



**THE PORT
OF LOS ANGELES**

Executive Director's
Report to the
Board of Harbor Commissioners

DATE: JUNE 16, 2025

FROM: ENVIRONMENTAL MANAGEMENT

**SUBJECT: RESOLUTION NO. _____ - CERTIFICATION OF
SUBSEQUENT ENVIRONMENTAL IMPACT REPORT TO THE SAN
PEDRO WATERFRONT ENVIRONMENTAL IMPACT REPORT FOR THE
WEST HARBOR MODIFICATION PROJECT (LOS ANGELES HARBOR
DEPARTMENT APPLICATION FOR PORT PERMIT NO. 190529-080;
STATE CLEARINGHOUSE NO. 2005061041)**

SUMMARY:

Staff requests certification of the Final Subsequent Environmental Impact Report (SEIR) for the West Harbor Modification Project (Project) prepared in accordance with the California Environmental Quality Act (CEQA) (Pub. Resources Code, §§ 21000 et seq., 21166; CEQA Guidelines, § 15162).

The Proposed Project is located within the San Pedro Public Market (SPPM) site and at a parking lot at 208 E. 22nd Street. The proposed Project would construct a 6,200-person capacity amphitheater and lawn area and parking lot with up to 2,600 additional spaces for the greater San Pedro Waterfront development. In addition, the proposed Project includes 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.

In this action, the Board of Harbor Commissioners (Board) will need to independently review and consider the adequacy of the Final SEIR and, if deemed adequate under CEQA, certify the SEIR and adopt a Findings of Fact (Findings), Statement of Overriding Considerations (SOC) and Mitigation Monitoring and Reporting Program (MMRP). With the application of mitigation measures and lease measures, the proposed Project would result in significant new impacts to noise and transportation.

RECOMMENDATION:

It is recommended that the Board:

1. Certify the Final Subsequent Environmental Impact Report to the San Pedro Waterfront Environmental Impact Report for the West Harbor Modification Project (a) has been completed in compliance with CEQA (Public Resources Code §21000 et seq.), with the CEQA Guidelines (14 Cal. Code Regs. §15000 et. seq.), and the City

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of Los Angeles California Environmental Quality Act Guidelines; (b) was presented to the Board for review and the Board considered the information contained in the Final Subsequent Environmental Impact Report prior to approving the proposed Project; and (c) reflects the independent judgment and analysis of the City of Los Angeles Harbor Department, and that all required procedures have been completed;

2. Adopt the Findings of Fact and Statement of Overriding Considerations;
3. Find that, in accordance with the information contained in the Final Subsequent Environmental Impact Report, the proposed Project will have new significant environmental effects on the environment related to transportation and noise as defined by Public Resources Code Sections 21068 and 21082.2, and the State California Environmental Quality Act Guidelines, Sections 15064, 15064.4, 15064.5, and 15382;
4. Find that in accordance with the provisions of the CEQA Guidelines Section 15091(a)(1), changes or alterations have been required in, or incorporated into, the proposed Project, which substantially lessens or avoids one or more of the significant adverse environmental impacts identified in the Final Environmental Impact Report;
5. Find that all information added to the Final Subsequent Environmental Impact Report after public notice of the availability of the Draft Subsequent Environmental Impact Report for public review but before certification, merely clarifies, amplifies, or makes insignificant modifications in an adequate Subsequent Environmental Impact Report and recirculation is not necessary;
6. Adopt the Mitigation Monitoring and Reporting Program as required by Public Resources Code, Section 21081.6. The Mitigation Monitoring and Reporting Program is designed to ensure compliance with the mitigation measures and project features adopted to avoid or lessen significant effects on the environment, pursuant to and identifies the responsibilities of the City for Los Angeles Harbor Department, as lead agency, to monitor and verify project compliance with those mitigation measures and project features;
7. Approve the proposed Project identified in the Subsequent Environmental Impact Report including all feasible mitigation measures and project features with consideration of the Findings of Fact, Statement of Overriding Considerations, and the Mitigation Monitoring and Reporting Program;
8. Direct the Waterfront Real Estate Division to incorporate by reference the Subsequent Environmental Impact Report, mitigation measures, project features, and Mitigation Monitoring and Reporting Program into any and all lease agreements or assignments encompassed in the approved Project;

