
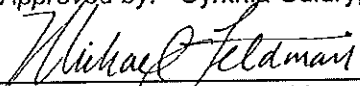

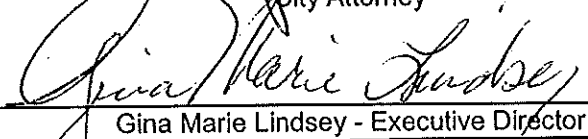




BOARD OF AIRPORT COMMISSIONERS REPORT

 Approved by: Cynthia Guidry, Chief of Airport Planning	Meeting Date: September 21, 2009												
 Reviewed by: Michael Feldman, Deputy Executive Director	CAO Review: <table border="1"> <tr> <td><input type="checkbox"/></td> <td>Completed</td> </tr> <tr> <td><input type="checkbox"/></td> <td>Pending</td> </tr> <tr> <td><input checked="" type="checkbox"/></td> <td>N/A</td> </tr> </table>	<input type="checkbox"/>	Completed	<input type="checkbox"/>	Pending	<input checked="" type="checkbox"/>	N/A						
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 Gina Marie Lindsey - Executive Director													

SUBJECT:

LAX PLAN COMPLIANCE AND ENVIRONMENTAL IMPACT REPORT FOR THE BRADLEY WEST PROJECT

REVIEW and CONSIDERATION of the BRADLEY WEST PROJECT at LOS ANGELES INTERNATIONAL AIRPORT (LAX). CONSIDERATION of the EXECUTIVE DIRECTOR'S LAX PLAN COMPLIANCE REPORT including the RECOMMENDATION for LAX PLAN COMPLIANCE APPROVAL, CERTIFICATION of the FINAL ENVIRONMENTAL REPORT (EIR), ADOPTION of the CEQA FINDINGS, the STATEMENT OF OVERRIDING CONSIDERATIONS and the MITIGATION MONITORING AND REPORTING PROGRAM, APPROVAL of the BRADLEY WEST PROJECT as modified by "Alternative 4", described in the final EIR, and TRANSMITTAL and RECOMMENDATIONS to the CITY COUNCIL for their CONCURRENCE with the ACTIONS of the BOARD OF AIRPORT COMMISSIONERS, AFFIRMATION of the CERTIFICATION of the BRADLEY WEST EIR and APPROVAL of LAX PLAN COMPLIANCE.

RECOMMENDATION:

Management RECOMMENDS that the Board of Airport Commissioners:

1. ADOPT the Staff Report.
2. CERTIFY that:
 - a) The Environmental Impact Report (EIR) for the Bradley West Project, which includes the Draft EIR and the Final EIR, has been completed in compliance with the California

Environmental Quality Act (CEQA) and the State and City of Los Angeles CEQA Guidelines; and

- b) The Project's Final EIR was presented to the Board of Airport Commissioners (BOAC), as the decision making body of the lead agency; and the BOAC reviewed and considered the information contained in the Final EIR prior to approving the project; and
- c) That the Project's EIR represents the independent judgment and analysis of the lead agency.

3. ADOPT the:

- d) Executive Director's LAX Plan Compliance Report attached as Exhibit A
- e) Statement of Overriding Considerations attached as Exhibit B
- f) CEQA Findings attached as Exhibit C
- g) Project's Mitigation Monitoring and Reporting Program attached as Exhibit D.

4. FIND that:

- h) The proposed Bradley West Project, as defined in the EIR, including as modified by Alternative 4 presented in Chapter 6 of the EIR, complies with the LAX Plan, any design guidelines required by the LAX Plan, and all applicable provisions of the LAX Specific Plan, as fully set forth in the Executive Director's LAX Plan Compliance Report, attached as Exhibit A; and
- i) The Bradley West Project has been adequately analyzed in compliance with CEQA, and the applicable LAX Master Plan commitments and mitigation measures contained in the LAX Master Plan MMRP (as may be modified by the Board of Airport Commissioners in accordance with CEQA) or identified in any subsequent environmental review have been incorporated into the Bradley West Project to the extent feasible, as fully set forth in the LAX Plan Compliance Report attached as Exhibit A.

- 5. APPROVE the proposed Bradley West Project, as defined in the EIR and modified by Alternative 4 presented in Chapter 6 of the EIR.
- 6. RECOMMEND that the City Council concur with actions of the Board of Airport Commissioners, affirm the certification of the Bradley West Project Final EIR and approve the LAX Plan Compliance as recommended in the Executive Director's LAX Plan Compliance Report, including adoption of required findings and imposition of all recommended conditions.

DISCUSSION:

1. Executive Summary

LAX Specific Plan Section 7 requires that the Executive Director determine whether a project, as defined by the LAX Specific Plan, is consistent with the LAX Plan, all applicable provisions of the LAX Specific Plan and with the requirements of the California Environmental Quality Act (CEQA). Upon an affirmative determination, the Executive Director must prepare a written report and recommendation to the BOAC on LAX Plan Compliance and the BOAC must set the matter for hearing. Following the hearing, the BOAC must recommend to the City Council that it approve, approve with conditions, modify or deny a request for LAX Plan Compliance approval.

The proposed Bradley West Project will be located within and west of the existing Tom Bradley International Terminal (TBIT) in the approximate center of the airport. The project will renovate and expand upon portions of the existing TBIT. New concourses will be constructed to ultimately replace the existing concourses, and nine new gates will be added to the west side of the terminal to supplement the gates currently operating on the east side of the terminal. As one of the airfield improvements included in the LAX Master Plan, the Bradley West Project, referred to in the LAX Master Plan as the reconfiguration of TBIT, will reduce the existing need for, and use of, remote aircraft gates located at the west end of the airport.

The new contact gates (i.e., aircraft gates with a passenger loading bridge or jetway that extends from the concourse to the aircraft) proposed in the Bradley West Project include several gates specifically designed to accommodate new generation aircraft such as the Airbus A380, Boeing 747-8, and Boeing 787, with features such as multiple jetways for each aircraft, larger passenger lounges/holdrooms, and wider, thicker taxiways and aircraft apron areas. The central core of TBIT, which provides for the processing of passengers at TBIT (e.g., ticketing, baggage check/claim, security screening, concessions, etc.), would also be modified to provide additional floor area and improvements to better serve existing and future passengers at TBIT.

The project would also provide for the renovation, improvement, and enlargement of the existing federal inspection services of Customs and Border Protection (CBP) areas within the central core of TBIT, along with the renovation, improvement, and enlargement of existing concessions areas, office areas, and operations areas within the central core of TBIT. In addition the project would include the construction of secure/sterile passenger corridors (i.e., areas allowing only passengers that have gone through security clearance and are subject to FAA or airline security requirements) between Terminals 3 and 4 and TBIT; and the westward relocation of existing Taxiways S and Q. The area along the west side of TBIT that is proposed for the new concourse facility, new gates, loading bridges, and aircraft apron area is currently occupied by Taxiways S and Q and an adjacent service road, which provide aircraft access between the north runway complex and the south runway complex. As part of the proposed project, both taxiways would be relocated approximately 518 feet to the west (from centerline of existing Taxiway Q to centerline of new Taxiway S), and would be designed and constructed to accommodate Airplane Design Group (ADG) VI aircraft.

The objectives of the proposed Bradley West Project include the following:

- Reduce the need for, and use of, existing remote gates at the west end of the airport and the need to bus passengers and crews between TBIT and the remote gates
- Maintain or improve existing aircraft ground access between the north airfield complex and the south airfield complex
- Accommodate "New Generation Aircraft" such as the Airbus A380, Boeing 747-8, and Boeing 787. (New Generation Aircraft is a general term referring to the development and release of new models of commercial aircraft that are larger, more fuel efficient, and incorporate new technology in flight engineering)
- Improve passenger level of service
- Avoid loss of international travelers to other airports outside the region and the adverse direct and indirect economic consequences this would cause
- Complement the systematic phased implementation of the Master Plan and minimize impacts to existing airport operations during construction
- Provide a substantial number of construction employment opportunities and substantial direct and secondary regional economic benefits, including the need for construction goods and services, associated with construction of a large capital improvements project such as the Bradley West Project

The City Council must grant the LAX Plan Compliance approval prior to construction of certain projects or issuance of any grading, building or use of land permits within the LAX Specific Plan boundary. LAWA staff is recommending that BOAC, upon consideration of the Executive Director's LAX Plan Compliance Report for the Bradley West Project, make the required finding identified above and forward its recommendation to the City Council. LAWA staff is further recommending that BOAC certify the Final Environmental Impact Report, adopt the CEQA Findings, the Mitigation Monitoring and Reporting Program (MMRP) for the Bradley West Project and the Statement of Overriding Considerations, transmit and recommend that the City Council grant the LAX Plan Compliance approval, affirm the certification of the Bradley West Project Final EIR and concur in the actions of the BOAC.

2. Prior Related Actions

In December 2004, the Los Angeles City Council approved the LAX Master Plan and related entitlements for the future development of LAX and certified the LAX Master Plan EIR. The LAX Master Plan provides for the first major new facilities and improvements to LAX since 1984. The approved Master Plan includes airfield modifications, development of new terminals, and new landside facilities to accommodate passenger and employee traffic, parking and circulation. The LAX Master Plan serves as a broad policy statement regarding the conceptual strategic planning framework for future improvements at LAX and working guidelines to be consulted by LAWA as it formulates and processes site-specific projects under the LAX Master Plan program.

As part of the LAX Master Plan approval process in December 2004, the LAX Specific Plan was approved requiring that a certain approval process be followed for all projects within the LAX boundary. The LAX Specific Plan mandates that no grading permit, building permit, or use of land permit shall be issued, and no construction shall occur, for any development within the Specific Plan Area unless the Executive Director has approved the proposed development. The proponents of the Bradley West Project requested LAX Plan Compliance review and approval. Based on the description of the project, it was determined that the project would have to undergo a full Executive Director's Review prior to any issuance of approval as manifested in the LAX Plan Compliance Report.

The first improvement to be implemented under the LAX Master Plan was the South Airfield Improvement Project (SAIP), which started construction in March 2006 and was completed in June 2008. The Crossfield Taxiway Project (CFTP) is the second airport improvement to be processed under the Master Plan. The CFTP was approved by BOAC on February 9, 2009 and received LAX Plan Compliance approval from the City Council on March 4, 2009. The proposed Bradley West Project, the current action, is the third of the site-specific projects being processed under the Master Plan.

3. Current Action

Project Description

From a regional perspective, LAX serves a vital role relative to trade and tourism and the associated employment and economic benefits. According to a 2007 study completed by the Los Angeles Economic Development Corporation (LAEDC), LAX flights in 2006 created 363,700 direct and indirect jobs with annual wages of \$19.3 billion in Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura Counties. Of particular importance to the region is the role of LAX relative to international travel. According to the 2007 LAEDC study, an average transoceanic flight, occurring over the course of 2006, traveling round-trip from LAX every day added \$623 million in economic output and sustained 3,120 direct and indirect jobs in Southern California with \$156 million in wages. The economic output, jobs, and wages were calculated from the production and transportation of freight exports, the transportation of freight imports, the operation of the airport itself, and the purchases made by international visitors on the flights. Freight exports (which are generally high-value items) accounted for over 80 percent of the annual economic activity generated by international flights at LAX.

TBIT is the primary facility that serves international travel at LAX. Since it was constructed in the early 1980s hundreds of millions of international travelers have passed through TBIT, and the nature, size, number, and operational characteristics of aircraft serving the international market have changed substantially. The improvements described in the EIR would substantially improve the level and quality of passenger service at TBIT, than is otherwise available today, especially as related to the increased presence of new large aircraft in the fleets of commercial carriers at LAX. Given the extensive nature of these improvements, additional consideration was given to other operational aspects of TBIT, especially relative to the desire to improve the level and quality of international passenger service, which collectively would elevate TBIT to a world-class facility that Los Angeles could be proud of.

An economically related objective of the project is to avoid loss of international travelers to other airports outside the region and the adverse direct and indirect economic consequences this would cause. Another economic objective is to provide a substantial number of construction employment opportunities and substantial direct and secondary regional economic benefits, including the need for construction goods and services, associated with construction of a large capital improvements project such as the Bradley West Project.

As one of the airfield improvements included in the LAX Master Plan, the proposed project includes construction of a new concourse area at TBIT to replace the existing north and south concourses. The north and south portions of the new concourse would be constructed approximately 130 feet west of the existing concourses, as measured from the west face of the existing concourses to the east wall of the proposed concourses, and would be approximately 120 feet wide with a maximum roof height of approximately 84 feet above ground. New concourse areas would also be constructed west of the existing central core of TBIT, connecting with the new north and south concourses, to provide a total new concourse length of approximately 2,525 feet, including the northern 275 feet length of the existing north concourse. With the exception of that northernmost 275 feet of the existing north concourse, which would tie into the proposed concourse area, the existing north and south concourses at TBIT would be demolished after completion of the new concourses. Demolition would include approximately 77,620 square feet of floor area in the north concourse (i.e., two-story structure with approximately 38,810 square feet on each level) and all of the approximately 127,160 square feet of the south concourse (approximately 63,580 square feet of floor area on each of two levels).

The new concourses would provide larger passenger hold areas than the existing concourses, and improved concessions including new food and beverage stores, merchandise stores, airline lounges, passenger corridors, administrative offices, and support space. The new passenger holdrooms on the departure level will be designed to accommodate approximately 125 passengers for ADG III/IV gates, approximately 225-340 passengers for ADG V gates, and approximately 450 passengers for ADG VI gates. The new concourse facility would be constructed to current seismic standards which are more stringent than those in existence at the time the existing north and south concourses were constructed in the early 1980s. It is anticipated that the construction would take approximately five years to complete.

The development of new gates along the west side of the new concourses includes four gates on the south concourse that would be designed to accommodate ADG VI aircraft such as the A380 and 747-8, providing passenger loading bridges at the fore and aft of the aircraft as well as an additional loading bridge for the upper level of the A380 aircraft. At the north concourse, three gates would be developed on the west side and would be designed to accommodate either two ADG VI aircraft or three ADG V aircraft such as the 787, Boeing 747-400, and Airbus A340. Two new gates, one designed to accommodate an ADG IV aircraft and the other to accommodate an ADG VI aircraft, would be constructed west of the existing central core of TBIT, between the new north and south concourses.

As indicated previously, once the new concourse facility is completed, all of the existing south concourse and most (i.e., approximately 75 percent) of the existing north

concourse would be demolished. The twelve gates that currently exist along the east side of TBIT would be replaced by nine new gates plus existing Gate 123, which was modified in 2008 to accommodate the A380, and which would be retained. It is currently anticipated that the east side of the north concourse would include one ADG VI gate, two ADG V gates, and two ADG VI/III gates (i.e., such as for Boeing 757 and 737 aircraft and Airbus 320 and 319 aircraft), while the east side of the south concourse would include one ADG VI gate, three ADG V gates, and one ADG IV/III gate.

With implementation of the proposed project, international flights that process passengers through TBIT and that would otherwise use remote gates would instead be routed directly to and from TBIT, thereby eliminating the remote gate busing operations associated with those flights. To the extent development of the new gates along the west side of TBIT would reduce the need for, and use of, the existing remote gates for international flights, the remote gates would be more available to be used for Remain Overnight (RON) aircraft parking in comparison to the No Project Alternative.

Relocation of existing Taxiways Q and S would require demolition of the existing American Eagle (American Airlines) Commuter Terminal, which has 12 existing aircraft gates. In conjunction with the expiration of American Airlines' existing lease and establishment of a new lease, the existing commuter operations at that facility would relocate to the existing commuter terminal located just east of Terminal 8, which was formerly operated by United Express but is now vacant. Nominally, based on the above, implementation of the proposed project would result in a net reduction of 5 aircraft gates, with 7 gates being added to the current total of 12 gates at TBIT and 12 gates being eliminated with the demolition of the American Eagle Commuter Terminal.

Within the central portion of TBIT, the existing central core would be improved and enlarged to provide additional inspection counters, baggage claim units, primary and secondary processing areas, and Customs and Border Protection administrative/office areas. Other proposed improvements would include renovations within the ticket counter area and airline ticket office area, addition of new concessions areas, expansion and improvement of the meeter/greeter area, additional restrooms, and additional general circulation area. The improved and enlarged area is referred to as the Bradley West Core. A new roof structure, consistent with the design of the new concourses' roof, would be constructed over both the existing central core and the new building area extending west. The maximum height of the Bradley West Core would be approximately 130 feet above ground.

Development of the new concourse area and the westward extension of the existing central core to tie into the new concourse will result in an increase in the total floor area of TBIT. The existing facility, including the north and south concourses and central core, encompasses a total of approximately one million square feet. The proposed future facility would provide approximately two million square feet of floor area, with the exact square footage to be determined based on completion of the building plans currently being finalized. The improvements proposed within Level 1, the Arrivals Level, include substantial emphasis on baggage processing, inspection, and claim areas, with approximately 40,500 square feet of area dedicated to those activities being added to the existing 93,800 square feet for such uses. More detailed description of the project and other ancillary facilities to be constructed, removed or relocated as a result of the project are available in Chapter 2 of the EIR.

LAX Plan Compliance Report

In accordance with the LAX Specific Plan Section 7.C, a LAX Plan Compliance Report has been prepared and is attached as Exhibit A. This report addresses the proposed Bradley West Project and its relationship to the LAX Plan and the LAX Specific Plan, as well as other reports and analyses that are included in the report. These include summarizations of the annual Traffic Generation Report and Aviation Activity Analysis, (the full reports are attached to the LAX Plan Compliance Report), along with the results of consultation with the LAX Master Plan Stakeholder Liaison. As required by the LAX Specific Plan, the report includes written findings that (1) the Bradley West Project complies with the LAX Plan, any design guidelines required by the LAX Plan, and all applicable provisions of the Specific Plan; and (2) the Bradley West Project has been adequately analyzed in compliance with CEQA, and the applicable Master Plan commitments and mitigation measures contained in the Master Plan MMRP or identified in any subsequent environmental review have been incorporated into the Project to the extent feasible. It includes a detailed project description, the requisite findings of fact, analysis of reports received, and a final recommendation of approval with appropriate conditions.

The LAX Plan contains numerous goals and objectives that address a range of operational and improvement issues relative to the whole airport. This plan also has a series of policies and programs that deal with safety and security, land use (airside and landside), conservation of resources, energy efficiency, circulation and access, economic benefits, noise, air quality, hazardous waste, and design. As indicated in the Draft EIR and reiterated in the LAX Plan Compliance Report for the Bradley West Project most of these subject areas are considered applicable to the Bradley West Project. The project was evaluated and determined to be in compliance with the applicable objectives, policies and programs. Similarly, the LAX Specific Plan specifies certain uses that are permitted in the LAX-A Zone and related sub-areas. The uses and functions proposed in the Bradley West Project comply with these uses. The project is also in compliance with applicable transportation regulations in the LAX Specific Plan.

Environmental Impact Report

LAWA, as the lead agency for the Bradley West Project, developed a project-level Environmental Impact Report (EIR) that was tiered from the LAX Master Plan EIR. The LAX Master Plan was approved by the Los Angeles City Council in December 2004, along with a combination Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) to comply with both State and Federal requirements. This comprehensive plan contained four build alternatives, each of which included proposals for terminal improvements. The chosen Alternative D provided a programmatic analysis of the TBIT Reconfiguration Project (now referred to as the Bradley West Project) that is currently being proposed with the intent of completing a more specific analysis in an EIR tailored for the Bradley West Project. This process is referred to as tiering, which is defined in Section 15152 (a) of the State CEQA Guidelines as: using the analysis of general matters contained in a broader EIR (such as one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project.

Based on the above defined practice, the Draft EIR for the Bradley West Project was "tiered" from the LAX Master Plan Final EIR and focuses on those effects not previously considered in the Master Plan EIR consistent with CEQA Guidelines Section 15168(d)(3). The EIR analyzed the specific resource areas where initial review of the Bradley West Project in light of the LAX Master Plan EIR determined there could be a potential for new significant impacts as a result of construction and operational activities associated with the Bradley West Project. These primary subject areas included surface transportation (on-airport, off-airport and construction transportation modes), air quality, human health risks, global climate change, biological resources/biotic communities, and noise. In addition, another 14 subject areas ranging from land use to energy to hazardous materials were analyzed utilizing the comprehensive analysis that was conducted in the LAX Master Plan and complemented by focused analysis tailored to the project.

The mitigation measures and commitments proposed in the LAX Master Plan EIR were embodied in the LAX Master Plan Mitigation Monitoring and Reporting Plan (MMRP), which was adopted by the BOAC and the City Council as part of the LAX Master Plan Program. The Bradley West EIR describes the LAX Master Plan Commitments and mitigation measures that are applicable to the Project. For some resource areas, the Bradley West EIR provides new mitigation measures to incorporate/implement the LAX Master Plan Mitigation Measures. Where new significant adverse impacts were identified in the evaluations of the Bradley West Project EIR, additional new mitigation measures were identified. If there were no feasible mitigation measures, impacts were identified as significant and unavoidable.

Within the MMRP for the LAX Master Plan there are approximately 114 mitigation measures and commitments. Among these, 28 of the mitigation measures and 30 of the commitments are applicable to the Bradley West Project and are listed in the Bradley West project EIR. These include the following 19 categories of resource areas: Surface Transportation; Air Quality; Biotic Communities; Noise; Land Use; Environmental Justice; Hydrology/Water Quality; Historical/Architectural and Archaeological/Cultural Resources; Paleontological Resources; Endangered and Threatened Species of Flora and Fauna; Energy Supply; Solid Waste; Construction Impacts; Light Emissions; Design, Art, Architecture, Application/Aesthetics; Hazardous Materials; Water Use; Fire Protection; and Law Enforcement. Additionally, the EIR incorporates provisions from the Community Benefits Agreement, dealing with construction equipment. In response to the more specific evaluation conducted in the EIR, 24 new mitigation measures were also added. These new measures address impacts identified in the following four subject areas: Surface Transportation (Off-Airport, On-Airport, and Construction); Biotic Communities; Cultural Resources (Historical/Architectural and Archaeological/Cultural Resources and Paleontological Resources); and, Endangered and Threatened Species of Flora and Fauna. All of these measures are listed in the proposed MMRP for the Bradley West Project. Examples of some of these new mitigation measures include improvements to six intersections affected by off-airport surface transportation, two intersections impacted by construction traffic, as well as one intersection within the Central Terminal Area.

Of particular relevance to the project are the LAX Master Plan air quality mitigation measures contained in MM-AQ-1 and MM-AQ-2 (construction-related measures) of the MMRP, which would also address the objective of reducing greenhouse gases. These air quality mitigation measures require the retrofitting of construction equipment with

diesel particulate traps that will reduce particulate emissions by at least 85% and probably more, as well as reducing nitrogen dioxide emissions where technologically feasible. This measure was initiated with construction equipment utilized in the South Airfield Improvement Project with great success and is continuing to be pursued in the Crossfield Taxiway Project. The retrofit of construction equipment will be applied with equal diligence in the Bradley West Project. The adverse air quality impacts identified in the EIR were primarily associated with project construction activities that would occur over approximately a five year period. The long term operational aspects associated with the project would actually reduce operational emissions as a result of improved operational efficiencies (decrease airfield busing operations and aircraft taxi/idle time) in comparison to the No Project Alternative.

Direct and indirect biological impacts that were identified in the Bradley West EIR were addressed by mitigation measures MM-BC-1 and MM-ET-3 from the LAX Master Plan MMRP, which pertain to the conservation of habitat within and adjacent to the El Segundo Blue Butterfly Habitat Restoration Area, as well as Master Plan mitigation measures MM-BC-3, MM-BC-8, and MM-BC-9, which address mature tree replacement, replacement of habitat units, and conservation of faunal resources, respectively. Eight new mitigation measures were provided to address Biotic Communities. For example, Mitigation measure, MM-BC (BWP)-1, was added to specifically tailor the relevant Master Plan mitigation measures and commitments to the Bradley West Project to ensure the preservation of the Southern Tarplant. This was included after a biological survey identified the presence of this special status plant in the project area. The measure will establish a series of steps to be taken to protect the plant. Other plants to be protected as a result of the mitigation measures include the Lewis Evening Primrose, and the California Spineflower. The restoration of the wetland habitat for the Riverside Fairy Shrimp is also proposed in these measures. Additional new Biotic Communities mitigation measures were added to address Lewis' Evening Primrose, California Spineflower, Burrowing Owl, Loggerhead Shrike, San Diego Black-Tailed Jackrabbit, mature tree replacement, and conservation of faunal resources for nesting birds/raptors. Additional mitigation measures were also added to address Endangered and Threatened Species of Flora and Fauna and Cultural Resources.

In certain situations, significant impacts could not feasibly be reduced to less than significant. A primary example is the generation of greenhouse gases as a result of construction activities associated with the project. LAWA has assumed a conservative approach to address greenhouse gases in the EIR and concluded that this project will cause significant impacts during construction. In response to this conclusion measures have been identified to mitigate the associated greenhouse gases including the aforementioned retrofit of construction equipment. However, these measures can only feasibly reduce these emissions so much and not enough to get the levels to below significant. As discussed above, there would be significant and unavoidable Air Quality impacts. Furthermore, traffic from the project will also result in significant and unavoidable impacts. It is expected that a number of these intersections will be successfully mitigated to less than significant. However, because of right of way and other constraints, the ability to implement such improvements at certain intersections was determined to be infeasible, and impacts to these intersections would remain significant.

Public Review of the EIR

The notice of availability for the Draft EIR was published in the Los Angeles Times, and local newspapers including the Daily Breeze and the Argonaut and posted at the Los Angeles County and Los Angeles City Clerks' offices on May 7, 2009. Copies of the report were placed in seven local libraries and the Draft EIR is available for review on the LAWA website. Separate notifications were also sent to over 8,900 agencies, individuals and organizations announcing the availability of the Draft EIR, as well as the locations of the libraries and website where the document could be reviewed. The Draft EIR was available for public and agency review and comment for 45 days that began on May 7, 2009 and ended on June 22, 2009, in accordance with CEQA Guidelines Section 15105. During the review period for the Draft EIR, two public meetings were held to provide the public with information about the Bradley West Project and the Draft EIR analysis, and offer an additional opportunity to provide written comments or oral testimony on the Draft EIR. Those meetings occurred at the LAX Flight Path Museum and Learning Center on June 3 and June 6, 2009. Comment letters were received during the review period from public agencies, individuals and organizations representing communities surrounding the airport. LAWA prepared written responses to all comments, which were incorporated in the Final EIR. The EIR was prepared in accordance with the CEQA, Public Resources Code Section 21000 et seq. and in compliance with State CEQA Guidelines Title 14 California Code of Regulations (CCR) Section 15000 et seq, as well as with the City of Los Angeles CEQA Guidelines.

Statement of Overriding Considerations

When impacts are identified as significant in an EIR, mitigation measures are applied to reduce the impacts to below a level of significance. After all feasible mitigation measures have been applied and there still remain one or more significant impacts, then a statement of overriding considerations must be adopted by the lead agency. Section 15093 of the State CEQA Guidelines requires the decision-making agency to balance, as applicable, the economic, legal, social, technological, or other benefits of a proposed project against its unavoidable environmental risks when determining whether to approve the project. If the specific economic, legal, social, technological, or other benefits of a proposed project outweigh the unavoidable adverse environmental effects, the adverse environmental effects may be considered "acceptable."

When the lead agency approves a project that will result in the occurrence of significant effects, which are identified in the Final EIR but are not avoided or substantially lessened, the agency shall state in writing the specific reasons to support its action based on the Final EIR and/or other information in the record. The attached statement of overriding considerations for the Bradley West Project provides the specific benefits of the proposed Project that outweigh the unavoidable adverse environmental effects and is supported by substantial evidence in the record as required by the State CEQA Guidelines. The proposed Statement of Overriding Considerations is attached as Exhibit B.

CEQA Findings

Section 15091 of the State CEQA Guidelines states that no public agency shall approve or carry out a project for which an EIR has been certified which identifies one or more

significant environmental effects of the project unless the public agency makes one or more written findings for each of those significant effects, accompanied by a brief explanation of the rationale for each finding. The CEQA Findings for the Bradley West Project include written findings for each of the significant effects identified in the EIR, accompanied by a brief explanation of the rationale for each finding. The CEQA Findings also include findings for project alternatives that were considered in the EIR including those that were screened out from further consideration and those that were subject to further evaluation. The proposed CEQA Findings are attached as Exhibit C.

Mitigation Monitoring and Reporting Program

A Mitigation Monitoring & Reporting Program (MMRP) is also required under State CEQA Guidelines Section 15097, when significant impacts have been identified and mitigation of those impacts is necessary. As indicated earlier, the Project EIR is tiered off of the EIR that was adopted in 2004 for the LAX Master Plan. The MMRP for the Bradley West Project, therefore, contains measures from both the MMRP for the LAX Master Plan and new measures that were formulated specifically for the Bradley West project. Of the approximately 114 mitigation measures and commitments in the Master Plan MMRP 28 of the mitigation measures and 30 of the commitments were determined to be applicable to the Bradley West Project. In addition 24 new mitigation measures were tailored to the project. All of these measures are contained in the MMRP for the Bradley West Project, which is subject to approval by the BOAC. The proposed Mitigation Monitoring and Reporting Program is attached as Exhibit D.

4. Alternatives Considered

CEQA requires an EIR to describe a range of reasonable alternatives to the project which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives. However, an EIR need not consider every conceivable alternative to a project. (See State CEQA Guidelines Section 15126.6) The Bradley West Project EIR tiers from the LAX Master Plan EIR which analyzed five airport concepts, including Alternatives A thru D and the No Action/No Project Alternative. The airport concepts addressed in the LAX Master Plan Final EIR, including each of the four build alternatives, called for new and reconfigured terminal facilities and associated gating.

As such, the terminal facility improvements and associated gating, such as those proposed with the Bradley West Project, were formulated and defined particular to each of the airfield concepts, based on applicable FAA requirements and standards and professional airport planning practices. In light of several factors, including safety, cost, operational efficiency, and environmental concerns, it was ultimately determined by the Los Angeles City Council that the LAX Master Plan (Alternative D) best met the project objectives. Airfield configurations were developed and designed at a precise level of detail to satisfy FAA requirements related to airport layout plans. As such, consideration has already been given to a number of alternatives that included variations on terminal facility improvements associated with various airfield concepts. In addition to the wide range of alternatives to the airfield improvements proposed for LAX that were formulated and considered during the course of developing and approving the LAX Master Plan, the project EIR evaluated several other alternatives.

The Bradley West Project EIR considered alternative sites to the project (See Bradley West Project EIR, Section 6.4.1.1.). As a variation of an Alternative Site scenario, consideration was given to constructing all or part of the Midfield Satellite Concourse in order to meet the project objectives, but in a different manner at a different location. It should be noted that this scenario would not preclude construction of the Bradley West Project at a later date. On the contrary, the LAX Master Plan includes both the Bradley West Project and the Midfield Satellite Concourse. Rather, under this alternative, construction of the Midfield Satellite Concourse would merely precede construction of the Bradley West Project. Based on a review of the nature, characteristics, and location of the Midfield Satellite Concourse, it was determined that the overall level and intensity of construction activities associated with development of the Midfield Satellite Concourse would be comparable to those of the currently proposed Bradley West Project. As such, construction of the Midfield Satellite Concourse could provide for facilities that meet the basic project objectives at an alternative location; however, it would not avoid or substantially reduce any of the construction- or operations-related significant impacts of the currently proposed project. It was therefore screened out from further consideration.

An alternative construction approach that could be considered relative to avoiding or substantially reducing the surface transportation and air quality impacts associated with the Bradley West Project would be to extend the overall construction period to reduce the amount of daily activity. Based on such limitations, however, it would conceivably take approximately 100 years to complete project construction. Clearly that construction approach is impractical. While such an alternative would reduce daily emissions to a level that is less than significant and would also reduce the daily construction-related trip generation, it would simply increase the overall duration of air pollutant emissions and construction traffic on local roadways. It also was screened out from further consideration.

Under another alternative, consideration was given to using LAWA property located in Manchester Square (i.e., the area located between Century Boulevard, Aviation Boulevard, Arbor Vitae Street, and La Cienega Boulevard) as a construction staging/parking area. Placement of construction staging/parking area in Manchester Square would increase the shuttle and truck travel distance to and from the proposed construction work area, which would have greater air quality impacts than the proposed project. Given that land use, noise, traffic, and other environmental impacts would be greater with this alternative than with the proposed project, and the fact that it would not avoid or substantially reduce the significant impacts of the project, it was not carried forward for full evaluation.

Five alternatives, including the No Project Alternative, were carried forward for full evaluation within the project EIR. Under the first alternative (Alternative 1), all of the improvements proposed under the Bradley West Project would be implemented, with the exception of construction of the new north concourse at TBIT and associated new three aircraft gates designed to accommodate either two ADG VI aircraft (new large aircraft) or three ADG V aircraft. Under the second alternative (Alternative 2), the new replacement concourses and associated aircraft contact gates would be constructed; however, there would be no renovation, improvement, or enlargement of existing Customs and Border Protection areas, concession, office, and operations areas within the Bradley West Core. Under the third alternative (Alternative 3), the provision of new contact gates on the west side of TBIT would occur through expansion and renovation of the existing concourses, instead of construction of new replacement concourses as currently proposed. The

number and nature of the new gates would be the same as currently proposed, providing nine new gates, up to seven of which could accommodate ADG VI aircraft. Under the fourth alternative (Alternative 4), the design and use of the West Construction Staging Area would be optimized to consolidate the spaces designated for construction laydown and staging, and the staging area layout plan would be reconfigured to create space for approximately 600 contractor employee parking spaces. A no project alternative was also considered.

Alternative 1 — Alternative 1 would not include construction of the new north concourse at TBIT and associated new three aircraft gates. This would result in less construction activity than would otherwise occur under the proposed project. The reduction in construction activity would result in minor reductions (i.e., less than 10 percent) in construction-related air quality and global climate change impacts for most pollutants compared to those of the proposed project, with the exception of Volatile Organic Compounds (VOC), which would experience a 23 percent reduction. Operations-related air quality impacts under this alternative would be essentially the same as those of the proposed project. Significant impacts associated with on-airport and off-airport surface transportation would remain largely unchanged under Alternative 1, because the impacts are due primarily to anticipated ambient growth in international travel at TBIT. Potential impacts to biotic resources would be the same for Alternative 1 as for the proposed project, because both would use the same staging areas where the biotic resources occur. As with the proposed project, impacts to biotic resources would be significant, but mitigable. Relative to other environmental topics, implementation of Alternative 1 would result in impacts that are the same as, or somewhat less than, those of the proposed project. In all cases for such other environmental topics, as with the proposed project, impacts would be less than significant. In comparison to the proposed project, which would provide up to six new ADG VI gates along the west side of the new concourses, Alternative 1 would provide only four new ADG VI gates. Thus, implementation of Alternative 1 would not fulfill two of the key objectives of the project to the same extent as the proposed project; specifically, "Accommodate 'New Generation Aircraft' such as the Airbus A380, Boeing 747-8, and Boeing 787" and "Reduce the need for, and use of, existing remote gates at the west end of the airport and the need to bus passengers and crews between TBIT and the remote gates." Additionally, Alternative 1 would not respond to several other objectives to the same extent as the proposed project, such as those related to improving passenger level of service and providing a substantial number of construction employment opportunities.

Alternative 2 — Implementation of Alternative 2, which would not include renovation, improvement, or enlargement of the Bradley West Core facilities, would result in less construction activity than would otherwise occur under the proposed project. As a result, there would be a related decrease in air pollutant emissions during project construction; however, such reductions would not be sufficient to cause any of the construction air quality impacts to be reduced to a less than significant level. Operations-related air quality impacts under this alternative would be essentially the same as those of the proposed project. It is possible that Alternative 2 could avoid a significant construction-related traffic impact at one intersection, under certain construction worker parking location scenarios involving the use of the Northwest Construction Staging/Parking Area; however, the significant impacts identified for the project at the other three intersections would not be avoided or substantially reduced. Significant impacts associated with on-airport and off-airport operational surface transportation would remain largely unchanged under Alternative 2, because impacts are due primarily to anticipated ambient growth in

international travel at TBIT, which would not be changed by implementing this alternative. Potential impacts to biotic resources would be the same for Alternative 2 as for the proposed project, because both would use the same staging areas where the biotic resources occur. As with the proposed project impacts to biotic resources would be significant, but mitigable. Relative to the other environmental topics, implementation of Alternative 2 would result in impacts that are the same as, or somewhat less than, those of the proposed project. In all cases for such other environmental topics, as with the proposed project, impacts would be less than significant. Implementation of Alternative 2 would not meet one of the key objectives of the project, which is to improve passenger level of service. Also, Alternative 2 would not respond to the objective of providing a substantial number of construction employment opportunities to the same extent as the proposed project.

Alternative 3 – Alternative 3 would provide for redevelopment and expansion of the existing TBIT north and south concourses instead of developing new concourses to replace the existing concourses, which would result in less construction activity than would otherwise occur under the proposed project. As a result, there would be a related decrease in air pollutant emissions during project construction; however, such reductions would not be sufficient to cause any of the construction air quality impacts to be reduced to a less than significant level. Operations-related air quality impacts under this alternative would be essentially the same as those of the proposed project. Significant impacts associated with on-airport and off-airport surface transportation would remain largely unchanged under Alternative 3, because the impacts are due primarily to anticipated ambient growth in international travel at TBIT. Potential impacts to biotic resources would be the same for Alternative 3 as for the proposed project, because both would use the same staging areas where the biotic resources occur. As with the proposed project, impacts to biotic resources would be significant, but mitigable. Relative to the other environmental topics, implementation of Alternative 3 would result in impacts that are the same as, or somewhat less than, those of the proposed project. In all cases for such other environmental topics, as with the proposed project, impacts would be less than significant. Implementation of Alternative 3 would not meet two of the key objectives of the project to the same extent as the current proposal, those being (1) “Improve passenger level of service” and (2) “Complement the systematic phased implementation of the Master Plan and minimize impacts to existing airport operations during construction.” It is anticipated that the level and quality of service afforded to passengers utilizing the TBIT concourses would be better with the provision of completely new facilities, such as currently proposed, than through a combination of partially new and partially renovated facilities that would occur under this alternative. While the currently proposed development of new concourses separate from the existing concourses would minimize, if not avoid, disruption of existing airport operations within the concourses, the renovation and expansion of the existing concourses that would occur under Alternative 3 would result in periodic disruption of existing operations.

Alternative 4 – Implementation of Alternative 4 would result in the same amount of construction activity as would otherwise occur under the proposed project; hence, it would have the same construction-related air quality impacts as the project. This alternative would not affect operations-related air quality impacts. In summary, implementation of Alternative 4 would not avoid or substantially reduce the unavoidable significant impacts of the project, as related to air quality, global climate change, and traffic, but would provide a way to avoid or substantially reduce mitigable significant impacts related to biological resources. Additionally, it responds to comments received

alternative would not affect operations-related air quality impacts. In summary, implementation of Alternative 4 would not avoid or substantially reduce the unavoidable significant impacts of the project, as related to air quality, global climate change, and traffic, but would provide a way to avoid or substantially reduce mitigable significant impacts related to biological resources. Additionally, it responds to comments received on the NOP for this EIR regarding the proposed construction staging/parking areas. Several comments were received on the Draft EIR and in the public meetings expressing support for the use of the West Construction Staging Area as the primary construction employee parking area, especially as an alternative to use of the Northwest Construction Staging/Parking Area for such parking. In conjunction with preparation of the Final EIR, further evaluation was completed for Alternative 4 including refinements to the potential design and operation of the area, such as vehicle access to and from the site, and completion of a more detailed traffic analysis.

No Project Alternative — Under the "no project" alternative, TBIT and the nearby taxiways and aprons as they currently exist would be retained. Only Gates 101 and 123 at TBIT and the gates at the west remote pads would be able to accommodate new large aircraft such as the A380 and 747-8 at LAX. Use of the west remote gates for the next generation of aircraft is undesirable from both an operations standpoint, particularly as related to the amount of busing required for the number of passengers on each aircraft, and from a level of passenger service standpoint. Under the "no project" alternative, none of the construction-related significant impacts would occur; however, significant operations-related impacts would still occur under the "no project" alternative due to the increase in international travel activity at LAX that is projected to occur even if the project is not implemented. In some cases, operations-related impacts under the "no project" alternative would be worse than those of the proposed project. These include air pollutant emissions associated with aircraft taxi/idle operations and airfield busing operations in 2013, which would be greater without the project than with the project. Moreover, the "no project" alternative would not meet any of the project objectives.

