

May 30, 2012

COASTAL DEVELOPMENT PERMIT

1. Coastal Development Permit Number: **12-05**
2. Name/Address of Permittee: **Pioneer Green Energy, LLC
1802 Lavaca Street, Suite 200
Austin, TX 78701**
3. Permit Type: **Level I**
Non-appealable x Appealable Emergency
4. Development Location: **Southern end of Pier 400**
5. Development Description: **Installation of a Triton, Wind
Monitoring Device**
6. The Los Angeles Board of Harbor Commissioners has found that:

The proposed development conforms to the Port of Los Angeles' certified Port Master Plan, as amended, and the California Coastal Act of 1976, as amended.

The proposed development is consistent with the project description listed on Application for Discretionary Project No. 110801-097.

The proposed development complies with the requirements of the California Environmental Quality Act.

The Level I, non-appealable coastal development permit was approved by the Board of Harbor Commissioners during its regularly scheduled meeting on June 7, 2012.

7. This permit is issued subject to the following standard conditions imposed pursuant to the certified Port Master Plan, as amended, and the California Coastal Act of 1976, as amended:
 - a) No property rights, either in real estate or material, or any exclusive privileges are granted, and the permit does not authorize any injury to private property or invasion of private rights, or any infringement of federal, state or local laws or regulations.
 - b) Final working drawings shall have been submitted to the Chief Harbor Engineer for review and approval, and a Harbor Engineering Permit issued prior to commencement of any portion of the development.
 - c) All construction and operations shall occur in accordance with the approved plans.
 - d) This permit is issued subject to the applicant obtaining all other approvals and/or permits required by applicable law from agencies having jurisdiction over any aspect of the development. Construction shall not commence until such approvals and permits have been obtained.
 - e) This permit may not be assigned to another person except as provided in the Los Angeles Board of Harbor Commissioners' certified Port Master Plan Implementation Guidelines and in Section 13170 of Title 14 of the California Administrative Code to the extent applicable.
 - f) The permit shall not become effective until the original and two signed copies have been returned to the Los Angeles Harbor Department, upon which all permittee(s) or agent(s) authorized in the permit application have acknowledged that they have received a copy of the permit and have accepted the contents.
 - g) Work authorized by this permit must commence within two (2) years from the date of the Los Angeles Harbor Commission's vote upon the application, unless otherwise specified. If construction has not commenced, this permit will expire two (2) years from the date of said vote. Any extension of time of said commencement date must be applied for prior to expiration of the permit.
 - h) Issuance of this Coastal Development Permit does not change the obligation of the applicant to meet all other time requirements in any other permits or agreements granted by the City.
8. This permit is issued subject to compliance with the following special conditions:

Special Condition No. 1: Requiring Pioneer to provide seven (7) days advance written notice of the initiation of the construction and maintenance work to the Harbor Department and Pacific L.A. Marine Terminal LLC (PLAMT) should PLAMT be granted an entitlement for use of the property in the vicinity of the proposed Pioneer wind monitoring device.

Special Condition No. 2: Requiring Pioneer to cease operations if the Harbor Department's least tern nesting site monitoring consultant determines there is a negative impact to the least terns.

Issued on behalf of the Los Angeles Board of Harbor Commissioners by:

GERALDINE KNATZ, Ph.D.
Executive Director

By: _____
DAVID L. MATHEWSON
Director of Planning & Economic Development

_____ DATE

ACKNOWLEDGMENTS

I, _____, permittee/agent, hereby
(please print name)
acknowledge receipt of Coastal Development Permit No. 12-05, and that I
understand and have accepted its contents and conditions.

SIGNATURE

DATE