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9. Authorize the Environmental Management Division to post a Notice of Determination with the Los Angeles County Clerk and the State Clearinghouse; and

10. Adopt Resolution No. _____.

DISCUSSION:

Background/Context – West Harbor (Applicant) is developing the area identified in the proposed Project as part of the larger San Pedro Waterfront (SPW) Project, for which the Final EIR was certified in 2009. The proposed Project would involve modifications to proposed redevelopment of a portion of the former Ports O’ Call Village area, as described in the 2009 SPW Environmental Impact Statement (EIS)/EIR. In May 2016, the City of Los Angeles Harbor Department (Harbor Department) 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 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 identified in the 2009 SPW EIS/EIR, would not result in any significant new impacts or a substantial increase in the severity of previously identified impacts that were analyzed in the 2009 SPW EIS/EIR. 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. In 2019, the Applicant applied for Port Permit (Permit) (APP No. 190529-080) to the Harbor Department expressing interest in modifying the development of the former Ports O’ Call Village area. The proposed Project site is located on approximately 2.5 acres, within the previously approved 6.4-acre Discovery Sea Amusement Area (as described in the 2016 SPPM Addendum), along with the proposed 20-acre overflow parking lot and Red Car maintenance facility at 208 E. 22nd Street. Multiple comments were received on the Draft EIR, with the majority being in support of the proposed Project. Please refer to item five of the Environmental Assessment section below for a summary of environmental concerns raised in the comments.

Project Objectives - The primary objectives of the Project are to:

- 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 consideration;
- Provide public access to the SPW through increased parking amenities and pedestrian walkways;
- Provide for a variety of waterfront uses including recreational, commercial, and Port-related waterfront uses; and

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- Provide for enhanced visitor-serving commercial opportunities within the former site of Ports O' Call Village, complementary to those found in downtown San Pedro.

Project Description – The proposed Project involves development modifications to 2.5 acres of the previously approved 6.4-acre Discovery Sea Amusement Area in the southern portion of the SPPM Project site located between the Los Angeles Harbor's Main Channel and Harbor Boulevard from Berths 73-Z to 83 within the Port of Los Angeles (Port). The developer (Tenant) has proposed expanding the 500-seat outdoor amphitheater to 6,200 seats, 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. In addition, the Tenant has proposed a 175-foot-diameter Ferris wheel, which differs from the 100-foot-diameter Ferris wheel that was included 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. 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.

ENVIRONMENTAL ASSESSMENT:

CEQA Responsibilities – The Harbor Department is the CEQA lead agency for the proposed Project. As such, the Board is responsible for reviewing and considering the Final SEIR (Transmittal 1) and, at its discretion, certifying that the Final SEIR has been completed in accordance with CEQA, the State CEQA Guidelines, and the Los Angeles City CEQA Guidelines; has been presented to the Board for review and the Board considered the information contained in the Final SEIR, and that it reflects the independent judgment and analysis of the Harbor Department. Certification of the Final SEIR must precede the project approval. Project approval requires that the Board first independently review and certify the Final SEIR as adequate; then adopt the Findings and SOC for the proposed Project (Transmittal 2) and the feasibility of mitigation measures and alternatives; and adopt a MMRP (Transmittal 3).

Scope and Content of Environmental Document – The Draft SEIR, released November 6, 2024, incorporates, as appropriate, information received on the Notice of Preparation (NOP) for the proposed Project, assesses environmental impacts of the proposed Project, and analyzes mitigation measures to reduce or avoid significant environmental effects. The Final SEIR clarifies and amplifies the Draft SEIR, incorporates modifications and corrections, contains responses to all public comments made on the Draft SEIR, and contains records of the public process.

