significant impacts of a project on the environment and to indicate the manner in which those significant impacts can be mitigated or avoided.

In accordance with CEQA Guidelines Section 15121(a), the purpose of an EIR is to serve as an informational document that: “will inform public agency decision-makers and the public generally of the significant environmental effect of a project, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project.” The Proposed Project requires discretionary approval from LAHD and, therefore, it is subject to the requirements of CEQA.

A Final Environmental Impact Statement/Environmental Impact Report for the 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 considered an addendum to the 2009 SPW EIS/EIR prior to approving the SPPM Project (2016 SPPM Addendum). In 2019, the Board considered another addendum prior to approving the extension of Lease 915 with San Pedro Public Market, LLC for an additional 16 years. 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. Additional details are provided in Section 1.5, *Project Background*.

## 1.3 Intended Use of the Final Subsequent Environmental Impact Report

This Final SEIR for the Proposed Project has been prepared in accordance with CEQA. The LAHD is the local lead agency for the Proposed Project and has prepared this Final SEIR. This Final SEIR is an informational document that will inform public agency decision-makers and the public of the significant environmental effects of the Proposed Project and will recommend ways to minimize the significant effects. The document fulfills the requirements of CEQA (California Public Resources Code [PRC] 21000, et seq.), the State CEQA Guidelines (California Code of Regulations [CCR] 15000, et seq.). This Final SEIR will support the permitting process of all agencies, including the Los Angeles Board of Harbor Commissioners (Board), whose discretionary approvals must be obtained for elements of the Proposed Project.

## 1.4 Notice of Preparation and Scoping Process

### 1.4.1 Initial Study /Notice of Preparation

As the CEQA lead agency, LAHD was responsible for determining the scope and content of the Draft SEIR, a process referred to as *scoping*. As part of the scoping process, LAHD considered the environmental resources present within its jurisdiction and the surrounding area and identified the probable environmental effects of the Proposed Project by preparing an Initial Study and a Notice of Preparation (IS/NOP). The IS/NOP evaluated the proposed modification to the SPPM Project, previously approved in May 2016 with an EIR Addendum to the 2009 SPW EIS/EIR. The IS explained the basis for scoping the environmental resources that would warrant additional consideration in the Draft SEIR and provided the basis for the environmental resources that were excluded from further environmental consideration.

In April 2022, the LAHD issued the IS/NOP to inform responsible and trustee agencies, public agencies, and the public that the LAHD was preparing a Draft SEIR to update the 2009 SPW EIS/EIR. The IS/NOP was circulated for a 30-day public review, with the comment period starting on April 14, 2022, and ending on May 15, 2022, and a virtual scoping meeting was held on May 3, 2022. Comments received in response to the IS/NOP and during the public scoping meeting were used to inform the scope of the Draft SEIR. Based on LAHD's evaluation of the probable effects of the Proposed Project and a thorough review of the comments on the IS/NOP, the Draft SEIR analyzed effects associated with the following resources:

- Aesthetics
- Air Quality
- Biological Resources

- Greenhouse Gas Emissions
- Hydrology and Water Quality
- Noise
- Public Services
- Transportation

Consistent with the findings of the 2009 SPW EIS/EIR, it was determined during preparation of the IS/NOP that the Proposed Project would have either a less-than-significant impact or no impact associated with the following resources:

- Agriculture and Forestry Resources
- Energy
- Geology and Soils
- Land Use and Planning
- Mineral Resources
- Population and Housing
- Recreation
- Utilities and Service Systems
- Wildfire

The following areas were found to have No Impacts by the IS/NOP but were carried into the Draft SEIR based on the Proposed Project revision to include the 208 E. 22<sup>nd</sup> Street Parking Lot component:

- Hazards and Hazardous Materials
- Cultural Resources
- Tribal Cultural Resources

## **1.4.2 Draft Subsequent Environmental Impact Report and Public Review**

The Draft SEIR was released for public review on November 6, 2024, for a 65-day comment period, which ended on January 10, 2025. A virtual public meeting was held on November 14, 2024. The LAHD received 232 comment letters in addition to the comments received during the virtual public meeting.

### 1.4.3 Final Subsequent Environmental Impact Report and Certification

This Final SEIR has been provided to the public for review and participation in the planning process. This Final SEIR is being distributed to provide the basis for decision-making by the CEQA lead agency and other concerned agencies. Certification of the SEIR for the Proposed Project must precede Proposed Project approval. Proposed Project approval requires that the Board review and consider the SEIR; adopt Findings of Fact on the environmental effects of the Proposed Project and the feasibility of mitigation measures; adopt a Statement of Overriding Considerations for the significant and unavoidable impacts; approve the Proposed Project analyzed in the SEIR; and adopt a Mitigation Monitoring and Reporting Program (MMRP).