FISCAL & ECONOMIC IMPACT STATEMENT:

As an administrative action, approval of this item will have no impact on the Los Angeles World Airports Operating Budget.

No allocation of capital funds is required at this time.

STANDARD PROVISIONS:

1. An Environmental Impact Report (EIR) has been prepared for this project in compliance with the California Environmental Quality Act (CEQA), the State CEQA Guidelines and the City of Los Angeles CEQA Guidelines. Pursuant to State CEQA Guidelines Section 15074(c), the location and custodian of documents and materials related to the EIR for this project is the Los Angeles World Airports, Airports & Facilities Planning Division, 7301 World Way West, 3rd floor, Los Angeles, California 90045.
2. The City Attorney has reviewed and approved as to form the Executive Director's LAX Plan Compliance Report.

3. Action taken by the Board of Airport Commissioners will become final pursuant to the provisions of the Los Angeles City Charter Section 245.
4. This action is not subject to the provisions of the Service Contractor Worker Retention and Living Wage Ordinances.
5. This action is not subject to the provisions of the MBE/WBE/OBE/DBE Program.
6. This action is not subject to the provisions of the Affirmative Action Program.
7. This action does not require a Business Tax Registration Certificate.
8. This action is not subject to the provisions of the Child Support Obligations Ordinance.
9. This action is not subject to the insurance requirements of the Los Angeles World Airports.
10. This action is not subject to the provisions of Charter Section 1022 regarding the Use of Independent Contractors.
11. This action is not subject to the provisions of the Contractor Responsibility Program.
12. This action is not subject to the provisions of the Equal Benefits Ordinance.
13. This action is subject to the provisions of the First Source Hiring Program.

Attachments:

- Exhibit A: LAX Plan Compliance Review
- Exhibit B: Statement of Overriding Considerations
- Exhibit C: CEQA Findings
- Exhibit D: Mitigation Monitoring and Reporting Plan (MMRP)

EXHIBIT A

**THE BRADLEY WEST PROJECT
EXECUTIVE DIRECTOR'S REPORT**

Los Angeles World Airports (LAWA)

RECOMMENDATION OF THE EXECUTIVE DIRECTOR

LAX PLAN COMPLIANCE REVIEW

Date: September 21, 2009

Project Name: Tom Bradley International Terminal (TBIT) Reconfiguration/
Bradley West Project Case No: 002-09 LAXSP

Location: Central area of Los Angeles International Airport; Council District: 11TH
Encompasses existing TBIT complex and area Plan Area: LAX Plan
west of TBIT including taxiways Q and S;
Refer to Attachment 1. Plan Land Use: Airport Airside
Center of project area: latitude: 33° 56' 38"
longitude: 118° 24' 34" Zone: LAX - A

CEQA: Environmental Impact Report

Subject: LAX Specific Plan Compliance Request for TBIT Reconfiguration/Bradley West Project

Purpose: Section 7 of the LAX Specific Plan (Ordinance No. 176,345) requires that the LAWA Executive Director determine whether a project, as defined by the LAX Specific Plan, is consistent with the LAX Plan, all applicable provisions of the LAX Specific Plan and with the requirements of the California Environmental Quality Act (CEQA). Upon an affirmative determination, the Executive Director must prepare a written report and recommendation to the Board of Airport Commissioners (BOAC) for its action on the LAX Plan Compliance request. After receipt of the Executive Director's report and recommendation, the BOAC must set the matter for hearing. Following the hearing, the BOAC must recommend to the City Council that it approve, approve with conditions, modify or deny a request for LAX Plan Compliance approval.

The City Council must grant the Plan Compliance approval prior to the issuance of any grading permit, building permit, or use of land permit or initiation of construction of a project. In addition to construction or alteration of buildings, the Specific Plan defines a project as including the construction or structural alteration of land or change of use of land located in the airport. The following Plan Compliance report describes the relevant aspects of the TBIT Reconfiguration Project/Bradley West Project (hereafter referred to as the Bradley West Project), which is proposed to be developed in the central portion of LAX. The report includes a project description, findings of fact to support the Executive Director's recommendation, summaries of associated reports, and a final recommendation as required in the Specific Plan. The report must also include the applicable master plan commitments and mitigation measures and any conditions of approval that shall be imposed on the project. The entire list of Master Plan commitments and Mitigation Measures as well as specific measures and conditions identified in the Bradley West Project Final EIR are included in these submittals. These are listed in the Mitigation, Monitoring and Reporting Program for this project.

1) Project Description:

The proposed Bradley West Project will renovate and expand portions of the existing Tom Bradley International Terminal (TBIT), as well as replace portions of this facility. New concourses will be constructed and gates will be added to the west side of the terminal to supplement the gates currently operating on the east of the terminal. The project will also relocate and upgrade existing taxiways situated west of the TBIT to accommodate new large aircraft such as the A-380 and 747-8. A more detailed description, including the removal and relocation of other ancillary and support facilities in the vicinity of the project, follows here and additionally in the final Environmental Impact Report. The proposed project reflects the phased implementation of improvements envisioned in the LAX Master Plan that was adopted by the BOAC and the City Council in December 2004. Refer to Figure 2-1 of Attachment 1 of this report for a drawing of the proposed site plan.

Project Location

The proposed Bradley West Project will be located at Los Angeles International Airport (LAX), situated within the City of Los Angeles and Los Angeles County, California. As depicted on Figure 1-1 of Attachment 1, LAX is bordered by the community of Westchester (part of the City of Los Angeles), the City of El Segundo, the City of Inglewood, the unincorporated community of Lennox, and the Pacific Ocean. The airport is located approximately 12 miles southwest of downtown Los Angeles. Figure 1-2 of Attachment 1 provides an aerial view of the existing airport. The proposed improvements that comprise the Project would occur in the central portion of the airport located between the north and south airfields, within, and west of, the existing Tom Bradley International Terminal (TBIT).

Project Characteristics

The proposed Project provides for certain improvements identified in the approved LAX Master Plan, particularly as related to supporting the airport's ability to effectively and efficiently accommodate Next Generation Aircraft¹, such as the Airbus A380, Boeing 787, and Boeing 747-8. Additionally, the project would provide more area and facilities for processing and claiming baggage; additional and improved stations for Customs and Border Protection processing of passengers and inspection of baggage; more general circulation area; better variety, quality, and availability of concessions; more lounge areas; more restrooms; and expanded ticketing areas. The improvements proposed for this Project are shown in Figure 2-1 of Attachment 1 and include:

- Construction of new north and south concourses at TBIT just west of the existing concourses, which would be demolished. Compared to the existing concourses, the new concourses would provide new larger holdrooms, and improved and expanded concessions, airline lounges, passenger corridors, and administrative offices;

- Construction of nine aircraft gates, and associated loading bridges and apron areas, along the west side of the new concourses at TBIT;

- Relocation and consolidation of existing aircraft gates along the east side of TBIT. In conjunction with the demolition of the existing concourses at TBIT, nine new aircraft gates, and associated loading bridges and apron areas, would be constructed along the east side of the new concourses, and one existing gate would be retained to replace the twelve aircraft gates that currently exist at TBIT;

¹ "Next Generation Aircraft" is a general term referring to the development and release of new models of commercial aircraft that are larger, more fuel efficient, and incorporate new technology in flight engineering.

Renovation, improvement, and enlargement of the existing federal inspection services of U.S. Customs and Border Protection (CBP) areas within the Central Core of TBIT²;

Renovation, improvement, and enlargement of existing concessions areas, office areas, and operations areas within the central core of TBIT;

Construction of secure/sterile passenger corridors (i.e., areas allowing only passengers that have gone through security clearance and are subject to FAA or airline security requirements) between Terminals 3 and 4 and TBIT; and

Westward relocation of existing Taxiways S and Q³, which are currently located in the area proposed for the new concourses and/or gates.

Additional information regarding each of these improvements is provided below.

TBIT Concourse Improvements

The proposed Project includes construction of a new concourse area at TBIT to replace the existing north and south concourses. The north and south portions of the new concourse would be constructed approximately 130 feet west of the existing concourses, as measured from west face of the existing concourses to the east wall of the proposed concourses, and would be approximately 120 feet wide. New concourse areas would also be constructed west of the TBIT central core, connecting with the new north and south concourses, to provide a total new concourse length of approximately 2,525 feet. With the exception of the northernmost 275 feet of the existing north concourse, which would tie into the proposed concourse areas, the existing north and south concourses at TBIT would be demolished after completion of the new concourses.⁴ The new concourses would provide larger passenger hold areas than the existing concourses; improved concessions including new food and beverage stores, merchandise stores, airline lounges, passenger corridors, administrative offices, and support space. The new concourse facility would be constructed to current seismic standards which are more stringent than those in existence at the time the existing north and south concourses were constructed in the early 1980s (i.e., California seismic safety building standards were revised following the Northridge Earthquake in 1994).

Aircraft Gates

The development of new gates along the west side of the new concourses includes four gates on the south concourse that would be designed to accommodate Airplane Design Group (ADG) VI aircraft

² The Central Core of TBIT consists of the large building situated in the center of TBIT, connecting to the north concourse and south concourse at TBIT and to the roadway system within the Central Terminal Area. The Central Core is the area within TBIT where passenger processing activities, such as ticketing, screening, customs check, baggage claim, etc. occurs.

³ Based on the proximity of the alignments proposed for the two relocated taxiways, relative to the locations of other existing taxiways nearby, it is possible that relocated Taxiways "S" and "Q" would be redesignated as new Taxiways "T" and "S," respectively. That assumption is carried for the purpose of referencing the subject taxiways within the EIR, understanding that the FAA would later determine and assign the actual letter designations for the relocated taxiways.

⁴ The design and construction of the new north concourse would not preclude or constrain the potential development of a new linear concourse in the future, to replace existing Terminals 1, 2 and 3 as anticipated by the approved LAX Master Plan. The new linear concourse would still have an east-west orientation and connect with the TBIT north concourse at it's west end.

such as the A380 and 747-8⁵, providing passenger loading bridges at the fore and aft of the aircraft as well as an additional loading bridge for the upper level of the A380 aircraft. Figure 2-3 of Attachment 1 illustrates how an A380 could be gated with the three loading bridges, with the two forward bridges connect to the lower level and the rear bridge connects to the upper level, and ground service trucks/equipment distributed around the aircraft. At the north concourse, three gates would be developed on the west side and would be designed to accommodate either two ADG VI aircraft or three ADG V aircraft such as the 787, Boeing 747-400, and Airbus A340-- see Figure 2-1 of Attachment 1. Two new gates, one designed to accommodate an ADG IV aircraft and the other to accommodate an ADG VI aircraft, would be constructed west of the TBIT Central Core, between the new north and south concourses.

As indicated previously, once the new concourse facility is completed, all of the existing south concourse and most (i.e., approximately 75 percent) of the existing north concourse would be demolished. The twelve gates that currently exist along the east side of TBIT would be replaced by nine new gates plus existing Gate 123, which was modified in 2008 to accommodate the A380, and would be retained. It is currently anticipated that the east side of the north concourse would include one ADG VI gate, two ADG V gates, and two ADG VI/III gates (i.e., such as for Boeing 757 and 737 aircraft and Airbus 320 and 319 aircraft), while the east side of the south concourse would include one ADG VI gate, three ADG V gates, and one ADG IV/III gate.

As indicated above, the new additional gates constructed at TBIT would reduce the use of existing remote gates located in the western portion of the airport, which, in turn, would reduce the existing need to bus passengers and crews between TBIT and the remote gates.

With implementation of the proposed Project, international flights that process passengers through TBIT and that would otherwise use remote gates would instead be routed directly to and from TBIT, thereby eliminating the remote gate busing operations associated with those flights. To the extent development of the new gates along the west side of TBIT would reduce the need for, and use of, the existing remote gates for international flights, the remote gates would be more available to be used for Remain Overnight (RON) aircraft parking.

Bradley West Core

Within the central portion of TBIT, the existing Central Core would be improved and enlarged to provide additional inspection counters, baggage claim units, primary and secondary processing areas, CBP administrative/office areas. Other proposed improvements would include renovations within the ticket counter area and airline ticket office area, addition of new concessions areas, expansion and improvement of the meeter/greeter area, additional restrooms, and additional general circulation area. The improved and enlarged area is referred to as the Bradley West Core.

The improvements proposed for the Bradley West Core would occur both within the existing building area as well as within new building area that would fill in the area between the existing west face of the existing central core and the new concourse area to the west. A new roof structure, consistent with the design of the new concourses' roof, would be constructed over both the existing central core and the new building area extending west. The maximum height of the Bradley West Core would be approximately 130 feet above ground. This would require relocation of existing functions that are now located on the west face of the existing central core, including the TBIT loading dock, which would be moved to the

⁵ ADG VI generally includes aircraft with a wingspan of between 214 and 262 feet and a tail height of between 66 and 80 feet. It should be noted that all New Large Aircraft (NLA) currently in production are considered to be ADG VI aircraft, but not all ADG VI aircraft are NLA. For example, the Lockheed C-5 Galaxy heavy-duty military transport plane is an ADG VI aircraft. NLA generally refers to the new large aircraft that are proposed for commercial service that meet ADG VI size standards.

north side of the existing building temporarily and then moved back to the new west face of the Bradley Core; a TBIT emergency egress, which would be integrated into the design of the new western portion of the Bradley West Core; and the existing bus gates that provide for the loading and unloading of passengers and crews on the buses traveling between TBIT and other gates, including the west remote gates.

The existing bus gates would be replaced by a 28,400-square-foot busing operations holdroom comprised of either a pre-engineered metal building or a concrete tilt-up structure to be constructed at the northern end of the existing north concourse. The subject facility would accommodate the existing busing operations between TBIT and the west remote gates and between TBIT and international flights occurring at gates within the CTA. With development of the new contact gates at TBIT and the addition of new sterile/secure connector corridors between TBIT and Terminals 3 and 4, the need for busing operations and associated passenger holdroom would be substantially reduced. The temporary busing operations holdroom would remain in operation until a new busing operation holdroom sized to reflect the reduced need for busing is constructed. Such a facility could be accommodated in the new south concourse near the Bradley West Core, after which the temporary busing operations holdroom would be demolished/removed.

Development of the new concourse area and the westward extension of the existing central core to tie into the new concourse will result in an increase in the total floor area of TBIT. The existing facility, including the north and south concourses and central core, encompasses a total of approximately one million square feet. The proposed future facility would provide a total of up to approximately two million square feet of floor area, with the exact square footage to be determined based on completion of the building plans currently being finalized.

Secure/Sterile Corridors between TBIT and Terminals 3 and 4

Improvements proposed within TBIT include the addition of secure/sterile corridors connecting TBIT with Terminals 3 and 4 to allow passengers on international arrival flights in those terminals to have direct access to the screening and inspection services within TBIT, instead of the current procedure of deplaning onto busses and being transported to the west side of TBIT for processing.

Taxiways S and Q Westward Relocation

The area along the west side of TBIT that is proposed for the new concourse facility, new gates, loading bridges, and aircraft apron area is currently occupied by Taxiways S and Q and an adjacent service road, which provide aircraft access between the north runway complex and the south runway complex. As part of the proposed Project, both taxiways would be relocated approximately 518 feet to the west (from centerline of existing Taxiway Q to centerline of new Taxiway S), and would be designed and constructed to accommodate ADG VI aircraft.

Early in the preparation of construction plans for relocation of Taxiways Q and S, consideration was given to the development of various tunnel segments that are improvements included in the approved LAX Master Plan. Specifically, the LAX Master Plan identifies a tunnel system to access the future Midfield Satellite Concourse. While such a tunnel system is not required for the Bradley West Project, construction of those segments of the tunnels situated beneath the relocated taxiways was evaluated relative to reducing future environmental impacts and taxiway operations disruption associated with development of the tunnel system. Constructing the tunnel segments in conjunction with the proposed taxiway construction would avoid the future need to either tunnel beneath the subject taxiways or close them and excavate across them in order to complete the tunnel system. Further evaluation and consideration of that development approach found that it may be preferable to hold construction of the

tunnel segments until such time as the entire tunnel system can be developed in conjunction with construction of the future Midfield Satellite Concourse. While the impacts analyses presented in this EIR relative to relocation of Taxiways Q and S include the subject tunnel segments (i.e., tunnel segments were included in the initial project description used as the basis of the impacts analysis), the actual construction of the tunnel segments and system is anticipated to occur through a discretionary approval(s) separate from the Bradley West Project.

Building Heating and Cooling System

The Bradley West Project improvements include provisions for meeting the heating and cooling requirements of the building. A system that includes four natural gas boilers to generate hot water and seven chillers, with associated cooling towers, to generate chilled water is proposed to be installed in the outdoor area where the Bradley West Core and the new north concourse would meet. This boiler and chiller system would supplement the heating and cooling capabilities of the existing LAX Central Utilities Plant (CUP), which currently operates below its design capacity and is considered to be outdated and inefficient. The existing CUP is proposed to be replaced with a new and more efficient CUP. Completion of the replacement CUP project would substantially reduce, if not eliminate, the need for supplemental heating and cooling that is proposed to be provided by the system included in the Bradley West Project. Should the supplemental heating and cooling no longer be needed, it is anticipated that the boiler, chiller, and cooling tower system would be decommissioned and removed.

Relocation, Modification, and Upgrading of Utility Lines

The Bradley West Project site extends across an area that contains various subsurface and aboveground utility lines and facilities, including those related to storm drain, sewer, water, electricity, natural gas, oil and fuel, and communications. Implementation of the Bradley West Project would require the relocation or modification of some lines, and may include the upgrading of lines to meet current code requirements and to function more efficiently. Infrastructure facilities in the project area may also require relocation as a result of project construction.

The relocation, modification, and upgrading of utility systems would involve the placement of new lines or facilities at locations compatible with project plans in advance of taking the potentially affected existing line out of service. The design and construction of the utility systems improvements are coordinated with the affected service provider which, relative to the utility types, may include the Los Angeles Bureau of Sanitation, Los Angeles Department of Water and Power, Southern California Edison, Southern California Gas Company, LAXFUEL and other fuel/oil companies with lines at LAX, and various communications companies. The construction activity associated with such utilities systems improvements would occur in conjunction with the other project-related construction activities.

For example, when the existing buildings, apron/pavement areas, and other surface improvements are removed to prepare the project site for relocation of Taxiway S or for construction of the new concourses and Bradley West Core, the necessary improvements to the underlying utility lines, including relocation to be compatible with project plans, would occur. In some cases, it is necessary to complete some or all of the improvements associated with a utility line relocation or modification in advance of construction occurring near the existing line in order to avoid a substantial disruption of service, such as if removal of existing surface structures has a high likelihood of impacting the underlying utility line. Work on subsurface utility lines may involve the cutting and removal of surface pavement using equipment such as concrete saws and backhoes, excavation of soils down to the utility line(s) level, removal of existing lines or further excavation and placement of bedding material for

installation of a new line(s), placement of the new or modified utility line(s) using a backhoe or crane, backfilling and compaction of the area.

Construction Staging, Parking, and Haul Routes

Construction staging for the proposed project would occur primarily within two areas west of the project site. The subject areas include: (1) the Northwest Construction Staging Area - an existing staging area at the northwest edge of the airport, near Pershing Drive and Westchester Parkway, much of which is currently used for the TBIT In-Line Baggage Screening Program construction staging; and, (2) the West Construction Staging Area - an existing staging area at the central west end of the airport near Pershing Drive and World Way West that was used in a similar capacity for the South Airfield Improvement Project and will be used for the Crossfield Taxiway Project. For the most part, the existing Northwest Construction Staging Area is already suitable for use by the Bradley West Project, with the exception of the need for a larger transformer to accommodate the electrical power requirements of the construction trailers planned for the site, and the timing and amount of space needs for the TBIT In-Line Baggage Screening Program are compatible with the construction schedule of the Bradley West Project. Similarly, the existing West Construction Staging Area would require little, if any, modifications to accommodate the Bradley West Project.

Existing pavement, including from existing airfield apron and taxiway areas that are to be demolished as part of the project, would be recycled on-site through the use of a rock crusher and aggregate processing facility within the construction staging area. This processing would also provide for on-site production of concrete instead of having to rely on concrete deliveries trucked from off-site production plants. The processing facility, referred to as a "batch plant" would be located at one or more locations in the West Construction Staging Area.

There is a potential third construction staging area, the Southeast Construction Staging/Parking Area that could be used during the Bradley West Project's 5+ year construction period. The subject area is the vacant parcel located at the northeast corner of Aviation Boulevard and Imperial Highway, sometimes referred to as the "Continental City" site. Given the location of this parcel, being well removed from the construction work area, it is not anticipated that this area would be actively used for Bradley West Project construction staging, but rather may be used primarily for materials laydown/storage.

2) Description, Purpose and Need for Project

a) Existing and proposed uses:

1) Existing: The primary existing facility within the project area is the Tom Bradley International Terminal (TBIT), which is comprised of a central core, where international passengers are processed, and north and south concourses for boarding of aircraft. The aircraft boarding gates are currently all located only on the east side of the concourses. In addition to the primary terminal facility there are two north south taxiways with the project area that connect the north and south runway complexes. There are also several other existing ancillary airfield facilities within the project area including: a busing facility on the north concourse that services airfield buses, which transport passengers from the remote gates west of TBIT to be processed at TBIT, the existing loading dock at TBIT, seven remain overnight (RON) aircraft parking spots, an apron area for ground service equipment (GSE) storage and maintenance facilities, a ground vehicle fueling station, an airfield operations area (AOA) access control post, an aircraft maintenance hangar formerly owned and operated by TWA, the

American Airlines Low-Bay Hangar, three water deluge tanks located south of the Low-Bay Hangar, a flight kitchen, the Los Angeles Fire Department Station 80/Aircraft Rescue and Firefighting (ARFF) Facility, a vehicle parking lot, the American Eagle Commuter Terminal, and a fuel vault.

2) Proposed: As indicated in the full project description that precedes this section the dominant feature of the proposed Bradley West Project will be the renovation and expansion of the existing Tom Bradley International Terminal, as well as the replacement of portions of this facility. New concourses will be constructed, after which the existing concourses will be demolished, and gates will be added to the west side of these new concourses to supplement the gates currently operating on the east side of the terminal.

The project will also relocate and upgrade existing taxiways situated west of the TBIT to accommodate new large aircraft such as the A-380 and 747-8. A more detailed description, including the removal and relocation of other ancillary and support facilities in the vicinity of the project, is contained in the preceding section and additionally in the final Environmental Impact Report. The proposed project reflects the phased implementation of improvements envisioned in the LAX Master Plan that was adopted by the BOAC and the City Council in December 2004. Refer to Figure 2-1 of Attachment 1 of this report for a drawing of the proposed site plan.

b) Ownership: The Bradley West Project and associated improvements are located within LAWA owned property generally in the central airfield of Los Angeles International Airport (LAX).

c) Safety Considerations: The Bradley West Project will improve the safety of the airport by upgrading terminal and airfield facilities to accommodate the operations of new large aircraft that are expected to arrive in the near future. Several of the additional gates at the new concourses will be designed to handle the new large aircraft, which will enhance overall efforts to reduce conflicts on the airfield when these type of aircraft need to be serviced in other facilities not as well suited. As indicated, currently two of the primary north/south taxiways, Q and S, are located immediately west of the TBIT. These two taxiways, which connect the north and south runway complexes, do not adhere to the Federal Aviation Administration (FAA) standards for Aircraft Design Group (ADG) VI size aircraft in terms of minimum width. The ADG VI aircraft include the new larger aircraft such as the A380, which has already assumed regular operations at LAX. The relocation of these taxiways within the context of the Bradley West Project will be designed to meet the FAA standards for ADG VI aircraft and thereby alleviate this potential shortcoming.

In addition, at the southern end of taxiways Q and S there are periodic conflicts between aircraft turning in the vicinity of TBIT or transitioning from one taxiway onto another. The commensurate problems experienced with congestion because of confined turning space necessitate holding involved aircraft in place by the FAA's Air Traffic Control (ATC) while the conflicting aircraft complete their movements. These problems will be addressed in the reconstruction of the taxiways by providing adequate space and enhance safety by eliminating the congestion and inherent conflict between taxiing aircraft.

The Bradley West Project will also reduce the need to transport passengers from the remote gates on the west end of the airport to TBIT. By removing these bus operations there will be less congestion on the airfield and commensurate reductions in potential vehicular accidents.

d) Operational Efficiency: The renovation of TBIT and associated improvements described under the Safety section above will also have a positive effect on operational efficiency. The secondary advantage of not having to taxi to the remote gates or otherwise hold aircraft, because of conflict and congestion, will be to decrease taxiing and idling time enabling aircraft to reach the gates or runways in

less time and more efficiently. Also, with improved access the FAA's ATC will be able to better maintain a balance in the number of aircraft arrival operations between the two runway complexes.

e) Environmental Analysis: A project-level Environmental Impact Report (EIR) was prepared for the Bradley West Project according to the requirements of the California Environmental Quality Act (CEQA), the State CEQA guidelines and the City of Los Angeles CEQA guidelines. The Bradley West Project EIR "tiers" off of the LAX Master Plan Final EIR, which was prepared and certified by LAWA for the entire LAX Master Plan. The EIR's analysis focused on the potential for significant impacts as a result of operational and construction activities associated with the project with respect to the primary subject area of on-airport and off-airport surface transportation, construction traffic, air quality, human health risk assessment, global climate change, biotic communities, and noise. In addition, another 14 subject areas ranging from land use to energy to hazardous materials were analyzed, tiering off of the comprehensive analysis that was conducted in the LAX Master Plan EIR and complemented by focused analysis tailored to the project.

The environmental analysis in the Bradley West Project EIR identified all applicable Master Plan Mitigation Measures and Commitments, which will be implemented as part of the Bradley West Project as required in the LAX Master Plan Mitigation Monitoring and Reporting Program (MMRP). To the extent that those measures would not reduce significant environmental effects of the Bradley West Project to a less than significant level, and the EIR identified additional feasible, project level mitigation measures, which were separately identified and proposed for adoption as conditions of project approval. It should be noted the adverse impacts were primarily associated with the construction activities that would occur over approximately a five year period. The long term operational aspects associated with the project would result in marginal impacts as a result of improved operational efficiencies. This conclusion is predicated on forecasts that reflect minimal increases in the operational levels as a result of the project in comparison to operations of a "no project" scenario.

f) Project Consistency with the LAX Master Plan: The conceptual development and evaluation of the Master Plan was conducted in phases. A final phase of the LAX Master Plan Study included a thorough evaluation of the potential environmental effects associated with four build alternatives that were considered in the planning process. This evaluation was conducted in accordance with federal and State of California environmental review procedures. The environmental review process was conducted as a joint Environmental Impact Statement (EIS), under federal environmental law, and Environmental Impact Report (EIR), under California law.

The Master Plan EIS/EIR provided descriptions of the environmental conditions in and around LAX, analyzed the potential impacts of the improvements associated with each alternative on the physical environment, and recommended mitigation measures to address potential impacts. The Draft EIS/EIR that addressed three build alternatives and the No Action/No Project Alternative was released for public and agency review in January 2001, and the Supplement to the Draft EIS/EIR, addressing the fourth build alternative, was released for public and agency review in July 2003.

All four of the build alternatives included a reconfiguration of TBIT and, depending on the design of the reconfiguration, relocation of existing taxiways west of TBIT. The main elements of the Bradley West Project, including the addition of new aircraft contact gates (aircraft parking and servicing positions located next to terminal buildings with passenger boarding bridges connecting aircraft to the terminal) and the relocation of the two adjacent taxiways (Taxiways Q and S), are reflected in the airfield plan associated with Alternative D, which was ultimately selected as the approved LAX Master Plan. As indicated above, these types of improvements are specifically identified in the LAX Master Plan Final EIR as the "reconfiguration" of TBIT.

The LAX Master Plan delineates aircraft gated along the west side of TBIT, where no aircraft gates currently exist, and two crossfield taxiways immediately to the west of the new gates, which represents the relocation of the two taxiways that currently exist in the area to be improved for the new gates. Improvements related to the Bradley West Project, referred to as the "reconfiguration of TBIT" in the LAX Master Plan and related EIR, are also noted in Section 3.2.9 of the LAX Master Plan Final EIR and Section 2.10 of the Final LAX Master Plan text. Midfield taxiway improvements are also contemplated in the 2015 Alternative D Conceptual Summary Schedule presented as Figure F3-20 of the LAX Master Plan Final EIR, including references to *Clear Midfield Area (Phased, Midfield Aprons & Taxiways, and TBIT Rework)*. As an integral part of the LAX Master Plan, along with the many other improvements, the environmental impacts associated with the Bradley West Project and all the elements of the Master Plan are addressed directly and indirectly throughout the LAX Master Plan Final EIR.

3) Findings of Fact:

a). THAT THE PROPOSED PROJECT COMPLIES WITH THE LAX PLAN, ANY DESIGN GUIDELINES REQUIRED BY THE LAX PLAN, AND ALL APPLICABLE PROVISIONS OF THE LAX SPECIFIC PLAN.

LAX Plan

Compliance with Purpose of LAX Plan: The Bradley West Project complies with the proposed use and vision of the LAX Plan, as set forth in Section 1 of that Plan. Specifically, construction of the Bradley West Project will allow LAX to respond to emerging technologies, trends and needs by accommodating new large aircraft operations, including the Airbus A380 and Boeing 747-8. It will also contribute to the modernization of the airport by significant improvements to the holding areas, customs processing, concourses and boarding gates within the Tom Bradley International Terminal (TBIT) and will enhance passenger convenience. The project will also facilitate the vision of regionalization by improving the efficiency of international travel thereby expediting hub connections to other airports in the region.

Compliance with Goals, Objectives and Policies of LAX Plan: The LAX Plan identifies six goals and 20 supporting objectives to expand on the intent of the LAX Plan vision and provide further direction for the development of the airport. It also identifies specific policies and programs that will be used to implement these goals and objectives. Goals 1 thru 5, along with select objectives, of the LAX Plan are deemed applicable to the various elements of the Bradley West Project. The sixth Goal, which addresses improvements to ground access to LAX and improved access to other regional airports, is not considered directly applicable to this project. These types of improvements are expected to be developed in subsequent Master Plan related projects. The Bradley West Project complies with the following, objectives and policies of the LAX Plan, as explained below.

Goal #1: Strengthen LAX's unique role within the regional airport network as the international gateway to the Southern California region.

Objective #1: Provide superior facilities, services, and operations to meet the position of LAX as the principal airport and international gateway to the region.

Objective #2: Improve airport facilities and operations in order to provide world-class service for travelers and other airport users (i.e., employees, public service personnel, etc.)

Objective #3: Provide and upgrade needed facilities to accommodate current and next-generation larger aircraft associated with international and long-haul domestic travel.

Objective #4: Encourage other airports in the region to absorb growth in commercial service that is not essential to LAX's international gateway role.

Objective #5: Lead the effort to regionalize air service in Southern California by forging strategic partnerships that connect LAX and other regional airports.

—The Bradley West Project would be consistent with this goal. The Project would meet objectives # 1, 2, and 3 by providing new gates specifically designed to accommodate new generation aircraft such as the Airbus A380; providing new concourses area with new larger holdrooms, and improved and expanded concessions, airline lounges, passenger corridors, and administrative offices; and renovating, improving, and enlarging existing concessions areas, office areas, and operations areas within the central core of TBIT. The project will also provide wider relocated taxiways Q & S, in compliance with FAA standards, needed to accommodate the A380 and other new large aircraft. The Bradley West Project would also meet objectives # 4 and 5 because the project would not affect LAX capacity and would be consistent with the Master Plan's design capacity of 78.9 million annual passengers, which would encourage growth at other regional airports.

Goal #2: Develop and maintain the highest standards of air traffic safety and passenger security through design and the latest innovations.

Objective #1: Reduce the possibility of runway incursions.

Objective #2: Promote safe air navigation.

Objective #3: Update and improve security for passengers, cargo, and surrounding communities through physical modifications and by using the most efficient available airport security systems as feasible, including multiple layers of security checks.

—Both the structural improvements of the terminal building and ancillary structures and the airfield facilities will strive to reach the highest standards of air traffic safety as well as increase passenger security. Taxiways Q and S will be relocated and widened to comply with FAA standards for the new larger generation of aircraft including the A-380 and the B-747-8, which will be operating at the airport at ever increasing levels of operations in the near future. In conjunction with the new Crossfield Taxiway, C-13, under construction further west of the taxiways Q and S, these improvements will expand the areas needed for turning and maneuvering larger aircraft in their movements from one runway system to the other, as well as accessing the newly added gates on the west side of the new concourses. These improvements will help to reduce the possibility of runway incursions. In addition, by adding the gate capacity at TBIT it will substantially decrease the need to bus passengers from the remote terminals on the west end of the airport to TBIT thereby reducing congestion on the airfield and further help to reduce the possibility of runway incursions.

New passenger sterile and secured corridors (areas allowing only passengers that have gone through security clearance and are subject to FAA or airline security requirements) will be developed between TBIT and Terminals 3 and 4. These corridors will allow the separation of passengers processing thru customs and security. In addition, the new structural elements would be designed to meet current seismic requirements. Moreover, these structures would be designed and seismically isolated from the existing TBIT building and from Terminals 3 and 4 such that the seismic load demand on the existing structures is not increased, as described in Bradley West Forensics Investigation Core and Connectors Preliminary Draft Report, October 31, 2008. These physical modifications will aid in the improved security for passenger operations.

Goal #3: Optimize LAX's critical role in supporting the economy as a major generator of economic activity.

Objective #1: Operate LAX in an efficient and competitive manner to benefit local, regional, and state economies.

—The project will provide improved facilities that should enhance LAWA’s ability to maintain competitiveness with other airports and complement efforts to attract new airline activity. As a major economic factor in the regional economy LAX contributes significantly to the growth and prosperity of the surrounding communities. Economic growth at the airport has a multiplier effect in jobs and services throughout the region well beyond those experienced at the airport.

Goal #4: Recognize the responsibility to minimize intrusions on the physical environment.

Objective #1: Minimize negative impacts to the Los Angeles Airport/El Segundo Dunes and protect plant and animal species, to the extent practical for safe airport operation.

Objective #2: Where feasible, implement measures to improve air quality or limit the extent to which air quality is degraded by auto, aircraft, and construction equipment emissions.

Objective #3: Incorporate mitigation measures and master plan commitments from LAX Master Plan environmental analyses into project design and operation.

—The EIR for the Bradley West Project incorporates numerous mitigation measures from Mitigation Monitoring and Reporting Plan (MMRP) of the LAX Master Plan EIR, as well as establishing new mitigation measure tailored to the project. These measures address a broad range of impacts including the protection of plant and animal species and the improvement of air quality by mitigating emissions from aircraft and construction equipment. As with previous Master Plan projects recently completed or underway the construction equipment to be used for the project will be required to be retrofitted with the most efficient particulate traps to reduce particulate emissions and nitrogen dioxides. The operational improvements from the reduction of bussing activities and shortened taxing times will also help to reduce project associated emissions.

Goal #5: Acknowledge neighborhood context and promote compatibility between LAX and the surrounding neighborhoods.

Objective #1: Minimize negative impacts to surrounding residential land uses.

Objective #3: Provide opportunities for community participation in Master Plan Program decisions that could affect stakeholders by consultation with an LAX Master Plan Stakeholder Liaison who will communicate with stakeholders, including: adjacent residential and business communities; airline representatives; airport concessionaires; cargo and freight forwarders; labor representatives; business organizations and neighborhood councils.

—Three community meetings were held with the purpose of presenting the various elements of the project to the surrounding neighborhoods and providing interested parties the opportunity to discuss their views and concerns over the project. The first public meeting was held in January 2009 in conjunction with the Notice of Preparation for the project’s Environmental Impact Report (EIR). The purpose of this meeting was to afford interested parties the ability to provide input on what types of issues should be addressed during the formulation of the draft EIR and mechanisms and processes that should be employed. The second and third public meetings were held in June of 2009 to present the draft EIR and solicit comments from the public on the thoroughness and accuracy of the evaluations and conclusions of the draft EIR.

Over 8,900 individuals, agencies, companies and organizations were notified of the meetings through mailings and emails, along with notifications in three newspapers. The availability of the draft EIR was conveyed on the LAWA website. LAWA’s Stakeholder Liaison’s Office also conducted separate notifications to further complement this outreach effort. There were no separate comments received by the Stakeholders Liaison’s Office on this project as indicated in Attachment 4. An email address was

established specifically for this project on the LAWA website by which comments and suggestions were submitted. In addition to verbal testimony at the public meetings, written comments on the Draft EIR were also received, along with written comments from agencies and individuals submitted during the course of the 45 day draft EIR public review period from early May to mid June. Responses to all comments on the draft EIR have been incorporated into the final EIR.

LAX Plan Policies and Programs:

The following policies and programs have been developed to implement the LAX Plan goals and objectives to guide airport development and are applicable to the Bradley West Project. These policies and programs are organized into various topics that address functional and operational aspects of the airport and potential impacts to adjacent land uses.

Safety

Policy and Program #1: Study and address runway realignment and taxiway separation to provide for larger aircraft maneuvering areas and clearances.

Policy and Program #2: Provide for adequate aircraft queue space at departure ends of the runways.

Policy and Program #3: Construct center taxiways to reduce the possibility of runway incursions.

Policy and Program #4: Provide parallel taxiways between all new structures for improved aircraft maneuvering and reduced taxi times.

Policy and Program #5: Improve taxiway spacing into gate locations to reduce gate congestion and improve taxi times and efficiency.

Policy and Program #6: Consult with the Los Angeles Fire Department during the design phase of facilities to review plans and incorporate recommendations that enhance airport safety.

Policy and Program #7: Establish runway protection zones contiguous to the ends of each runway. These runway protection zones shall be identical to the FAA's runway protection zone (clear zone).

Policy and Program #8: Prohibit uses within a designated runway protection zone that will create safety hazards.

Policy and Program #9: Prohibit uses that would attract large concentrations of birds, emit smoke, or which may otherwise affect safe air navigation.

Policy and Program #10: Prohibit uses that would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.

—The relocated taxiways Q and S associated with the Bradley West Project will provide increased separation and maneuvering areas for enhanced safety. The safety policies and programs contained within this organizational topic will complement the improvements proposed in the project and together will synergistically improve overall safety within the project area and throughout the airfield. The increased operational levels of new large aircraft that will result from development of the project will enable aircraft to capitalize on the policies and programs applicable to the remainder of the airfield.

Security:

Policy and Program #1: Evaluate, develop, and improve, as necessary, Central Terminal Area, Intermodal Transportation Center, and Satellite Terminal FlyAway security - both physical and operational - as part of overall security improvements at LAX.

Policy and Program #2: Develop entry security improvements in the Central Terminal Area by limiting access by non-secure private, public, and commercial vehicles.

Policy and Program #3: Design and construct facilities that provide for security of passengers by providing multiple levels of security screening procedures while maintaining ease of use.

Policy and Program #4: Consult with the Los Angeles Police Department, the Los Angeles World Airports Police Department, other law enforcement agencies, and security experts, as appropriate, during the facility planning, design, and review phase so that potential environmental contributors to criminal activity are reduced and to ensure the security of the airport, airline passengers, and the surrounding community.

Policy and Program #5: Provide law enforcement and fire facilities to enhance the ability to respond to emergency situations and facilitate coordination with other emergency response agencies.

Policy and Program #6: Provide flexibility in facility design to allow for the incorporation of new technologies in security.

--The Bradley West Project will be designed in a manner to harmonize with adjacent operations and provide an optimally smooth interface between the functions of the international terminal activities and those in the more domestic passenger orientation of the Central Terminal Area. Improvements proposed within TBIT include the addition of secure/sterile corridors connecting TBIT with Terminals 3 and 4 to allow passengers on international arrival flights in those terminals to have direct access to the screening and inspection services within TBIT, instead of the current procedure of deplaning onto busses and being transported to the west side of TBIT for processing. This will enhance security controls in these associated terminal areas. The Departures Level in TBIT, will be improved to provide additional area and checkpoints for security/passenger screening (over 80 percent increase in area), new larger passenger holdrooms including those associated with the new gates on the west side of TBIT (almost a three-fold increase in holdroom area). Exterior improvements could include, but would not be limited to, installation of fences/walls, modifications to doors, windows, loading docks/bays, placement of storage sheds, designation of parking areas, security lighting, and signage.

