

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

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

Document considered draft until Board considers document

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

Mitigation Measure or Project Feature	Timing and Methodology	Responsible Parties
Air Quality and Meteorology: Construction		
<p>This measure replaces the measure in the 2016 MMRP MM-AQ-3: Fleet Modernization for On-Road Trucks During Construction</p> <ol style="list-style-type: none"> 1. Trucks hauling materials such as debris or fill will be fully covered while operating off Port property. 2. Idling will be restricted to a maximum of 5 minutes when not in use. 3. Tier Specifications: <ul style="list-style-type: none"> o From January 1, 2024, to December 31, 2026: All on-road heavy-duty diesel trucks with a gross vehicle weight rating (GVWR) of 19,500 pounds or greater used on site or to transport materials to and from the site shall comply with 2012 emission standards, or newer, where available. o Post January 1, 2027: All on-road heavy duty diesel trucks used on site or to transport materials to and from the site shall comply with 2015 emission standards, or newer, where available. <p>A copy of each unit’s certified U.S. Environmental Protection Agency (USEPA) rating, Best Available Control Technology (BACT) documentation, and CARB or South Coast Air Quality Management District (SCAQMD) operating permit shall be provided at the time of mobilization of each applicable unit of equipment.</p>	<p>Timing: Throughout all construction phases.</p> <p>Methodology: This measure will be incorporated into LAHD and Tenant contract specifications for all construction work to reduce the impact of construction diesel emissions. The contractor(s) will submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor will adhere to these specifications and Environmental Compliance Plan throughout construction phases. Enforcement will include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications.</p>	<p>Implementation: LAHD and Developer through Construction Contractor</p> <p>Monitoring and Reporting: Environmental Management Division, Construction Management Division</p>
<p>This measure replaces the measure in the 2016 MMRP MM-AQ-5: Fugitive Dust.</p> <p>The calculation of fugitive dust (i.e., PM₁₀) from unmitigated Proposed Project earth-moving activities assumes a 75-percent reduction from uncontrolled levels to simulate rigorous watering of the site and use of other measures (listed below) to ensure Proposed Project compliance with SCAQMD Rule 403.</p>	<p>Timing: Throughout all construction phases.</p> <p>Methodology: This measure will be incorporated into the LAHD and Tenant contract specifications for all construction work to reduce the impact of fugitive dust (PM₁₀)</p>	<p>Implementation: LAHD and Developer through Construction Contractor</p> <p>Monitoring and Reporting: Environmental Management Division, Construction Management Division</p>

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<p>The construction contractor will apply for a SCAQMD Rule 403 Dust Control Permit. The construction contractor will further reduce fugitive dust emissions to 61-percent from uncontrolled levels. The construction contractor will designate personnel to monitor the dust control program and to order increased watering or other dust control measures, as necessary, to ensure a 61-percent control level. Their duties will include holiday and weekend periods when work may not be in progress. The following measures, at minimum, must be part of the contractor Rule 403 dust control plan.</p> <ol style="list-style-type: none"> 1. Active grading sites will be watered one additional time per day beyond that required by Rule 403; 2. Contractors will apply approved nontoxic chemical soil stabilizers to all inactive construction areas or replace groundcover in disturbed areas; 3. Construction contractors will provide temporary wind fencing around sites being graded or cleared; 4. Trucks hauling dirt, sand, or gravel will be covered or will maintain at least 2 feet of freeboard in accordance with Section 23114 of the California Vehicle Code; 5. Construction contractors will install wheel washers where vehicles enter and exit unpaved roads onto paved roads or wash off tires of vehicles and any equipment leaving the construction site; 6. The grading contractor will suspend all soil-disturbing activities when winds exceed 25 miles per hour or when visible dust plumes emanate from a site; disturbed areas will be stabilized if construction is delayed; 7. Trucks hauling materials such as debris or fill will be fully covered while operating off LAHD property; 8. A construction relations officer will be appointed to act as a community liaison concerning onsite construction activity, including resolution of issues related to PM10 generation; 9. All streets will be swept at least once a day using SCAQMD Rule 1186, 1186.1-certified street sweepers or roadway- 	<p>emissions. The contractor(s) will submit an Environmental Compliance Plan for review and approval by LAHD prior to beginning of any construction activity. The contractor will adhere to these specifications and Environmental Compliance Plan throughout construction phases. Enforcement will include oversight by the LAHD project/construction manager or designated building inspectors to ensure compliance with contract specifications.</p>	