Intended Uses of the SEIR – The SEIR informs public agency decision-makers and the general public of the significant environmental effects of the proposed Project and recommends mitigation measures to minimize the significant effects. The SEIR assesses the potential impacts, including cumulative impacts, related to the proposed Project. The analysis in the SEIR supports future potential discretionary actions of the Board. For the

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Harbor Department, these actions could include but are not limited to, issuance of coastal development permits, issuance of engineering permits, and approval of Permit amendments.

Environmental Documentation Process and Public Involvement – The proposed Project was subject to the required environmental documentation process that included public disclosure as required by CEQA. The procedural steps of the process are described below.

1. Notice of Preparation (NOP) – In accordance with the Los Angeles City CEQA Guidelines, Article VI, Section 1.5, and the State CEQA Guidelines, Section 15082, the responsible agencies, participating City agencies, and other concerned parties were consulted through an NOP released on April 14, 2022 and public scoping meeting held on May 15, 2022 via Zoom. Six comments were received during the scoping meeting, all in support of the proposed Project, and a total of twenty-three written comment letters were received from various agencies and the public during the comment period, which closed on June 15, 2022. Eighteen comment letters were in support of the proposed Project.

Copies of the NOP were available for review online at www.portoflosangeles.org/ceqa and at the Harbor Department's Environmental Management Division office.

2. Draft SEIR – The Draft SEIR was released for public review on November 6, 2024. The document was made available on the Port website and notices were mailed and emailed to over 100 interested parties. The 45-day comment period was extended to a 65-day comment period per public request and closed on January 10, 2025.

Public notices of availability stating that the Draft SEIR was available for review were published in six newspapers: Los Angeles Times, Torrance Daily Breeze, Long Beach Press Telegram, Random Lengths, Metropolitan News Enterprise, and HOY.

A public hearing was held on November 14, 2024 via Zoom to present the findings of the environmental analysis and accept oral comments. Twenty-four oral comments were received at the public hearing. A total of 232 written comments were received from various agencies and the public during the 65-day public comment period, 174 of which were in support and 59 of which expressed concern about the Proposed Project's impacts.

3. Responses to Comments – As required by Public Resources Code Section 21092.5, all public responsible and trustee agencies who commented on environmental issues in the Draft SEIR were provided with proposed responses to those comments at least 10 days prior to the Final SEIR being submitted to the Board for certification.

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4. Final EIR – In accordance with the Los Angeles City CEQA Guidelines, Article I, and the State CEQA Guidelines, Section 15088, comments received on the Draft SEIR were evaluated. The comment letters, public meeting transcript, and responses to comments, along with minor modifications to the Draft SEIR are presented in the Final SEIR. The Final SEIR was completed in May 2025.
5. Findings and Conclusions – The Final SEIR transmitted herewith, identifies major findings and conclusions, including a discussion of areas of environmental concern, feasible mitigation measures, and unavoidable impacts. The discussion below summarizes the proposed Findings and SOC for the Board’s consideration.

Areas of Environmental Concern – Through the public review process, 204 comment letters were received during the public review period and 24 comments were presented at the public hearing held on November 14, 2024. This section summarizes the key areas of environmental concern expressed by commenters and the Harbor Department’s resolution of the issues. Detailed responses to all comments received on the document are included in Chapter 2, Responses to Comments, of the Final SEIR.

Air Quality Impacts – Commenters criticized the Draft SEIR’s analysis of Air Quality impacts from the use of Fireworks. The comments stated that the use of Fireworks will create air and water pollution. In response to these and similar comments, MM-NOI-11 through MM-NOI-14 were altered to reflect a reduction in the use of fireworks from 25 shows up to 20 minutes in duration, to a total of 13 shows, eleven of which will be up to 10 minutes in duration and two of which will be permitted up to 20 minutes in duration, and to encourage the use of drone displays to replace fireworks shows. Additionally, firework shows will be subject to the pollution reduction management practices outlined in the LA Regional Water Quality Control Board (LARWQCB) General Fireworks Permit for firework discharge, which outlines acceptable firework materials, discharge management, and cleanup requirements.