This project calls for the construction of in-line baggage screening systems in the CTA terminals pursuant to the requirements of the federal Transportation Security Administration (TSA). The project includes replacement of the existing airline baggage handling spaces, construction of new baggage screening rooms, replacement of the outbound baggage conveyor systems, and installation/integration of TSA-provided Explosion Detection System machines. The project also includes Explosive Trace Detection work stations, On-Screen Resolution Control Rooms and Closed-Circuit Television systems. This project is a continuation of the LAX Perimeter Security Enhancement Program and includes enhancing approximately 6 miles of AOA perimeter fence along World Way West. Fence improvements include the construction/placement of a concrete "K-rail" at the fence base, above which is a green tight-mesh metal section for a minimum height of eight feet, with a V-shaped barbedwire top.

Land Use (Airport Airside):

Policy and Program #1: Develop a balanced airfield to provide for more efficient and effective use of airport facilities.

Policy and Program #2: Limit airport capacity by restricting the number of gates (including remote gates) to no more than 153 at Master Plan build-out.

Policy and Program #4: Locate airport uses and activities with the potential to adversely affect nearby residential land uses through noise, light spillover, odor, vibration, and other consequences of airport operations and development, as far from them as feasible.

Policy and Program #5: Provide and maintain landscaped buffer areas along the southern boundary of Airport Airside that include setbacks, landscaping, screening, or other appropriate view

sensitive uses with the goal of avoiding land use conflicts, shielding lighting, enhancing privacy, and better screening view of airport facilities from adjacent residential uses.

Policy and Program #6: No aircraft under power shall enter the Imperial Terminal Area located on the south side of the airport generally used for cargo and fixed-base operations. Continue the use of tug and tow procedures in this area.

—A primary benefit to be achieved as a result of the Bradley West Project, in conjunction with the Crossfield Taxiway Project, is to allow the FAA's Air Traffic Control to take advantage of improved access via upgrades to taxiways to better maintain a balance in the number of aircraft arrival operations between the two runway complexes. The overall number of gates in the project site area will be reduced as a result of removal of commuter gates in compliance with the restriction of no more than 153 gates. The aesthetic design of the new international terminal will enhance the overall visual experience of the airport and thereby synergistically complement the interrelationship between the airport and the surrounding communities..

Land Use (Airport Landside):

Policy and Program #1: Ensure that the scale and activity level of airport facilities appropriately relates to any abutting neighborhood edges.

Policy and Program #6: Locate airport uses and activities with the potential to adversely affect nearby land uses through noise, light spill-over, odor, vibration, and other consequences of airport operations and development as far from, or oriented away from adjacent residential neighborhoods as feasible.

—The project is being designed to convey a flow between structures and the design of the rooftops of the terminal and concourses within the project site being analogous to the rhythmic motions of waves in the ocean. In addition to the aesthetic appeal of the design the intent is to harmonize with the surrounding facilities of the airport as well as with the interface of the airport to adjacent residential neighborhoods. The project will be located in the center of the airport far from adjoining communities.

Land Use (LAX Northside):

Policy and Program #1: Provide and maintain landscaped buffer areas along the northern boundary of LAX Northside that includes setbacks, landscaping, screening, or other appropriate view sensitive uses with the goal of avoiding land use conflicts, shielding lighting, enhancing privacy, and better screening view of airport facilities from adjacent residential uses.

Policy and Program #2: Provide community outreach efforts to property owners and occupants through measures such as public notification and public meetings, when new development on airport property is in proximity to, and could potentially affect, nearby residential uses.

Policy and Program #3: Orient LAX Northside development to encourage access from Westchester Parkway and other roadways internal to LAX Northside.

— As indicated the design objective of the project is to create a harmonizing effect on adjoining facilities and land uses on and near the airport. This objective should complement the development being contemplated on the Northside including adjacent roadways such as the Westchester Parkway.

This project has involved significant community outreach efforts, the details of which are described above in the analysis of the project's consistency with LAX Plan Goal #5. Similar outreach efforts will be conducted in subsequent projects including the Northside Development.

Open Space:

Policy and Program #1: Protect existing state-designated sensitive habitat areas.

Policy and Program #2: Provide sites for habitat restoration or replacement by native habitat.

— Open space as it relates to the protection of sensitive habitat areas and the preservation of biotic communities is considered one of the topics of significant importance within the context of the overall evaluation of impacts associated with the Bradley West Project. Mitigation Measures MM-BC-1, Conservation of State-Designated Sensitive Habitat, MM-BC-3, Conservation of Floral Resources, MM-BC-8, Replacement of Habitat Units, MM-BC-9, Conservation of Faunal Resources, and MM-ET-3, El Segundo Blue Butterfly Conservation, were adopted as part of the LAX Master Plan to reduce impacts to sensitive habitat and associated sensitive wildlife species to a less than significant level. These measures are applicable to the Bradley West Project and ensure consistency with the LAX Plan's Open Space policies and programs. For example, mitigation measure MM-BC-1 requires that all necessary steps be taken to ensure that the state-designated sensitive habitats within and adjacent to the Habitat Restoration Area are conserved and protected during construction, operation, and maintenance. Among other requirements, this includes that no grading or stockpiling for construction activities should take place within 100 feet of a state-designated sensitive habitat. These measures would ensure that the project is consistent with the applicable Open Space policies.

Biotic Communities:

Policy and Program #1: Protect the existing state-designated sensitive habitat areas.

Policy and Program #2: Provide sites for habitat restoration or replacement by native habitat.

— The Bradley West Project is consistent with the LAX Plan's policies and programs for the protection of biotic communities, as discussed above in the comments regarding Open Space.

Energy and Resources:

Policy and Program #1: Design and provide new facilities to meet or exceed energy prescriptive standards required under Title 24.

Policy and Program #2: Enhance and expand current waste reduction programs to promote recycling at terminals and enhance recycling procurement practices.

—Development of new buildings proposed for the Bradley West Project would be consistent with LAWA's plans related to energy and resource efficiency and sustainability. The increase in terminal square footage under the proposed project would create a larger energy demand associated with heating, cooling, and lighting. However, the new and the renovated terminal areas would be the first major new construction to implement LAWA's sustainability policies and principles that have been developed within the past three years, including the Sustainable Airport Planning Design and Construction Guidelines. In accordance with LAWA's policies, the new and renovated terminal square footage would be constructed according to Leadership in Energy and Environmental Design (LEED) standards with a goal to achieve a LEED Silver rating. Under the LEED Silver rating, a 9 percent increase in energy efficiency is assumed over California's Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6).

Waste minimization and efficiency related to the new concourse areas would be addressed through LEED certification and LAWA's sustainability principles and policies. The project proposes an on-site rock crusher for the recycling of demolition debris to use as aggregate base. LAX has water efficient computer controlled irrigation systems. Energy efficient utility systems, including water conservation,

are acknowledged in the LEED-certification program, which would be applied to the Bradley West concourse improvements.

Economic Benefits:

Policy and Program #2: Modernize, upgrade, and improve LAX in order to sustain the airport's economic benefits.

—The Bradley West Project would modernize, upgrade and improve TBIT to sustain the airport's economic benefits, consistent with this policy and program. Additionally, the project would provide a substantial number of construction employment opportunities and substantial direct and secondary regional economic benefits, including the need for construction goods and services, associated with construction of a large capital improvements project such as the Bradley West Project.

Noise:

Policy and Program #2: Update facilities, gates, and runways, to accommodate the New Large Aircraft (NLA) and the next generation of quieter jets.

Policy and Program #3: Minimize the impacts of aircraft and airport noise through runway orientation.

Policy and Program #4: Move nighttime noise-creating activities to the interior of the airfield and away from noise-sensitive areas situated north and south of the airport.

Policy and Program #5: Continue use of tug and tow procedures in the Imperial Terminal Area.

Policy and Program #6: Use over-ocean procedures during nighttime, when weather permits.

Policy and Program #7: Conduct departures to the west along the runway heading until reaching the coastline.

Policy and Program #8: Update and expand LAX's Aircraft Noise Mitigation Program (ANMP) to mitigate noise impacts to land uses that would be rendered incompatible (residences, schools, hospitals, churches, and libraries).

Policy and Program #9: Locate airport uses and activities with the potential for noise impacts as far from adjacent residential neighborhoods as feasible.

Policy and Program #10: Require new uses to adhere to applicable state airport land use compatibility regulations.

—Implementation of the Bradley West Project would not materially affect the overall airport noise contours for LAX that are reflected in the LAX Master Plan Final EIR. Those contours are defined primarily by aircraft takeoff and landing operations, which would not be affected by the project. The project would not cause an increase in the number of daily flights arriving and departing from LAX, and the ambient growth in aviation activity at LAX that is projected to occur between 2008 and 2013, independent of the Bradley West Project, is below the future activity level addressed in the LAX Master Plan Final EIR. The project will provide new facilities to accommodate the new large aircraft (NLA), which represent the next generation of quieter aircraft that are expected to be operating at LAX in the near future.

Concern has been expressed that implementation of the proposed project would encourage airlines to increase operations of NLA at LAX, which, in turn, would lead to increased use of Runway 25L for departures of new large aircraft. LAWA's preferential runway policy gives preference to the use of Runways 24L and 25R for aircraft departures and Runways 24R and 25L for aircraft arrivals. Runway 25L has been often used for departures of the A-380, although Runway 24L is now starting to be used more for A-380 departures. Runway use is governed by FAA standards and decisions by the FAA Air

Traffic Control Tower (ATCT) completely independent of the Bradley West Project. The recent trend has been to use Runway 24L for A-380 departures. Additionally, the increase in the number of ADG VI aircraft gates is not expected to increase the number of NLA in operation at LAX, but will provide more flexibility and better efficiency in accommodating a variety of aircraft sizes at TBIT, with enhanced passenger comfort and convenience. Aircraft ground movements have a negligible effect upon the noise contours at LAX.

Implementation of the Bradley West Project would not materially affect noise levels associated with aircraft ground operations, such as those associated with aircraft taxiing or aircraft maintenance ground "run-ups." One of the primary features of the Bradley West Project is the addition of new contact gates on the west side of TBIT, including gates specifically designed to accommodate next generation aircraft such as the Airbus A-380 and Boeing 787 and 747-8. These new contact gates would reduce the use of the existing remote gates located at the west end of the airport (referred to as the "West Remote Pads"). As such, the aircraft ground taxiing characteristics with implementation of the Bradley West Project would be different than conditions without the proposed improvements.

Several mitigation measures are included in the Bradley West Project to address noise related impacts: Measure MM-N-7 will require the preparation of a Construction Noise Control Plan to provide feasible measures to reduce significant noise impacts throughout the construction period for all projects near noise sensitive uses. For example, noise control devices shall be used and maintained, such as equipment mufflers, enclosures, and barriers. Natural and artificial barriers such as ground elevation changes and existing buildings may be used to shield construction noise.

Measure MM-N-8 requires construction operations to be staged as far from noise-sensitive uses as feasible.

Measure MM-N-9 requires Noisy equipment to be replaced with quieter equipment (for example, rubber tired equipment rather than track equipment) when technically and economically feasible.

Measure MM-N-10 requires the timing and/or sequence of the noisiest on-site construction activities to avoid sensitive times of the day, as feasible (9 p.m. to 7 a.m. Monday -Friday; 8 p.m. to 6 a.m. Saturday; anytime on Sunday or Holidays).

Measure ST-16 requires every effort to be made to ensure that haul routes are located away from sensitive noise receptors.

Measure ST-22 requires that for dirt and aggregate and all other materials and equipment, truck deliveries will be on designated routes only (freeways and non-residential streets). Every effort will be made for routes to avoid residential frontages.

Air Quality:

Policy and Program #1: Modify runways and taxiways to reduce airfield delays and congestion in order to lessen air emissions through reduced idle time.

—Taxiways Q and S will be relocated and widened as a component of the proposed project to comply with FAA standards for the new larger generation of aircraft including the A-380 and the B-747-8, which are now operating at LAX. In conjunction with the new Crossfield Taxiway, C-13, under construction farther west of the taxiways Q and S, these project improvements will expand the areas needed for turning and maneuvering larger aircraft in their movements from one runway system to the other, as well as accessing the newly added gates on the west side of the new concourses. These improvements will help to reduce taxiing and idle time, which equates to lower emissions. In particular, reduced taxiing and idling time reduces levels of volatile organic compounds that dominate aircraft emissions at lower thrust settings such as those experienced during taxiing. In addition, adding gate capacity at TBIT will substantially decrease the need to bus passengers from the remote terminals on the

west end of the airport to TBIT thereby reducing congestion on the airfield and further helping to reduce emissions.

Design:

Policy and Program #2: Appropriately relate those airport facilities that are adjacent to community land uses to the scale and level of activity of those uses.

Policy and Program #3: Relate Airport Landside facilities to the existing airport infrastructure in a clear, well-organized, functional, and compatible manner.

—The Bradley West Project will be located in the center of the airport and therefore will not be directly adjacent to community land uses. However, as indicated previously the project is being designed to convey a flow between structures and is part of an overall architectural design vision for the modernization of the LAX. The design is inspired by the Pacific Ocean on LAX's west side with the rooftops of the terminal and concourses within the project site being analogous to the rhythmic motions of waves in the ocean. In addition to the aesthetic appeal of the design the intent is to harmonize with the surrounding facilities of the airport as well as with the interface of the airport as a whole entity to adjacent residential neighborhoods.

The Bradley West Project would not have any new significant visual impacts outside of those already identified in the LAX Master Plan EIR. In accordance with Master Plan Mitigation Measure MM-DA-1, construction fencing would be provided, as necessary and feasible, as part of the Bradley West Project to reduce temporary visual impacts during construction activities to a level less than significant. Construction of the Bradley West Project would not result in the removal of any features that contribute to the valued aesthetic character or image of the surrounding communities; therefore, impacts would be less than significant.

LAX Specific Plan – Purpose and Land Uses:

Relationship to LAX Plan: The LAX Specific Plan establishes zoning and development regulations and standards consistent with the LAX Plan for the airport and the LAX Northside. It is a principle mechanism by which the goals and objectives of the LAX Plan are achieved and the policies and programs are implemented. It establishes procedures for processing specific project and activities under the LAX Master Plan Program.

Compliance with LAX Plan Compliance Review Requirements: The Bradley West Project is a project as defined by the LAX Specific Plan and is located within the Airport Airside Sub-Area, as designated on Map 2 of the LAX Specific Plan. As such, it is subject to the LAX Plan Compliance Review process set forth in Section 7 of the LAX Specific Plan. (LAX Specific Plan, sec. 4(A).) This LAX Plan Compliance Report is one component of compliance with the requirements of the LAX Specific Plan. LAWA will comply with all applicable LAX Plan Compliance Review requirements as the process moves forward. In addition, the Bradley West Project is consistent with the other applicable sections of the LAX Specific Plan, as set forth below.

- 1) LAX Specific Plan, Section 2.1: Recognize the uniqueness of LAX as a regional economic engine, an international gateway to the Pacific Rim, and an important public amenity
- 2) LAX Specific Plan, Section 2.3: Ensure the orderly development of infrastructure consistent with the intensity and design of the LAX Plan by establishing general procedures for development within the Specific Plan Area.

3) LAX Specific Plan, Section 2.7: Recognize the important relationship between LAX and its neighbors and avoid development impacts to the extent practical and feasible.

4) LAX Specific Plan, Section 2.9: Ensure on-going participation in improvements to LAX by appropriate stakeholders – business, labor, community, airline industry trade groups, government – through consultation with stakeholders.

—The Bradley West Project is consistent with the purposes outlined in the LAX Specific Plan. A primary objective of the project is to modernize the international terminal to improve and enhance the service, convenience and travel experience of international passengers. LAX is well recognized as one of the world's leading airports and is an integral part of Southern California. In 2007, LAX ranked as the fifth busiest airport in the world, based on number of passengers, and is the second largest gateway for international travelers entering the U.S., second only to JFK International Airport. From a regional perspective, LAX serves a vital role relative to trade and tourism and the associated employment and economic benefits. According to a 2007 study completed by the Los Angeles Economic Development Corporation (LAEDC), LAX flights in 2006 created 363,700 direct and indirect jobs with annual wages of \$19.3 billion in Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura Counties. Of particular importance to the region is the role of LAX relative to international travel. According to the 2007 LAEDC study, an average transoceanic flight, occurring over the course of 2006, traveling round-trip from LAX every day added \$623 million in economic output and sustained 3,120 direct and indirect jobs in southern California with \$156 million in wages.

The EIR prepared for the project incorporates all applicable Master Plan mitigation measures and identifies new mitigation measures for project-specific impacts, thereby avoiding development impacts to the extent practical and feasible, consistent with the above-mentioned policies. In addition, this project has involved significant community outreach efforts, the details of which are described above in the analysis of the project's consistency with LAX Plan Goal #5. These outreach efforts have ensured the on-going participation of stakeholders in the LAX improvement process.

5) LAX Specific Plan, Section 6,

Safety of Airport Operations: Notwithstanding any other provision of this Specific Plan, no use, development or activity within the Specific Plan Area may compromise the safety of airport flight operations in any way. Final authority for determining whether airport flight operation safety is compromised rests solely with the U.S. Department of Transportation and the FAA.

—The FAA issued a Record of Decision (ROD) on the Environmental Impact Statement for Proposed LAX Master Plan Improvements. The specific federal actions that are the subject of the ROD and that relate to the Bradley West Project and have therefore received federal environmental approval, include approval of the appropriate amendments to the airport certification manual, to maintain aviation and airfield safety pursuant to 14 CFR Part 139. The guidance in FAA Advisory Circular 150/5370-2E, Operational Safety on Airports during Construction, has been incorporated into the project design to address potential impacts on existing airport operations during construction of the Bradley West Project.

6) LAX Specific Plan, Section 9B.

Permitted Uses: This section sets forth the permitted uses in the Airport Airside Sub-Area, where the Tom Bradley International Terminal is located. The Bradley West Project would involve the following

permitted uses: airline clubs, retail uses, and restaurants; incidental retail uses – permanent or temporary retail uses, which may include kiosks and carts; surface and structured parking lots (including those at-grade, above-grade and subterranean); aircraft under power; run-up enclosures; runways, taxiways, aircraft parking aprons, and service roads; passenger handling facilities, including but not limited to baggage handling and processing, passenger holdrooms, boarding gates, ticketing, and passenger check-in functions; and, an Automated People Mover System, its stations and related facilities. (LAX Specific Plan, sec. 9(B) (1), (2), and (3).) The Bradley West Project would not involve any other uses not permitted under the LAX Specific Plan and is therefore consistent with this section.

7) LAX Specific Plan, Section 12.A.3 addresses the need for internal airport roadways to be designed to the satisfaction of the City Engineer where these internal roadways intersect with public streets. World Way West may be impacted by the Bradley West Project, however the point at which it intersects with Pershing Drive will not be affected by the project. No other streets internal to the airport are affected by this regulation.

8) LAX Specific Plan, Section 12C,
Project Trip Generation: In an effort to monitor traffic impacts and traffic mitigation measures, LADOT and LAWA shall jointly conduct traffic counts or otherwise determine the traffic impacts of Projects within the Master Plan. The conclusions of these counts and other determinations shall be incorporated into a traffic generation report, which shall be approved by the LADOT General Manager and annually submitted to BOAC, City Council, and the Department of City Planning.

The Master Plan FEIS/EIR forecasts the net new Trips at full build out of the Master Plan, after implementation of mitigation measures, to be no more than 8236 at airport peak hour. If the annual traffic generation report described above, and/or the annual traffic generation report considered together with any Project-specific traffic study, shows that development of the Master Plan is likely to increase the Trips beyond 8236, LAWA shall complete the Specific Plan Amendment Study required in Section 7 H of the Specific Plan.

No Specific Plan Amendment Study shall be required if the annual traffic generation report, and/or the annual traffic generation report considered together with any Project-specific traffic study, determines that the net new Trips are anticipated to exceed 8236 in the airport peak hour, but this increase in Trips will only be temporary until the Projects(s) and associated mitigation measures are complete and/or if this increase in Trips consistent with the number of Trips anticipated to occur during the peak year of traffic impacts as analyzed in the Master Plan FEIS/EIR. In this case, the traffic generation report shall evaluate the effectiveness of future Projects and mitigation measures in ultimately reducing the number of net new Trips to 8236 in the airport peak hour at build-out of the Master Plan and any LAX Plan Compliance approval for a Project shall include any conditions necessary to ensure the ultimate reduction. If Trip reduction program measures are recommended, LAWA shall include in future annual reports an analysis of the on-going effectiveness of those measures and, if the Trip reductions are not effectuated, additional measures may be implemented and/or a Specific Plan Amendment Study may be triggered

— The Annual Traffic Generation Report was prepared pursuant to Section 7.G. of the LAX Specific Plan by the Regional Planning & Transportation Engineering Section of the Airports and Facilities Planning Division at LAWA. The most recently available full report, dated August 2008, is included as Attachment 2 to this report and highlights are described below in a subsequent section. It should be noted that the trigger threshold of airport peak hour vehicular trips in Section 12C of the LAX Specific

Plan, , which is referenced above, is predicated on the difference between 2015 projected trips of 26,011 and the 1996 base year trips of 17,725. Therefore the threshold is actually 8,286 instead of the 8,236 trips stated in the LAX Specific Plan.

The analysis in the Traffic Generation Report shows that as compared to 2007, the number of trips in 2008 (most recently available) is slightly higher. While base year trips for the peak hour (11 am to noon) in August 2007 was 15,077, the peak hour trip count for August 2008 is 15,107. Most of these trips are generated within the Central Terminal Area (about 62% for 2008) but they also account for trips in the rental car facilities, parking lots, World Way West, and the cargo facilities of the airport. Although, this figure of 15,107 reflects a slight increase over the preceding year it also represents a decrease of 2,618 trips below the base year threshold of 17,725 trips that was established in 1996. Therefore, the 2008 trip generation total for the airport peak hour is well below the trigger threshold and does not warrant the preparation of a Specific Plan Amendment Study.

9) LAX Specific Plan, Section 13, limits the number of off-street parking spaces for passengers, visitors, and employees to 35,712 at build-out of the LAX Master Plan. The Bradley West Project involves the removal of employee parking spaces from the project area. However, the potential exchange of parking to another location is not expected to result in the number of parking spaces exceeding the maximum 35,712 parking spaces allowed by the LAX Specific Plan.

—Therefore, the Bradley West Project and all its components and associated service roads comply with the permitted land uses as referenced in this section of the LAX Specific Plan.

Design Guidelines developed pursuant to the LAX Master Plan. The Bradley West Project would not introduce conflict/contrast with important aesthetic elements or the quality of the area, including the Theme Building, Aircraft Traffic Control Tower, or Pacific Ocean, or cause an inconsistency with applicable design guidelines, such as the Federal Aviation Administration Advisory Circular 150/5360-13, Planning and Design Guidelines, dated January 19, 1994. Another example of applicable design guidelines would include the LAWA Concessions Design Guidelines, dated August 2006, which provides a road map to aid in concept approval, design development and construction approval, permitting and construction for Concession Improvement Projects. Rather than conflicting or contrasting with aesthetic elements of the area, the new/reconfigured facilities would represent an aesthetic improvement and would be complimentary to existing aesthetically valued elements of the area; therefore, no significant adverse aesthetic or view impacts would occur.

b). THAT THE PROPOSED PROJECT HAS BEEN ADEQUATELY ANALYZED IN COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND THE APPLICABLE MASTER PLAN COMMITMENTS AND MITIGATION MEASURES CONTAINED IN THE LAX MASTER PLAN MITIGATION MONITORING AND REPORTING PROGRAM (MMRP) (as may be modified by the BOAC in accordance with CEQA) AS WELL AS THOSE MEASURES IDENTIFIED IN THE SUBSEQUENT PROJECT SPECIFIC ENVIRONMENTAL REVIEW, HAVE BEEN INCORPORATED INTO THE PROJECT TO THE EXTENT FEASIBLE.

The Los Angeles City Council approved the LAX Master Plan and certified the joint Master Plan Environmental Impact Report (EIR)/Environmental Impact Statement (EIS) in December 2004. The approved LAX Master Plan includes airfield modifications, development of new terminals, and new landside facilities to accommodate passenger and employee traffic, parking, and circulation. The LAX Master Plan EIR addresses the environmental impacts associated with those improvements, both in terms of impacts specific to particular improvements as well as to the combination of improvements.

As such, the public, agencies, surrounding jurisdictions, and decision-makers have been provided with a comprehensive look at the long-term plan for improvements at LAX and the environmental impacts associated with those improvements. The LAX Master Plan EIR is a "program EIR" that analyzed a variety of related actions within LAX that are under the authority of LAWA and are governed by a common set of criteria.

The comprehensive plan that was analyzed in the LAX Master Plan EIR included a wide range of alternatives to the airfield and facility improvements proposed for LAX that were formulated and evaluated during the course of developing and approving the LAX Master Plan. These were refined to four primary build alternatives. As evidenced in reviewing the airport concepts addressed in the LAX Master Plan Final EIR, each of the four build alternatives called for new and reconfigured terminal facilities and associated gating. The terminal facility improvements and associated gating, such as those associated with the Bradley West Project, were formulated and defined particular to each of the airfield concepts, based on applicable FAA requirements and standards and professional airport planning practices.

The analysis of the approved Master Plan, Alternative D, in the Master Plan EIR provided a programmatic analysis of the Bradley West Project that is currently being proposed with the intent of completing a more specific analysis in an EIR tailored for the Bradley West Project. As more detailed design, engineering, and construction plans for the Bradley West Project provided information that was not available at the time of the LAX Master Plan EIR, LAWA determined that this new information allows for a more detailed evaluation of certain impacts, particularly those that are construction-related, and the relatively new practice of addressing impacts associated with greenhouse gases. Therefore, LAWA determined that an additional, project-specific EIR was required for the Bradley West Project. In accordance with CEQA, the Bradley West Project EIR examines the project in light of the programmatic Master Plan EIR to determine what additional environmental analysis is required. This process is referred to as tiering, which is defined in Section 15152 (a) of the State CEQA guidelines as:

"Tiering" refers to using the analysis of general matters contained in a broader EIR (such as one prepared for a general plan or policy statement) with later EIRs and negative declarations on narrower projects; incorporating by reference the general discussions from the broader EIR; and concentrating the later EIR or negative declaration solely on the issues specific to the later project.

An EIR was prepared for the Bradley West Project according to the requirements of the California Environmental Quality Act (CEQA), the State CEQA guidelines and the City of Los Angeles CEQA guidelines. Based on the above, this Draft EIR for the Bradley West Project is "tiered" from, and incorporates by reference, the LAX Master Plan Final EIR and focuses on those effects not previously considered in the Master Plan EIR. The EIR analyzed the primary subject areas where preliminary analyses within the LAX Master Plan EIR, and also in subsequent evaluations, determined the potential for significant impacts as a result of construction and operational activities associated with the project. These primary subject areas included surface transportation (on-airport, off-airport and construction transportation modes), air quality, human health risks, global climate change, biological resources/biotic communities, and noise. In addition, another 14 subject areas ranging from land use to energy to hazardous materials were analyzed utilizing the comprehensive analysis that was conducted in the LAX Master Plan and complemented by focused analysis tailored to the project. In compliance with State CEQA Guidelines, the draft EIR was subject to a 45 day public review period that began on May 7, 2009 and ended on June 22, 2009.

As indicated above, the Bradley West Project incorporates applicable Master Plan Mitigation Measures and Commitments. Where significant adverse impacts were identified, the EIR recommended the implementation of mitigation measures that would strive to reduce the impacts to less than a significant level. The mitigation measures in the Mitigation Monitoring and Reporting Plan (MMRP) of the LAX Master Plan EIR were utilized wherever applicable. To the extent that those measures alone would not reduce significant environmental effects to a less than significant level, the Bradley West Project EIR identified new mitigation measures. As indicated, the mitigation measures in the Mitigation Monitoring and Reporting Plan (MMRP) of the LAX Master Plan were utilized wherever applicable to maintain consistency between this project and the other projects envisioned in the Master Plan.

There are approximately 114 mitigation measures and commitments contained in the MMRP for the LAX Master Plan. Among these 28 of the mitigation measures and 29 of the commitments were determined to be applicable to the Bradley West Project and are listed in the project EIR. These are taken from various subject areas contained in the MMRP including the following 20 categories: On-airport surface transportation; Off-airport surface transportation; Construction surface transportation, Air Quality; Human health risks; Global climate change; Biotic communities; Noise; Land use; Population, housing, employment and growth inducement; Hydrology/Water quality; Cultural resources; Endangered and Threatened species of flora and fauna; Wetlands; Energy supply and Natural resources; Solid waste; Light emissions; Hazards and Hazardous materials; Public Utilities; and Public Services. In addition to these, a measure taken from the Community Benefits Agreement, dealing with construction equipment, was included in the project EIR. In response to the more specific evaluation conducted in the project, 21 new mitigation measures were also added to the project EIR. These new measures address impacts identified in the following five subject areas: On-airport surface transportation; Off-airport surface transportation; Biotic communities; Cultural resources; and, Endangered and Threatened species of flora and fauna. All of these measures are listed in the Mitigation Monitoring and Reporting Program for the Bradley West Project.

Primary examples of applicable measures included numerous new mitigation measures related to minimizing transportation impacts including improvements to seven intersections effected by surface transportation around the airport, two intersections impacted by construction traffic, as well as roadways within the Central Terminal Area. Of particular relevance are the air quality measures contained in MM-AQ-1 and MM-AQ-2 (construction-related measures) of the MMRP, which would also address the objective of reducing greenhouse gases. One of the more significant air quality measures is the retrofitting of construction equipment with diesel particulate traps that will reduce particulate emissions by at least 85% and probably more, as well as reducing nitrogen dioxide emissions. This measure was initiated with construction equipment utilized in the South Airfield Improvement Project with great success and is continuing to be pursued in the Crossfield Taxiway Project. The retrofit of construction equipment will be applied with equal diligence in the Bradley West Project. It should be noted the adverse air quality impacts were primarily associated with the construction activities that would occur over approximately a five year period. The long term operational aspects associated with the project would actually result in nominal impacts as a result of improved operational efficiencies.

With respect to potential biological impacts, mitigation measures MM-BC-1 and MM-BC-3 from the MMRP, which pertain to the conservation of habitat within and adjacent to the El Segundo Blue Butterfly restoration area, were designated as applicable to the Bradley West Project. In addition, a mitigation measure, MM-BC (BWP)-1, was added to specifically tailor the relevant Master Plan mitigation measures and commitments to the Bradley West Project to ensure the preservation of the Southern Tarplant. This was included after a biological survey identified the presence of this special status plant in the project area. The measure will establish a series of steps to be taken to protect the plant. Other plants to be protected as a result of the mitigation measures include the Lewis Evening

Primrose, and the California Spineflower. The restoration of the wetland habitat for the Riverside Fairy Shrimp is also addressed in these measures.

An important element of CEQA review is the consideration and analysis of alternatives to the proposed project. The Bradley West Project needs to be evaluated within the context of the broader scope envisioned in the LAX Master Plan. The scope of the alternatives was evidenced in reviewing the five airport concepts addressed in the LAX Master Plan Final EIR, including Alternatives A thru D and the No Action/No Project Alternative. The airport concepts addressed in the LAX Master Plan Final EIR, including each of the four build alternatives, called for new and reconfigured terminal facilities and associated gating.

As such, the terminal facility improvements and associated gating, such as those associated with the Bradley West Project, were formulated and defined based on applicable FAA requirements and standards and professional airport planning practices. In light of several factors, including safety, cost, operational efficiency, and environmental concerns, it was ultimately determined by the Los Angeles City Council that the LAX Master Plan (Alternative D) best met the project objectives. Airfield configurations were developed and designed at a precise level of detail to satisfy FAA requirements related to airport layout plans. As such, consideration has already been given to a number of alternatives that included variations on terminal facility improvements associated with various airfield concepts. In addition to the wide range of alternatives to the airfield improvements proposed for LAX that were formulated and considered during the course of developing and approving the LAX Master Plan the project EIR evaluated several other alternatives.

The Bradley West Project EIR considered alternative sites to the project (See Bradley West EIR, Section 6.4.1.1.). As a variation of an Alternative Site scenario, consideration was given to constructing all or part of the Midfield Satellite Concourse in order to meet the project objectives, but in a different manner at a different location,. Based on a review of the nature, characteristics, and location of the Midfield Satellite Concourse, it was determined that the overall level and intensity of construction activities associated with development of the Midfield Satellite Concourse would be comparable to those of the currently proposed Bradley West Project. As such, this alternative would not avoid or substantially reduce any of the construction- or operations-related significant impacts of the currently proposed project. It was therefore screened out from further consideration.

An alternative construction approach was considered to avoid or substantially reduce the surface transportation and air quality impacts associated with the Bradley West Project. This alternative would extend the overall construction period to reduce the amount of daily activity. Based on such limitations, however, it would conceivably take approximately 100 years to complete project construction. Clearly that construction approach is impractical. While such an alternative would reduce daily emissions to a level that is less than significant and would also reduce the daily construction-related trip generation, it would simply increase the overall duration of air pollutant emissions and construction traffic on local roadways. It also was screened out from further consideration

Consideration was also given to using LAWA property located in Manchester Square (i.e., the area located between Century Boulevard, Aviation Boulevard, Arbor Vitae Street, and La Cienega Boulevard) as a construction staging/parking area. Placement of construction staging/parking area in Manchester Square would increase the shuttle and truck travel distance to and from the proposed construction work area, which would have greater air quality impacts than the proposed project. Given that land use, noise, traffic, and other environmental impacts would be greater with this alternative than with the proposed project, and the fact that it would not avoid or substantially reduce the significant impacts of the project, it was not carried forward for full evaluation.

Four other alternatives were carried forward for full evaluation within the Bradley West Project EIR. Under Alternative 1, all of the improvements proposed under the Bradley West Project would be implemented, with the exception of construction of the new north concourse at TBIT and associated new three aircraft gates designed to accommodate either two ADG VI aircraft (new large aircraft) or three ADG V aircraft. In the second alternative, the new replacement concourses and associated aircraft contact gates would be constructed; however, there would be no renovation, improvement, or enlargement of existing customs and border protection areas, concession, office, and operations areas within the Bradley West Core. There would be a design variation under Alternative 3, where the provision of new contact gates on the west side of TBIT would occur through expansion and renovation of the existing concourses, instead of construction of new replacement concourses as currently proposed. The number and nature of the new gates would be the same as currently proposed, providing nine new gates, up to seven of which could accommodate ADG VI aircraft. In the fourth alternative the design and use of the West Construction Staging Area would be optimized to consolidate the spaces designated for construction laydown and staging, and the staging area layout plan would be reconfigured to create space for approximately 600 contractor employee parking spaces. A "no project" alternative was also considered.

Alternative 1 would not include construction of the new north concourse at TBIT and associated new three aircraft gates. This would result in less construction activity than would otherwise occur under the proposed project. The reduction in construction activity would result in minor reductions (i.e., less than 10 percent) in construction-related air quality and global climate change impacts for most pollutants compared to those of the proposed project, with the exception of VOC, which would experience a 23 percent reduction. Relative to other environmental topics, implementation of Alternative 1 would result in impacts that are the same as, or somewhat less than, those of the proposed project. In all cases for such other environmental topics, as with the proposed project, impacts would be less than significant. In comparison to the proposed project, which would provide up to six new ADG VI gates along the west side of the new concourses, Alternative 1 would provide only four new ADG VI gates. Thus, implementation of Alternative 1 would not fulfill two of the key objectives of the project to the same extent as the proposed project. Additionally, Alternative 1 would not respond to several other objectives to the same extent as the proposed project, such as those related to improving passenger level of service and providing a substantial number of construction employment opportunities.

Implementation of Alternative 2, which would not include renovation, improvement, or enlargement of the Bradley West Core facilities, would result in less construction activity than would otherwise occur under the proposed project. Operations related air quality impacts under this alternative would be essentially the same as those of the proposed project. Relative to other environmental topics, implementation of Alternative 2 would result in impacts that are the same as, or somewhat less than, those of the proposed project. In all cases for such other environmental topics, as with the proposed project, impacts would be less than significant. Implementation of Alternative 2 would not meet one of the key objectives of the project, which is to improve passenger level of service. Also, Alternative 2 would not respond to the objective of providing a substantial number of construction employment opportunities to the same extent as the proposed project.

Alternative 3 would provide for redevelopment and expansion of the existing TBIT north and south concourses instead of developing new concourses to replace the existing concourses, which would result in less construction activity than would otherwise occur under the proposed project. Relative to other environmental topics, implementation of Alternative 3 would result in impacts that are the same as, or somewhat less than, those of the proposed project. In all cases for such other environmental topics, as with the proposed project, impacts would be less than significant. Implementation of Alternative 3 would not meet two of the key objectives of the project to the same extent as the current proposal, those being (1) "Improve passenger level of service" and (2) "Complement the systematic phased

implementation of the Master Plan and minimize impacts to existing airport operations during construction." It is anticipated that the level and quality of service afforded to passengers utilizing the TBIT concourses would be better with the provision of completely new facilities, such as currently proposed, than through a combination of partially new and partially renovated facilities that would occur under this alternative. While the currently proposed development of new concourses separate from the existing concourses would minimize, if not avoid, disruption of existing airport operations within the concourses, the renovation and expansion of the existing concourses that would occur under Alternative 3 would result in periodic disruption of existing operations.

Implementation of Alternative 4 would result in the same amount of construction activity as would otherwise occur under the proposed project; hence, it would have the same construction-related air quality impacts as the project. This alternative would not affect operations-related air quality impacts. In summary, implementation of Alternative 4 would not avoid or substantially reduce the unavoidable significant impacts of the project, as related to air quality, global climate change, and traffic, but would provide a way to avoid or substantially reduce mitigable significant impacts related to biological resources. Additionally, it responds to comments received on the NOP for this EIR regarding the proposed construction staging/parking areas.

Under the "no project" alternative, TBIT and the nearby taxiways and aprons as they currently exist would be retained. Only Gates 101 and 123 at TBIT and the gates at the west remote pads would be able to accommodate new large aircraft such as the A380 and 747-8 at LAX. Use of the west remote gates for the next generation of aircraft is undesirable from both an operations standpoint, particularly as related to the amount of busing required for the number of passengers on each aircraft, and from a level of passenger service standpoint. Under the "no project" alternative, none of the construction-related significant impacts would occur; however, significant operations-related impacts would still occur under the "no project" alternative due to the increase in international travel activity at LAX that is projected to occur even if the project is not implemented. In some cases, operations-related impacts under the "no project" alternative would be worse than those of the proposed project. These include air pollutant emissions associated with aircraft taxi/idle operations and airfield busing operations in 2013, which would be greater without the project than with the project. Moreover, the "no project" alternative would not meet any of the project objectives.

4) Reports Received:

The LAX Specific Plan requires that the Executive Director, in making recommendations, consider input generated from a number of sources. These include the Annual Traffic Generation Report, the Annual Aviation Activity Analysis, the updated status of the Mitigation Monitoring and Reporting Program, the LAX Master Plan Stakeholder Liaison Report, and comments and recommendations received from the General Manager of the Department of Transportation and the City Engineer.

a) Traffic Generation Report:

The Annual Traffic Generation Report was prepared pursuant to Section 7.G. of the LAX Specific Plan by the Regional Planning & Transportation Engineering Section of the Airports and Facilities Planning Division at LAWA. The most recently available full report, dated August 2008, is included as Attachment 2 and highlights are described here. The Annual Traffic Generation Report is used to determine if Master Plan Projects under evaluation generate vehicular trips beyond a threshold established in the LAX Specific Plan. If that threshold is reached, a Specific Plan Amendment Study must be conducted. The Report identifies the number of trips currently being generated by LAX, the number of trips anticipated to be generated at the completion of any Master Plan Project(s) in

development at the time of the report, and the number of trips anticipated to be developed at the completion of the Master Plan.

The analysis shows that as compared to 2007, the number of trips in 2008 (most recently available) is slightly higher. While base year trips for the peak hour (11 am to noon) in August 2007 was 15,077, the peak hour trip count for August 2008 is 15,107. Most of these trips are generated within the Central Terminal Area (about 62% for 2008) but they also account for trips in the rental car facilities, parking lots, World Way West, and the cargo facilities of the airport. Although, this figure of 15,107 reflects a slight increase over the preceding year it also represents a decrease of 2,618 trips below the threshold of 17,725 trips that was established in 1996. Therefore, the 2008 trip generation total for the airport peak hour does not trigger the preparation of a Specific Plan Amendment Study.