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

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

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

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

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

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

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

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

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	expected range of operational and atmospheric conditions at the Project Site.	
Noise: Operation		
<p>MM-NOI-3: Limit Noise Levels within the Amphitheater during all Tier 1 Events. Limit the maximum front-of-house noise level within the Amphitheater during all Tier 1 Events to a 5-minute A-weighted equivalent noise level of 100 decibels, designated as 100 dBA $L_{eq(5min)}$¹. The <i>front-of-house</i> position is defined as the sound mixing position approximately 95 feet from the Amphitheater stage. The noise level will be monitored and reported in accordance with MM-NOI-5, Monitor Amphitheater Event Noise, and MM-NOI-6, Noise Reporting Requirements Following Amphitheater Events. Tier 1 Events are defined as all public or private performance events with amplified sound and intended audiences of more than 500 people. Tier 1 events may include, but are not limited to, Tenant events, public events, leased events, rental events, and other third-party events. Any supporting activities for a Tier 1 Event, such as sound checks and rehearsals, are considered part of the Tier 1 Event and will be subject to the same noise level restrictions, reporting, and penalties, regardless of the presence and/or size of the audience inside the Amphitheater at the time of such activities.</p> <p>¹ <i>Equivalent Noise Level</i> (L_{eq}) is the average A-weighted noise level during the measurement period. The 5-minute L_{eq} values used for the analyses and assessment of Amphitheater noise levels are denoted as $L_{eq(5min)}$.</p>	<p>Timing: During the operation of the Amphitheater. Methodology: This measure will be incorporated into the Tenant’s lease. Enforcement will include oversight by the LAHD Environmental Management and Real Estate Divisions. The Tenant will comply with the measure through contracts and/or agreements with all Users of the Amphitheater (any company or organization, and their associated staff, authorized to operate events at the Amphitheater, including the Tenant and any parties operating under a lease, contract, or permit) for Tier 1 events. This measure will also be implemented in conjunction with MM-NOI-4, MM-NOI-5, and MM-NOI-6.</p>	<p>Implementation: Developer Monitoring and Reporting: LAHD Port Police, Environmental Management and Real Estate Divisions</p>
<p>MM-NOI-4: Require all Tier 1 Events to Utilize the House Public Address/Sound Reinforcement System. All leases, contracts, and/or permits for the use of the Amphitheater will require all Tier 1 Events to use the house sound system with the required noise-mitigation features implemented. Users² may provide alternative and/or additional stage sound monitors and consoles, but may not use alternative or additional sound system(s)</p>	<p>Timing: During the operation of the Amphitheater. Methodology: This measure will be incorporated into the Tenant’s lease. Enforcement will include oversight by the LAHD Environmental Management and Real Estate</p>	<p>Implementation: Developer Monitoring and Reporting: LAHD Environmental Management and Real Estate Divisions</p>