## 1.5 Project Background

In 2009, LAHD certified an Environmental Impact Statement (EIS)/Environmental Impact Report (EIR) for the San Pedro Waterfront (SPW) Project (SCH No. 2005061041) (2009 SPW EIS/EIR). One of the primary objectives of the SPW Project was to provide enhanced visitor-serving commercial opportunities within the former Ports O' Call Village area (Proposed Project site) along the Main Channel of the Port of Los Angeles (Port). Many of the potentially significant environmental impacts identified in the 2009 SPW EIS/EIR were determined to be less than significant or were reduced to a less-than-significant level 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. The Board adopted a Statement of Overriding Considerations and a MMRP containing 91 mitigation measures to address these impacts, both during construction and operation of the SPW Project.

In May 2016, the Board approved an Addendum to the 2009 SPW EIS/EIR for the San Pedro Public Market (SPPM) Project, now known as the West Harbor Project (2016 SPPM Addendum). The SPPM Project included a more specific concept for the former Ports O' Call Village site. The 2016 SPPM Addendum was prepared 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 proposed lease term from 30 years to 50 years, and possible modifications to the U.S. Army Corps of Engineers permits. The 2016 SPPM Addendum found that the SPPM Project 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 MMRP identifying 28 mitigation measures that apply specifically to the SPPM Project was incorporated into the 2016 SPPM Addendum. The 2019 SPPM Addendum was prepared to extend the duration of the lease for an additional 16 years.

The Proposed Project developer (Tenant) has proposed changes to the SPPM Project, including expanding the 500-seat outdoor amphitheater to 6,200 seats and using the amphitheater area as an entertainment lawn venue for public and private events and as a passive open park space when not

otherwise programmed. The amphitheater operations will consist of 100 ticketed shows annually as well as pyrotechnics (i.e., fireworks) which may be used at certain events. Specifically, tenant-sponsored fireworks may be launched from a barge (or barges) at approximately 10 events per year, with the show lasting up to 10 minutes, with one show annually permitted to run for up to 20 minutes. Three annual Port of Los Angeles fireworks shows will also be permitted and subject to the requirements outlined in this document, with 2 shows lasting up to 10 minutes and one show lasting up to 20 minutes. In addition, the Tenant has proposed 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 in the northern portion of the Proposed Project Site, in the former City Park area currently referred to as North Park.

There would also be an amusement attractions component of the Proposed Project, which was previously approved for the Discovery Sea Amusement Area in the 2016 SPPM Addendum. These would be developed in the North Park area (previously referred to as City Park Area) of the Proposed Project Site. Attractions could include a 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. It was also determined that the Proposed Project would not affect any federal permits or require any federal approvals. Therefore, no National Environmental Policy Act (NEPA) evaluation was required.

As a result of comments received on the Notice of Preparation/Initial Study (NOP/IS), improvements to the 208 E. 22<sup>nd</sup> Street Parking Lot were added to the Proposed Project; additional spaces would be available for the project and the larger San Pedro Waterfront development. The parking lot area consists of a 20-acre site, of which 1.92 acres are developed for parking. The additional 18.1 acres would be graded and paved to accommodate up to 2,600 additional parking stalls.

## 1.5.1 Previous Environmental Documentation

Consistent with State CEQA Guidelines Section 15150, the following documents were used in preparation of this Final SEIR and are incorporated herein by reference.

- Port of Los Angeles. 2008. San Pedro Waterfront Project Draft EIS/EIR (SCH No. 2005061041). September.
- Port of Los Angeles. 2009a. San Pedro Waterfront Project Findings of Fact and Statement of Overriding Considerations. September.
- Port of Los Angeles. 2009b. San Pedro Waterfront Project Mitigation Monitoring Report and Program. September.
- Port of Los Angeles. 2009c. San Pedro Waterfront Project Final EIS/EIR (SCH No. 2005061041). September.

- Port of Los Angeles. 2016. EIR Addendum to the San Pedro Waterfront Project Final EIR for the San Pedro Public Market Project (SCH No. 2005061041). May.
- Port of Los Angeles. 2019. EIR Addendum to the San Pedro Waterfront Project Final EIR for the San Pedro Public Market 2 (SCH No. 2005061041). November.

## 1.6 Project Objectives

Proposed Project objectives include the following:

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

## 1.7 Project Location and Setting

### 1.7.1 Regional Setting

The Proposed Project is located within the Port of Los Angeles. The Port is located in San Pedro Bay in 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.

## 1.7.2 Surrounding and Nearby Land Use

The Proposed 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 the Proposed Project site. Residences are located approximately 1,450 feet west of the Proposed Project site, and the 208 E. 22nd Street Parking Lot is located between Miner Street and Harbor Boulevard, south of the Proposed Project site.