There are various trip reduction programs which have either been initiated or expanded by LAWA since approval of the LAX Master Plan. The LAX FlyAway, which is a low-cost shuttle service operating between a remote parking facility and LAX has been operating from Van Nuys Airport since 1975. The FlyAway program was expanded in March 2006 to include Union Station in downtown Los Angeles and again in June 2007 to serve Westwood Village/UCLA. The overall ridership on the FlyAway network increased over 215% (from 50,360 to 159,568) during the period from August 2005 to August 2008. The success of the FlyAway program has helped to reduce the number of private vehicles into and out of the LAX Central Terminal Area.

Trip reduction programs implemented by LAWA staff have also been successful in helping to eliminate unnecessary courtesy shuttle trips between the airport and car rental companies and between the airport and hotels/motels which serve airport customers. The total number of these shuttles was reduced from 116,385 in August 2005 to 86,224 in August 2008, a reduction of over 25%. However, the number of courtesy shuttles between the private off-airport parking facilities and the airport has increased from 61,775 trips in August 2005 to 64,307 in 2008. A shuttle trip reduction program for the off-airport parking industry is currently being studied by LAWA staff.

b) Aviation Activity Analysis:

The Annual Aviation Activity Analysis Report was prepared pursuant to the LAX Specific Plan, Section G, by the Regional Planning & Transportation Engineering Section of the Airports and Facilities Planning Division at LAWA. The report identifies the current number of passengers, volume of air cargo and aircraft operations at LAX. It also provides activity statistics for other airports in the Los Angeles region and the proportion of regional aviation activity served at each of these airports. The most recently available full report, dated February 2009, is enclosed as Attachment 3 and highlights are summarized here. The report states that in 2008, LAWA had a decrease of 4.2% in passenger volumes over the previous year 2007, going from 62.4 million annual passengers (MAP) to 59.8 MAP. International passenger volumes in 2008 experienced a 3.3% decrease from 2007 levels, from 17.25 MAP to 16.69 MAP.

Cargo volumes decreased between 2007 and 2008 by 11.9% to 1.8 million tons. About 55% of cargo at LAX was international in 2008, a similar percentage as in 2007.

The report observes that LAX remains the primary airport for the Southern California region's six commercial airports, particularly with respect to international passenger traffic. Other regional airports have been serving an increasingly larger role in recent years by serving short haul markets. However, economic conditions and airline operating costs have hit the regional airports proportionately harder in 2008 and many of the regional airports have seen reductions in flights and in markets served. The LAX share of the region's passengers of 84.8 MAP has increased slightly from 69.3% in 2007 to about 70.5% in 2008.

c) LAX Master Plan Mitigation Monitoring and Reporting Program:

The annual update status report on the Mitigation Monitoring and Reporting Program (MMRP) was prepared pursuant to Section G of the LAX Specific Plan by the Mitigation Compliance Division of LAWA. The most recent update to the status on compliance of the MMRP for the LAX Master Plan was completed in December 2008 and can be viewed on the LAWA web site at www.lawa.org, by clicking on "Publications" in the left panel for a listing of reports including the MMRP – 2008 Annual Progress Report.

As described above, the EIR for the project incorporates numerous measures from the MMRP, which were deemed applicable to the various subject areas that were analyzed.

d) LAX Master Plan Stakeholder Liaison Report:

The Stakeholder Liaison's Report was received by LAWA and describes the outreach efforts of the Stakeholder Liaison's Office. There were no comments received from stakeholders during this process. The Stakeholder Liaison's Report is included as Attachment 4.

e) Department of Transportation

In accordance with the LAX Specific Plan, Section 7.F.2 (a), LAWA transmitted a written description of the Bradley West Project to the General Manager of the Department of Transportation. The Department of Transportation indicated that under the specific review of the project, within the context of evaluating compliance with the LAX Plan, it had no further comments than what it submitted on the draft Environmental Impact Report for the project. These comments are as follows:

The City of Los Angeles Department of Transportation (LADOT) has reviewed the Draft Environmental Impact Report (DEIR) for the Tom Bradley International Terminal (TBIT) Reconfiguration Project, also referred to as the Bradley West Project, at Los Angeles International Airport (LAX) and offers the following comments:

Volume 1 (Main Document), Section 4.2.3.2, page 4-101: Intersection #162 should be changed from Sepulveda Boulevard and Rosecrans Avenue to Sepulveda Boulevard and Manhattan Beach Boulevard.

Volume 1, Section 4.2.3.2, page 4-102: The intersection of Sepulveda Boulevard and Manhattan Beach Boulevard (Intersection #162) should be added to the exception list for LADOT's Adaptive Traffic Control System (ATCS).

Volume 1, Figure 4.2-3d, Existing (2008) Traffic Volumes: The traffic volume and turning movement diagram for the CMP Arterial Monitoring Station intersection of La Cienega Boulevard and Jefferson Boulevard (Intersection #200) should be added to Figure 4.2-3d. Similar diagrams for this intersection should be added to Figure 4.2-4d ("Future (2013) With Project Traffic Volumes"), Figure 4.2-5d ("Future-Adjusted (2013) Without Project Traffic Volumes") and figures for any other project scenarios where this omission occurs.

Volume 3, Appendix C-3, Aviation Boulevard and Imperial Highway (Intersection #16): The lane configuration for Existing Conditions (Year 2008) for the southbound approach to the Aviation Boulevard and Imperial Highway intersection should be revised to match that shown for Future Conditions (Year 2013) since the lanes have already been reconfigured i.e. the two left-turn lanes,

(single) through lane, through/right-turn lane and right-turn lane should be changed to two left-turn lanes, two through lanes and one right turn lane. All intersection capacity analysis effected by this correction should be revised accordingly and corresponding mitigation measures and potential improvements should be identified and evaluated for any anticipated significant impacts.

Volume 3, Appendix C-3, Sepulveda Boulevard and Imperial Highway (Intersection #71): The lane configuration for Existing Conditions (Year 2008) for the westbound approach to the Sepulveda Boulevard and Imperial Highway intersection should be revised to match that shown for Future Conditions (Year 2013) since the lanes have already been reconfigured i.e. the two left-turn lanes, three through lanes and one right-turn lane should be changed to two left-turn lanes, two through lanes and two right-turn lanes. All intersection capacity analysis effected by this correction should be revised accordingly and corresponding mitigation measures and potential improvements should be identified and evaluated for any anticipated significant impacts.

Volume 3, Appendix C-3, Lincoln Boulevard and Jefferson Boulevard (Intersection #78): The lane configuration for Existing Conditions (Year 2008) for the southbound, eastbound and northbound approaches to the Lincoln Boulevard and Jefferson Boulevard intersection should be revised to match that shown for Future Conditions (Year 2013) since the lanes have already been reconfigured i.e. the southbound approach should have two left-turn lanes, three through lanes and one through/right-turn lane; the eastbound approach should have one left-turn lane, two through lanes and one through/right-turn lane; and the northbound approach should have one left-turn lane, four through lanes and one right-turn lane. All intersection capacity analysis effected by this correction should be revised accordingly and corresponding mitigation measures and potential improvements should be identified and evaluated for any anticipated significant impacts.

Volume 4, Appendix C-5, page 4, La Cienega Boulevard and Imperial Highway (Intersection # 67): The AM peak vehicle counts for Existing Conditions do not match those shown in Volume 1 (Main Document), Figure 4.2-3b; similar errors occur with the Mid-day and PM peak vehicle counts. All intersection capacity analysis effected by these errors should be revised accordingly and corresponding mitigation measures and potential improvements should be identified and evaluated for any anticipated significant impacts. If similar errors occur for other project scenarios (e.g. "No Project," "Plus Project" etc.) then capacity analysis calculations and any resulting potential mitigation measures should be also revised accordingly.

Volume 4, Appendix C-5, page 8, Lincoln Boulevard and Mindanao Way (Intersection #107): The eastbound AM left-turn vehicle count for Existing Conditions is not reflected in Volume 1, Figure 4.2-3c. Any similar omissions for Mid-day and PM peak eastbound left-turn counts and for other project scenarios should be corrected as needed.

Volume 4, Appendix C-5, page 8, Sepulveda Boulevard and Lincoln Boulevard (Intersection #108): The V/C calculation result is missing from the data summary sheet.

Volume 4, Appendix C-5, page 8, Lincoln Boulevard and Venice Boulevard (Intersection #109): The eastbound AM left-turn vehicle count for Existing Conditions does not match the count shown in Volume 1, Figure 4.2-3c; similar errors occur with the Mid-day and PM peak eastbound left-turn counts. All intersection capacity analysis effected by these errors should be revised accordingly and corresponding mitigation measures and potential improvements should be identified and evaluated for any anticipated significant impacts. If similar errors occur for other project scenarios (e.g. "No Project," "Plus Project" etc.) then capacity analysis calculations and any resulting potential mitigation measures should also be revised accordingly.

Volume 4, Appendix C-5, page 9, Lincoln Boulevard and Washington Boulevard (Intersection # 110): The AM peak vehicle counts for Existing Conditions do not match those shown in Volume 1, Figure 4.2-3c; similar errors occur with the Mid-day and PM peak vehicle counts. All intersection capacity analysis effected by these errors should be revised accordingly and corresponding mitigation measures and potential improvements should be identified and evaluated for any anticipated significant impacts. If similar errors occur for other project scenarios (e.g. "No Project," "Plus Project" etc.) then capacity analysis calculations and any resulting potential mitigation measures should also be revised accordingly.

Volume 4, Appendix C-5, page 9, Lincoln Boulevard and 83rd Street (Intersection #111): The AM peak vehicle counts for Existing Conditions do not match those shown in Volume 1, Figure 4.2-3c; similar errors occur with the Mid-day and PM peak vehicle counts. All intersection capacity analysis effected by these errors should be revised accordingly and corresponding mitigation measures and potential improvements should be identified and evaluated for any anticipated significant impacts. If similar errors occur for other project scenarios (e.g. "No Project," "Plus Project" etc.) then capacity analysis calculations and any resulting potential mitigation measures should also be revised accordingly.

Each of these comments has been responded to in the Final EIR.

f) Department of Public Works - Bureau of Engineering

In accordance with the LAX Specific Plan, Section 7.F. 2 (a), LAWA transmitted a written description of the Bradley West Project to the City Engineer, Bureau of Engineering. The Bureau of Engineering indicated that it reviewed the Bradley West Project at LAX and had no additional comments.

g) Attached Transmittal Letters

Copies of the transmittal letters to the Office of Councilman Bill Rosendahl, Department of Transportation, Department of Public Works – Bureau of Engineering and the Stakeholder Liaison's Office are attached for reference as Attachment 5.

5) Recommendations:

Under the authority granted by Section 7 C of the LAX Specific Plan, I hereby take the following actions:


a) Find:

- 1) That the Bradley West Project complies with the LAX Plan, any design guidelines required by the LAX Plan, and all applicable provisions of the LAX Specific Plan; and
- 2) That the Bradley West Project has been adequately analyzed in compliance with CEQA, and that the applicable Master Plan Commitments and Mitigation Measures contained in the LAX Master Plan Mitigation Monitoring and Reporting Program (MMRP) and identified in the project-specific environmental review for the Bradley West Project have been incorporated to the extent feasible.

b) Recommend approval of request for LAX Plan Compliance for the Bradley West Project.

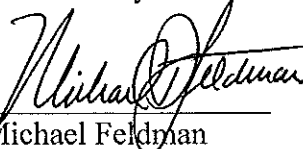
c) Recommend that BOAC make the above prescribed findings and recommend to City Council that it approve the request for LAX Plan Compliance.

Sincerely,

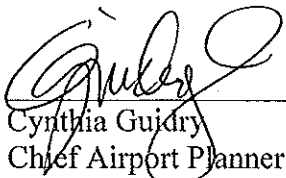

Gina Marie Lindsey
Executive Director

Date: 9/14/09

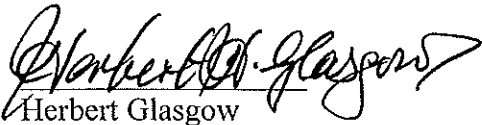
Reviewed by:


Michael Feldman
Deputy Executive Director

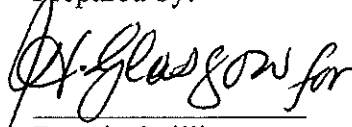
Reviewed by:


Cynthia Gujdry
Chief Airport Planner

Reviewed by:


Herbert Glasgow
Senior City Planner

Prepared by:


Dennis Quilliam
City Planner

Attachments
DQ:dq

ATTACHMENT 1

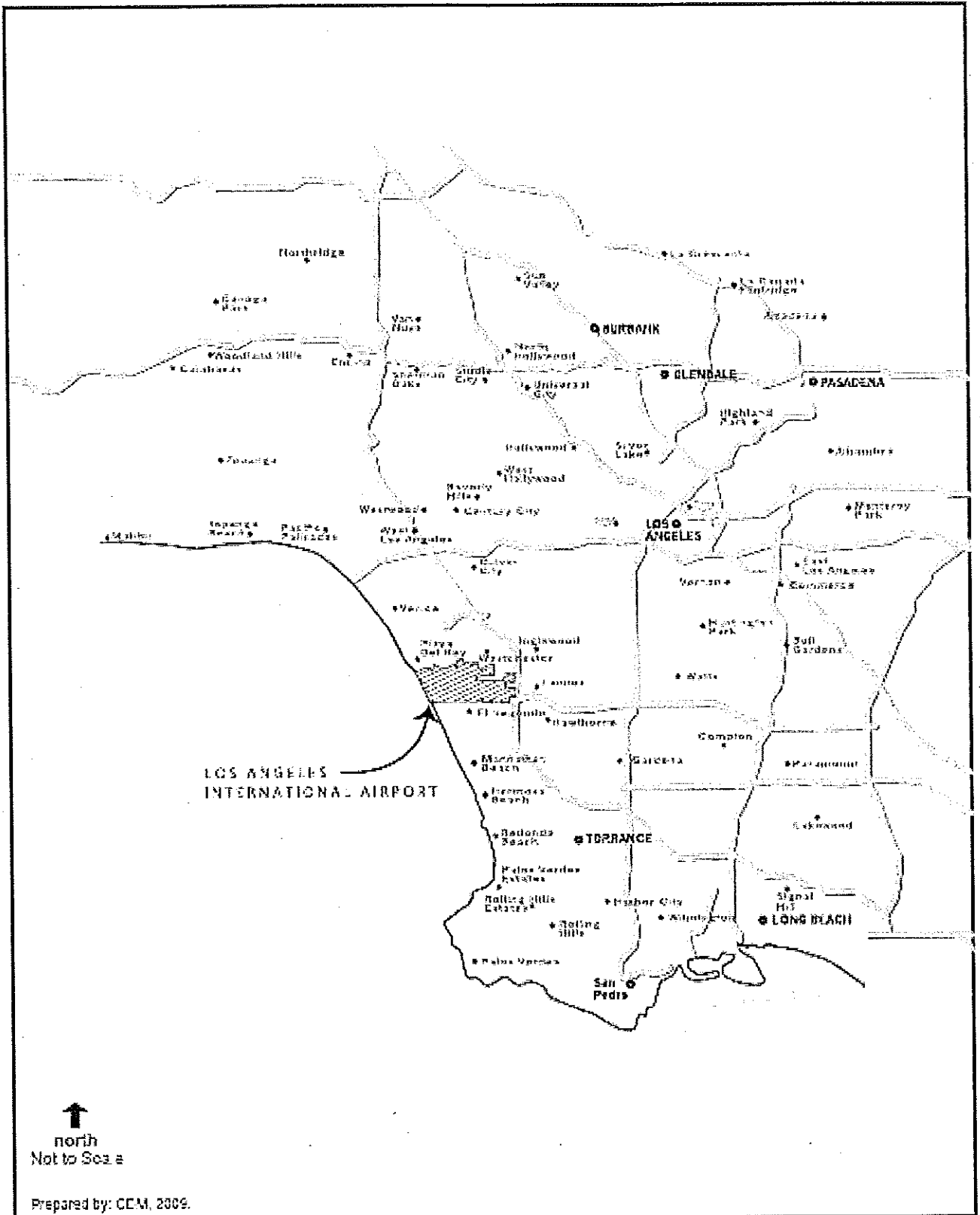
Project Drawings:

Figure 1-1: Project Location Map

Figure 1-2: Existing Airport Aerial

Figure 2-1: Project Site Plan

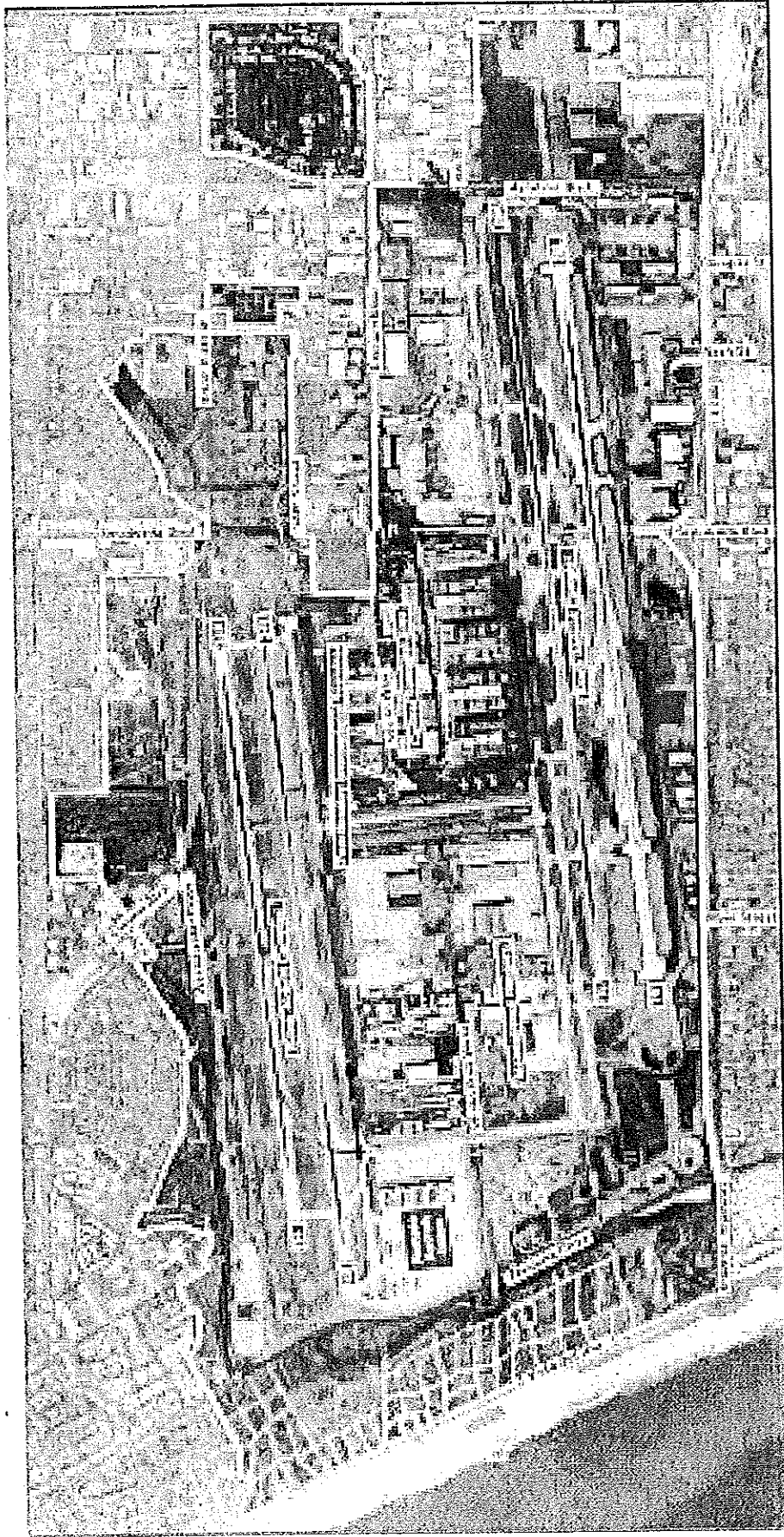
Figure 2-3: A380 Passenger Loading
Bridge Configuration



LAX Bradley West Project
Draft EIR

Regional Location Map

Figure
I-1



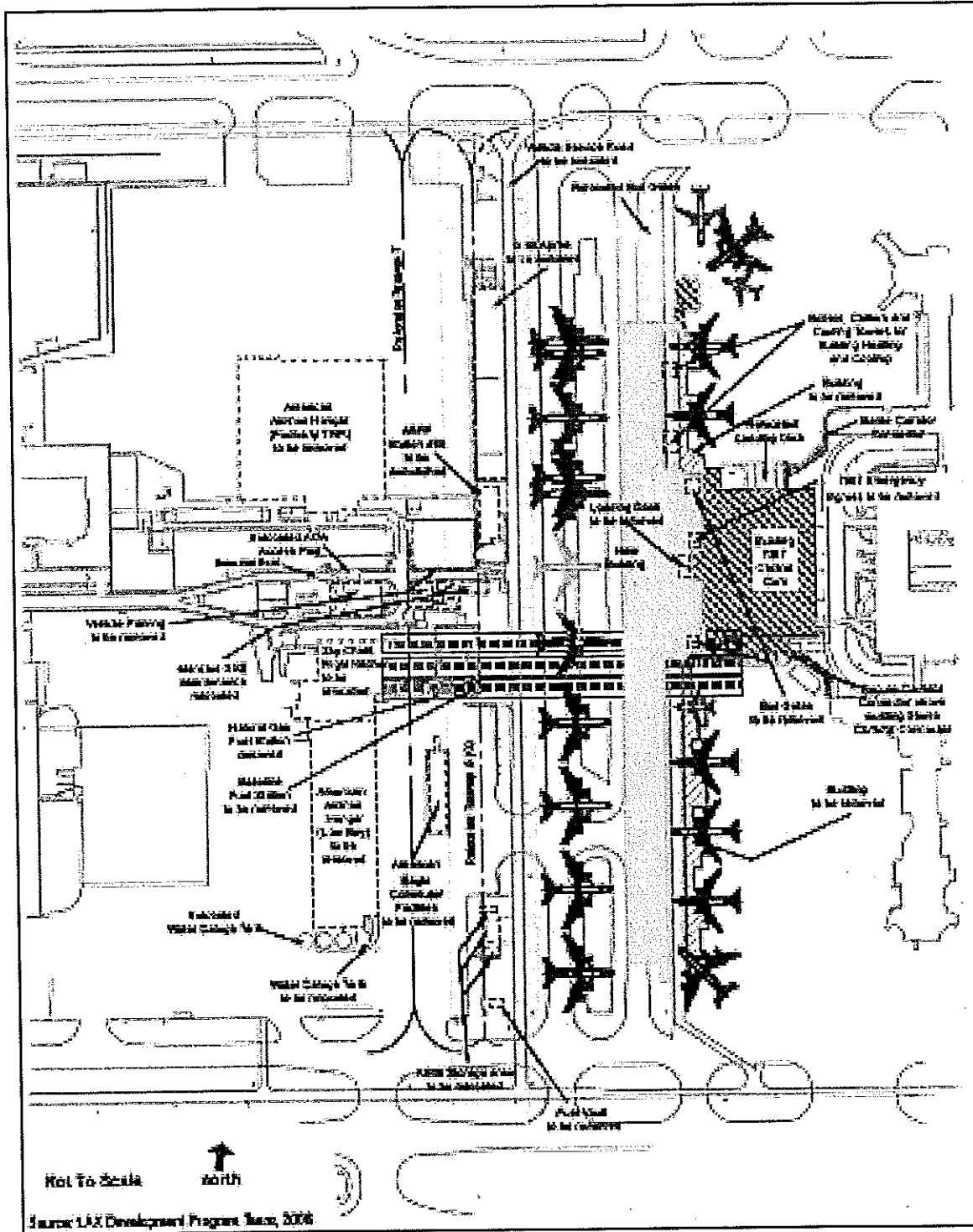
Scale ↑ north

PROJECT: LBN 259

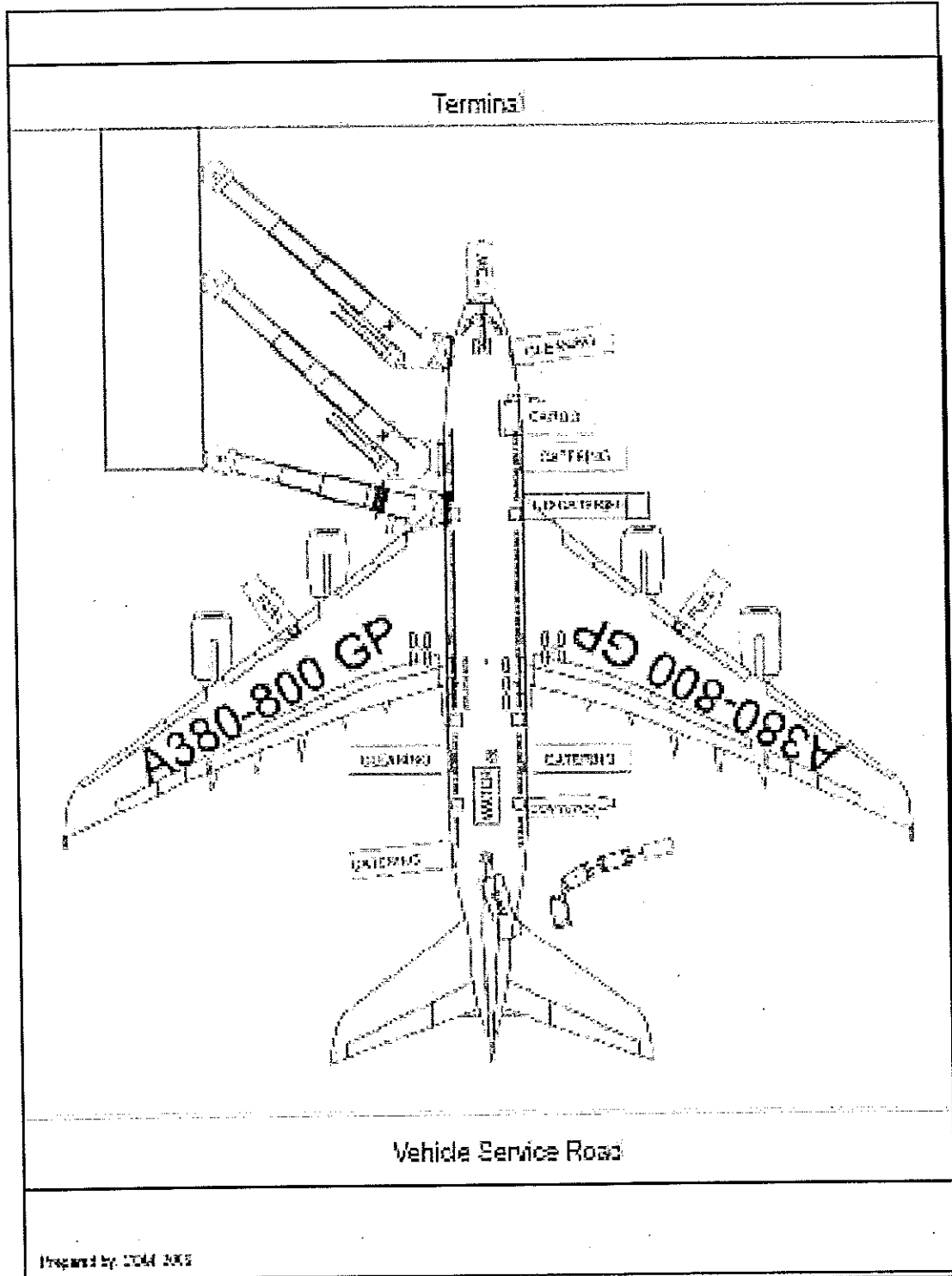
LAX Bradley West Project Draft EIR

Existing Airport

Page 12



<p>LAX Bradley West Project Draft EIR</p>	<p>Project Site Plan</p>	<p>Figure 2-1</p>
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Prepared by: DDM 2002

LAX Bradley West Project
Draft EIR

A380 Passenger Loading
Bridge Configuration

Figure
2-3

ATTACHMENT 2

Traffic Generation Report (2008)

ANNUAL TRAFFIC GENERATION REPORT

[Los Angeles International Airport / August 2008]



Los Angeles
World Airports

Prepared by Airports and Facilities Planning Division / November 2008

Executive Summary:

Per Section G, *Monitoring and Reporting*, of the Los Angeles International Airport Specific Plan, Los Angeles World Airports (LAWA) is required to prepare an annual Traffic Generation Report. This traffic report shall identify "the current number of Trips being generated by LAX, the number of Trips anticipated to be generated at the completion of any Master Plan Project(s) in development at the time of the report, the Trips proposed to be generated following the implementation of the Master Plan as informed by current and Project-based Trip counts, and the number of Trips anticipated to be generated by on-going Master Plan construction activities."

This study is the fourth Traffic Generation Report to be completed since the Los Angeles City Council's approval of the LAX Master Program in December 2004.

The Environmental Impact Report (EIR) for the LAX Master Plan forecasts 8,236 net new trips during the airport peak hour at full build-out and after implementation of mitigation measures. If the annual Traffic Generation Report shows that the number of new airport peak-hour trips is likely to be exceeded, a Specific Plan Amendment Study is required.

The typical design day used for the LAX Master Plan is a Friday in August. The following summarizes the total number of trips for the airport peak hour of 11 am to noon, per the LAX Master Plan EIR:

1996 Airport Peak Hour Volume (Base Year)	17,725 trips
2008 Airport Peak Hour Volume	15,107 trips
2015 Airport Peak Hour Volume (Projected)	26,011 trips

These volumes show that the August 2008 airport peak-hour volume does not exceed 8,236 additional trips above the base-year total of 17,725 trips and is, in fact, 2,618 trips less than the 1996 base year volumes.

The results of the August 2008 traffic volume study also reveal that there were 11,338 trips recorded at LAX during the 8 am to 9 am peak hour and 13,092 trips in the 5 pm to 6 pm peak hour. This represents 640 fewer trips during the morning peak hour in August 2008 than during the same hour in the 1996 base year, and 205 more evening peak hour trips in August 2008 than during the 1996 base year.

Methodology:

The following methodology was used in calculating the overall traffic volumes accessing and egressing LAX. The Land Use and Development Section of the Los Angeles Department of Transportation (LADOT) approved this methodology, which has been used consistently for the LAX Trip Generation reports in 2005, 2006, 2007 and now in 2008.

LAX Central Terminal Area (CTA) Roadways:

All traffic entering and exiting the LAX CTA is recorded by existing loop detectors imbedded in each travel lane of the roadways. Vehicle type is not distinguished by these loops; therefore, each vehicle regardless of size is considered as a single trip either into or out of the LAX CTA. A "trip" is defined as the entrance or exit of a vehicle from the airport or airport-related property as studied in the LAX Master Plan Final EIR. Traffic information is continuously recorded on a computer database and is retrievable by LAWA staff for a variety of time intervals, including hourly counts.

Counts for the LAX Master Plan design day (a Friday in August) were retrieved from the database and averaged for the morning (8 am to 9 am), airport (11 am to noon) and evening (5 pm to 6 pm) peak hours. Table 1 shows the number of inbound and outbound trips for the three peak periods studied during each Friday in August 2008, along with the average number of trips.

LAX Central Terminal Area - Traffic Volumes by Direction

Date	Inbound			Outbound		
	8-9 AM	11AM- Noon	5-6 PM	8-9 AM	11AM- Noon	5-6 PM
8/01/08	N/A	N/A	N/A	3,323	4,668	4,283
8/08/08	3,385	4,562	3,586	3,139	5,030	4,364
8/15/08	3,494	4,787	3,649	3,052	4,998	4,218
8/22/08	3,249	4,422	3,401	2,850	4,575	4,027
8/29/08	3,299	4,426	3,990	3,064	4,874	4,971
Average	3,357	4,549	3,657	3,086	4,829	4,373

N/A = Information was not available for this hour.

Table 1

The total number of trips into and out of the LAX CTA on each of the Fridays in August 2008, along with their averages, is summarized in Table 2.

LAX Central Terminal Area - Total Traffic Volumes

Date	Total		
	8-9 AM	11AM- Noon	5-6 PM
8/01/08	N/A	N/A	N/A
8/08/08	6,524	9,592	7,950
8/15/08	6,546	9,785	7,867
8/22/08	6,099	8,997	7,428
8/29/08	6,363	9,300	8,961
Average	6,383	9,419	8,052

N/A = Information was not complete for this hour.

Table 2

World Way West:

All traffic eastbound and westbound on World Way West east of Pershing Drive was recorded through the use of automated traffic counters placed by the Los Angeles Department of Transportation at the request of LAWA. The volumes recorded on World Way West account for traffic heading to and leaving airport facilities on the west side of LAX.

Driveways

Traffic during the three peak hours was manually counted at 69 driveways by Quality Traffic Data, a privately owned and operated traffic data collection company under contract by LAWA. Manual counts were required because traffic volumes are not recorded at these locations through the automated system. See Figure 1 for a map of the facilities at which driveway counts were recorded. Traffic entering and exiting a roadway or driveway was counted in three separate vehicular categories – cars, trucks and shuttles. All counts were recorded on a Friday in August 2008. The details of these driveway counts are described below:

Cargo/Ancillary Facilities:

Aviation Blvd (west leg of intersection) locations:

- 104th Street
- 111th Street

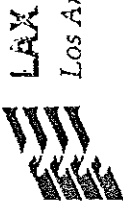
Century Blvd (south leg of intersection) locations:

- Avion Drive
- Airport Blvd
- Postal Road
- International Road

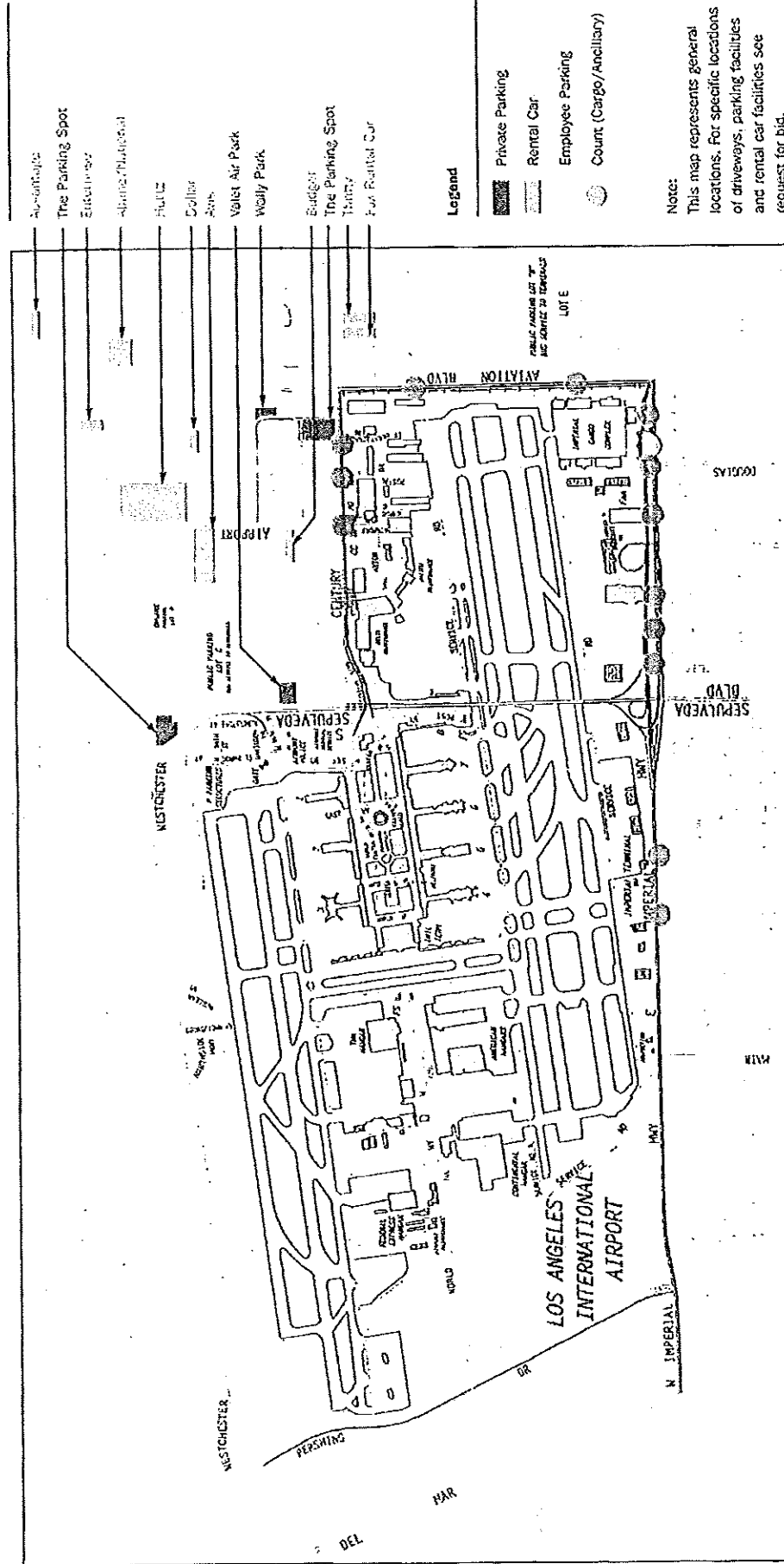
Imperial Highway (north leg of intersection) locations:

- Imperial Terminal
- California Street
- Hughes Way
- Unsignalized driveway east of Hughes Way
- Kilroy Center Drive
- Douglas Street
- Unsignalized driveway between Kilroy Center Drive and Aviation Blvd

Five driveways along the north side of Imperial Highway and one driveway along the south side of Century Blvd have very limited traffic volumes throughout the day. For the purposes of this study, a total of 50 vehicles was added to the cargo/ancillary traffic volumes recorded for each peak hour to account for the traffic using these six driveways. Because traffic entering and exiting these minor driveways is infrequent, this estimate represents a conservatively high volume of traffic for these six driveways.



Traffic Count Map



Legend

- Private Parking
- Rental Car
- Employee Parking
- Count (Cargo/Ancillary)

Note:
This map represents general locations. For specific locations of driveways, parking facilities and rental car facilities see request for bid.

Figure 1

Map made by arrangement from Thomas Block.

Airport Operated Public Parking Lots

Traffic counts were conducted at the following airport-operated surface parking lot driveways:

- Lot B - Driveway on 111th Street
- Lot B - Entrance on La Cienega Blvd at Lennox Blvd
- Lot C - Three driveways on 96th Street
- Lot C - Exit driveway on Jenny Avenue
- Lot C - Entrance driveway on Westchester Parkway

Airport Operated Employee Parking Lots

- Lot D North - Driveway on Westchester Pkwy
- Lot D South - Driveway on Jenny Street
- Lot E - Driveway on 111th Street
- Airport Police - Three driveways on 96th Street (two driveways west of Alverstone Avenue and one driveway east of Alverstone Avenue)

Rental Car Locations:

There are ten car rental companies that are allowed to provide shuttle service between the LAX CTA and their facility. The number of autos and shuttles entering and exiting the following locations were recorded at the following locations:

Advantage Rent a Car – Manchester Blvd between Isis Ave and Hindry Ave

- Driveway on Manchester Blvd east of Isis Ave
- Car return driveway on Isis Ave south of Manchester Blvd

Alamo and National – Aviation Blvd and Hillcrest Blvd, SE corner:

- Three driveways on Aviation Blvd south of Hillcrest Blvd
- Car return driveway on Hillcrest Blvd east of Aviation Blvd

Avls – Airport Blvd/Westchester Pkwy/Jenny Ave:

- Driveway on Airport Blvd south of Westchester Parkway
- Three driveways on Jenny Ave

Budget – Airport Blvd and 98th Street, NW corner:

- Two driveways on Airport Blvd
- Two driveways on 96th Place
- Driveway on 98th Street

Dollar – Arbor Vitae Street, south side, west of Bellanca Ave:

- Three driveways on Arbor Vitae Street
- Car return driveway on Bellanca Ave south of Arbor Vitae Street

Enterprise – Bellanca Ave between Manchester Ave and Arbor Vitae St:

- Four driveways on Bellanca Ave

Fox/Payless – Century Blvd, south side, between Aviation Blvd and Concourse Way:

- Driveway at 5500 West Century Blvd

Hertz – Airport Blvd between Interceptor Street and Arbor Vitae Street:

- Shuttle entrance driveway on Airport Blvd north of Arbor Vitae Street
- Driveway on Interceptor Street east of Airport Blvd
- Two exit driveways on Arbor Vitae Street

Thrifty – Century Blvd, south side, between Aviation Blvd and Concourse Way:

- Driveway on Century Blvd
- Driveway on Concourse Way south of Century Blvd

Off-Airport Rental Car Companies:

Off-airport car rental companies are not permitted to drop off or pickup customers in the CTA. Unlike the on-airport car rental companies, no off-airport car rental driveways were included in the traffic count. The official pickup and drop-off location for these companies is located within a portion of Lot C, on the north side of 96th Street immediately west of Vicksburg Avenue. This driveway was included in the manual traffic counts listed under the category of Airport Operated Public Parking Lots, above.