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<p>to provide sound to the audience/front-of-house. All auxiliary sound must go through the house sound console prior to amplification, and the sound console must be controlled by an employee of the Tenant. Tier 2 Events (i.e., small events, attended by 500 people or less, such as community events or viewing parties) will be permitted to use an alternative temporary sound system, provided that the system generates lower noise levels than the house sound system. Under no circumstances will Users be permitted to disable or circumvent any of the noise-control measures required as part of the Amphitheater’s lease.</p> <p>² A <i>User of the Amphitheater</i> is any company or organization, and their associated staff, authorized to operate events at the Amphitheater, including the Tenant and any parties operating under a lease, contract, or permit.</p>	<p>Divisions. The Tenant will comply with the measure through contracts and/or agreements with all Users² of the Amphitheater for Tier 1 events.</p>	
<p>MM-NOI-5: Monitor Amphitheater Noise for all Tier 1 Events. Noise Monitoring Requirements Prior to Project Occupancy</p> <p>Prior to the use of the house sound system, the Tenant will construct and maintain a permanent noise-monitoring station at the front-of-house sound mixing location and will demonstrate to the satisfaction of the Port that the noise-monitoring station is functional. The noise monitoring hardware will meet the requirements of an ANSI Class 1 SLM and will be designed for permanent/semipermanent installation in outdoor environments under the full range of local weather conditions, including rain and fog. The noise monitoring station and associated software will be capable of data logging and continuous noise-level averaging over various time periods. At a minimum, the station will be capable of reporting the L_{max} and L_{eq} for each consecutive 1-minute, 5-minute, and 1-hour period, as well as the moving 3-minute and 5-minute average L_{eq}, accurately synchronized with the local time. The station will include an interface so the measurement results can be viewed in real time by staff designated to monitor noise levels. The interface will also be available and visible to the User at the front-of-house sound mixing location³ so that the User can review noise levels in real time. Maintenance of the noise</p>	<p>Timing: The noise monitoring system will be installed, tested, and deemed operational prior to the use of the house sound system and will be used and maintained for the operational life of the Amphitheater.</p> <p>Methodology: This measure will be incorporated into the Tenant’s lease. Enforcement will include oversight by the LAHD Environmental Management and Real Estate Divisions. The Tenant will comply with the measure through contracts and/or agreements with all Users of the Amphitheater (any company or organization, and their associated staff, authorized to operate events at the Amphitheater, including the Tenant and any parties operating under a lease, contract, or permit) for Tier 1 events.</p>	<p>Implementation: Developer</p> <p>Monitoring and Reporting: LAHD Environmental Management and Real Estate Divisions</p>

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

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

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

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

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

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

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

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

Mitigation Measure or Project Feature	Timing and Methodology	Responsible Parties
	<p>under a lease, contract, or permit) and all vendors designing, planning, and implementing the fireworks displays. The Tenant will periodically investigate the viability of using drone displays in place of fireworks and work with the Port and Amphitheater Users to implement such displays if they are deemed feasible.</p>	
Transportation: Operation		
<p>MM-TRAN-1: <i>Implementation of Transportation Demand Management (TDM) Strategies:</i></p> <ul style="list-style-type: none"> a) Event-Specific Expanded Public Transit: Coordinate with LA Metro or LADOT to determine the feasibility of expanding services during events, including the feasibility of increasing frequency, network, or service hours. b) Event-Ticket Packaging: Include a link on the Amphitheater website to the LA Metro and LADOT Transit Pass purchase websites. c) Traveler Information and Wayfinding: Develop and implement event-tailored visitor information to support navigation by transit and improve wayfinding from nearby transit connections prior to the start of Amphitheater operations. d) Event-Specific Education and Outreach: Develop and implement social media and other marketing and outreach about mass transit and carpooling options for Amphitheater events prior to the start of Amphitheater operations. e) Carpooling Incentive Program: Develop and implement a carpooling incentive program and transit pass program for Amphitheater employees, with a goal of achieving an average vehicle ridership of 2.0 for Amphitheater employees 	<p>Timing: During operations and events as applicable Methodology: These strategies will be incorporated into the Tenant’s lease. Enforcement will include oversight by the LAHD Environmental Management and Real Estate Divisions. Annual staff reports will be made available to the Board at a regularly scheduled public Board Meeting.</p>	<p>Implementation: LAHD and Developer Monitoring and Reporting: LAHD Port Police, Environmental Management Division, Goods Movement and Real Estate Divisions</p>

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

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