Biological Impacts – Commenters criticized the evaluation of noise impacts on local marine wildlife including marine mammals and California Least Terns, as well as the input of trash into the harbor because of events. The use of fireworks and amplified sound were analyzed and determined to have potential for significant impacts on marine mammals. As a result, the following project feature (PF) and mitigation measures (MM) were included in the Final EIR to reduce noise impacts to wildlife: PF-NOI-1, MM-NOI-3, MM-NOI-4, MM-NOI-8, MM-NOI-10 through MM-NOI-14, MM-BIO-8 and MM-BIO-9. Additionally, the mitigation measures MM-BIO-7 and -10 will be implemented to prevent trash from entering local waterways and impacting marine wildlife.

Noise Impacts – Commenters criticized the evaluation of noise impacts related to amphitheater operations and fireworks shows. Comments typically highlighted the

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frequency of proposed performances (100 shows annually) as well as the proposed decibel limit of 100 dBA and local experiences with past performances in the harbor, which occurred at a different location with less specialized sound systems. The Draft SEIR analysis in Chapter 3.8, *Noise* provided sound modeling data that accounted for the local topography, variations in atmospheric conditions, and proposed decibel limits. As a result, PF-NOI-1 and MM-NOI-3 through MM-NOI-10 have been included to reduce impacts on neighboring communities. Prior events taking place in the harbor have had less stringent requirements due to their temporary nature. Events taking place at the Amphitheater will be subject to the use of specialized sound-focusing equipment, volume limits, penalties for violations, volume adjustments in response to the complaint hotline, and curfews as outlined in the mitigation measures. Commenters also expressed concern with noise generated by traffic increases due to events. As a result, clarifying information regarding project trip distribution was added to Chapter 3.8 of the SEIR and concluded that additional noise related to traffic would not be significant.

Transportation Impacts – Commenters criticized the analysis of traffic impacts in Chapter 3.9 - *Transportation*, which concluded that the project would have significant and unavoidable impacts after the implementation of feasible mitigation. Comments received were concerned with congestion due to event-related traffic, pedestrian access, and effects on neighboring residential streets and alternate routes besides Harbor Boulevard. Operational deficiency evaluations (i.e. level of service) for intersections in the project vicinity have also been added for information purposes to the Final SEIR as Appendix K. Additionally, MM-TRAN-1 will implement transportation management strategies to reduce event-related traffic and promote bicycle and pedestrian access and safety.

Use of Artificial Turf – Commenters criticized the proposed use of artificial turf rather than natural grass for the Amphitheater lawn area. While an analysis of using artificial turf did not identify any significant CEQA impact, an analysis of utilizing natural grass as a potential substitute or replacement for the 50,000-square-foot amphitheater lawn area was performed and is included in Appendix K should the Tenant decide to incorporate natural grass in lieu of artificial turf. Significant impacts are not expected as a result of implementing either artificial turf or natural grass in the Amphitheater lawn area of the proposed Project.

6. Proposed Mitigation Measures – In accordance with the provisions of the Los Angeles City CEQA Guidelines, Article I, the State CEQA Guidelines Section 15091, and the information contained in the SEIR, changes or alterations have been required in, or incorporated into the Project as recommended for approval in the form of feasible mitigation which substantially lessen or avoid significant adverse environmental impacts identified in the SEIR.

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Mitigation measures and Project features contained in the SEIR would be incorporated as appropriate in permits, such as engineering specifications, engineering construction permits, real estate entitlements, and/or coastal development permits for the proposed Project. All mitigation measures, lease measures and any standard conditions of approval can be found in the MMRP.

Unavoidable Significant Impacts - Significant impacts as a result of the proposed Project that could not be reduced below a level of significance are described in the Findings and SOC with findings for each impact. Impacts already determined to be significant and unavoidable by the 2009 SPW EIS/EIR that apply to this Project will remain significant and unavoidable, but the proposed Project was determined to not create new or substantially more severe impacts when Project-specific mitigation is applied for some impact areas, including Air Quality, Biological Resources, and Greenhouse Gas Emissions. With all feasible mitigation applied, the proposed Project will still have significant new impacts to Noise and Transportation.