Private Airport Parking Facilities:

Traffic was recorded at the following private parking facility driveways. These facilities are exclusively used for parking and are not affiliated with a hotel or office building. It was conservatively assumed that all traffic entering or exiting these facilities is airport related. Since in reality these facilities cater to customers unrelated to the airport, the traffic volumes used in this report are likely to be somewhat inflated. Consistent with the methodology used in the LAX Master Plan, vehicle trips to parking facilities that offer shuttle service to LAX but are part of another business such as an office building or a hotel were not counted.

Park One – Sepulveda Blvd from Century Blvd to 96th Street:

- Driveway on 96th Street west of Alverstone Ave (also to airport police parking lot)
- Driveway on "Little" Century Blvd

The Parking Spot – Bellanca Ave from Century Blvd to 98th Street:

- Driveways on Bellanca Ave
- Driveway on 98th Street
- Car entrance driveway on Century Blvd

Valet AirPark – Sepulveda Blvd and 96th Street, SE corner:

- Driveway on 96th Street east of Sepulveda Blvd
- Driveway on Vicksburg Ave south of 96th Street
- Driveway on Sepulveda Blvd south of 96th Street

Wally Park – Bellanca Ave, east side, north of 98th Street:

- Two driveways on Bellanca Ave

Westchester Parking Spot – Sepulveda Blvd/Westchester Pkwy/Sepulveda Eastway:

- Driveway on Sepulveda Westway
- Driveway on Westchester Pkwy

Other Private Airport Parking Facilities:

Like the private parking facilities referenced above, other off-airport, private parking operators also provide shuttle service for their customers to and from LAX terminals. However, these parking operators also cater to customers who park in their facilities but who are not going to the airport. Therefore, the following methodology was established to estimate the volume of airport trips at these joint-use parking facilities where manual traffic counts were not conducted.

Using the volume of car trips and the volume of shuttle trips manually recorded at large parking facilities such as Wally Park and The Parking Spot, the following trip generation factors were calculated:

Private Parking Car Trips per Inbound Shuttle

AM	189 trips/ 74 shuttles = 2.55 trips/shuttle
AP	171 trips/ 65 shuttles = 2.63 trips/shuttle
PM	101 trips/ 83 shuttles = 1.22 trips/shuttle

Private Parking Car Trips per Outbound Shuttle

AM	72 trips/ 74 shuttles = 0.97 trips/shuttle
AP	99 trips/ 77 shuttles = 1.29 trips/shuttle
PM	167 trips/ 70 shuttles = 2.39 trips/shuttle

The number of shuttles recorded in the LAX CTA on four Fridays in August 2008 by the joint-use parking businesses was obtained from the LAWA computer database. It is assumed that the same number of car trips per shuttle trip made by facilities such as Wally Park or The Parking Spot would also be generated by other off-airport parking facilities. The total number of shuttle trips made during each peak hour in four Fridays in August 2008 by the joint-use, off-airport parking facilities is shown in Table 3.

**Shuttle Trips by Other Off-Airport
Parking Facilities - Inbound to Lot**

Date	Peak Hour		
	AM	AP	PM
8/1/2008	37	44	48
8/8/2008	37	35	60
8/15/2008	45	41	57
8/22/2008	37	35	41
Average	39	38.75	51.5

**Shuttle Trips by Other Off-Airport
Parking Facilities - Outbound From Lot**

Date	Peak Hour		
	AM	AP	PM
8/1/2008	46	47	48
8/8/2008	55	41	47
8/15/2008	56	49	44
8/22/2008	57	44	41
Average	53.5	45.25	45

Table 3

Multiplying the calculated trips-per-shuttle ratios with the average number of shuttle trips attributable to the off-airport private parking facilities where driveways were not manually recorded results in the totals shown in Table 4. This provides an estimate of the number of inbound and outbound car trips generated at the remaining parking facilities that is related to LAX.

**Inbound Car Trips for Off-Airport Parking Facilities
Where Driveways Were Not Counted**

Peak Hour	Adjustment Factor (Trips per Shuttle)		Number of Shuttles	=	No. of Trips
AM	2.55	X	39	=	100
Airport	2.63	X	39	=	103
PM	1.22	X	52	=	64

**Outbound Car Trips for Off-Airport Parking Facilities
Where Driveways Were Not Counted**

Peak Hour	Adjustment Factor (Trips per Shuttle)		Number of Shuttles	=	No. of Trips
AM	0.97	X	54	=	54
Airport	1.29	X	45	=	58
PM	2.39	X	45	=	108

Table 4

To be consistent with the methodology used in the Environmental Impact Report for the LAX Master Plan, shuttle trips from private and public parking lots and from rental car facilities are counted as they enter and exit the CTA. To avoid "double counting," the shuttles are not counted again when they enter and exit the off-site facility. For example, a shuttle bus that exits the Avis rental car facility and enters the terminal area is only counted as a single CTA trip. This shuttle is counted as a second CTA trip once it exits the airport, but would not be counted again as it enters the Avis driveway.

LAX Master Plan Projects:

There were no LAX Master Plan projects under construction in August 2008. However other stand-alone construction activities that are not part of the LAX Master Plan are underway. These are:

- **Tom Bradley International Terminal (TBIT) Interior Improvements Program**

This project provides for the renovation of interior public spaces within TBIT including the departure lobby, departure and arrival concourses, bus hold room, "meeter-greeter" area, in-transit lounge, in-bound and out-bound baggage systems, upgrade of the building's paging and Information Technology systems, and upgrade of the existing elevators, escalators, and moving walks. Construction activities began in February 2007 and are anticipated to be completed by February 2010.

- **In-Line Baggage Screening Systems**

This project calls for the construction of in-line baggage screening systems in the CTA. The project includes replacement of the existing airline baggage handling spaces, construction of new baggage screening rooms, replacement of the outbound baggage conveyor systems, and installation/integration of Explosive Detection System machines. Construction activities for the installation of the in-line baggage screening systems within Terminal 3 began in August 2007 and are anticipated to be completed by January 2010. Similar projects within Terminals 1, 2, 4, 5 and 6 will be implemented by tenants, with Terminal 4 possibly underway in early 2009.

- **Theme Building Restoration**

Construction is currently underway on the LAX Theme Building. Improvements include structural and seismic enhancements, new cladding to the exterior support structure, and pedestrian access upgrades.

- **Airfield Intersection Improvements, Phase II**

This project will improve various airfield intersections and modify service road locations to provide safe taxiing routes for the A-380 aircraft and future New Large Aircraft. Phase II of the project includes widening five intersections throughout the north and south airfield complex at LAX. Construction on this project began in July 2008 with completion anticipated by August 2009.

- **Security Access Posts Upgrade**

This project will install additional vehicular crash-rated road barriers at both the entrance and exit lanes of security access posts 1, 3, 4 and 5. In addition, the existing automated 6-foot high chain-link fence sliding gates will be replaced by new automated 8-foot high chain-link fence sliding gates.

Summary of Peak Hour Counts:

Subsection C, *Project Trip Generation*, of Section 12, *Transportation Regulations*, of the Los Angeles International Airport Specific Plan uses the airport peak hour as its basis for comparison between the 1996 base year volume, the current traffic volume and the projected 2015 traffic volume under the LAX Master Plan EIR.

A summary of the final traffic data is presented in Table 5 (AM Peak), Table 6 (Airport Peak) and Table 7 (PM Peak). The Los Angeles International Airport Specific Plan uses the Airport Peak Hour (11 AM to Noon) as its basis for comparison between the 1996 base year volume, the current traffic volume and the projected 2015 traffic volume with the full build-out of the LAX Master Plan. For 2008, the total volume of traffic is 15,107 vehicle trips in the Airport Peak Hour on a Friday in August. This total is lower than the 17,725 vehicles estimated for the 1996 base year of the LAX Master Plan Environmental Impact Report. The Airport Peak Hour traffic volumes for the last four years, along with the traffic volume projected in the LAX Master Plan EIR for 2015, are shown on Figure 2.

TRIP GENERATION SUMMARY FOR LAX - 8 AM TO 9 AM

Airport Facility	1996 Vehicles (Techl Report 3b, Attachment "A")	2005 Traffic Counts	2006 Traffic Counts	2007 Traffic Counts	2008 Traffic Counts	2015 Alt. D Vehicles (Techl Report S-2b, Attachment "A")
CTA	6,989	6,437	7,750	6,771	6,383	1,204
GTC	0	0	0	0	0	5,466
ITC	0	0	0	0	0	2,793
RAC/Rental Car Facilities	775	1,195	1,342	1,261	1,239	716
LAX Public Parking Lots	114	185	149	145	165	115
Employee Parking	269	448	493	534	524	853
Private Parking (1)	275	230	389	427	388	243
World Way West	525	536	649	580	648	1,688
Cargo and Ancillary (2)	3,031	1,953	1,891	2,036	1,971	3,412
LAX Northside (3)	0	0	0	0	20	4,134
Trip Reduction Adjustment	0	0	0	0	0	-2,150
TOTAL	11,978	10,984	12,663	11,754	11,338	18,474

(1) Park One traffic on "Little" Century Boulevard is included in the CTA traffic count

(2) 50 vehicle trips were added to the 2005, 2006, 2007 and 2008 counts to account for traffic at 8 minor driveways (5 of which are on Imperial Hwy.)

(3) 20 vehicle trips were added to the 2008 counts to account for traffic at the fire station on Westchester Parkway at Emerson Avenue

Table 5

TRIP GENERATION SUMMARY FOR LAX - 11 AM TO NOON

Airport Facility	1996 Vehicles (Tech1 Report 3b, Attachment "A")	2005 Traffic Counts	2006 Traffic Counts	2007 Traffic Counts	2008 Traffic Counts	2015 Alt. D Vehicles (Tech1 Report S-2b, Attachment "A")
CTA	11,439	9,995	9,841	9,346	9,419	48
GTC	0	0	0	0	0	12,061
ITC	0	0	0	0	0	5,837
RAC/Rental Car Facilities	1,493	1,891	1,890	1,829	1,727	1,697
LAX Public Parking Lots	183	171	177	226	172	216
Employee Parking	285	398	394	384	548	467
Private Parking (1)	755	411	294	461	405	398
World Way West	1,000	682	668	737	833	1,241
Cargo and Ancillary (2)	2,570	2,194	1,993	2,094	1,983	2,956
LAX Northside (3)	0	0	0	0	20	2,260
Trip Reduction Adjustment	0	0	0	0	0	-1,170
TOTAL	17,725	15,742	15,257	15,077	15,107	26,011

(1) Park One traffic on "Little" Century Boulevard is included in the CTA traffic count

(2) 50 vehicles were added to the 2005, 2006 and 2007 counts to account for traffic at 6 minor driveways (5 of which are on Imperial Hwy.)

(3) 20 vehicle trips were added to the 2008 counts to account for traffic at the fire station on Westchester Parkway at Emerson Avenue

Table 6

TRIP GENERATION SUMMARY FOR LAX - 5 PM TO 6 PM

Airport Facility	1996 Vehicles (Tech1 Report 3b, Attachment "A")	2005 Traffic Counts	2006 Traffic Counts	2007 Traffic Counts	2008 Traffic Counts	2015 Alt. D Vehicles (Tech1 Report S-2b, Attachment "A")
CTA	7,755	8,329	8,714	8,120	8,052	1,330
GTC	0	0	0	0	0	5,978
ITC	0	0	0	0	0	3,033
RAC/Rental Car Facilities	827	1,216	1,242	1,172	1,120	776
LAX Public Parking Lots	148	199	180	257	206	122
Employee Parking	521	505	548	591	637	1,025
Private Parking (1)	384	358	395	601	423	256
World Way West	400	420	451	373	506	1,539
Cargo and Ancillary (2)	2,852	2,429	2,359	2,411	2,128	3,061
LAX Northside (3)	0	0	0	0	20	4,654
Trip Reduction Adjustment	0	0	0	0	0	-1,973
TOTAL	12,887	13,556	13,889	13,525	13,092	19,801

(1) Park One traffic on "Little" Century Boulevard is included in the CTA traffic count

(2) 50 vehicles were added to the 2005, 2006, 2007 and 2008 counts to account for traffic at 6 minor driveways (5 of which are on Imperial Hwy.)

(3) 20 vehicle trips were added to the 2008 counts to account for traffic at the fire station on Westchester Parkway at Emerson Avenue

Table 7

Airport Peak Hour (11 AM - Noon) Traffic Volumes

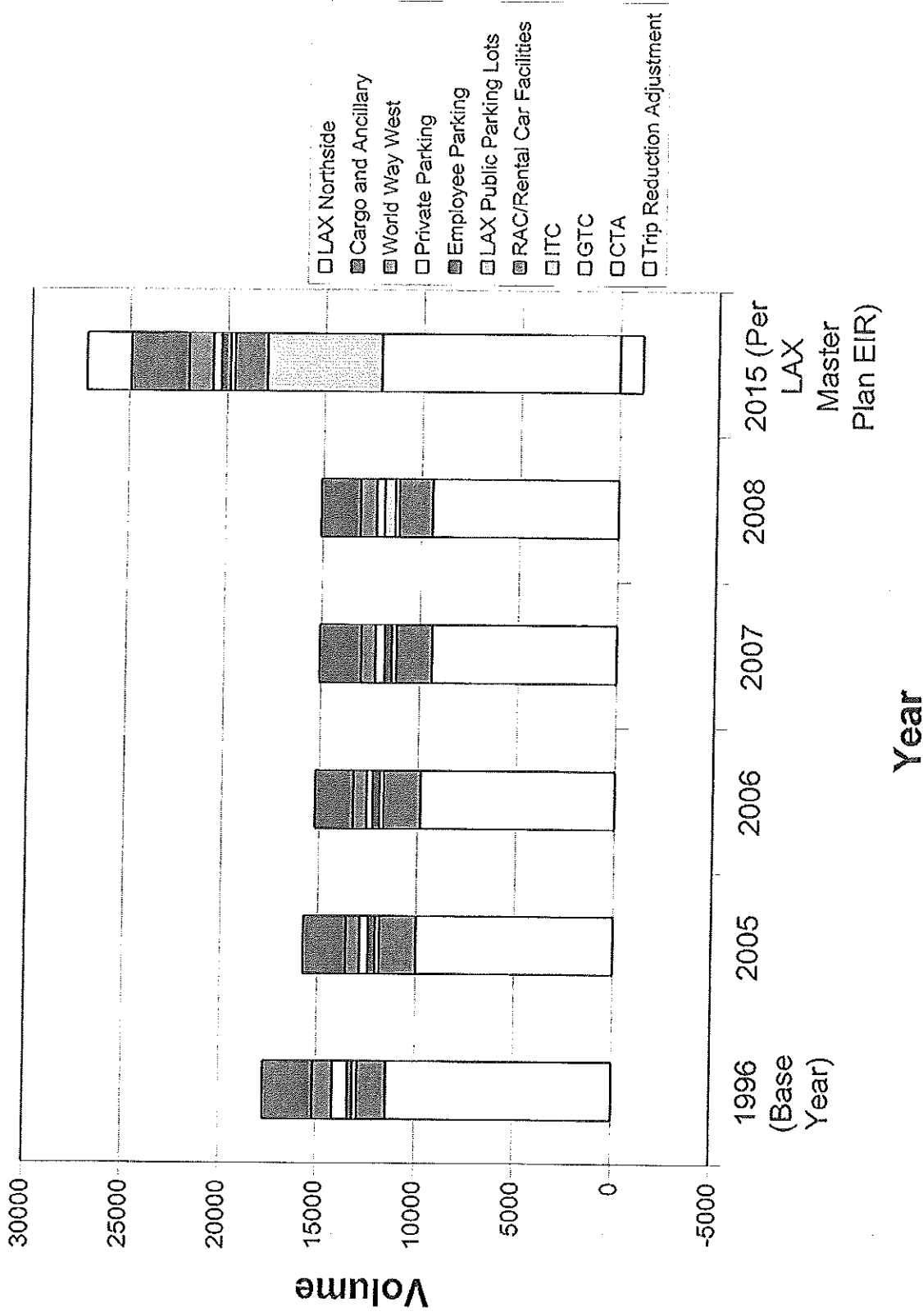


Figure 2

As expected, the Airport Peak Hour traffic count total is higher than the counts recorded for the AM and PM peak hours. The August 2008 AM peak hour volume is 11,338 (compared with 11,978 vehicles in 1996) and the PM peak hour volume is 13,092 (compared with 12,887 vehicles in 1996).

Trip Reduction Programs:

There are various trip reduction programs which have either begun or been expanded since City Council approval of the LAX Master Plan in December 2004. The LAX FlyAway, which is a low-cost shuttle service operating between a remote parking facility and LAX has been operating from Van Nuys Airport since 1975. The FlyAway program was expanded in March 2006 to include Union Station in downtown Los Angeles and again in June 2007 to serve Westwood Village/UCLA. The ridership totals for the month of August during the last four years are shown in Figure 3. The overall ridership on the FlyAway network increased over 215% from August 2005 to August 2008. The success of the FlyAway program has helped to reduce the number of private vehicles into and out of the LAX Central Terminal Area.

Trip reduction programs implemented by LAWA staff have also been successful in helping to eliminate unnecessary courtesy shuttle trips between the airport and car rental companies and between the airport and hotels/motels which serve airport customers. Figure 4 shows that the total number of these shuttles was reduced from 116,385 in August 2005 to 86,224 in August 2008, a reduction of over 25%.

Figure 4 also shows that the number of courtesy shuttles between the private off-airport parking facilities and the airport has increased from 61,775 trips in August 2005 to 64,307 in 2008. A shuttle trip reduction program for the off-airport parking industry is currently being studied by LAWA staff.

LAX FlyAway Ridership

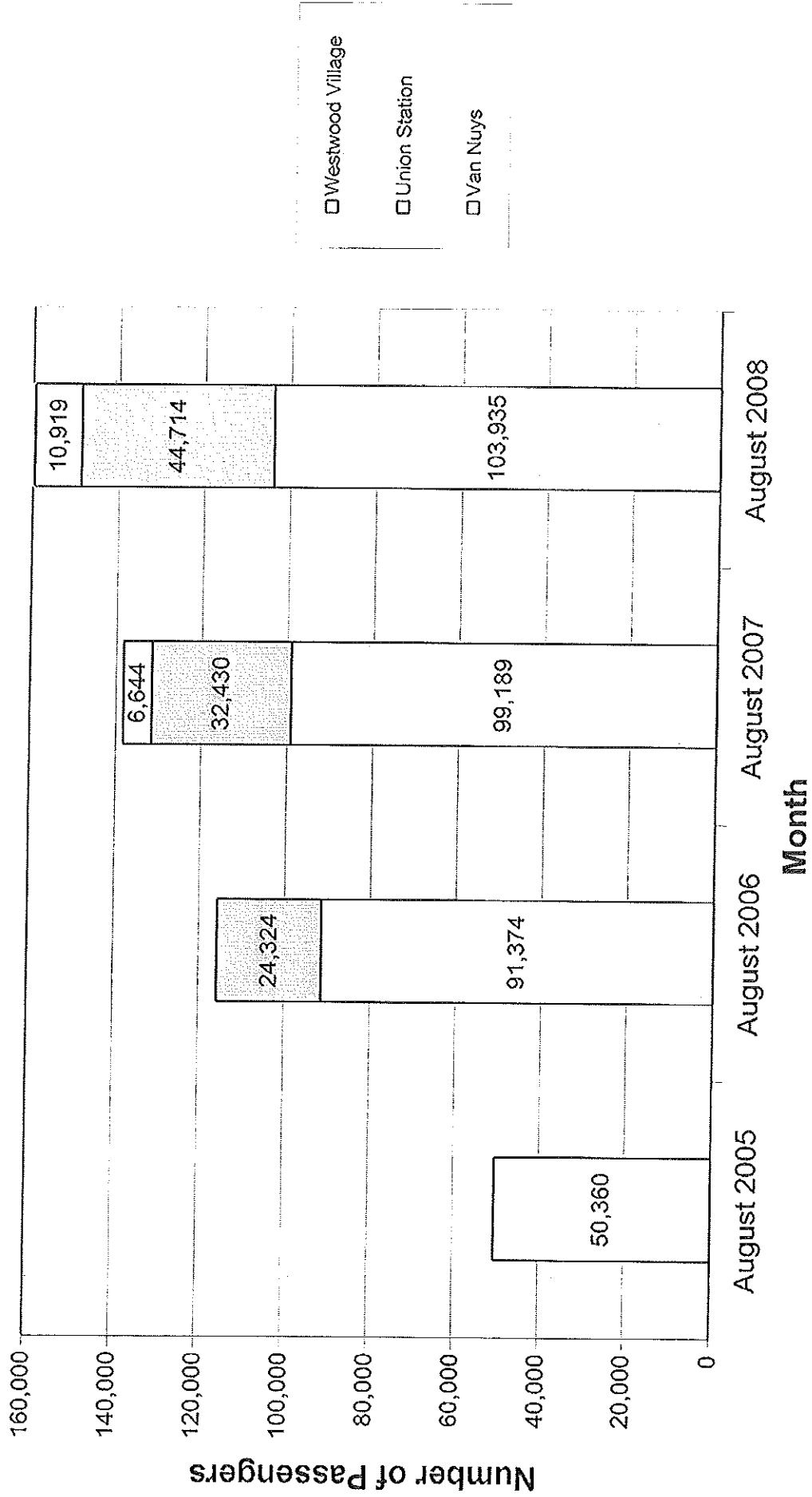


Figure 3

Outbound Courtesy Vehicle Shuttle Trips at LAX

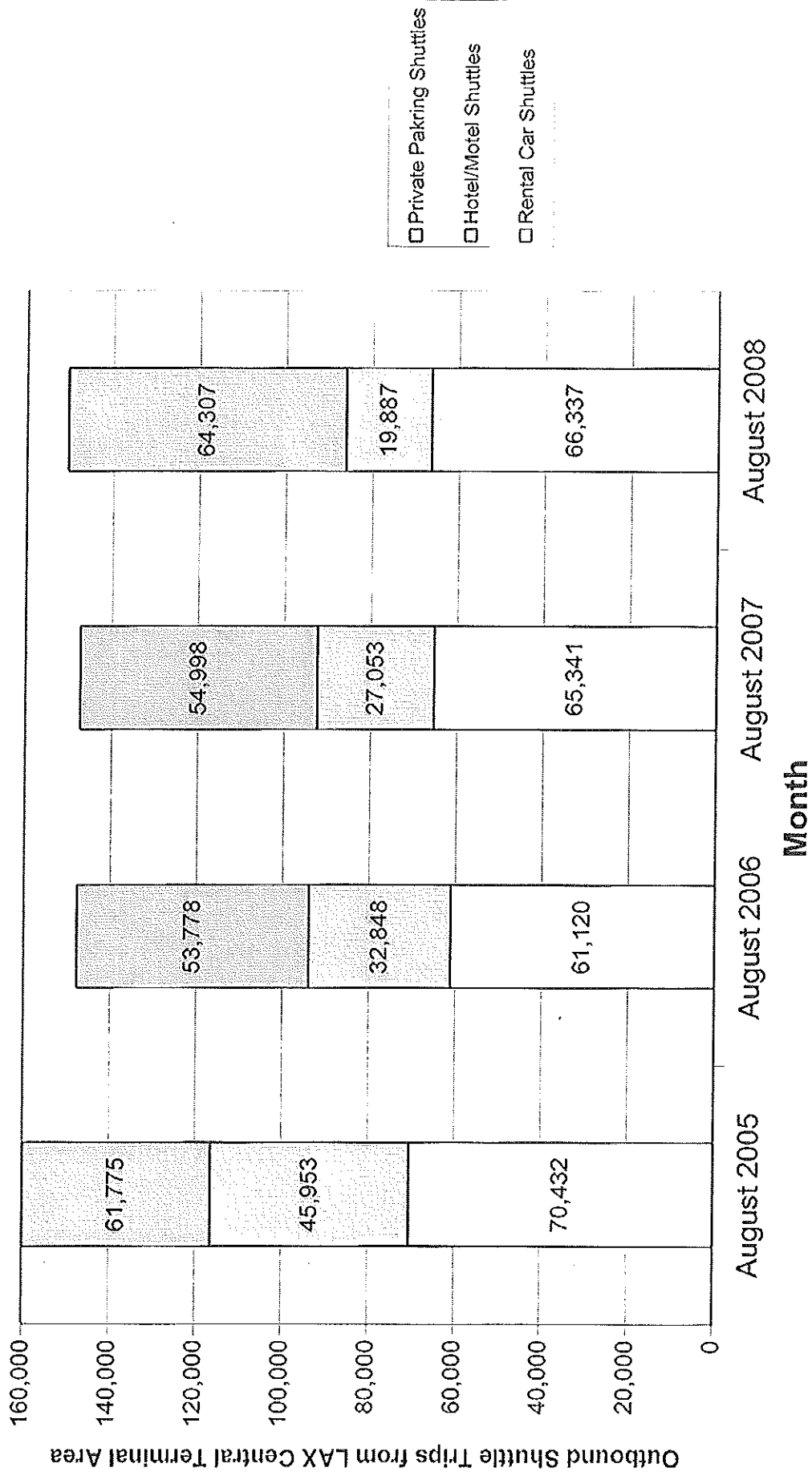


Figure 4

CITY OF LOS ANGELES
INTER-DEPARTMENTAL CORRESPONDENCE

Date: November 20, 2008

To: Mike Doucette, Chief of Airport Planning
Los Angeles World Airports

From: *for* Rita L. Robinson, General Manager 
Department of Transportation

Subject: LAX TRAFFIC VOLUMES REPORT FOR 2008

The Department of Transportation (DOT) has completed its review of the Los Angeles International Airport (LAX) Traffic Volumes Report for 2008. This report is the fourth of an annual monitoring requirement established when the Los Angeles City Council approved the LAX Master Plan and Specific Plan last December 2004. Pursuant to Section G of the LAX Specific Plan, LAWA is required to submit a traffic generation report that identifies the current number of vehicle trips generated by LAX-related land uses.

As required by the Specific Plan, the monitoring of the airport trips shall be conducted during the airport's peak weekday hour of 11 a.m. to noon and during the month of August - the peak travel month. The LAX Specific Plan requires DOT approval of the annual report before submittal to the Department of City Planning, to the Board of Airport Commissioners and to the City Council. According to the traffic forecasts in the LAX Master Plan environmental documents, at full build-out of the approved alternative (Alternative D), the total trip generation of all airport-related uses will be 26,011 during the airport peak hour. This represents a net increase of 8,236 trips when compared to baseline conditions of 1996 at 17,775. If the annual traffic volume report reveals that the development of the LAX Master Plan is likely to increase airport trips by more than 8,236 trips, then LAWA shall be responsible for completing a Specific Plan Amendment Study pursuant to Section 7H of the LAX Specific Plan.

The results of the survey indicate that LAX-related uses generated **15,107** vehicle trips during the airport peak hour for August 2008, which is approximately 0.2% higher than the 15,077 airport peak hour trips generated for the same period in 2007.

The total airport trip generation of 15,107 for survey year 2008 is well below the projected Master Plan build-out total of 26,011 airport peak hour trips. These results are not unexpected, as the counts do not include any traffic from LAX Master Plan projects since none of these airport projects have yet been constructed. The attached table summarizes the results of the 2008 survey.

Mike Doucette

- 2 -

November 20, 2008

DOT agrees that the LAX Traffic Volume Report for 2008 adequately identifies the trip generation for all LAX-related uses. Since the total 2008 trip generation of 15,107 is well below the estimated trip generation projected for LAX after build-out of the Master Plan, a Specific Plan Amendment Study is not required at this time. If you have any questions, please call Eddie Guerrero, of my staff, at (310) 642-1625.

RLR:egjr.

R:\Special Projects\LAX Master Plan\tax_tripgenreview_2008.vpd

Attachment

c: Jim Ritchie, Pat Tomcheck, LAWA
Jay Kim, Sean Haeri, Eddie Guerrero, DOT

**LAX TRAFFIC VOLUME SUMMARY
SURVEY YEAR 2008**

Year	Peak Hour Volumes		
	AM	PM	AP
1996 - LAX Master Plan Study Base Year	11,978	12,887	17,725
2005 - First Survey Year	10,984	13,556	15,742
2006 - Second Survey Year	12,663	13,889	15,257
2007 - Third Survey Year	11,754	13,525	15,077
2008 - Fourth Survey Year	11,338	13,092	15,107
2015 - LAX Master Plan Projected Build-Out Year	18,474	19,801	26,011

Notes:

AM = a.m. peak hour of 8 to 9 a.m.

PM = p.m. peak hour of 5 to 6 p.m.

AP = airport peak hour of 11 a.m. to noon

ATTACHMENT 3

Aviation Activity Analysis (2008)

Los Angeles International Airport Aviation Activity Analysis 2008



*Prepared by LAWA Airports and Facilities Planning Division
August 2009*

**AVIATION ACTIVITY ANALYSIS
LAX PLAN COMPLIANCE REVIEW
August 2009**

Purpose of This Study

Per Section 7 Subsection G, Monitoring and Reporting, of the Los Angeles International Airport Specific Plan, Los Angeles World Airports (LAWA) is required to prepare and submit an annual Aviation Activity Analysis Report to the Board of Airport Commissioners, the Department of City Planning, Los Angeles Department of Transportation, and the City Council. This report is to include an "analysis that identifies the current number of passengers, volume of air cargo and aircraft operations at LAX". The report is also to compile aviation activity statistics for other airports in the Los Angeles region and the proportion of regional aviation activity served at each of these airports for monitoring and reporting purposes.

The following is an updated version of the third Aviation Activity Analysis to be completed and submitted since the Los Angeles City Council's approval of the LAX Plan and Mitigation Monitoring and Reporting Program in December 2004.

Summary and Conclusions

An analysis of LAX and regional air traffic activity for January through December 2008 led to the following conclusions:

- Passenger volume at LAX totaled 59.8 Million Annual Passengers (MAP) in 2008, a 4.2% decrease compared to the previous year.
- Cargo volume at LAX decreased 11.9% in 2008 compared to 2007 to 1.8 Million Annual Tons.
- Commercial aircraft operations (landings and takeoffs) at LAX decreased about 7.2% in 2008 to 585,453 from 631,177 operations in 2007. Commercial operations have declined nearly 22% from the peak level of 748,077 observed in 2000.
- LAX handled 70.5% of the regional passenger traffic in 2008, a slightly larger share than in 2007. Airline reductions in flights and markets hit the regional airports proportionately harder than LAX in 2008.

LAX Air Traffic Activity

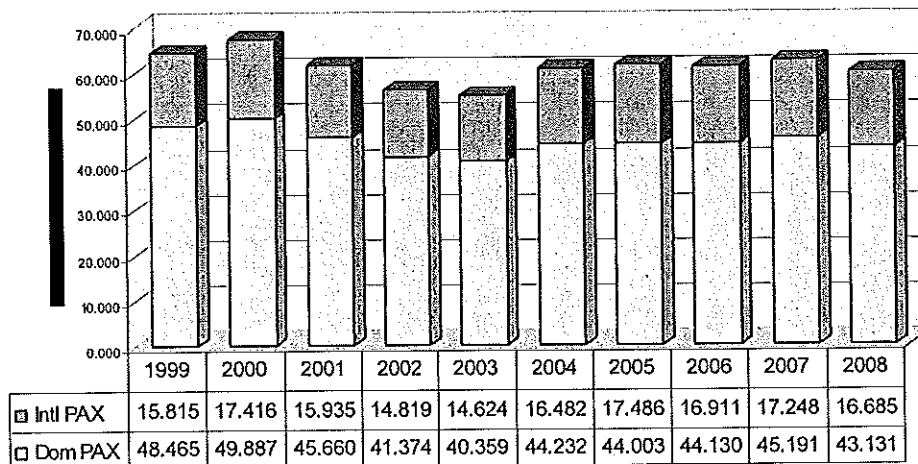
LAWA reports air traffic activity on a monthly basis throughout the year. Reports are generally available within 30 days of the end of the reporting month and are posted each month on the LAWA web site (www.lawa.org). This information is a consolidation of the individual airline reports submitted to LAWA each month as required by LAWA's airline operating agreements. These reports were used as the source of data for the following analysis.

The attached December 2008 reports titled "Traffic Comparison Report (TCOM)" and "Volume of Air Traffic (VOAT)" provide passenger, cargo and aircraft operations activity statistics for Los Angeles International Airport for the Calendar Year 2008.

LAX Passenger Volume

As shown in the attached reports, passenger volume totaled 59.8 Million Annual Passengers (MAP) in 2008, a 4.2% decrease compared to the previous year. As shown on Figure 1 below, LAX passenger volume reached its peak in 2000 at 67.3 MAP. The terrorist attacks of September 11, 2001 greatly impacted the air travel industry and recently high fuel prices and poor economic conditions worldwide have limited growth. LAX passenger levels remain nearly 7.5 MAP below 2000 levels. LAX passenger traffic would need to increase by at least 12.5% to reach the previous peak passenger level.

Figure 1
LAX Annual Passengers in Millions
1999-2008



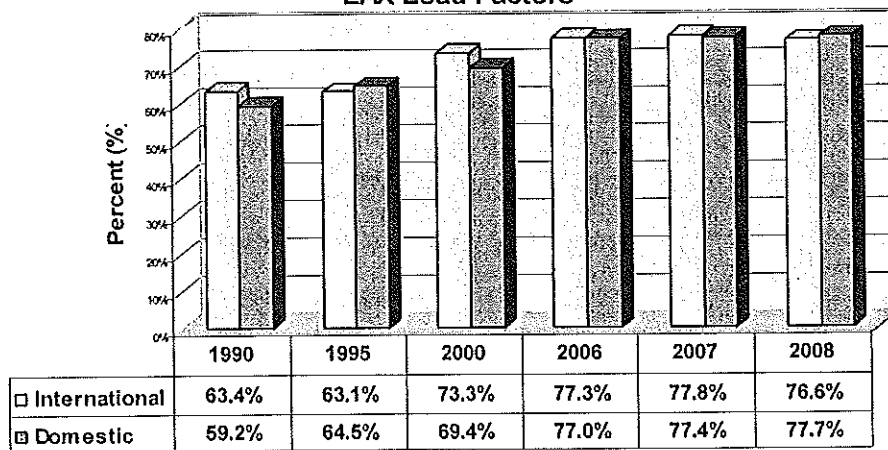
In 2008, international passengers decreased by 3.3% compared to 2007 to 16.7 MAP. The percentage share of international passengers has increased over the last 8 years from about

25% in 1999 to 28% in 2008. The share is expected to continue to grow as LAX expands its role as the primary international gateway for the region.

A number of national and regional factors can impact growth at LAX. Extreme fuel price increases and the poor economic environment in 2008 impacted the cost of operating flights. Airlines are reducing both the number of flights to existing markets and the number of markets they are serving with the goal of driving up load factors, reducing operating costs and increasing the productivity of their route system. On the passenger side, ticket prices have increased, the number of seats available at a discount has been reduced and the airlines have added fees for previously free services. All of these changes are making travel less affordable and less appealing and, in the end, reduce overall demand for air travel.

Load factors (the percentage of seats filled per aircraft) have risen significantly at LAX over the years. Figure 2 below shows the change in load factors at LAX since 1990. To the extent that existing seats are fully utilized, future passenger growth will be limited without expansion of service.

Figure 2
LAX Load Factors

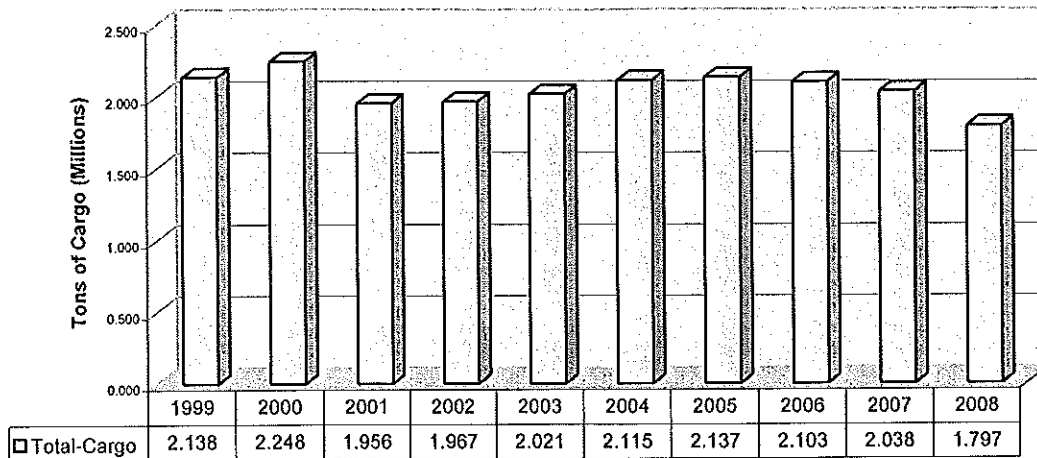


Data Source: U.S. DOT T100 Segment Data
International through June 2008/Domestic through October 2008

LAX Cargo Volume

As shown on the attached TCOM and VOAT reports, total cargo volume in Calendar Year 2008 decreased 11.9% compared to 2007 to 1.8 Million Annual Tons. Figure 3 shows historical cargo volumes for LAX between 1999 and 2008. About 55% of cargo at LAX was international in 2008.

**Figure 3
LAX Annual Cargo Tonnage
1999-2008**



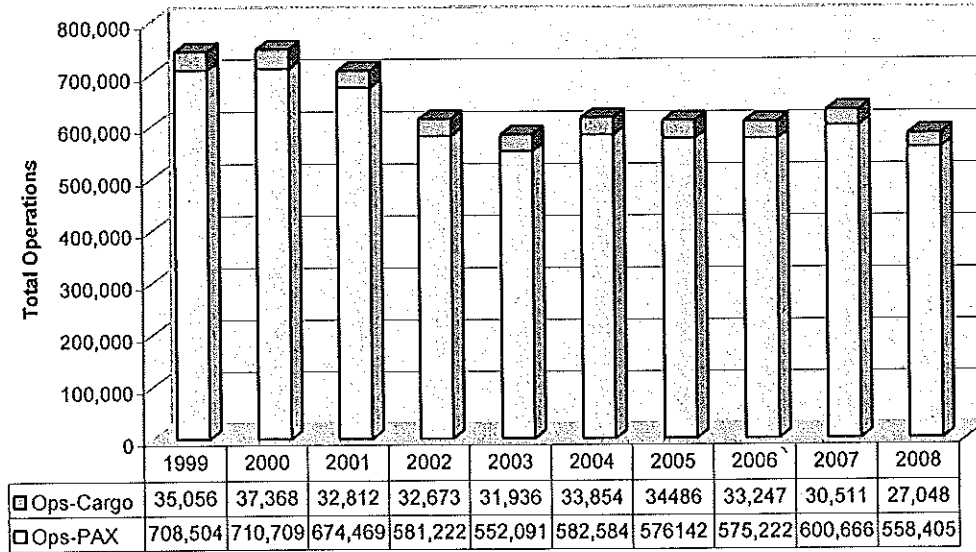
LAX Commercial Aircraft Operations

The number of commercial aircraft operations (landings and takeoffs) at LAX has dropped significantly since 2001 after reaching a peak of 748,077 annual operations in 2000. Commercial operations totaled 585,453 in 2008. In 2008, the number of aircraft operations was 7.2% lower than in 2007.

Passenger operations have decreased 21.4% since 2000 compared to an 11.6% decrease in passenger volume. The difference is best explained by the increasing load factors that have occurred at LAX and industry wide. In 2008, airlines also trimmed their schedules substantially to eliminate flights serving thin and unprofitable markets from their route systems. The average number of passengers per passenger operation at LAX increased from 95 in 2000 to 104 in 2007 and 107 in 2008. Figure 4 shows the change in operations at LAX between 1999 and 2008.

In 2008, 17.6% of the passenger operations served nonstop international markets and 82.4% were domestic. International operations made up a slightly higher share of passenger operations in 2008 than in 2007 (17.3%). All-cargo operations made up about 4.6% of total operations and 10.3% of international operations in 2008. In 2008, all-cargo operations decreased 11.4% compared to 2007.