Railroad lines that extended through the Proposed Project area—from the former Westway Terminal to just past the Project site, within the former Southern Pacific railyard, both along the eastern side of Harbor Boulevard and under the Vincent Thomas Bridge at the northern end of the SPW area—have been abandoned and removed. Just south of the Proposed Project site, in the Southern Pacific Slip, is an active commercial fishing fleet. For more than 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 Southern Pacific Slip, is associated with these fishing operations.

Berths 91 to 93, north of the Proposed Project site, are currently used by the World Cruise Center, which has been active at the Port for more than 50 years (Port of Los Angeles 2018). The World Cruise Center comprises two terminal buildings within an 18-acre dedicated cruise facility. The Los Angeles Maritime Museum is located at Berth 84.

## 1.7.3 Existing Land Use and Zoning

California state law (Government Code Section 65300) requires that each city prepare and adopt a comprehensive, long-term plan for its future development. This general plan must contain seven elements: (1) land use, (2) circulation, (3) housing, (4) conservation, (5) open space, (6) noise, and (7) safety. In addition to these elements, state law permits cities to include optional elements in their general plans, thereby providing local governments with the flexibility to address the specific needs and unique character of their jurisdictions. California state law also requires that the day-to-day decisions of a city follow logically from and be consistent with the general plan. More specifically, Government Code Sections 65860, 66473.5, and 65647.4 require that zoning ordinances, subdivision, and parcel-map approvals be consistent with the general plan.

The City of Los Angeles's (City) *General Plan 2035* (City of Los Angeles 2022) (General Plan) is a comprehensive, long-term plan for the physical development of the city. It includes the following 11 citywide elements: (1) framework, (2) transportation, (3) infrastructure systems, (4) housing, (5) noise, (6) air quality, (7) conservation, (8) open space, (9) historic preservation and cultural resources, (10) safety, (11) public facilities and services, and (11) land use. The Land Use Element (City of Los Angeles 2017) includes 35 local area plans, known as Community Plans, as well as plans for the Port and Los Angeles International Airport.

The Port of Los Angeles Plan is part of the General Plan and serves as the guide for continued development and operation of the Port (City of Los Angeles 2017). The primary purposes of the Port of Los Angeles Plan are as follows;

- Promote an arrangement of land and water uses, circulation, and services that contribute to the economic, social, and physical health, safety, welfare, and convenience of the Port within the larger context of the city;
- Guide development, betterment, and change within the Port to meet existing and anticipated needs and conditions;
- Contribute to a safe and healthful environment;
- Balance growth and stability;
- Reflect economic potentialities and limitations, land and water developments, and other trends; and
- Protect investments to the extent reasonable and feasible.

The Project site has a General Plan designation of General/Bulk Cargo – Non-Hazardous (Industrial/Commercial) (City of Los Angeles 2017). General cargo includes container, unit, break-bulk, neo-bulk, passenger facility, and related uses (City of Los Angeles 2017). Industrial uses pertain to those lands that are either owned or leased for institutional activities and related uses or federal, state, and city governments. Commercial uses include restaurants and tourist attractions, office facilities, retail facilities, and related uses.

## 1.8 Anticipated Project Approvals and Permits

The approvals or permits that could be required for the Proposed Project are anticipated to include, but not be limited, to the following.

- **City of Los Angeles:** Building, occupancy, electrical, and mechanical permits to include compliance with LID requirements;
- **Los Angeles Fire Department:** Approval of fire suppression system;
- **LAHD:** Issuance of a Harbor Engineer Permit, Coastal Development Permit, or amendment and site lease amendments, as necessary;
- **South Coast Air Quality Management District:** Permit for emergency generator;
- **State Water Resources Control Board:** Construction General Permit;
- **Los Angeles Regional Water Quality Control Board:**
  - Issuance of a National Pollution Discharge Elimination System (NPDES) permit for fireworks.
  - MS4 Permit – As of June 1, 2017, Regional Water Quality Control Boards, as the Permitting Authorities, started requiring all MS4 permits to have trash control implementation

requirements and compliance milestones to demonstrate progress towards 100 percent compliance with the Trash Provisions. On June 22, 2022, the State Water Board reissued the Statewide Department of Transportation General Permit. On September 8, 2022, the State Water Board reissued the General Permit for Stormwater Discharges Associated with Construction and Land Disturbance Activities. These reissued permits implement the Trash Provisions for the Department of Transportation and construction dischargers. The General Permits for Stormwater Discharges Associated with Industrial Activities and the Small MS4 General Permit will implement the Trash Provisions when reissued.