Environmental Impact	Prior Determination (2009 SPW EIS/EIR)	New MM or PF Added in Final SEIR	Impacts of Proposed Project (After Mitigation)
Air Quality	Significant and Unavoidable	Yes	No new or substantially more severe impacts would occur
Biological Resources	Significant and Unavoidable	Yes	No new or substantially more severe impacts would occur
Greenhouse Gas Emissions	Significant and Unavoidable	Yes	No new or substantially more severe impacts would occur
Noise	Significant and Unavoidable	Yes	New significant impacts would occur
Transportation	Significant and Unavoidable	Yes	New significant impacts would occur

Significant Impacts that can be Mitigated, Avoided, or Substantially Lessened – The following significant impacts can be reduced to below a level of significance under CEQA through implementation of mitigation measures as described in the Findings and SOC:

- Cultural Resources
- Hazards and Hazardous Materials
- Hydrology and Water Quality
- Public Services
- Tribal Cultural Resources

Additional changes added to the Final SEIR after the public review period are minor and merely clarify, amplify, or make minor modifications.

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7. SEIR Certification and Project Approval – In light of these findings and conclusions, staff recommends certification of the Final SEIR as prepared in accordance with CEQA and implementing guidelines and recommends approval of the proposed Project and adoption of all feasible mitigation measures and lease measures.
8. Implementation of Mitigation – When making the CEQA findings required by Public Resources Code Section 21081(a), a public agency shall adopt a reporting or monitoring program in accordance with Public Resources Code Section 21081.6 for changes to the proposed Project which it has adopted or made a condition of Project approval to mitigate or avoid significant effects on the environment. A MMRP is transmitted for Board consideration and adoption. In addition, should the Board elect to approve the proposed Project, the mitigation measures and project features contained in the SEIR would be incorporated as appropriate in permits, such as, engineering specifications, engineering construction permits, real estate entitlements, and/or coastal development permits for the proposed Project.
9. Record of Proceedings – When making CEQA findings required by Public Resources Code Section 21081(a), a public agency shall specify the location and custodian of the documents or other material which constitute the record of proceedings upon which its decision is based. These records are in the care of the Director of Environmental Management, City of Los Angeles Harbor Department, 425 S Palos Verdes Street, San Pedro, California 90731.
10. Notice of Determination – In accordance with Los Angeles City CEQA Guidelines, Article I, and the State CEQA Guidelines Section 15094, a Notice of Determination will be filed with the Office of Planning and Research and the County Clerk's Office after Project approval. Public Resources Code Section 21167(c) provides that any action or proceeding alleging that an EIR does not comply with the provisions of CEQA shall be commenced within 30 days after filing the Notice of Determination.

FINANCIAL IMPACT:

Certification of the Final SEIR and approval of the proposed Project is an administrative action that would pave the path forward for implementation of the Project. Total cost associated with the preparation of the environmental document to date is \$899,000. This expense is the financial responsibility of San Pedro Public Market, LLC under Agreement No. 19-3706. San Pedro Public Market, LLC has reimbursed the Harbor Department \$673,000. The remaining balance due will be billed monthly per the Harbor Department's process.

CITY ATTORNEY:

Based on the information provided to it, the Office of the City Attorney has reviewed and approved the subject FEIR as to form.

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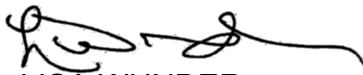
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TRANSMITTALS:

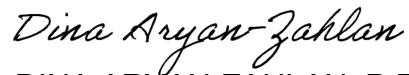
1. Final Subsequent Environmental Impact Report
2. Findings of Fact and Statement of Overriding Considerations
3. Mitigation Monitoring and Reporting Program

FIS Approval: MM (initials)

CA Approval: SO (initials)



LISA WUNDER
Acting Director of Environmental Management



DINA ARYAN-ZAHLAN, P.E.
Deputy Executive Director of Development

APPROVED:

Erica M. Calhoun for

EUGENE D. SEROKA
Executive Director

AUTHOR: S. Workman
APP No.: 190916-128

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