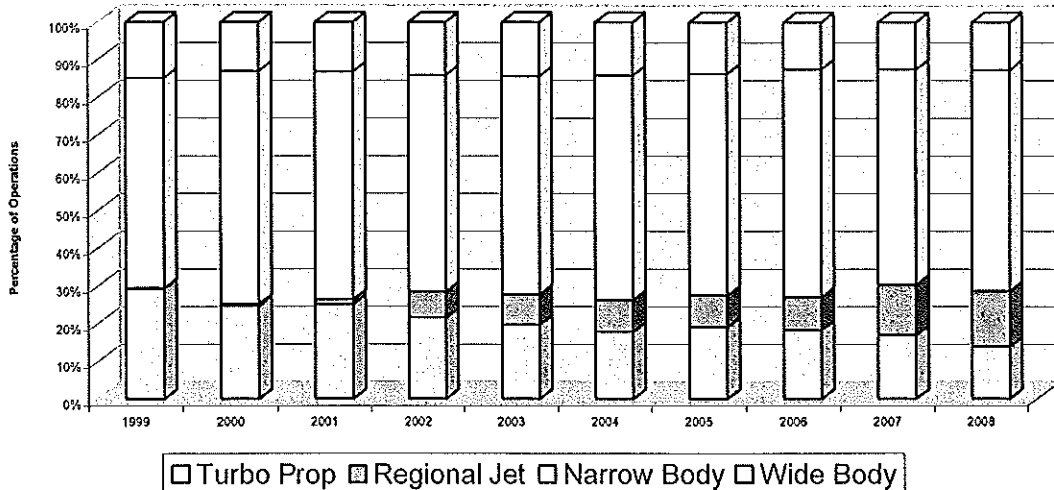
Figure 4
LAX Annual Operations
1999-2008



The fleet mix or types of aircraft used at LAX changes as airlines seek to match aircraft size to markets and lower operating costs over their route system. The percentage of regional jets in the fleet increased dramatically from 2000 through 2008 with regional jets comprising less than 1% of scheduled operations at LAX in 2000 and nearly 15% in 2008. The share of turboprop aircraft has declined significantly since 2000. In 2000, nearly 25% of LAX passenger operations were turboprop aircraft compared to about 14% in 2008.

The share of wide body and jumbo jet passenger operations of all passenger operations at LAX increased between 2000 and 2002, reaching a peak at nearly 17%. The share has since decreased to 12.7% of the total in 2008. The share of narrow body aircraft operations in 2008 was a bit higher than in 2007: 58.7% in 2008 compared to 57.1% in 2007. Narrow body aircraft continue to dominate the fleet at LAX.

Figure 5
LAX - Passenger Operations Fleet Mix Percentage (1999-2008)



Data Source: Official Airline Guide

Aviation Activity in the Los Angeles Region

There are six primary commercial airports in the six-county Southern California region. These airports served 84.8 million air passengers and 2.4 million tons of air cargo in 2008. They generated about 1.6 million take-offs and landings of commercial and private aircraft. Additional operations were generated at the regions' numerous general aviation airports serving private and corporate aviation.

The Southern California Association of Governments (SCAG) collects and reports passenger, cargo and operations activity for commercial airports within the SCAG five county area. Their 2008 statistics reports for the region and each airport are attached. In 2008, regional passenger volume dropped 5.2% compared to 2007. All airports in the region saw a decline in passenger traffic in 2008 except Long Beach Airport. Table 1 below summarizes the 2008 passenger, cargo and operations totals by airport.

Although LAX remains the primary airport for the region, growth of the regional airports has reduced the share of passenger traffic served by LAX from 74.4% in 1996 to 70.5% in 2008. LAX handled about 75% of the air cargo in the region in 2008. Table 2 shows the share of total regional aviation activity handled by each airport in 2008 in terms of operations, cargo and passengers.

Table 1 Aviation Activity SCAG Region Air Carrier Airports 2008				
Airport	Passengers	Cargo (Tons)	Air Carrier	Total Operations
Bob Hope	5,331,404	42,900	70,682	119,685
John Wayne	8,989,603	17,383	84,090	267,750
LAX	59,815,646	1,796,543	453,232	622,506
Long Beach	2,913,926	46,263	27,367	338,300
Ontario	6,232,761	481,284	75,407	124,242
Palm Springs	1,542,925	26	11,331	72,876
Palmdale	21,805	0	64	27,881
Total	84,848,070	2,384,399	722,173	1,573,240

Table 2 Airport Share of Regional Aviation Activity SCAG Region Air Carrier Airports 2008				
Airport	Passengers	Cargo	Air Carrier	Total Operations
Bob Hope	6.3%	1.8%	9.8%	7.6%
John Wayne	10.6%	0.7%	11.6%	17.0%
LAX	70.5%	75.3%	62.8%	39.6%
Long Beach	3.4%	1.9%	3.8%	21.5%
Ontario	7.3%	20.2%	10.4%	7.9%
Palm Springs	1.8%	0.0%	1.6%	4.6%
Other	0.0%	0.0%	0.0%	1.8%
Total	100.0%	100.0%	100.0%	100.0%

Historically, LAX has maintained the role of the primary passenger airport in the region. Its size and its location within the population core of the region have attracted a broad range of air service both domestic and international. LAX handles nearly all of the international passenger traffic in the region at this time. However, the regional airports have been playing a larger role, particularly in serving short-haul markets. As shown in Table 3, the share of regional passengers handled by the regional airports increased from 25.6% in 1996 to 29.5% in 2008. Airline reductions in flights and markets served have hit regional airports

proportionately harder than LAX in 2008. Passenger statistics for 2008 indicate a temporary reversal in the regionalization trend as airlines tighten up their route systems to regain profitability.

Table 3
Airport Share of Regional Passenger Traffic
SCAG Region Air Carrier Airports
1996-2008

	Los Angeles (LAX)	Ontario (ONT)	Long Beach (LGB)	John Wayne (SNA)	Burbank (BUR)	Palm Springs (PSP)	Regional Total
1996	74.4%	8.0%	0.6%	9.4%	6.2%	1.4%	100.0%
1997	74.6%	7.8%	0.8%	9.6%	5.8%	1.5%	100.0%
1998	74.9%	7.9%	0.8%	9.1%	5.8%	1.5%	100.0%
1999	75.4%	7.7%	1.0%	8.8%	5.6%	1.5%	100.0%
2000	76.1%	7.6%	0.7%	8.8%	5.3%	1.4%	100.0%
2001	75.2%	8.2%	0.7%	8.9%	5.5%	1.4%	100.0%
2002	72.2%	8.4%	1.9%	10.2%	5.9%	1.4%	100.0%
2003	69.7%	8.3%	3.6%	10.8%	6.0%	1.6%	100.0%
2004	70.5%	8.1%	3.4%	10.8%	5.7%	1.6%	100.0%
2005	69.6%	8.2%	3.4%	10.9%	6.2%	1.6%	100.0%
2006	69.6%	8.0%	3.1%	11.0%	6.5%	1.7%	100.0%
2007	69.3%	8.0%	3.2%	11.1%	6.6%	1.8%	100.0%
2008	70.5%	7.3%	3.4%	10.6%	6.3%	1.8%	100.0%

Los Angeles International Airport
Aviation Activity Analysis
2008

ATTACHMENTS



Los Angeles World Airports (LAWA)
Volume of Air Traffic (VOAT)
Los Angeles International Airport

	December 2008			Calendar Year to Date December 2008		
	<u>Domestic</u>	<u>International</u>	<u>Total</u>	<u>Domestic</u>	<u>International</u>	<u>Total</u>
Passenger Traffic Totals						
Scheduled Carriers						
Departures	1,569,708	652,527	2,222,235	19,845,768	8,276,705	28,122,473
Arrivals	1,540,311	616,779	2,157,090	19,753,820	8,274,626	28,028,446
Total	3,110,019	1,269,306	4,379,325	39,599,588	16,551,331	56,150,919
Scheduled Commuters						
Departures	131,130	3,939	135,069	1,729,096	63,237	1,792,333
Arrivals	136,373	4,147	140,520	1,778,505	62,273	1,840,778
Total	267,503	8,086	275,589	3,507,601	125,510	3,633,111
Charter						
Departures	876	0	876	12,332	3,847	16,179
Arrivals	2,135	0	2,135	11,343	4,094	15,437
Total	3,011	0	3,011	23,675	7,941	31,616
Grand Total	3,380,533	1,277,392	4,657,925	43,130,864	16,684,782	59,815,646
Air Cargo (Tons) Cargo figures may not add up due to rounding						
Freight						
Departure	33,622	26,746	60,368	396,236	403,866	800,102
Arrival	27,396	33,932	61,327	356,662	566,273	922,936
Total	61,018	60,678	121,696	752,898	970,140	1,723,038
Mall						
Departure	2,472	1,376	3,848	26,929	14,203	41,133
Arrival	1,583	989	2,572	20,211	12,161	32,372
Total	4,056	2,364	6,420	47,140	26,365	73,505
Grand Total	65,073	63,042	128,116	800,039	996,504	1,796,543
Flight Operations (Excludes Cargo Operations)						
Scheduled						
Departure	12,811	3,668	16,479	171,677	47,774	219,451
Arrival	12,796	3,678	16,474	171,186	47,782	218,968
Total	25,607	7,346	32,953	342,863	95,556	438,419
Commuter						
Departure	4,294	71	4,365	58,485	1,228	59,713
Arrival	4,294	71	4,365	58,485	1,228	59,713
Total	8,588	142	8,730	116,970	2,456	119,426
Charter						
Departure	35	0	35	239	45	284
Arrival	38	2	40	240	36	276
Total	73	2	75	479	81	560
Grand Total	34,268	7,490	41,758	460,312	98,093	558,405

Los Angeles World Airports (LAWA)
Traffic Comparison (TCOM)
Los Angeles International Airport

	December 2008			Calendar YTD December		
	2008	2007	<u>% Change</u>	2008	2007	<u>% Change</u>
<u>Passenger Traffic Totals</u>						
Domestic	3,380,533	3,716,251	-9.03%	43,130,864	45,190,615	-4.56%
International	1,277,392	1,471,467	-13.19%	16,684,782	17,247,968	-3.27%
Total	4,657,925	5,187,718	-10.21%	59,815,646	62,438,583	-4.20%
<u>Domestic Passengers</u>						
Scheduled Carriers	3,110,019	3,373,416	-7.81%	39,599,588	41,333,320	-4.2%
Commuter Carriers	267,503	339,270	-21.15%	3,507,601	3,830,943	-8.4%
Charter Carriers	3,011	3,565	-15.54%	23,675	26,352	-10.2%
Totals	3,380,533	3,716,251	-9.03%	43,130,864	45,190,615	-4.56%
<u>International Passengers</u>						
Tom Bradley Intl	728,548	756,820	-3.74%	9,103,372	9,192,901	-0.97%
Terminal 2	297,992	320,378	-6.99%	3,749,614	3,851,891	-2.66%
Terminal 4	69,611	119,498	-41.75%	1,311,629	1,324,111	-0.94%
Terminal 5	50,695	91,379	-44.52%	744,964	914,205	-18.51%
Terminal 7	49,972	89,729	-44.31%	798,875	838,790	-4.76%
All Other Terminals	80,574	93,663	-13.97%	976,328	1,126,070	-13.30%
Totals	1,277,392	1,471,467	-13.19%	16,684,782	17,247,968	-3.27%
<u>US Customs Arrivals</u>						
Tom Bradley Intl	416,030	401,864	3.53%	5,228,995	5,246,231	-0.33%
Terminal 2	105,214	115,145	-8.62%	1,349,037	1,416,674	-4.77%
Terminal 4	39,314	86,998	-54.81%	840,313	844,712	-0.52%
Terminal 5	23,613	41,684	-43.35%	382,168	459,411	-16.81%
Terminal 7	23,206	47,383	-51.02%	391,188	462,558	-15.43%
Totals	607,377	693,074	-12.36%	8,191,701	8,429,586	-2.82%
<u>Air Cargo (Tons)</u>						
Mail	6,420	7,181	-10.59%	73,505	66,706	10.19%
Freight	121,696	160,826	-24.33%	1,723,038	1,971,619	-12.61%
Total	128,116	168,007	-23.74%	1,796,543	2,038,325	-11.86%
<u>FAA Aircraft Movement</u>						
Air Carrier	37,194	38,773	-4.07%	453,232	467,193	-2.99%
Air Taxi	7,889	17,959	-56.07%	150,561	193,930	-22.36%
General Aviation	1,245	1,645	-24.32%	16,397	17,217	-4.76%
Military	168	160	5.00%	2,316	2,614	-11.40%
Total	46,496	58,537	-20.57%	622,506	680,954	-8.58%

Regional Data Statistics

SCAG Region

YEAR	PASSENGERS*	CHANGE (%)	CARGO (TONS)	CHANGE (%)	OPERATIONS**	CHANGE (%)
2000	88,501		2,870,401		2,008,188	
2001	81,883	-7.48%	2,512,672	-12.46%	1,928,875	-3.95%
2002	77,828	-4.95%	2,627,239	4.56%	1,813,964	-5.96%
2003	78,919	1.40%	2,712,971	3.26%	1,758,606	-3.05%
2004	86,124	9.13%	2,847,463	4.96%	1,793,194	1.97%
2005	88,301	2.53%	2,845,292	-0.08%	1,760,550	-1.82%
2006	87,681	-0.70%	2,779,131	-2.33%	1,768,311	0.44%
2007	90,075	2.73%	2,738,128	-1.48%	1,801,217	1.86%
2008	84,848	-5.80%	2,384,399	-12.92%	1,573,240	-12.66%

*In Thousands

**Provided Below

OPERATIONS

YEAR	AIR CARRIER	CHANGE (%)	AIR TAXI	CHANGE (%)	GENERAL AVIATION	CHANGE (%)	MILITARY	CHANGE (%)	TOTAL	CHANGE (%)
2000	826,001		302,502		815,536		34,149		1,978,188	
2001	779,305	-5.65%	292,496	-3.31%	821,711	0.76%	33,044	-3.34%	1,926,556	-2.61%
2002	709,516	-8.96%	271,100	-7.31%	804,533	-2.09%	28,815	-14.68%	1,813,964	-5.84%
2003	703,810	-0.80%	273,366	0.84%	754,063	-6.27%	27,367	-5.29%	1,758,606	-3.05%
2004	735,812	4.55%	283,392	3.67%	744,176	-1.31%	27,650	1.02%	1,791,030	1.84%
2005	738,882	0.42%	277,065	-2.23%	718,605	-3.44%	25,998	-6.35%	1,760,550	-1.70%
2006	748,303	1.28%	272,802	-1.54%	723,462	0.68%	23,744	-9.49%	1,768,311	0.44%
2007	757,032	1.17%	301,226	10.42%	718,343	-0.71%	24,616	3.54%	1,801,217	1.86%
2008	722,173	-4.60%	240,587	-20.13%	590,635	-17.78%	19,846	-24.04%	1,573,241	-12.66%

Regional Data Statistics

LOS ANGELES INTERNATIONAL AIRPORT (LAX)

YEAR	PASSENGERS	CHANGE (%)	CARGO (TONS)	CHANGE (%)	OPERATIONS*	CHANGE (%)
2000	67,303,182	4.70%	2,249,152	5.19%	783,433	0.55%
2001	61,606,253	-8.46%	1,941,694	-13.67%	738,433	-5.74%
2002	56,223,843	-8.74%	1,962,354	1.06%	645,424	-12.60%
2003	54,982,838	-2.21%	2,022,076	3.04%	622,378	-3.57%
2004	60,704,568	10.41%	2,115,313	4.61%	655,097	5.26%
2005	61,489,523	1.29%	2,137,188	1.03%	650,629	-0.68%
2006	61,041,066	-0.73%	2,103,082	-1.60%	656,842	0.95%
2007	62,438,583	2.29%	2,077,527	-1.22%	680,954	3.67%
2008	59,815,646	-4.20%	1,796,543	-13.52%	622,506	-8.58%

*Provided Below

OPERATIONS

YEAR	AIR CARRIER	CHANGE (%)	AIR TAXI	CHANGE (%)	GENERAL AVIATION	CHANGE (%)	MILITARY	CHANGE (%)	TOTAL	CHANGE (%)
2000	565,805	4.38%	198,306	-8.14%	17,018	-8.19%	2,304	-12.93%	783,433	-17.74%
2001	524,014	-7.39%	193,892	-2.23%	16,156	-5.07%	2,052	-12.28%	736,114	-6.04%
2002	449,712	-14.18%	177,123	-8.65%	16,474	1.97%	2,115	2.98%	645,424	-12.32%
2003	433,370	-3.63%	171,199	-3.34%	15,248	-7.44%	2,561	17.42%	622,378	-3.57%
2004	458,774	5.86%	179,262	4.71%	14,059	-7.80%	3,002	14.69%	655,097	5.26%
2005	454,934	-0.84%	178,017	-0.69%	15,071	7.20%	2,607	-15.15%	650,629	-0.68%
2006	463,341	1.85%	174,745	-1.84%	16,142	7.11%	2,614	0.27%	656,842	0.95%
2007	467,193	0.83%	193,930	10.98%	17,217	6.66%	2,614	0.00%	680,954	3.67%
2008	453,232	-2.99%	150,561	-22.36%	16,397	-4.76%	2,316	-12.87%	622,506	-8.58%

Regional Data Statistics

LONG BEACH AIRPORT (LGB)

YEAR	PASSENGERS	CHANGE (%)	CARGO (TONS)	CHANGE (%)	OPERATIONS*	CHANGE (%)
2000	637,853		54,192		379,399	
2001	587,473	-7.90%	58,357	7.69%	358,508	-5.51%
2002	1,453,551	147.42%	58,607	0.43%	350,603	-2.20%
2003	2,875,703	97.84%	55,850	-4.70%	338,807	-3.36%
2004	2,926,450	1.76%	57,050	2.15%	339,222	0.12%
2005	3,034,032	3.68%	54,298	-4.82%	353,011	4.06%
2006	2,758,362	-9.09%	49,947	-8.01%	369,738	4.74%
2007	2,906,556	5.37%	51,652	3.41%	398,433	7.76%
2008	2,913,926	0.25%	46,263	-10.43%	338,300	-15.09%

*Provided Below

OPERATIONS

YEAR	AIR CARRIER	CHANGE (%)	AIR TAXI	CHANGE (%)	GENERAL AVIATION	CHANGE (%)	MILITARY	CHANGE (%)	TOTAL	CHANGE (%)
2000	12,140		6,111		360,135		1,013		379,399	
2001	9,488	-21.85%	7,378	20.73%	340,897	-5.34%	745	-35.97%	358,508	-5.51%
2002	16,134	70.05%	8,349	13.16%	325,313	-4.57%	807	7.68%	350,604	-2.20%
2003	28,410	76.09%	7,347	-12.00%	302,075	-7.14%	975	17.23%	338,808	-3.36%
2004	28,093	-1.12%	7,383	0.49%	302,938	0.29%	808	-20.67%	339,222	0.12%
2005	28,939	3.01%	6,951	-5.85%	316,503	4.48%	618	-30.74%	353,011	4.06%
2006	25,833	-10.73%	9,431	35.68%	333,824	5.47%	650	4.92%	369,738	4.74%
2007	26,636	3.11%	11,546	22.43%	359,580	7.72%	671	3.13%	398,433	7.76%
2008	27,367	2.74%	9,652	-16.40%	300,699	-16.37%	582	-15.29%	338,300	-15.09%

Regional Data Statistics

LOS ANGELES/ONTARIO INTERNATIONAL AIRPORT (ONT)

YEAR	PASSENGERS	CHANGE (%)	CARGO (TONS)	CHANGE (%)	OPERATIONS*	CHANGE (%)
2000	6,757,398		511,758		155,501	
2001	6,702,400	-0.81%	462,006	-9.72%	154,715	-0.51%
2002	6,516,858	-2.77%	547,461	18.50%	149,292	-3.51%
2003	6,547,877	0.48%	571,892	4.46%	146,413	-1.93%
2004	6,935,713	5.92%	605,211	5.83%	152,870	4.41%
2005	7,213,528	4.01%	576,791	-4.70%	143,249	-6.29%
2006	7,049,904	-2.27%	544,600	-5.58%	136,261	-4.88%
2007	7,207,150	2.23%	532,865	-2.15%	147,678	8.38%
2008	6,232,761	-13.52%	481,284	-9.68%	124,242	-15.87%

*Provided Below

OPERATIONS

YEAR	AIR CARRIER	CHANGE (%)	AIR TAXI	CHANGE (%)	GENERAL AVIATION	CHANGE (%)	MILITARY	CHANGE (%)	TOTAL	CHANGE (%)
2000	95,370		28,228		31,469		434		155,501	
2001	96,035	0.70%	24,008	-14.95%	34,386	9.27%	286	-51.75%	154,715	-0.51%
2002	92,977	-3.18%	23,920	-0.37%	32,273	-6.14%	122	-134.43%	149,292	-3.51%
2003	90,809	-2.33%	25,665	7.30%	29,728	-7.89%	211	42.18%	146,413	-1.93%
2004	93,197	2.63%	27,403	6.77%	32,023	7.72%	247	14.57%	152,870	4.41%
2005	92,327	-0.93%	26,090	-4.79%	24,714	-22.82%	118	-109.32%	143,249	-6.29%
2006	91,918	-0.44%	26,244	0.59%	17,996	-27.18%	103	-14.56%	136,261	-4.88%
2007	88,280	-3.96%	38,681	47.39%	20,560	14.25%	157	34.39%	147,679	8.38%
2008	75,407	-14.58%	33,581	-13.18%	15,195	-26.09%	59	-166.10%	124,241	-15.87%

Regional Data Statistics

JOHN WAYNE AIRPORT (SNA)

YEAR	PASSENGERS	CHANGE (%)	CARGO (TONS)	CHANGE (%)	OPERATIONS*	CHANGE (%)
2000	7,772,801	4.05%	18,119	-0.92%	387,862	-7.15%
2001	7,324,557	-5.77%	16,146	-10.89%	378,903	-2.31%
2002	7,903,066	7.90%	15,646	-3.10%	368,627	-2.71%
2003	8,535,130	8.00%	15,406	-1.53%	349,124	-5.29%
2004	9,272,394	8.64%	20,152	30.81%	354,598	1.57%
2005	9,627,172	3.83%	24,073	19.46%	349,940	-1.31%
2006	9,613,540	-0.14%	23,903	-0.71%	347,194	-0.78%
2007	9,979,699	3.81%	22,330	-6.58%	331,452	-4.53%
2008	8,989,603	-9.92%	17,383	-22.15%	267,750	-19.22%

*Provided Below

OPERATIONS

YEAR	AIR CARRIER	CHANGE (%)	AIR TAXI	CHANGE (%)	GENERAL AVIATION	CHANGE (%)	MILITARY	CHANGE (%)	TOTAL	CHANGE (%)
2000	85,200	1.15%	13,776	58.44%	288,653	-23.77%	233	124.04%	387,862	-17.74%
2001	84,766	-0.51%	9,984	-27.53%	284,019	-1.61%	134	-73.88%	378,903	-2.31%
2002	84,597	-0.20%	9,265	-7.20%	274,603	-3.32%	162	17.28%	368,627	-2.71%
2003	83,927	-0.79%	15,485	67.13%	249,551	-9.12%	161	-0.62%	349,125	-5.29%
2004	87,130	3.82%	16,255	4.97%	248,910	-0.26%	138	-16.67%	352,433	0.95%
2005	87,134	0.00%	15,729	-3.24%	246,920	-0.80%	157	12.10%	349,940	-0.71%
2006	88,157	1.17%	15,847	0.75%	243,061	-1.56%	129	-21.71%	347,194	-0.78%
2007	91,368	3.64%	14,023	-11.51%	225,938	-7.04%	123	-4.88%	331,452	-4.53%
2008	84,090	-7.97%	10,786	-23.08%	172,822	-23.51%	53	-132.08%	267,750	-19.22%

Regional Data Statistics

PALM SPRINGS INTERNATIONAL AIRPORT (PSP)

YEAR	PASSENGERS	CHANGE (%)	CARGO (TONS)	CHANGE (%)	OPERATIONS*	CHANGE (%)
2000	1,281,000		144		96,103	
2001	1,175,000	-8.27%	101	-29.86%	98,558	2.55%
2002	1,110,118	-5.52%	82	-18.81%	104,455	5.98%
2003	1,247,743	12.40%	113	37.80%	93,068	-10.90%
2004	1,367,804	9.62%	104	-7.96%	95,169	2.26%
2005	1,419,087	3.75%	75	-27.88%	92,853	-2.43%
2006	1,529,005	7.75%	22	-70.67%	94,578	1.86%
2007	1,609,428	5.26%	19	-13.64%	84,629	-10.52%
2008	1,542,925	-4.13%	26	36.84%	72,876	-13.89%

*Provided Below

OPERATIONS

YEAR	AIR CARRIER	CHANGE (%)	AIR TAXI	CHANGE (%)	GENERAL AVIATION	CHANGE (%)	MILITARY	CHANGE (%)	TOTAL	CHANGE (%)
2000	9,580		26,206		59,287		1,030		96,103	
2001	8,245	-13.94%	27,995	6.83%	61,588	3.88%	730	-41.10%	98,558	2.55%
2002	9,060	9.88%	23,518	-15.99%	71,011	15.30%	866	15.70%	104,455	5.98%
2003	8,261	-8.82%	26,067	10.84%	57,763	-18.66%	977	11.36%	93,068	-10.90%
2004	8,761	6.05%	25,427	-2.46%	60,084	4.02%	897	-8.92%	95,169	2.26%
2005	9,766	11.47%	23,312	-8.32%	58,820	-2.10%	955	6.07%	92,853	-2.43%
2006	10,287	5.33%	24,959	7.07%	58,073	-1.27%	1,259	24.15%	94,578	1.86%
2007	11,520	11.99%	24,371	-2.36%	47,428	-18.33%	1,310	3.89%	84,629	-10.52%
2008	11,331	-1.64%	21,137	-13.27%	39,181	-17.39%	1,227	-6.76%	72,876	-13.89%

Regional Data Statistics

LOS ANGELES/PALMDALE REGIONAL AIRPORT (PMD)

YEAR	PASSENGERS	CHANGE (%)	CARGO (TONS)	CHANGE (%)	OPERATIONS*	CHANGE (%)
2000	-	-	-	-	45,121	-
2001	-	-	-	-	40,053	-11.23%
2002	-	-	-	-	33,352	-16.73%
2003	-	-	-	-	30,737	-7.84%
2004	-	-	-	-	31,108	1.21%
2005	4,877	-	-	-	35,238	13.28%
2006	59	-98.79%	-	-	32,484	-7.82%
2007	12,022	20276.27%	-	-	34,550	6.36%
2008	21,805	81.38%	-	-	27,881	-19.30%

*Provided Below

OPERATIONS

YEAR	AIR CARRIER	CHANGE (%)	AIR TAXI	CHANGE (%)	GENERAL AVIATION	CHANGE (%)	MILITARY	CHANGE (%)	TOTAL	CHANGE (%)
2000	294	-	391	-	15,671	-	28,765	-	45,121	-
2001	366	24.49%	404	3.32%	10,554	-32.65%	28,729	-0.13%	40,053	-11.23%
2002	242	-33.88%	246	-39.11%	8,474	-19.71%	24,390	-17.79%	33,351	-16.73%
2003	179	-26.03%	252	2.44%	8,127	-4.09%	22,179	-9.97%	30,737	-7.84%
2004	209	16.76%	353	40.08%	8,288	1.98%	22,258	0.35%	31,109	1.21%
2005	241	15.31%	1,120	217.28%	12,570	51.67%	21,307	-4.46%	35,241	13.28%
2006	125	-48.13%	301	-73.13%	13,406	6.65%	18,652	-14.23%	32,483	-7.83%
2007	86	-31.20%	1,052	249.50%	13,942	4.00%	19,470	4.20%	34,552	6.37%
2008	64	-25.58%	1,590	51.14%	10,830	-22.32%	15,397	-26.45%	27,881	-19.31%

ATTACHMENT 4

Stakeholder Liaison Report



Stakeholder Liaison Office

ONE WORLD WAY, LOS ANGELES, CA 90045

TEL: (800) 919-3766 • FAX: (310) 646-9501 • E-MAIL: OURLAX.ORG

To: Gina Marie Lindsey, Executive Director
Los Angeles World Airports

From: Brenda Martinez-Sidhom, Stakeholder Liaison
LAX Master Plan Stakeholder Liaison Office *Brenda M. S.*

Date: September 2, 2009

Subject: LAX Master Plan Liaison Office Report on Consultations with
Stakeholders for the LAWA Executive Director's Report

Project Name: Tom Bradley International Terminal Reconfiguration Project /
Bradley West

This report is an official submission from the LAX Master Plan Stakeholder Liaison Office (SLO) to the Los Angeles World Airports (LAWA) Executive Director, as part of the consultation required under the LAX Plan Compliance Review, compliant with Section 7.F of Ordinance No. 716,345 the LAX Specific Plan on the subject project.

In accordance with the LAX Specific Plan, the SLO will facilitate meetings with the stakeholders during the public review and comment periods of appropriate California Environmental Quality Act (CEQA) documents. The SLO will submit stakeholder comments on the environmental document to both the authors of the CEQA document and LAWA's Executive Director. Included with the full set of comments to the Executive Director will be a report summarizing stakeholder input and concerns. This SLO report will become a part of the Executive Director's report to the Board of Airport Commissioners (BOAC), and/or various reports to the City of Los Angeles. What follows herein is the aforementioned SLO report.

As part of the LAX Plan Compliance requirements of the Specific Plan, the Executive Director shall consider comments and concerns of the stakeholders prior to submitting any recommendation(s) to the Board of Airport Commissioners (BOAC). In addition, the Executive Director must make written findings for the LAX Plan Consistency and Environmental Compliance in order to recommend to BOAC that the project be granted an LAX Plan Compliance Review approval.

The findings must establish that the project complies with the LAX Plan, any design guidelines required by the LAX Plan, applicable provisions of the LAX Specific Plan and that it has been adequately analyzed in compliance with CEQA.

I. PROJECT DESCRIPTION

The proposed Project provides for certain improvements identified in the approved LAX Master Plan, particularly as related to the development of new aircraft gates at the Tom Bradley International Terminal (TBIT), supporting the airport's ability to effectively and efficiently accommodate Next Generation Aircraft, such as the Airbus A380, Boeing 787, and Boeing 747-8. Additionally, the Project includes substantial improvements related to the concourses and central core area of TBIT. Key elements of the Project include:

- ▶ Construction of new north and south concourses at TBIT just west of the existing concourses, which would be demolished. Compared to the existing concourses, the new concourses would provide new larger holdrooms, and improved and expanded concessions, airline lounges, passenger corridors, and administrative offices;
- ▶ Construction of nine aircraft gates, and associated loading bridges and apron areas, along the west side of the new concourses at TBIT;
- ▶ Relocation and consolidation of existing aircraft gates along the east side of TBIT. In conjunction with the demolition of the existing concourses at TBIT, ten new aircraft gates, and associated loading bridges and apron areas, would be constructed along the east side of the new concourses to replace the twelve aircraft gates that currently exist at TBIT;
- ▶ Renovation, improvement, and enlargement of the existing U.S. Customs and Border Protection (CBP) areas within the Central Core of TBIT;
- ▶ Construction of secure/sterile passenger corridors (i.e., areas allowing only passengers that have gone through security clearance and are subject to FAA or airline security requirements) between Terminals 3 and 4 and TBIT; and;
- ▶ Westward relocation of existing Taxiways S and Q, which are currently located in the area proposed for the new concourses and/or gates. This LAX TBIT Reconfiguration Project EIR will be tiered from the LAX Master Plan EIR (State Clearinghouse Number 1997061047) and will provide project-specific construction information on one of the Master Plan projects previously evaluated at a programmatic level, as well as project-specific changes to greenhouse gas emissions associated with the TBIT Reconfiguration Project. Potential significant environmental effects that may result from the proposed project include traffic, air quality, noise, surface water quality, and biological resources.

II. STAKEHOLDER COMMENTS

On June 8, 2009, the Stakeholder Liaison's office received a Request to solicit comments from stakeholders for the Executive Directors Report (see Attachment i). However, notifications requesting comments on the project description began May 7, 2009 (prior to request), in conjunction with the Draft Environmental Impact Report comment period.

The Stakeholder Liaison's office mailed a total of 9,584 mailers to stakeholders, notifying them of the Public Review and Comment period for the Draft Environmental Impact Report and LAX Compliance Review (LAXCR) process (see Attachment II). Stakeholders wishing to submit comments were to do so by 5:00pm, Monday, June 22, 2009. As of the closing period, the Stakeholder Liaison's office has not received comments for LAXCR related to the Tom Bradley International Terminal Reconfiguration Project / Bradley West.

ATTACHMENT 5

Department Transmittal Letters

Councilman Bill Rosendahl
Council District #11

Los Angeles Department of Public Works
Bureau of Engineering

Los Angeles Department of Transportation

Stakeholder Liaison Office

(Four letters with one set of attachments used with each letter)

TM

Los Angeles World Airports

June 1, 2009

Councilman Bill Rosendahl
c/o Chad Molnar, LAX Community Liaison
7166 W. Manchester Ave.
Los Angeles, CA 90045

Subject: Transmittal for Review of LAX Master Plan Project
Tom Bradley International Terminal (TBIT) Reconfiguration/Bradley West Project

LAX

LA/Ontario

LA/Palmdale

Van Nuys

City of Los Angeles

Antonio R. Villaraigosa
Mayor

Board of Airport
Commissioners

Alan I. Rothenberg
President

Valeria C. Velasco
Vice President

Joseph A. Aredas
Christine Essel
Michael A. Lawson
Fernando M. Torres-Gil
Walter Zifkin

Gina Marie Lindsey
Executive Director

Dear Councilman Rosendahl

The TBIT Reconfiguration Project, also referred to as the Bradley West Project, provides for certain major improvements in the midfield area of Los Angeles International Airport (LAX) that were contemplated in the LAX Master Plan, adopted by the City Council in December 2004. The LAX Specific Plan (Ord. #176,345) was also adopted by the City Council and establishes procedures for processing of specific projects and activities anticipated under the Master Plan Program. As established in Section 7.F.2. of the LAX Specific Plan, which addresses Plan Compliance/Executive Director's Review, a written description of the project under review shall be transmitted to the Councilmember of the district in which the Specific Plan Area is located. We are hereby transmitting for your review the following items for this project:

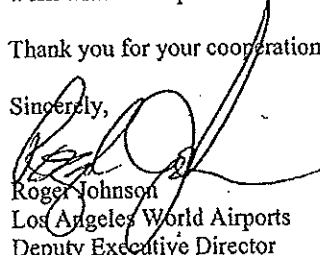
- 1) Applicable excerpt of the LAX Specific Plan
- 2) Project Description and associated graphics

The Draft EIR for this project, which has a more extensive project description, was previously sent to your office under separate cover. The LAX Specific Plan requires that the comments and concerns of the stakeholders be considered as early in the process as reasonable. As such, I am requesting any written response from your Office by June 22, 2009. Your comments will be included with the Executive Director's Review report for consideration by the Board of Airport Commissioners.

Should you or your staff have any questions on this matter or would like to discuss in detail the enclosed information, please contact Dennis Quilliam at (310) 646-7614, dquilliam@lawa.org. Should you desire, LAWA can contact your staff to set up a meeting to review the project and respond to any technical questions. Please identify the staff person and phone number who will be assigned to work with our department.

Thank you for your cooperation and help in this matter and we look forward to hearing from you.

Sincerely,


Roger Johnson
Los Angeles World Airports
Deputy Executive Director

RJ:DQ

Enclosures



TM

Los Angeles World Airports

June 1, 2009

Gary Lee Moore
City Engineer
Bureau of Engineering
650 S. Spring Street
Los Angeles, CA 90014

LAX
LA/Ontario
LA/Palmdale
Van Nuys
City of Los Angeles
Antonio R. Villaralosa
Mayor
Board of Airport
Commissioners
Alan I. Rothenberg
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Valeria C. Velasco
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Joseph A. Aredas
Christine Essel
Michael A. Lawson
Fernando M. Torres-Gil
Walter Zifkin
Gina Marie Lindsey
Executive Director

Re: Transmittal for Review of LAX Master Plan Project
Tom Bradley International Terminal (TBIT) Reconfiguration/Bradley West Project

The TBIT Reconfiguration Project, also referred to as the Bradley West Project, provides for certain major improvements in the midfield area of Los Angeles International Airport (LAX) that were contemplated in the LAX Master Plan, adopted by the City Council in December 2004. The LAX Specific Plan (Ord. #176,345) was also adopted by the City Council and establishes procedures for processing of specific projects and activities anticipated under the Master Plan Program. As established in Section 7.F.2. of the LAX Specific Plan, the Plan Compliance/Executive Director's Review, this project is subject to your review and comment. Los Angeles World Airports (LAWA) is hereby transmitting for your review and comment the following items for this project:

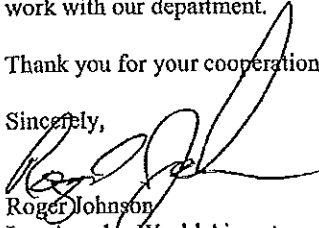
- 1) Applicable excerpt of the LAX Specific Plan
- 2) Project Description and associated graphics

The Draft EIR for this project, which has a more extensive project description, was previously sent to your office under separate cover. The LAX Specific Plan mandates that LAWA provide to you for your review and comment the enclosed information prior to LAWA's Executive Director making an official recommendation of approval to our Board of Airport Commissioners and City Council. The LAX Specific Plan requires your Department to submit any written comments concerning parking, driveways, access, circulation and infrastructure improvements to the Executive Director within fifteen (15) working days from the date the documents are received. As such, I am requesting, on behalf of the Executive Director, a written response from your Department by June 23, 2009.

Should you or your staff have any questions on this matter or would like to discuss in detail the enclosed information, please contact Dennis Quilliam at (310) 646-7614, dquilliam@lawa.org. Should you desire, LAWA can contact your staff to set up a meeting to review the project and respond to any technical questions. Please identify the staff person and phone number who will be assigned to work with our department.

Thank you for your cooperation and help in this matter and we look forward to hearing from you.

Sincerely,



Roger Johnson
Los Angeles World Airports
Deputy Executive Director

RJ:DQ
Enclosures



TM

Los Angeles World Airports

June 1, 2009

Rita L. Robinson
General Manager
Department of Transportation
100 S. Main Street, 10th Floor
Los Angeles, CA 90012

LAX

LA/Ontario

LA/Palmdale

Van Nuys

City of Los Angeles

Antonio R. Villaraigosa
Mayor

Board of Airport
Commissioners

Alan I. Rothenberg
President

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Gina Marie Lindsey
Executive Director

Re: Transmittal for Review of LAX Master Plan Project
Tom Bradley International Terminal (TBIT) Reconfiguration/Bradley West Project

The TBIT Reconfiguration Project, also referred to as the Bradley West Project, provides for certain major improvements in the midfield area of Los Angeles International Airport (LAX) that were contemplated in the LAX Master Plan, adopted by the City Council in December 2004. The LAX Specific Plan (Ord. #176,345) was also adopted by the City Council and establishes procedures for processing of specific projects and activities anticipated under the Master Plan Program. As established in Section 7.F.2. of the LAX Specific Plan, the Plan Compliance/Executive Director's Review, this project is subject to your review and comment. Los Angeles World Airports (LAWA) is hereby transmitting for your review and comment the following items for this project:

- 1) Applicable excerpt of the LAX Specific Plan
- 2) Project Description and associated graphics

The Draft EIR for this project, which has a more extensive project description, was previously sent to your office under separate cover. The LAX Specific Plan mandates that LAWA provide to you for your review and comment the enclosed information prior to LAWA's Executive Director making an official recommendation of approval to our Board of Airport Commissioners and City Council. The LAX Specific Plan requires your Department to submit any written comments concerning parking, driveways, access, circulation and infrastructure improvements to the Executive Director within fifteen (15) working days from the date the documents are received. As such, I am requesting, on behalf of the Executive Director, a written response from your Department by June 23, 2009.

Should you or your staff have any questions on this matter or would like to discuss in detail the enclosed information, please contact Dennis Quilliam at (310) 646-7614, dquilliam@lawa.org. Should you desire, LAWA can contact your staff to set up a meeting to review the project and respond to any technical questions. Please identify the staff person and phone number who will be assigned to work with our department.

Thank you for your cooperation and help in this matter and we look forward to hearing from you.