## 1.9 Mitigation Measure Changes

This Draft SEIR also evaluates modifications to the previously approved Mitigation Monitoring and Reporting Program (MMRP) for the 2009 SPW 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 them according to their effectiveness and need. Air Quality (AQ) and Public Services (PS) mitigation measures proposed for modification in the Initial Study (IS)/NOP (see Appendix B) are listed below. The analysis and proposed modifications included in the IS/NOP will be detailed in the respective chapters.

**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-25:** *Recycling*

**MM-AQ-27:** *Compact Fluorescent Light Bulbs*

**MM-AQ-28:** *Energy Audit*

**MM-PS-4:** *Comply with Assembly Bill 939*

**MM-PS-5:** *Water Conservation and Wastewater Reduction*

**MM-PS-6:** *Employ Energy Conservation Measures*

Changes to transportation-related mitigation measures were not analyzed in the IS/NOP but are addressed in Section 3.9, *Transportation*, of this Draft SEIR.

## 1.10 California Environmental Quality Act Baseline

CEQA requires a SEIR to assess the significance of a project's impacts in comparison to a baseline that consists of the existing physical environment conditions at and near a project site. Baseline conditions are normally measured at the time of the commencement of environmental review of a project. State CEQA Guidelines, Section 15125, subdivision (a), provides:

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 determine whether an impact is significant.

The existing conditions are discussed above in Sections 1.7.1 through 1.7.3.

A description of the baseline conditions is included also in Chapter 2, *Existing Setting and Project Description*, of the Draft SEIR and, when special circumstances are present, details are provided in the setting of the respective resource sections in Chapter 3, *Environmental Impact Analysis*, of the Draft SEIR. These environmental conditions constitute the baseline physical conditions by which the CEQA lead agency determines whether an impact would be significant.

## 1.11 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.

In addition, the Proposed Project would include a 175-foot-diameter Ferris wheel, which would replace 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 Proposed Project Site, in the former City Park area currently referred to as North Park.

Amusement attractions previously approved for the Discovery Sea Amusement Area in the 2016 SPPM Addendum would be developed in the former City Park area, currently referred to as the North Park area of the Proposed 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 and are not included in this assessment.

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. The existing combined paved and unpaved areas total 6.75 acres.

As part of the Proposed Project, the entirety of the 20-acre site at 208 E. 22nd Street, except for 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 removing 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.

## 1.12 Changes to the Draft Subsequent Environmental Impact Report

The Final SEIR contains modifications that have been made to the Draft SEIR. Actual changes to the text, organized by chapters and sections, are presented in Chapter 3, *Modifications to the Draft Subsequent Environmental Impact Report*, of this Final SEIR. Changes noted in Chapter 3 are identified by text strikeout and/or underline. The changes and clarifications presented in Chapter 3 were reviewed to determine whether they warranted recirculation of the SEIR prior to certification according to the CEQA Guidelines and statutes. The changes would not result in any new significant environmental impacts or a substantial increase in the severity of an existing environmental effect.

Below is a brief summary of the key changes made to the Draft SEIR. These changes are described in more detail in Chapter 3 of this Final SEIR.

- **Table ES-1:** Summary of Project Impacts and Mitigation Measures has been updated to reflect minor changes to various mitigation measures throughout the Final SEIR.

- **Chapter 2 Existing Setting and Project Description:** This chapter includes revisions to the Project Objectives and revises the list of permits that could be required for Project approval.
- **Section 3.1 Aesthetics:** This section was updated to provide additional background information about the proposed fireworks shows.
- **Section 3.3 Biological Resources:** This section was updated to include additional clarifying information requested by commenters. The information includes Proposed Project-related noise sources that could affect marine mammals, as well as information about the harassment criterion for harbor seals and for all other pinnipeds. The section was updated to include additional information about the effects of nighttime lighting on marine mammals and avian species. Lastly, minor revisions were made to the mitigation measures.
- **Section 3.8 Noise:** The traffic noise section was updated, but the overall impact conclusion remains the same as in the Draft SEIR. Some of the noise mitigation measures were modified slightly based on comments received.
- **Section 3.9 Transportation:** The summary table (Table 3.9-7) was updated to clarify the change in the methods of analysis (from level-of-service [LOS] to vehicle miles traveled [VMT]) during the interim period after the 2009 SPW EIS/EIR was certified.
- **Chapter 5 Alternatives:** The Project objectives were modified to remain consistent with the changes made in Chapter 2, *Existing Setting and Project Description*.

These changes in this Final SEIR are consistent with the findings contained in the Draft SEIR. There would be no new or increased significant effects on the environment due to the changes in the Draft SEIR. Therefore, recirculation is not required per PRC Section 21092.1 and CEQA Guidelines Section 15088.5.