Sincerely,


Roger Johnson
Los Angeles World Airports
Deputy Executive Director

RJ:DQ
Enclosures



TM

Los Angeles World Airports

June 1, 2009

Brenda Martinez-Sidhom
Stakeholder Liaison Office
Los Angeles World Airports
Los Angeles, CA 90045

Re: Transmittal for Review of LAX Master Plan Project
Tom Bradley International Terminal (TBIT) Reconfiguration/Bradley West Project

LAX

LA/Ontario

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Executive Director

The TBIT Reconfiguration Project, also referred to as the Bradley West Project, provides for certain major improvements in the midfield area of Los Angeles International Airport (LAX) that were contemplated in the LAX Master Plan, adopted by the City Council in December 2004. The LAX Specific Plan (Ord. #176,345) was also adopted by the City Council and establishes procedures for processing of specific projects and activities anticipated under the Master Plan Program. As established in Section 7.F.2.(a) and (d) of the LAX Specific Plan, the Plan Compliance/Executive Director's Review, it is the responsibility of the Stakeholder Liaison's Office to obtain the comments and concerns of stakeholders and to consult with the Executive Director regarding this input. To initiate your solicitation of comments from stakeholders Los Angeles World Airports is hereby transmitting the following items for this project:

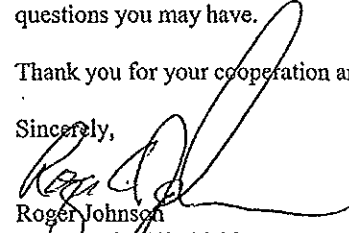
- 1) Applicable excerpt of the LAX Specific Plan
- 2) Project Description and associated graphics

The Draft EIR for this project, which has a more extensive project description, was previously sent to your office under separate cover. The LAX Specific Plan mandates that the Executive Director consult with you prior to making an official recommendation to the Board of Airport Commissioners and City Council. The LAX Specific Plan requires that the comments and concerns of the stakeholders be considered as early in the process as reasonable. As such, I am requesting, on behalf of the Executive Director, your written report to the Executive Director by July 30, 2009. The ETA for the FEIR is late September.

Should you have any questions on this matter or would like to discuss in detail the enclosed information, please contact Dennis Quilliam at (310) 646-7614, dquilliam@lawa.org. Should you desire, he can contact you to set up a meeting to review the project and respond to any technical questions you may have.

Thank you for your cooperation and help in this matter and we look forward to hearing from you.

Sincerely,


Roger Johnson
Los Angeles World Airports
Deputy Executive Director

RJ:DQ
Enclosures



SECTION 7 OF THE LAX SPECIFIC PLAN
ORDINANCE #176345

Sec. 7. LAX PLAN COMPLIANCE REVIEW.

A. General. The provisions of Subsections B, C, D, E and H of LAMC Section 11.5.7 do not apply to any Projects proposed for construction within the Airport Airside and Airport Landside Sub-Areas of the Specific Plan Area.

B. Prohibition. No grading permit, building permit, or use of land permit shall be issued, and no construction shall occur, on any Project within the Airport Airside and Airport Landside Sub-Areas unless the City Council grants an LAX Plan Compliance approval pursuant to the procedures set forth in this section.

C. Recommendation by Executive Director. The Executive Director shall have the authority to recommend approval, approval with conditions, modification or denial of a request for an LAX Plan Compliance determination. This recommendation shall be made to BOAC and the City Council pursuant to the procedures set forth in this section after consideration of the traffic generation report and aviation activity analysis required in Subsection G 1 below and following consultation with the LAX Master Plan Stakeholder Liaison.

D. Findings. The Executive Director shall recommend to BOAC that the proposed Project be granted an LAX Plan Compliance approval upon written findings that the Project satisfies each of the following requirements:

1. **LAX Plan Consistency.** That the Project complies with the LAX Plan, any design guidelines required by the LAX Plan, and all applicable provisions of this Specific Plan; and

2. **Environmental Compliance.** That the Project has been adequately analyzed in compliance with CEQA, and the applicable master plan commitments and mitigation measures contained in the MMRP (as may be modified by BOAC in accordance with CEQA) or identified in any subsequent environmental review have been incorporated into the Project to the extent feasible.

E. Rights Granted Under LAX Plan Compliance. The issuance of an LAX Plan Compliance approval indicates compliance with the LAX Plan and this Specific Plan, but does not in any way indicate compliance with other applicable provisions of LAMC Chapter I (Planning and Zoning Code), nor with Chapter IX (Building Code).

F. Procedures.

1. The Executive Director shall review a Project for LAX Plan Compliance based upon the following information:

(a) A written description of the Project including location, size, proposed use, and any other pertinent information;

(b) A completed initial environmental study, including a traffic study, where appropriate, or other analysis;

(c) The most recent annual traffic generation report as required in Subsection G 1 below;

(d) The most recent annual aviation activity analysis as required in Subsection G 1 below;

2. Executive Director's Review.

(a) Upon receipt of a request for review, the Executive Director shall transmit a copy of the written description of the Project and appropriate documents to the LADOT General Manager, the City Engineer, the Councilmember of the district in which the Specific Plan Area is located and the LAX Master Plan Stakeholder Liaison, and post notice of the application on the LAWA website. The LADOT General Manager and the City Engineer shall submit any written comments concerning parking, driveways, access, circulation, and infrastructure improvements to the Executive Director within 15 working days from the date the documents were received, unless the LADOT General Manager and the Executive Director agree more time is necessary. The Executive Director shall ensure that LAWA communicates with the LAX Master Plan Stakeholder Liaison. The Executive Director shall consider the comments and concerns of the stakeholders as early in the process as reasonable.

(b) The Executive Director shall determine whether the Project complies with the LAX Plan and all applicable provisions of this Specific Plan.

(c) The Executive Director shall determine whether the environmental clearance for the Project complies with CEQA.

(d) If the Executive Director determines that the Project is consistent with the LAX Plan, all applicable provisions of this Specific Plan and with the requirements of CEQA, the Executive Director shall prepare a written report and transmit this report to BOAC for its action on the LAX Plan Compliance request. This written report shall include findings to support the Executive Director's recommendation, the applicable master plan commitments and mitigation measures, the applicable traffic improvements and right-of-way dedications, and any conditions of approval that shall be imposed on the Project. As a part of this written report, the Executive Director shall summarize the traffic generation report and aviation activity analysis required in Subsection G 1 below, and the results of the consultation with the LAX Master Plan Stakeholder Liaison. The Executive Director shall also attach the reports submitted by the LADOT General Manager and the City Engineer.

(e) If the Executive Director determines that the Project is not consistent with the LAX Plan and all applicable provisions of this Specific Plan, the Executive Director may direct staff to reconsider the Project, analyze or redesign the Project, or recommend that BOAC seek an amendment to the LAX Plan and/or an amendment or exception to the Specific Plan pursuant to LAMC Sections 11.5.6 and/or 11.5.7 F and G, as appropriate.

1. PROJECT LOCATION

The Project is located at Los Angeles International Airport (LAX), situated within the City of Los Angeles and Los Angeles County. As depicted on Figure 1, LAX is bordered by the community of Westchester (part of the City of Los Angeles), the City of El Segundo, the City of Inglewood, the unincorporated community of Lennox, and the Pacific Ocean. The airport is located approximately 12 miles southwest of downtown Los Angeles. Figure 2 provides an aerial view of the existing airport. The proposed improvements that comprise the Project would occur in the central portion of the airport located between the north and south airfields, within, and west of, the existing Tom Bradley International Terminal (TBIT).

2. PROJECT DESCRIPTION

Project Characteristics

The proposed Project provides for certain improvements identified in the approved LAX Master Plan, particularly as related to supporting the airport's ability to effectively and efficiently accommodate Next Generation Aircraft⁶, such as the Airbus A380, Boeing 787, and Boeing 747-8. Airlines that have added, or will soon be adding, such aircraft to their fleets are anticipated to start scheduled service at LAX in the near future. The improvements proposed for this Project are shown in Figure 3 and include:

- ▶ Construction of new north and south concourses at TBIT just west of the existing concourses, which would be demolished. Compared to the existing concourses, the new concourses would provide new larger holdrooms, and improved and expanded concessions, airline lounges, passenger corridors, and administrative offices;
- ▶ Construction of nine aircraft gates, and associated loading bridges and apron areas, along the west side of the new concourses at TBIT;
- ▶ Relocation and consolidation of existing aircraft gates along the east side of TBIT. In conjunction with the demolition of the existing concourses at TBIT, nine new aircraft gates, and associated loading bridges and apron areas, would be constructed along the east side of the new concourses, and one existing gate would be retained to replace the twelve aircraft gates that currently exist at TBIT;
- ▶ Renovation, improvement, and enlargement of the existing federal inspection services of U.S. Customs and Border Protection (CBP) areas within the Central Core of TBIT⁷;
- ▶ Renovation, improvement, and enlargement of existing concessions areas, office areas, and operations areas within the central core of TBIT;
- ▶ Construction of secure/sterile passenger corridors (i.e., areas allowing only passengers that have gone through security clearance and are subject to FAA or airline security requirements) between Terminals 3 and 4 and TBIT; and
- ▶ Westward relocation of existing Taxiways S and Q⁸, which are currently located in the area proposed for the new concourses and/or gates.

⁶ "Next Generation Aircraft" is a general term referring to the development and release of new models of commercial aircraft that are larger, more fuel efficient, and incorporate new technology in flight engineering.

⁷ The Central Core of TBIT consists of the large building situated in the center of TBIT, connecting to the north concourse and south concourse at TBIT and to the roadway system within the Central Terminal Area. The Central Core is the area within TBIT where passenger processing activities, such as ticketing, screening, customs check, baggage claim, etc. occurs.

⁸ Based on the proximity of the alignments proposed for the two relocated taxiways, relative to the locations of other existing taxiways nearby, it is possible that relocated Taxiways "S" and "Q" would be redesignated as new Taxiways "T" and "S," respectively. That assumption is carried for the purpose of referencing

Additional information regarding each of these improvements is provided below.

TBIT Concourse Improvements

The proposed Project includes construction of a new concourse area at TBIT to replace the existing north and south concourses. The north and south portions of the new concourse would be constructed approximately 130 feet west of the existing concourses, as measured from west face of the existing concourses to the east wall of the proposed concourses, and would be approximately 120 feet wide. New concourse area would also be constructed west of the TBIT central core, connecting with the new north and south concourses, to provide a total new concourse length of approximately 2,525 feet. With the exception of the northernmost 275 feet of the existing north concourse, which would tie into the proposed concourse area, the existing north and south concourses at TBIT would be demolished after completion of the new concourses.⁹ The new concourses would provide larger passenger hold areas than the existing concourses; improved concessions including new food and beverage stores, merchandise stores, airline lounges, passenger corridors, administrative offices, and support space. The new concourse facility would be constructed to current seismic standards which are more stringent than those in existence at the time the existing north and south concourses were constructed in the early 1980s (i.e., California seismic safety building standards were revised following the Northridge Earthquake in 1994).

Aircraft Gates

The development of new gates along the west side of the new concourses includes four gates on the south concourse that would be designed to accommodate Airplane Design Group (ADG) VI aircraft such as the A380 and 747-8¹⁰, providing passenger loading bridges at the fore and aft of the aircraft as well as an additional loading bridge for the upper level of the A380 aircraft. Figure 4 illustrates how an A380 could be gated with the three loading bridges, with the two forward bridges connect to the lower level and the rear bridge connects to the upper level, and ground service trucks/equipment distributed around the aircraft. At the north concourse, three gates would be developed on the west side and would be designed to accommodate either two ADG VI aircraft or three ADG V aircraft such as the 787, Boeing 747-400, and Airbus A340-- see Figure 3. Two new gates, one designed to accommodate an ADG IV aircraft and the other to accommodate an ADG VI aircraft, would be constructed west of the TBIT Central Core, between the new north and south concourses.

As indicated previously, once the new concourse facility is completed, all of the existing south concourse and most (i.e., approximately 75 percent) of the existing north concourse would be demolished. The twelve gates that currently exist along the east side of TBIT would be replaced by nine new gates plus existing Gate 123, which was modified in 2008 to accommodate the A380, and would be retained. It is currently anticipated that the east side of the north concourse would include one ADG VI gate, two ADG V gates, and two ADG VI/III gates (i.e., such as for Boeing 757 and 737 aircraft and Airbus 320 and 319 aircraft), while the east side of the south concourse would include one ADG VI gate, three ADG V gates, and one ADG IV/III gate.

the subject taxiways within the EIR, understanding that the FAA would later determine and assign the actual letter designations for the relocated taxiways.

⁹ The design and construction of the new north concourse would not preclude or constrain the potential development of a new linear concourse in the future, to replace existing Terminals 1, 2 and 3 as anticipated by the approved LAX Master Plan. The new linear concourse would still have an east-west orientation and connect with the TBIT north concourse at its west end.

¹⁰ ADG VI generally includes aircraft with a wingspan of between 214 and 262 feet and a tail height of between 66 and 80 feet. It should be noted that all New Large Aircraft (NLA) currently in production are considered to be ADG VI aircraft, but not all ADG VI aircraft are NLA. For example, the Lockheed C-5 Galaxy heavy-duty military transport plane is an ADG VI aircraft. NLA generally refers to the new large aircraft that are proposed for commercial service that meet ADG VI size standards.

As indicated above, the new additional gates constructed at TBIT would reduce the use of existing remote gates located in the western portion of the airport, which, in turn, would reduce the existing need to bus passengers and crews between TBIT and the remote gates.

With implementation of the proposed Project, international flights that process passengers through TBIT and that would otherwise use remote gates would instead be routed directly to and from TBIT, thereby eliminating the remote gate busing operations associated with those flights. To the extent development of the new gates along the west side of TBIT would reduce the need for, and use of, the existing remote gates for international flights, the remote gates would be more available to be used for Remain Overnight (RON) aircraft parking.

Bradley West Core

Within the central portion of TBIT, the existing Central Core would be improved and enlarged to provide additional inspection counters, baggage claim units, primary and secondary processing areas, CBP administrative/office areas. Other proposed improvements would include renovations within the ticket counter area and airline ticket office area, addition of new concessions areas, expansion and improvement of the meet/greeter area, additional restrooms, and additional general circulation area. The improved and enlarged area is referred to as the Bradley West Core.

The improvements proposed for the Bradley West Core would occur both within the existing building area as well as within new building area that would fill in the area between the existing west face of the existing central core and the new concourse area to the west. A new roof structure, consistent with the design of the new concourses' roof, would be constructed over both the existing central core and the new building area extending west. The maximum height of the Bradley West Core would be approximately 130 feet above ground. This would require relocation of existing functions that are now located on the west face of the existing central core, including the TBIT loading dock, which would be moved to the north side of the existing building temporarily and then moved back to the new west face of the Bradley Core; a TBIT emergency egress, which would be integrated into the design of the new western portion of the Bradley West Core; and the existing bus gates that provide for the loading and unloading of passengers and crews on the buses traveling between TBIT and other gates, including the west remote gates.

The existing bus gates would be replaced by a 28,400-square-foot busing operations holdroom comprised of either a pre-engineered metal building or a concrete tilt-up structure to be constructed at the northern end of the existing north concourse. The subject facility would accommodate the existing busing operations between TBIT and the west remote gates and between TBIT and international flights occurring at gates within the CTA. With development of the new contact gates at TBIT and the addition of new sterile/secure connector corridors between TBIT and Terminals 3 and 4, the need for busing operations and associated passenger holdroom would be substantially reduced. The temporary busing operations holdroom would remain in operation until a new busing operation holdroom sized to reflect the reduced need for busing is constructed. Such a facility could be accommodated in the new south concourse near the Bradley West Core, after which the temporary busing operations holdroom would be demolished/removed.

Development of the new concourse area and the westward extension of the existing central core to tie into the new concourse will result in an increase in the total floor area of TBIT. The existing facility, including the north and south concourses and central core, encompasses a total of approximately 977,120 square feet. The proposed future facility would provide approximately 2,024,110 square feet of floor area.

Secure/Sterile Corridors between TBIT and Terminals 3 and 4

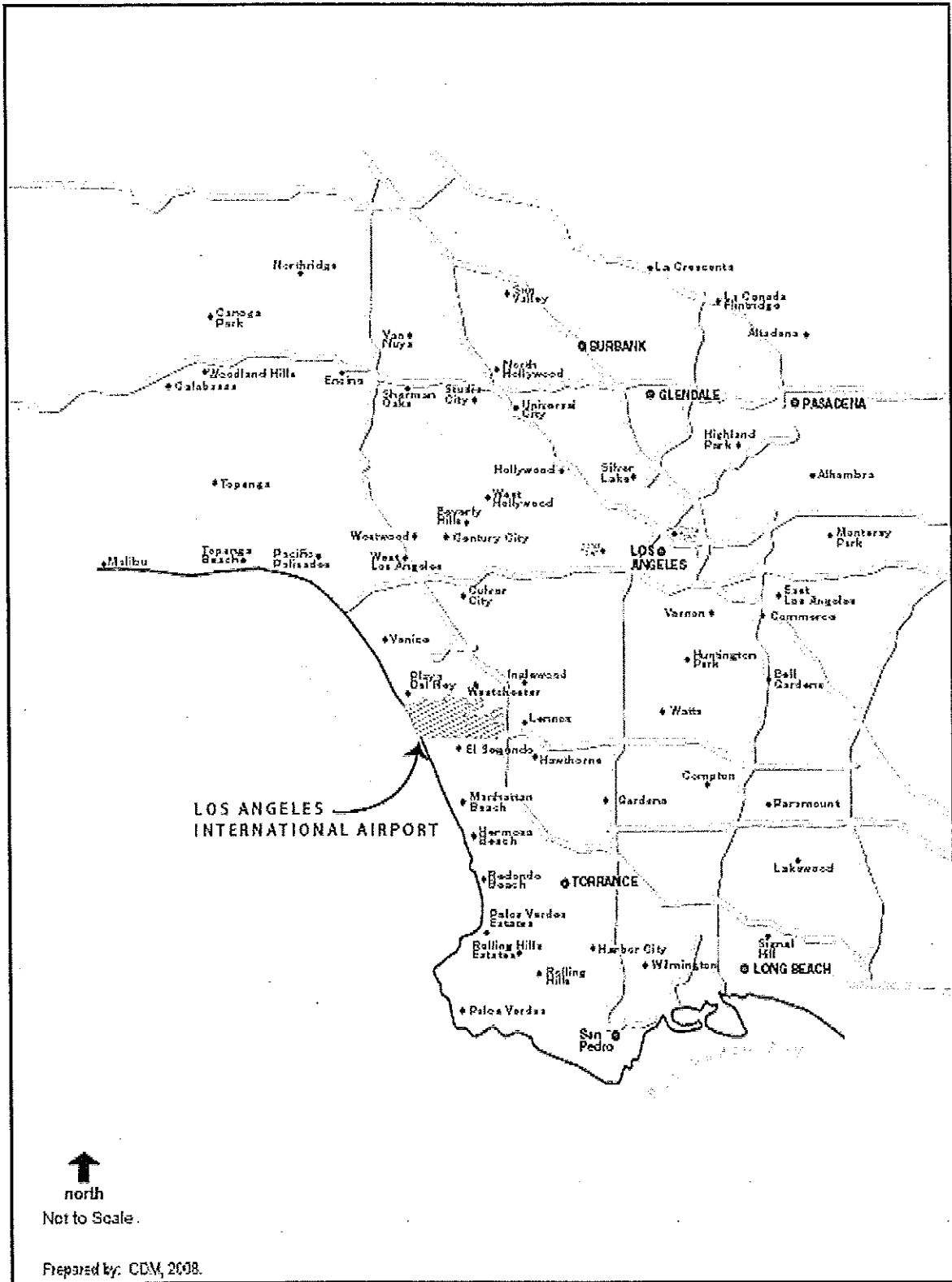
Improvements proposed within TBIT include the addition of secure/sterile corridors connecting TBIT with Terminals 3 and 4 to allow passengers on international arrival flights in those terminals to have

direct access to the screening and inspection services within TBIT, instead of the current procedure of deplaning onto busses and being transported to the west side of TBIT for processing.

Taxiways S and Q Westward Relocation

The area along the west side of TBIT that is proposed for the new concourse facility, new gates, loading bridges, and aircraft apron area is currently occupied by Taxiways S and Q and an adjacent service road, which provide aircraft access between the north runway complex and the south runway complex. As part of the proposed Project, both taxiways would be relocated approximately 518 feet to the west (from centerline of existing Taxiway Q to centerline of new Taxiway S), and would be designed and constructed to accommodate ADG VI aircraft.

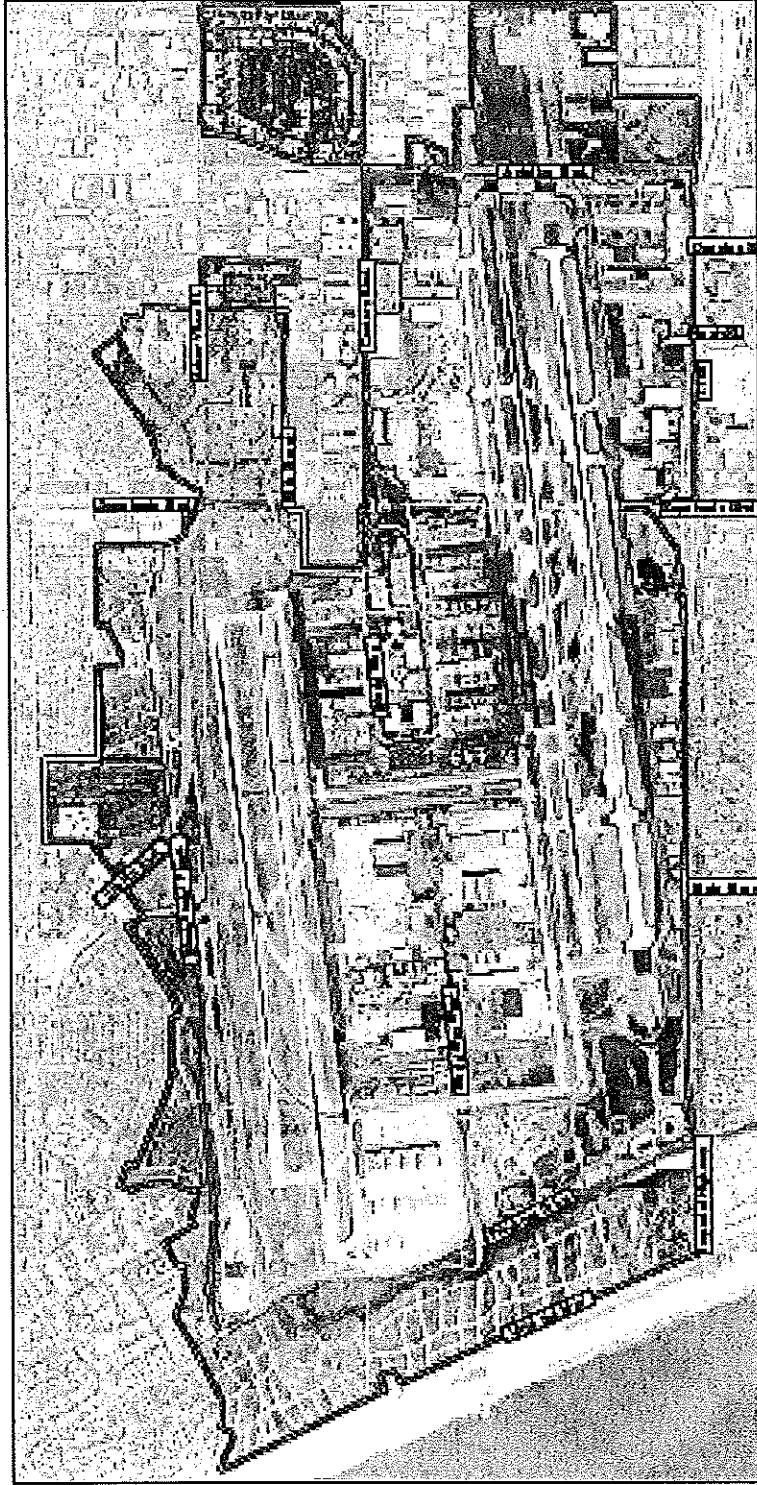
Early in the preparation of construction plans for relocation of Taxiways Q and S, consideration was given to the development of various tunnel segments that are improvements included in the approved LAX Master Plan. Specifically, the LAX Master Plan identifies a tunnel system to access the future Midfield Satellite Concourse. While such a tunnel system is not required for the Bradley West Project, construction of those segments of the tunnels situated beneath the relocated taxiways was evaluated relative to reducing future environmental impacts and taxiway operations disruption associated with development of the tunnel system. Constructing the tunnel segments in conjunction with the proposed taxiway construction would avoid the future need to either tunnel beneath the subject taxiways or close them and excavate across them in order to complete the tunnel system. Further evaluation and consideration of that development approach found that it may be preferable to hold construction of the tunnel segments until such time as the entire tunnel system can be developed in conjunction with construction of the future Midfield Satellite Concourse. While the impacts analyses presented in this EIR relative to relocation of Taxiways Q and S include the subject tunnel segments (i.e., tunnel segments were included in the initial project description used as the basis of the impacts analysis), the actual construction of the tunnel segments and system is anticipated to occur through a discretionary approval(s) separate from the Bradley West Project.



TBIT Reconfiguration Project EIR NOP

Project Location Map

Figure 1



↑ north
Not to Scale

Prepared by: CDM, 2006

TEIT Reconfiguration Project EIR NOP

Existing Airport

Figure
2

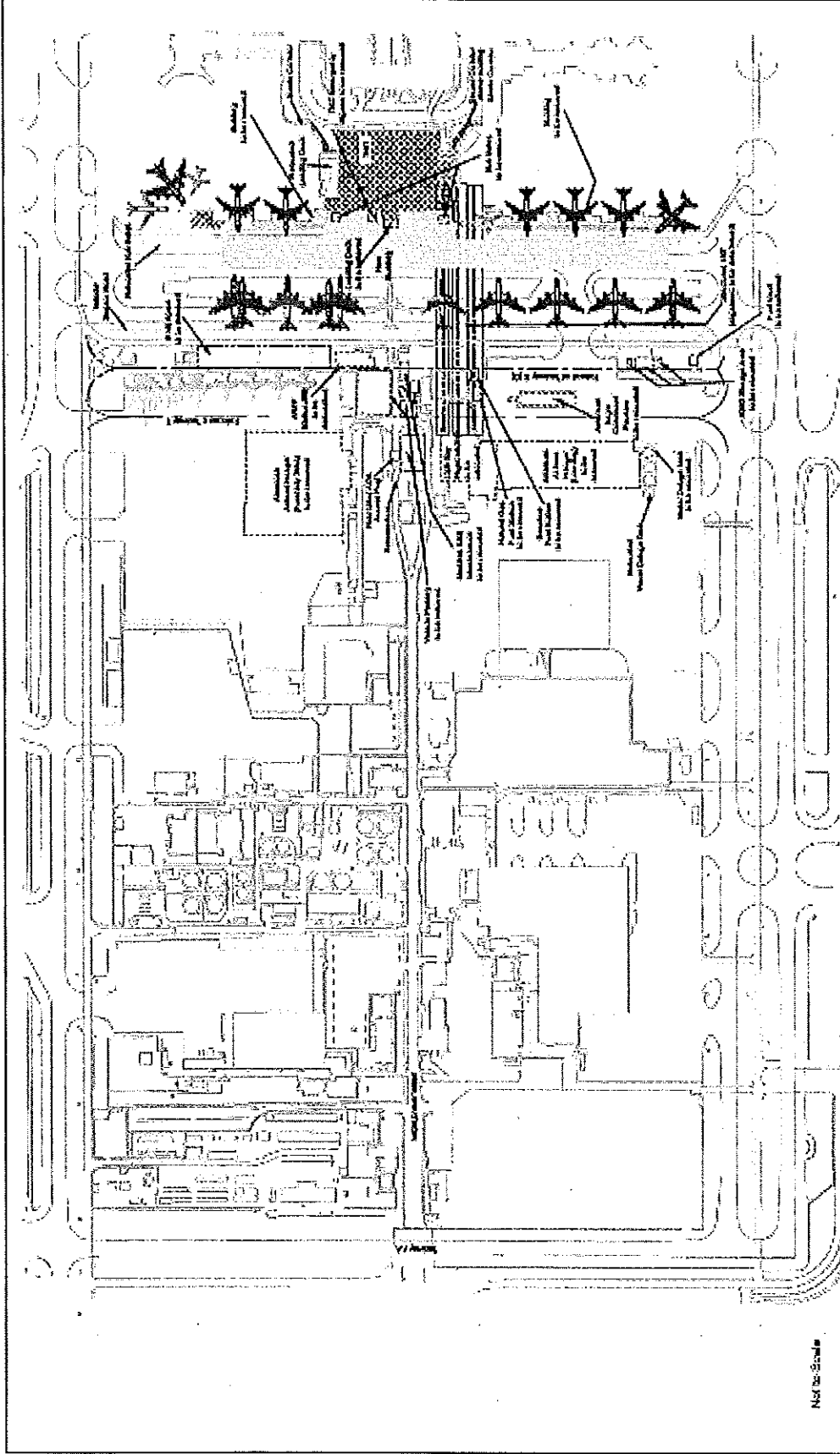
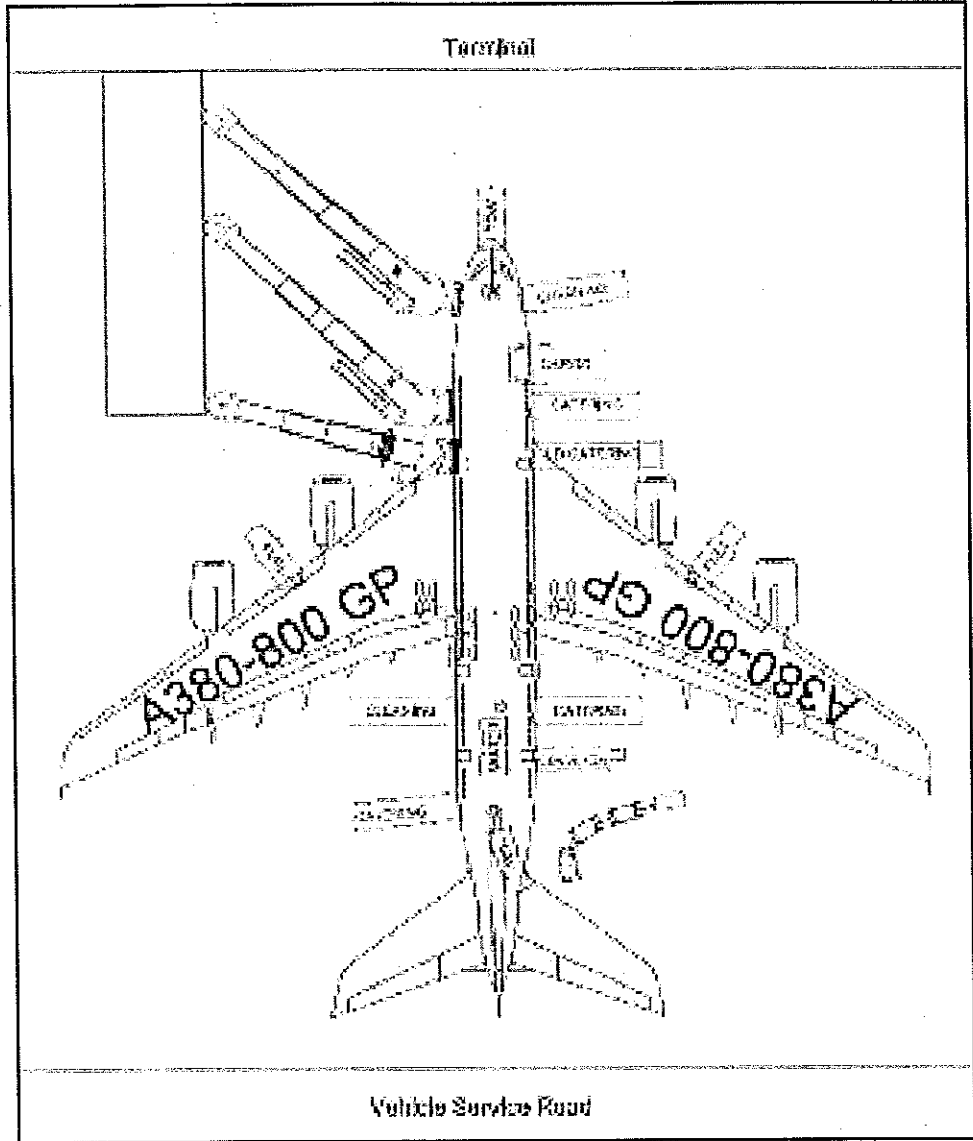


Figure 3

Project Site Plan

TBIT Reconfiguration Project EIR NOP

Source: UAG Development Program
 Date: December 8, 2005




 North
 Not to Scale

Prepared by: CIVIL 1034

TBIT Reconfiguration Project EIR NOP	A380 Passenger Loading Bridge Configuration	FIGURE 8
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EXHIBIT B

THE BRADLEY WEST PROJECT

**STATEMENT OF OVERRIDING
CONSIDERATIONS**

Statement of Overriding Considerations

Los Angeles World Airports (LAWA) published the project-level Final Environmental Impact Report (EIR) for the Los Angeles International Airport (LAX) Bradley West Project on September 10, 2009. The Bradley West Project involves reconfiguration of the Tom Bradley International Terminal (TBIT), including the addition of aircraft contact gates on the west side of TBIT, as contemplated within the LAX Master Plan that was approved by the Los Angeles City Council in December 2004. Concurrent with the approval of the LAX Master Plan was the certification of the LAX Master Plan Final EIR (State Clearinghouse No. 1997061047), which addresses the environmental impacts associated with the LAX Master Plan improvements. The Bradley West Project EIR focused on significant environmental effects of the proposed project that may not have been fully addressed in the LAX Master Plan Final EIR, and summarized where and how other environmental impacts associated with the Bradley West Project are addressed in the LAX Master Plan Final EIR. The Bradley West Project EIR identified significant adverse environmental impacts that would result from the implementation of the project that cannot be mitigated to a level of insignificance by the implementation of feasible mitigation measures or alternatives. The unavoidable significant impacts from the Bradley West Project occur with respect to construction- and operations-related traffic, air pollutant emissions, and greenhouse gas emissions.

CEQA Guidelines Section 15093(b) provides that when a public agency approves a project that will result in significant impacts that are identified in the final EIR but are not avoided or substantially lessened, the agency must state in writing the specific reasons to support its decision based on the final EIR and/or other information in the whole of the administrative record. If the specific economic, legal, social, technological or other benefits of a proposed project outweigh its unavoidable adverse environmental effects, the adverse effects may be considered "acceptable." LAWA, as the Lead Agency for the Bradley West Project EIR, adopts the following Statement of Overriding Considerations.

The improvements proposed under the Bradley West Project are included within the approved LAX Master Plan. The implementation of the overall Master Plan will bring substantial benefits to the City of Los Angeles, including air service benefits, increased safety and efficiency, security enhancements, environmental benefits, economic benefits, employment benefits, environmental justice benefits, and conformance with regional plans. These benefits are described in the LAX Master Plan Final EIR and the associated CEQA Findings adopted in conjunction with the approval of the LAX Master Plan. The primary purpose of the Bradley West Project is to reconfigure the existing TBIT to add aircraft gates along its west side, with such gates being designed to accommodate new generation aircraft (e.g., Airbus A380, Boeing 787, and Boeing 747-8), and to substantially improve the TBIT core and concourse areas, which will improve the quality of passenger service at TBIT.

Based on substantial evidence in the whole of the administrative record for the Bradley West Project, the City of Los Angeles hereby finds, concludes and determines that the unavoidable significant adverse environmental impacts of the Bradley West Project are acceptable in light of the following specific economic, legal, social, technological or other project benefits. Each project benefit described below constitutes an overriding consideration warranting approval of the Bradley West Project, independent of the other benefits, despite each and every significant unavoidable impact. Some benefits are unique to the Bradley West Project and others represent contributions to the overall benefits of implementing the LAX Master Plan. The Bradley West Project is an integral component of the LAX Master Plan and by implementing the Bradley West Project, LAX Master Plan benefits will continue to be realized.

A. Operational and Environmental Benefits Associated with Additional Contact Gates along the West Side of the Tom Bradley International Terminal

Currently there are 12 aircraft contact gates at TBIT, all generally along the east side of the existing north and south concourses. This existing number of contact gates is not sufficient to accommodate the existing and projected number of international flights at LAX; hence, remote

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gates located west of TBIT are often used for international flights. Use of the west remote gates currently requires the busing of flight crews and passengers from and to TBIT. In 2008, approximately 113 daily bus trips were required between TBIT and the west remote gates. Based on increases in international flight activity projected to occur at LAX by 2013, the number of daily bus trips is projected to increase to 273 without implementation of the Bradley West Project. The proposed project would provide nine new contact gates along the west side of TBIT and reduce the need for and use of the west remote gates. With these improvements, the number of daily bus trips would be only 160. This reduction in the projected number of daily bus trips in 2013 provides several operational benefits: (1) reducing interference with aircraft movements by reducing surface vehicle presence and activity on the airfield operations area (AOA); (2) reducing capital investment costs and operations and maintenance expense, which would otherwise be required due to increases in the number of buses and drivers for future bus operations; and (3) reducing the time and inconvenience for flight crews and passengers having to be bused between TBIT and the west remote gates.

Reduction of busing operations would also result in associated environmental benefits, specifically, reduced fuel consumption and fewer air pollutant emissions. As indicated on page 5-73 of the Bradley West Project EIR, the annual fuel savings for 2013 operations with the proposed project compared to fuel savings without the project would be over 170,000 gallons of compressed natural gas. The 41 percent reduction in bus trips projected to occur in 2013 with the proposed project would result in an associated reduction in air pollution emissions, as shown in Tables 4.4-15 of the Bradley West Project EIR for criteria pollutants and Table 4.6-4 of the Bradley West Project EIR for carbon dioxide (i.e., greenhouse gas).

Based on airfield simulation modeling conducted for 2013 conditions, it is projected that overall taxi/idle times for aircraft utilizing the new contact gates at TBIT would be reduced compared to conditions without the project, where aircraft would have to use the west remote gates. As indicated in Table 4.4-14 of the Bradley West Project EIR, annual emissions of air pollutants from aircraft during taxi and idle modes would be reduced compared to conditions without the project as follows: carbon monoxide by 135 tons per year (tpy), volatile organic compounds by 20 tpy, nitrogen oxides by 37 tpy, and sulfur dioxide by 10 tpy. The reduced taxi/idle times would also result in a reduction in aircraft fuel consumption.

B. Operational and Environmental Benefits Associated with Improvements Made to Accommodate New Large Aircraft Such as the Airbus A380 and Boeing 747-8

New large aircraft, such as the Airbus A380 and Boeing 747-8, fall within the Airplane Design Group (ADG) VI category, which represents the largest size commercial aircraft currently in operation. Design and operation requirements for ADG VI aircraft are greater, in several ways on both landside and airside, than those for smaller ADG categories. On the airside, the clearance requirements for aircraft taxi routes and parking/gate areas, as well as the pavement load design, are greater than those of smaller aircraft sizes. On the landside, ADG VI aircraft require larger holdrooms to accommodate their greater carrying capacity and terminals that can accommodate a greater "surge" of arriving passengers.

In October 2008, regularly scheduled commercial passenger service using A380 aircraft commenced at LAX for flights to and from Australia and New Zealand. As existing orders for A380 aircraft continue to be filled, and other new large aircraft types such as the Boeing 747-8 are moved into commercial service, it is anticipated that more ADG VI operations will occur at LAX. This is particularly true relative to long-haul international carriers that operate at TBIT. The Bradley West Project includes a number of improvements specifically designed to accommodate ADG VI aircraft. These include provision of nine contact gates designed for ADG VI aircraft (i.e., gates with multiple jetways to help facilitate the deplaning of a large number of passengers on arriving flights), larger holdrooms, and improvements within the Bradley West core area to provide for more and higher quality passenger processing facilities (e.g., more/improved Customs

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and Border Protection processing stations, additional concessions areas, expansion/improvement of the meeter-greeter area, and additional restrooms).

The relocation of existing Taxiways Q and S would result in new taxiways designed to ADG VI standards. This would provide air traffic control tower staff with additional options for routing new large aircraft between the north and south airfield complexes and, as such, the Bradley West Project would maintain and improve existing aircraft ground access between the north airfield complex and the south airfield complex.

As noted above, various other improvements proposed within TBIT as part of the project, such as new holdrooms and improved passenger processing facilities, are designed in anticipation of increased operations of new large aircraft at LAX. Such improvements would reduce congestion and delay in handling the large number of people that may be arriving or departing on an ADG VI aircraft as well as improve processing of passengers travelling on smaller aircraft. Currently, even the processing of passengers on ADG V and smaller aircraft is frequently slow and congested, especially during peak periods.

C. Improved Quality of Service at TBIT

As described in Section 2.1 of the Bradley West Project EIR, LAX is well recognized as one of the world's leading commercial airports and is an integral part of southern California. In 2008, LAX ranked as the sixth busiest airport in the world, based on number of passengers, and is the second largest gateway for international travelers entering the U.S., second only to JFK International Airport. From a regional perspective, LAX is vital to trade and tourism and the associated employment and economic benefits. According to a 2007 study completed by the Los Angeles County Economic Development Corporation (LAEDC)¹, LAX flights in 2006 created 363,700 direct and indirect jobs with annual wages of \$19.3 billion in Los Angeles, Orange, Riverside, San Bernardino, San Diego, and Ventura Counties. International travel through LAX is particularly important to the region's economic sustainability and success. According to the 2007 LAEDC study, an average transoceanic flight in 2006, traveling round-trip from LAX every day, added \$623 million in economic output and sustained 3,120 direct and indirect jobs in southern California with \$156 million in wages. As indicated in the 2007 LAEDC study, the production and transportation of freight exports, the transportation of freight imports, the operation of the airport itself, and the purchases made by international visitors on the flights all contribute to economic output, jobs and wages. Freight exports (which are generally high-value items) accounted for over 80 percent of the annual economic activity generated by international flights at LAX.

TBIT is the primary facility that serves international travel at LAX. TBIT, along with the upper roadway level within the CTA, was constructed in the early 1980s as part of preparations for the 1984 Summer Olympics hosted by the City of Los Angeles. Over the subsequent 24 years of operations, hundreds of millions of international travelers have passed through TBIT, and the nature, size, number, and operational characteristics of aircraft serving the international market have changed substantially.

The improvements proposed as part of the Bradley West Project would substantially improve the level and quality of passenger service at TBIT compared to what is otherwise available today, especially as related to the increased presence of new large aircraft in the fleets of commercial carriers at LAX. The Bradley West Project would provide more area and facilities for processing and claiming baggage; additional and improved stations for Customs and Border Protection processing of passengers and inspection of baggage; more general circulation area; better variety, quality, and availability of concessions; more lounge areas; more restrooms; and expanded ticketing areas, all housed in new facilities that incorporate modern design elements, greater architectural articulation, and more extensive landscape amenities consistent with an

¹ The Economic Activity Dependent on Overseas Flights at LAX, prepared by LAEDC with HR&A and SH&E, August 2007.

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overall architectural design vision for the modernization of LAX. These improvements would result in a world-class facility for Los Angeles.

D. Employment Benefits

The construction of the Bradley West Project would provide employment benefits to the Los Angeles region. As indicated in Section 5.2.5.1 of the Bradley West Project EIR, it is estimated that the Bradley West Project would provide approximately 1,425 temporary construction-related jobs over the approximately 63-month construction period. This employment projection was developed by construction estimators (U.S. Cost) for the Bradley West Project based on the total estimated construction labor cost, divided by the average labor wage and assuming 6 days/week 10 hours/day work shifts. Considering the multiplier effect to account for the indirect effects on other industries, the total employment impact within the County during the construction period would be even higher (see Section 5.2.4.1 of the Bradley West Project EIR). The multiplier effect for employment refers to additional non-construction jobs that may result in industries, such as the service industries, to support the construction activity. Operationally, it is anticipated that an increase in on-airport employment would occur to staff the enlarged concessions areas and expanded U.S. Customs and Border Protection (CBP) areas within the Bradley West core. The direct and indirect employment impacts of Bradley West Project construction, which is anticipated to commence in late 2009 if approved, would come at a time when there is an increasing need for employment opportunities as the region, state, and nation continue to be affected by current economic conditions.

Through the implementation of LAX Master Plan Commitment EJ-3, Job Outreach Center, LAWA would make special efforts to encourage minority, women-owned and disadvantaged business enterprise subcontractors and historically underrepresented and at-risk local residents within affected communities to seek construction and other Bradley West Project-related jobs.

EXHIBIT C

THE BRADLEY WEST PROJECT

CEQA FINDINGS

California Environmental Quality Act Findings Bradley West Project

Los Angeles World Airports (LAWA) has prepared a project-level environmental impact report (EIR) for the Bradley West Project pursuant to the California Environmental Quality Act (CEQA). The Bradley West Project is a project component of the Los Angeles International Airport (LAX) Master Plan Program approved by the Los Angeles City Council in December 2004. The LAX Master Plan was the subject of a certified program-level environmental impact report (LAX Master Plan Final EIR) and an approved environmental impact statement (LAX Master Plan Final EIS), which were prepared by LAWA and the Federal Aviation Administration, respectively. The Bradley West Project EIR is "tiered" from, and incorporates by reference, the LAX Master Plan Final EIR.

The Notice of Preparation (NOP) for the Bradley West Project Draft EIR was published on December 10, 2008 for a review period that ended on January 28, 2009. A public scoping meeting was held on January 14, 2009. On May 7, 2009, the City of Los Angeles published the Draft EIR for the proposed Bradley West Project. In accordance with CEQA, the Draft EIR was circulated for public review for 45 days, with the review period closing on June 22, 2009. Two public meetings were held during the comment period: one on June 3, 2009 and the other on June 6, 2009. The City of Los Angeles published the Final EIR for the Bradley West Project on September 10, 2009. The Bradley West Project Final EIR incorporates and responds to comments received on the Notice of Preparation for the EIR and on the Draft EIR and includes corrections and additions to the Draft EIR. LAWA, the Los Angeles Board of Airport Commissioners, and other decision-makers will use the Final EIR to inform their decisions on the Bradley West Project, as CEQA requires.

In response to comments submitted on the NOP for the Bradley West Project Draft EIR, and on the Bradley West Project Draft EIR itself, expressing concerns about, and opposition to, proposed construction parking areas, LAWA included an alternative construction parking scenario, Alternative 4, in the Bradley West Project Draft EIR. Under Alternative 4, LAWA would use the West Construction Staging Area as the primary construction worker parking area instead of construction worker parking areas in the northwest and southeast portions of the airport. The findings herein have been prepared to reflect the approval of the proposed project as modified by Alternative 4.

A. Findings on Less than Significant Impacts and Impacts that Will be Reduced to Below the Level of Significance with Mitigation

a. Human Health Risks

Description of Effects: As indicated in Section 4.5 of the Bradley West Project EIR, possible impacts to human health were assessed through a human health risk assessment (HHRA), as required under State of California statutes and regulations.

The Bradley West Project, as part of the LAX Master Plan, is subject to the Master Plan Commitments and Mitigation Measures contained in the LAX Master Plan EIR, which were adopted as project requirements in conjunction with approval of the LAX Master Plan. The Master Plan Mitigation Measures that pertain to air quality, which in turn relates to human health risk, and are applicable to the Bradley West Project include MM-AQ-1, LAX Master Plan - Mitigation Plan for Air Quality, and MM-AQ-2, Construction-Related Measure, as indicated in Section 4.5.5 of the Bradley West Project EIR.

Several factors contribute to the cancer risks and non-cancer health hazards associated with the Bradley West Project. Construction of the Bradley West Project would result in temporary emissions of various toxic air contaminants (TACs) from construction equipment, worker

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commuting vehicles, truck haul/delivery trips, surface paving, taxiway striping, demolition/material crushing, and grading activities. Operation of the Bradley West Project would result in emissions of various TACs from passenger busing, utility changes to meet increases in demand for heating and cooling, and aircraft ground operations (taxi and idle).

Consistent with the results for the LAX Master Plan EIR, modeling results for the Bradley West Project indicate that diesel particulates from trucks and construction equipment are responsible for nearly all potential health risks posed by Bradley West Project construction activities. Specifically, diesel particulates account for nearly 82 percent of cancer risk and 23 percent of chronic non-cancer health hazard from construction sources. Fugitive dust contributes the greatest to non-cancer chronic health hazards, and gasoline- and diesel-powered equipment contributes the greatest to non-cancer acute health hazards from construction sources. Aircraft emissions contribute the greatest to non-cancer chronic and acute health hazards from operational sources, with acrolein contributing 82 percent of chronic health hazards followed by formaldehyde, contributing 16 percent. Cancer risks from operational sources are driven primarily by exposure to 1,3-butadiene.

Project-related cancer risks, non-cancer chronic health hazards and non-cancer acute health hazards for all receptor types were predicted to be below the thresholds of significance. Further, given the conservative (protective) approach used to estimate the magnitude of potential impacts to human health, the Bradley West Project EIR found that no significant risks or hazards are anticipated to occur.

For the cumulative cancer risks analysis, presented in Section 4.5.7.1 of the Bradley West Project EIR, the SCAQMD MATES-III study was used to estimate present cumulative impacts of toxic air contaminants (TAC) emissions in the South Coast Air Basin. However, the study only has sufficient resolution to determine possible incremental contributions of cumulative impacts in the airshed. Therefore, only possible incremental contributions to cumulative impacts can be assessed.

The LAX Master Plan EIR used the results of the MATES-II study to address cumulative cancer risks associated with the build alternatives and the No Action/No Project Alternative. Overall, the analyses indicated that LAX operations would have a small impact on cumulative human cancer risks associated with living in the South Coast Air Basin. The LAX Master Plan EIR also found that LAX Master Plan mitigation would reduce cancer risks below those predicted for pre-mitigation conditions. That is, mitigation would result in a decrease in cumulative risks for many people living closest to the airport. Although project-specific construction activities of the Bradley West Project were not analyzed in the LAX Master Plan EIR, total estimated cancer risks for the Bradley West Project are less than those estimated for the No Action/No Project Alternative in 2005 in the LAX Master Plan EIR. This conclusion is based on the assumption that impacts associated with the Bradley West Project would be less than impacts estimated for the South Airfield Improvement Project (SAIP). The HHRA for the SAIP concluded that the incremental contribution to cumulative cancer risk for both operational and construction sources would not be measurable against urban background conditions in the South Coast Air Basin. Based on this conclusion, the Bradley West Project can be expected to result in an extremely small increase in cumulative human cancer risks and the increase would probably not be measurable against urban background conditions in the South Coast Air Basin. Further, estimated cumulative non-cancer chronic and acute health hazards from emissions for concurrent construction projects at LAX would not be measurable against urban background conditions in the South Coast Air Basin. Therefore, cumulative human health risks and hazards are anticipated to be less than significant.

Findings: Based on substantial evidence in the administrative record, including Section 4.5 of the Bradley West Project EIR, the BOAC hereby finds and determines that impacts associated with human health risks are less than significant. Because these impacts are less than significant, mitigation beyond that already required by the LAX Master Plan, which will be included in the Mitigation Monitoring and Reporting Program for the Bradley West Project, is not required.

b. Biotic Resources

Description of Effects: As discussed in Section 4.7 of the Bradley West Project EIR, one special status plant species, southern tarplant, was observed on the Southeast Construction Staging/Parking Area and East Contractor Employee Parking Area. Southern tarplant is a CNPS List 1B.1 species. Construction of the Bradley West Project would directly impact approximately 300 southern tarplant individuals, which would be a significant impact.

Special status plant and wildlife species that have the potential to occur within the Bradley West Project areas include Lewis' evening primrose, California spineflower, burrowing owl, loggerhead shrike, and San Diego black-tailed jackrabbit. Additional field surveys in support of the Bradley West Project EIR will be conducted when these species are expected to occur to determine their presence or absence at the project work, staging and parking areas. If any of these species is determined to be present as a result of these surveys, construction of the Bradley West Project could directly impact individuals of these sensitive plant and wildlife species.

If burrowing owl, loggerhead shrike or San Diego black-tailed jackrabbit are present on the project staging or parking areas, project implementation would have a significant impact on these species. To compensate for the loss of habitat occupied by the San Diego black-tailed jackrabbit and loggerhead shrike identified as part of the LAX Master Plan, a habitat restoration plan to preserve and restore 21 acres of coastal sage scrub and native perennial grassland habitats within the Three Sisters Reserve was implemented pursuant to LAX Master Plan Mitigation Measure MM-BC-8, Replacement of Habitat Units, as described in Section 4.7.3.1 of the Bradley West Project EIR. This plan consists of the restoration of Non-Native Grassland/Ruderal habitat to Valley Needlegrass Grassland. This mitigation program addressed impacts due to loss of habitat associated with the San Diego black-tailed jackrabbit or loggerhead shrike; if these species are present on the Bradley West project staging or parking areas, impacts to these species would be significant.

If Lewis' evening primrose or California spineflower are present on the project work, staging, or parking areas, project implementation may have a significant impact on these species, depending upon the number of individuals that would be affected by the project relative to the species' rarity and abundance. As noted previously in this section, neither of these species was identified on the project site during past surveys conducted for the LAX Master Plan, and the presence or absence of these species was not able to be determined during preparation of the Bradley West Project EIR because field surveys were not conducted when the plants are expected to occur. Moreover, the number and distribution of the species could be extremely variable from year to year. For purposes of the Bradley West Project EIR, it is assumed that a significant impact to these species may occur.

Activities within the Northwest Construction Staging/Parking Area, West Construction Staging Area, and Southeast Construction Staging/Parking Area would potentially impact nesting birds/raptors subject to the Migratory Bird Treaty Act, which would be a significant impact. In addition, use of the Northwest Construction Staging/Parking Area would potentially result in the removal of up to 34 mature trees within the area known as LAX Northside. Although none of these trees is covered by a City of Los Angeles ordinance, they provide nursery sites for raptors. In accordance with the LAX Master Plan EIR, removal of mature trees within the LAX Northside area would constitute a significant impact.

Construction of the Bradley West Project, including staging and stockpiling of materials in close proximity to the Los Angeles/El Segundo Dunes and the El Segundo Blue Butterfly Habitat Restoration Area, would potentially deposit fugitive dust within State-designated sensitive habitats, a significant impact requiring the implementation of mitigation measures specified in the LAX Master Plan EIR.

The Bradley West Project, as part of the LAX Master Plan, is subject to the Master Plan Commitments and Mitigation Measures contained in the LAX Master Plan EIR, which were

California Environmental Quality Act Findings - Bradley West Project

adopted as project requirements in conjunction with approval of the LAX Master Plan. The Master Plan Mitigation Measures that pertain to biotic communities and are applicable to the Bradley West Project are identified in Section 4.7.5 of the Bradley West Project EIR and include MM-BC-1, Conservation of State-Designated Sensitive Habitat within and Adjacent to the El Segundo Blue Butterfly Habitat Restoration Area; MM-BC-3, Conservation of Floral Resources: Mature Tree Replacement; MM-BC-8, Replacement of Habitat Units; MM-BC-9, Conservation of Faunal Resources; and MM-ET-3, El Segundo Blue Butterfly Conservation: Dust Control. Further, Bradley West Project-specific Mitigation Measures MM-BC (BWP)-1 through MM-BC (BWP)-8, discussed in Section 4.7.8 of the Bradley West Project EIR, address impacts to the southern tarplant, as well as potential impacts to Lewis' evening primrose, California spineflower, burrowing owl, loggerhead shrike, San Diego black-tailed jackrabbit, mature trees, and nesting birds/raptors, respectively.

By reducing the size of the Southeast Construction Staging/Parking Area, implementation of Alternative 4 would avoid direct impacts to southern tarplant individuals. Nevertheless, even with this alternative, the plants would be subject to disturbance from nearby construction activities. Bradley West Project Mitigation Measure MM-BC (BWP)-1 requires seed collection from impacted southern tarplants by a qualified seed collector, and implementation of a mitigation plan that would assure 100 percent replacement of the original population by year five at a suitable mitigation site.

Mitigation Measure MM-BC (BWP)-2 requires appropriately timed, pre-construction surveys to determine the presence or absence of Lewis' evening primrose, and, if present, to determine whether a substantial adverse effect or substantial net reduction in the population would occur, taking into account the species rarity and abundance. If required, a mitigation plan will be implemented requiring seed collection from impacted plants to be used to establish a population of this species, as specified by the success criteria in the mitigation measure, at a suitable mitigation site.

Mitigation Measure MM-BC (BWP)-3 requires appropriately timed, pre-construction surveys to determine the presence or absence of California spineflower, and, if present, to determine whether a substantial adverse effect or substantial net reduction in the population would occur, taking into account the species rarity and abundance. If required, a mitigation plan will be implemented requiring seed collection from impacted plants to be used to establish a population of this species, as specified by the success criteria in the mitigation measure, at a suitable mitigation site.

Mitigation Measure MM-BC (BWP)-4 requires a survey for burrows on-site; four, appropriately timed, pre-construction surveys to determine the presence or absence of burrowing owls, if burrows are found on-site; protection of active burrows during breeding season (April 15 through July 15); removal of all burrows following nesting season; and, if nesting individuals are observed, habitat replacement at a suitable off-site location.

Mitigation Measure MM-BC (BWP)-5 requires vegetation removal outside of loggerhead shrike nesting season, if feasible, and, if not feasible, appropriately timed pre-construction surveys to determine whether nesting loggerhead shrikes are present. Active nests, if found, will be protected by appropriate buffer zones, established in coordination with LAWA's USDA Wildlife Hazard Biologist, consistent with LAWA and FAA wildlife hazard management plans, and monitored by a Biological Monitor.

Mitigation Measure MM-BC (BWP)-6 requires removal of San Diego black-tailed jackrabbits assuring that individuals present on construction sites are removed from the site by a qualified biologist prior to commencement of construction activities.

Under Alternative 4, the size of the Northwest Construction Staging/Parking Area will be reduced and reconfigured to avoid or reduce impacts to mature trees. Nevertheless, depending on the final configuration of the staging area, impacts to mature trees may still occur. Mitigation

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Measure MM-BC (BWP)-7 requires replacement of mature trees that may be lost as a result of implementation of the Northwest Construction Staging/Parking Area at a 2:1 ratio, either within the boundaries of the LAX Master Plan or at a suitable off-site location.

Mitigation Measure MM-BC (BWP)-8 requires vegetation that has the potential for nesting birds or raptors to be removed outside of nesting season, if feasible. If vegetation removal cannot be timed to avoid nesting seasons, appropriately timed pre-construction surveys will be required, active nests will be protected by buffer zones established in consultation with the California Department of Fish and Game (CDFG), and activities within buffer zones will be conducted and monitored in coordination with LAWA's USDA Wildlife Hazard Biologist, consistent with LAWA and FAA wildlife hazard management plans.

The aforementioned LAX Master Plan and Bradley West Project-specific Mitigation Measures will reduce impacts associated with biotic resources to less than significant levels.

The Bradley West Project will result in the loss of approximately 300 southern tarplant individuals. Impacts of the Bradley West Project will be mitigated by implementation of mitigation measure MM-BC (BWP)-1, which will assure 100 percent replacement of the original population by year five at a suitable mitigation site. Therefore, no cumulative impacts to southern tarplant would occur.

Findings: Based on substantial evidence in the administrative record, including Section 4.7 of the Bradley West Project EIR, the BOAC hereby finds and determines that changes or alterations have been required in, or are incorporated into, the project which avoid or substantially lessen the significant environmental effects identified in the Bradley West Project EIR. Specifically, with implementation of mitigation already required by the LAX Master Plan as well as Bradley West Project-specific Mitigation Measures MM-BC (BWP)-1 through MM-BC (BWP)-8, the Bradley West Project will not have significant impacts to biotic resources, for the reasons explained above.

c. Noise

Description of Effects: As described in Section 4.8 and Response to Comment BWP-AL00001-21 of the Bradley West Project EIR, construction of the Bradley West Project would result in the generation of noise from construction activities and traffic. As discussed in Section 4.8.1 of the Bradley West Project EIR, no notable changes in operational noise at LAX are expected to occur as a result of the Bradley West Project.

Construction Equipment/Activity Noise

Construction activities would generate noise from the operation of equipment required for demolition and construction of various facilities. The Bradley West Project site improvements are located near the middle of the airport at a distance well removed (i.e., approximately one-half mile or more) from noise-sensitive land uses. At that distance, construction noise levels of 86 dBA Leq at 50 feet from the source would drop-off to approximately 60 dBA Leq or less, which would be less than existing ambient noise levels within noise-sensitive areas adjacent to the airport. The majority of Bradley West Project construction activities would occur during daytime hours; however, it is anticipated that there would be periods when construction activities would be scheduled to occur both during the daytime and nighttime hours, as second and third shifts would be used for work activities that cannot be accomplished during the daytime shift.

Based on a 24-hour construction site Community Noise Equivalent Level (CNEL) of 89 dBA at 50 feet from the source, the projected noise level at the nearest noise-sensitive use (i.e., residential development) in Westchester from construction activity along the northern edge of the project site would be 64 dBA CNEL. The existing ambient CNEL at that location is approximately 71 dBA; therefore, the construction-related noise would be less than significant. At the nearest noise-sensitive use (i.e., residential development) in El Segundo, the 24-hour noise level from construction activities occurring along the southern edge of the project site would be 63 dBA

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CNEL, and the existing ambient CNEL at the nearest area of residential development is approximately 70 dBA; therefore, the construction-related noise would be less than significant.

As described in Section 4.8.6 of the Bradley West Project EIR, noise levels from construction activities at the West Construction Staging Area, Northwest Construction Staging Area, and Southeast Construction Staging/Parking Area at the respective nearest residential development would not exceed the existing ambient noise level by 5 dBA. Therefore, construction equipment/activity noise impacts would be less than significant.

Construction Traffic Noise

As indicated in Section 4.8.2 of the Bradley West Project EIR, traffic volumes on roads with good operating conditions (i.e., Level of Service of B or better) would have to increase at more than a three-fold rate to reach the CEQA threshold of significance of a 5 dBA increase, and would need to increase even more on roads with poor operating conditions (i.e., Level of Service C or worse). Based on a review of the traffic data compiled for the construction traffic impacts analyses presented in Section 4.3 of the Bradley West Project EIR, the highest increase in traffic volumes due to project-related construction traffic would be at the intersection of Pershing Drive and Westchester Parkway during the peak construction period (Fourth Quarter 2011) under analysis Scenario 3, where traffic in the AM construction peak hour would increase by approximately 38 percent compared to 2008 baseline conditions. The noise level increase associated with this additional traffic would be approximately 1.25 dBA. The Bradley West Project construction traffic would, therefore, not trigger an exceedance of the CEQA construction traffic noise threshold (5 dBA) for a substantial increase in traffic noise. Therefore, construction traffic noise impacts would be less than significant.

Cumulative Construction Noise

As described in Section 4.8.7 of the Bradley West Project EIR, cumulative construction noise impacts from the Bradley West Project and other concurrent projects in the nearby area would not exceed ambient noise level by 5 dBA or more at the noise-sensitive uses (residential areas in El Segundo and Westchester). Therefore, cumulative construction noise impacts would be less than significant.

The Bradley West Project, as part of the LAX Master Plan, is subject to the Master Plan Commitments and Mitigation Measures contained in the LAX Master Plan EIR, which were adopted as project requirements in conjunction with approval of the LAX Master Plan. The Master Plan Commitments and Mitigation Measures that pertain to construction equipment noise and construction traffic noise, and are applicable to the Bradley West Project, include MM-N-7 through MM-N-10, ST-16 and ST-22, as indicated in Section 4.8.5 of the Bradley West Project EIR. These measures will ensure that impacts associated with construction equipment noise and construction traffic noise are below the level of significance.

Findings: Based on substantial evidence in the administrative record, including Section 4.8 of the Bradley West Project EIR, the BOAC hereby finds and determines that the Bradley West Project will not have significant construction equipment and traffic noise impacts. Because these impacts are less than significant, mitigation beyond that already required by the LAX Master Plan, which will be included in the Mitigation Monitoring and Reporting Program for the Bradley West Project, is not required.

d. Land Use

Description of Effects: As described in Section 5.1 of the Bradley West Project EIR, construction activities associated with the Bradley West Project would include demolition and relocation of existing facilities, excavation and grading, utility relocation and replacement, construction of new north and south concourses at TBIT, construction of aircraft gates and associated passenger loading bridges and apron areas along the west side of the new concourses at TBIT, improvements within the central core of TBIT, the use of a concrete batch plant and rock crushing

facility, parking/staging areas, and paving for relocated taxiways. The majority of construction activities would occur during daytime hours, with a second shift used for work activities that cannot be accomplished during the daytime shift due to coordination or interference issues (i.e., for large pours of concrete or for construction activities occurring near active taxiway areas, as described earlier). As described in Section 4.3 of the Bradley West Project EIR, construction of the Bradley West Project would not require roadway lane closures; however, project construction would result in significant traffic-related impacts at up to four intersections during the peak construction period, depending on which construction staging/parking areas are used: La Cienega Boulevard and Century Boulevard, Imperial Highway and Main Street, Imperial Highway and Pershing Drive, and Sepulveda Boulevard and Manchester Avenue. As a result, residents and businesses located to the north, east, and south of the airport near these intersections within the community of Westchester and the City of El Segundo would experience disruption of normal traffic flows during construction of the Bradley West Project. In accordance with LAX Master Plan Commitment LU-4, Neighborhood Compatibility Program, LAWA has, and will continue to provide community outreach efforts to property owners and occupants prior to and during construction activities of projects at LAX, including the Bradley West Project, to minimize construction-related adverse impacts to the surrounding community.

Construction-related noise, air quality, traffic and degraded views would potentially affect those land uses closest to the Bradley West Project construction and staging areas and along the haul route for the Bradley West Project, specifically land uses located along the southern and northern boundaries of LAX. As described in Section 4.3 and Topical Response TR-BWP-ST-1 in the Bradley West Project EIR, with respect to surface transportation, implementation of Master Plan Commitments C-1, C-2, ST-9, ST-12, ST-14, ST-16 through ST-18, and ST-22, along with the mitigation measures presented in Section 4.3.9, would minimize potential incompatibilities associated with construction traffic; however, construction-related traffic could, at times, result in significant and unavoidable impacts at the following intersections: La Cienega Boulevard and Century Boulevard (Intersection #36), and Sepulveda Boulevard and Manchester Avenue (Intersection #114). As discussed in Section 4.8 of the Bradley West Project EIR, construction noise impacts on sensitive land uses would be less than significant. As concluded in Section 5.9 of the Bradley West Project EIR, aesthetic impacts from construction activities would be less than significant.

Construction activities for the Bradley West Project would result in emissions from on-site and off-site construction equipment, earth-moving activities, fugitive dust, and worker vehicle trips. Unpaved construction haul roads would be periodically watered-down to reduce fugitive dust, and construction equipment would be properly maintained to reduce vehicle emissions. Mitigation Measure MM-AQ-2, Construction Related Measures, is proposed to reduce construction-related air quality impacts on sensitive uses; however, construction-related air quality impacts would remain significant and unavoidable.

In summary, with the exception of construction surface transportation and air quality impacts, as described in detail in Section 4.3 and Section 4.4 of Bradley West Project EIR, respectively, and addressed in Part B of these Findings, construction-related land use impacts of the proposed project are within the scope of the LAX Master Plan EIR, and no new significant impacts have been identified.

As indicated in Chapter 2 of the Bradley West Project EIR, the subject improvements would not increase or otherwise affect the overall operational capacity of the airport. The Bradley West Project would not alter airspace traffic, runway operational characteristics, or the practical capacity of the airport. Thus, operation of the Bradley West Project would not affect the land use compatibility impacts associated with exposure to high noise levels from aircraft operations as identified in the LAX Master Plan EIR.

Construction and operation of the Bradley West Project would not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but

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not limited to, the general plan, specific plan, local coastal program or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect, with the exception of the traffic and air quality impacts addressed in Part B of the Findings presented herein. Additionally, the Bradley West Project would not create physical or functional incompatibility with existing land uses through increased safety hazards, noise exposure, or other environmental effects, with the exception of the traffic and air quality impacts addressed in Part B of these Findings.

In addition to the Master Plan Commitments and Mitigation Measure noted above, Master Plan Mitigation Measures MM-N-7 through MM-N-10 and MM-DA-1 pertain to land use and are applicable to the Bradley West Project. Implementation of Master Plan Commitments C-1, C-2, ST-9, ST-12, ST-14, ST-16 through ST-18, ST-22, and LU-4, and Mitigation Measures MM-AQ-2, MM-N-7 through MM-N-10, and MM-DA-1 will ensure that impacts related to land use are less than significant.

Findings: Based on substantial evidence in the administrative record, including Section 5.1 of the Bradley West Project EIR, the BOAC hereby finds and determines that the Bradley West Project will not have significant land use impacts relative to noise or degraded views. Because these impacts are less than significant, mitigation beyond that already required by the LAX Master Plan, which will be included in the Mitigation Monitoring and Reporting Program for the Bradley West Project, is not required. The BOAC hereby finds and determines that the Bradley West Project will have significant land use impacts relative to traffic and air quality, which are addressed in Part B of the Findings presented herein.

e. Population, Housing, Employment and Growth-Inducement

Description of Effects: As discussed in Section 5.2 of the Bradley West Project EIR, the Bradley West Project would provide approximately 1,425 temporary construction-related jobs over the approximately 63-month construction period. However the majority of the construction jobs would be filled by workers who already reside within a 20-mile radius, and the jobs would be temporary. Therefore, few construction workers are expected to move into the area due to temporary construction jobs at LAX, and there would be no substantial increase in demand for housing, utilities, or other development to the area. As a result, construction related growth-inducing impacts would be less than significant.

Estimated construction costs associated with the Bradley West Project would be approximately \$2 billion. As stated earlier, the Bradley West Project would provide approximately 1,425 temporary construction-related jobs over the approximately 63-month construction period. As required by Master Plan Commitment EJ-3, Job Outreach Center, LAWA would make special efforts to offer construction jobs to minority, women-owned and disadvantaged business enterprise subcontractors and historically underrepresented and at-risk local residents within affected communities.

Operationally, it is anticipated that an increase in on-airport employment would occur to staff the enlarged concessions areas and expanded U.S. Customs and Border Protection (CBP) areas within the Bradley West Core. The LAX Master Plan assumed an overall increase in passenger terminal space at LAX of 2,803,000 square feet. Under the Bradley West Project, the terminal area would increase by 1,046,987 square feet. Therefore, the Bradley West Project is consistent with the operational employment analysis conducted for the LAX Master Plan EIR. As with the LAX Master Plan, operation of the Bradley West Project would not induce substantial demand for housing, utilities, or other development to the area. Furthermore, construction of the Bradley West Project would not create a net new demand for public utilities or services in excess of that assumed under the LAX Master Plan EIR, nor would it extend development to undeveloped areas. As a result, operations-related growth-inducing impacts would be less than significant.

In addition to Master Plan Commitment EJ-3, noted above, the Master Plan Commitments that pertain to population, housing, employment and growth-inducement, and are applicable to the Bradley West Project, include EJ-1, Aviation Curriculum, EJ-2, Aviation Academy, and EJ-4,

Community Mitigation Monitoring, as indicated in Section 5.2.4.2 of the Bradley West Project EIR. These measures will ensure that impacts associated with induced socio-economic (growth inducing) impacts will be less than significant; therefore, no additional mitigation measures are required.

Findings: Based on substantial evidence in the administrative record, including Section 5.2 of the Bradley West Project EIR, the BOAC hereby finds and determines that the Bradley West Project will not have significant population, housing, employment or growth-inducing impacts. Because these impacts are less than significant, mitigation beyond that already required by the LAX Master Plan, which will be included in the Mitigation Monitoring and Reporting Program for the Bradley West Project, is not required.

f. Hydrology/Water Quality

Description of Effects:

Hydrology

As discussed in Section 5.3 of the Bradley West Project EIR, the Bradley West Project would result in an alteration to existing drainage facilities. As generally anticipated in the LAX Master Plan EIR hydrology analysis, implementation of the project would increase impervious surfaces compared to baseline conditions and would involve the relocation and upgrading of existing drainage facilities.

On-Site Drainage

The Bradley West Project would involve demolition of existing pavement and buildings and construction of new building and apron areas, as well as relocation of existing Taxiways Q and S. The vast majority (i.e., approximately 95 percent) of the project site is covered by impervious surface area. The 5.3 acres of the site that is currently an unpaved strip between Taxiways Q and S would be replaced by new taxiway surface area in conjunction with the relocation of Taxiway Q. As such, the Bradley West Project would result in the conversion of 5.3 acres of existing pervious area to impervious area. In addition, grading and excavation associated with the Bradley West Project would result in an alteration to existing drainage facilities. As identified in Chapter 3, Corrections and Additions to the Draft EIR, of Volume 8 of the Bradley West Final EIR, as part of the Bradley West Project, it is proposed that approximately 34.9 acres of drainage area within the Pershing Sub-basin be improved to redirect surface flows to the Imperial Sub-basin. This consolidation of flows from two drainage subareas within the project site into a single drainage area will enable surface runoff within the project site to flow to a single point of treatment relative to surface water quality, as further described in the Water Quality discussion below. The redirection of surface flows would occur primarily through designing the future storm drain system improvements to flow to and connect with the storm drain system in the Imperial Sub-basin in place of the existing system that flows to the World Way West trunk line within the Pershing Sub-basin. The redirected flows within the Pershing Sub-basin would drain to a new network of trunk lines within the Bradley West Project site, including two north-south lines, each varying in size from 30 inches to 60 in diameter, connecting to the Imperial channel box culvert.

In addition to redirection of surface flows described above, a drainage system improvement proposed in conjunction with implementation of the Bradley West Project involves the installation of either a new or an additional storm drain line along World Way West where flooding/ponding occurs during major storm events. Such flooding/ponding is due to the existing hydraulic gradient along the portion of World Way West that is depressed to pass beneath Taxiway AA. To address this existing condition, LAWA proposes to either replace or supplement a 1,100-ft section of the existing reinforced concrete box (RCB) storm drain line located in World Way West at the crossing of Taxiway AA. Based on preliminary design, it is anticipated that a new replacement cross-section would be approximately 8.5 feet high by 11 feet wide. Alternatively, an additional RCB can be constructed parallel to the existing RCB to handle the extra capacity and lower the

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hydraulic grade line. This parallel RCB option would entail the same 1,100-foot section with the added RCB section to be lowered as well. The section would have a cross-section of 8.5 feet high by 11 feet wide and convey the majority of the flows by use of a diversion manhole at the upstream end.

The preliminary proposed storm drain system would be designed according to the Los Angeles County Department of Public Works (LACDPW) Hydrology Manual, Modified Rational Method and would be consistent with the Los Angeles International Airport Conceptual Drainage Plan. To provide a higher level of protection (i.e., accommodating larger, less frequent storm events than the minimum 10-year frequency requirement per City standards), the preliminary proposed storm drain system is being designed to accommodate a 25-year design storm using LACDPW's Modified Rational Method to determine the hydrology. Wherever possible, the existing storm drain system would be used; however, based on the storm drain criteria established for this project (i.e., 25-year design storm), larger-diameter pipes would replace the existing systems in many cases to accommodate the design flow rates.

With implementation of the proposed drainage facilities, the Bradley West Project would be designed to address surface runoff needs within the boundaries of the project study area. The increase in impervious surfaces in the amount of 5.3 acres would not materially affect runoff flow rates. Thus, the Bradley West Project would not result in an increase in runoff that would cause or exacerbate flooding with the potential to harm people or damage property. Further, existing drainage patterns would not be altered in such a way as to result in substantial erosion or siltation on- or off-site. Impacts related to drainage would be less than significant.

The Master Plan Commitment that pertains to hydrology/water quality, and is applicable to the Bradley West Project, is HWQ-1, Conceptual Drainage Plan, as indicated in Section 5.3.4.2 of the Bradley West Project EIR. This measure will ensure that hydrology impacts of the Bradley West Project are less than significant; therefore, no additional mitigation measures are required.

Groundwater Recharge

With implementation of the Bradley West Project, the volume of surface recharge within the study area would decrease by less than 1.5 acre-feet/year. The reduction in surface recharge would represent a change of less than 0.003 percent in the total groundwater inflows estimated for the West Coast Basin. No groundwater production occurs within the Master Plan study area relative to the beneficial uses designated for the Basin. The reduction in surface recharge of 1.5 acre-feet/year would not represent a substantial interference with groundwater recharge that would result in a net decrease in the aquifer volume to the extent that beneficial uses of the basin would be adversely affected. Therefore, this impact would be less than significant.

Water Quality:

Construction Impacts

As described in Section 5.3.5 of the Bradley West Project EIR, construction of the proposed improvements would not generate sources of pollution that would significantly affect water quality because LAWA will be required to develop and implement a project-specific Storm Water Pollution Prevention Plan (SWPPP) in compliance with the state's construction permit. Pollutants of concern from proposed construction activities include sediment, spills or leaks of fuels or hazardous materials, and contaminants associated with construction materials. Such spills or leaks have the potential to contaminate site runoff and enter receiving waters. The exposure of construction equipment to rain could also introduce contaminants to storm water runoff. In addition, construction of the Bradley West Project would require grading and other earthmoving activities, which would expose soils to erosion, which, absent compliance with the SWPPP, could result in sedimentation in receiving waters. However, because the proposed improvements would affect an area of greater than one acre, prior to construction, LAWA's existing construction policy would require the development and implementation of a project-specific SWPPP to be

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developed in compliance with the state's construction permit. The project-specific SWPPP would follow the procedures outlined in LAWA's existing Construction SWPPP and would employ all appropriate temporary construction Best Management Practices (BMPs) listed in Section 5.3 of the Bradley West Project EIR. With implementation of the project-specific SWPPP, there would be no increase in pollutant loads to receiving water bodies. As a result, impacts to water quality associated with construction activities would be less than significant and no additional mitigation would be required.

Operational Impacts

The Bradley West Project would result in an increase in impervious area of approximately 5.3 acres; therefore, the project would be required to comply with the Los Angeles Regional Water Quality Control Board's Standard Urban Storm Water Mitigation Plan (SUSMP) requirements incorporated in the Los Angeles County MS4 stormwater permit. To comply with these requirements, LAWA would prepare a project-specific SUSMP. This plan would identify specific BMPs and would require approval by the City of Los Angeles Bureau of Sanitation.

In accordance with SUSMP requirements, BMP requirements would apply to the entire approximately 116-acre Bradley West Project site. Water quality volume and water quality flow calculations indicate that 7.3 acre-feet, or 23.4 cubic feet per second (cfs), respectively, would require treatment. The Los Angeles International Airport Conceptual Drainage Plan identified recommended treatment control BMP options for the Pershing and Imperial sub-basins. These include project-specific, sub-regional and regional BMPs. Based on the size, developed nature, and active use of the project area, a preliminary evaluation of potential BMP options suitable and appropriate for the Bradley West Project found that a media filter BMP system would be effective for surface water quality treatment. The media filter BMP would be integrated into the connection from the new storm drain system to the existing Imperial channel box culvert. Under the project, the estimated annual net pollutant loads generated within the Bradley West Project site would be reduced for all pollutants of concern as compared to baseline conditions. Because a BMP system is incorporated into the project design and only a small portion (5.3 acres) of the site would experience a change in use (from open space to airport operations - all other portions of the site are already used for airport operations, as would continue under the project), pollutant loads to receiving water bodies would not increase. Therefore, impacts to water quality associated with operation of the Bradley West Project would be less than significant, and no additional mitigation is required.

Findings: Based on substantial evidence in the administrative record, including Section 5.3 of the Bradley West Project EIR, the BOAC hereby finds and determines that, with implementation of required plans, permits and BMPs, the Bradley West Project will not have significant hydrology and water quality impacts. Because these impacts are less than significant, mitigation beyond that already required by the LAX Master Plan, which will be included in the Mitigation Monitoring and Reporting Program for the Bradley West Project, is not required.

g. Cultural Resources

Description of Effects:

Historical and Archaeological Resources

As discussed in Section 5.4 of the Bradley West Project EIR, the Bradley West Project would not affect the one historic property identified in the LAX Master Plan EIR as being impacted by the LAX Master Plan, the International Airport Industrial District. The LAX Master Plan, including the Bradley West Project, would not impact the National Register and California Register eligible LAX Theme Building, which is located approximately one-third mile east of the Bradley West Project site. The Bradley West Project would not disturb any known archeological sites eligible for the National Register, California Register, or local designation. However, the Bradley West Project could potentially disturb or destroy potentially significant, undiscovered archaeological resources.

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This impact was identified in the LAX Master Plan EIR as significant, as discussed in Section 5.4 of the Bradley West Project EIR, and no new significant impacts have been identified.

The Bradley West Project, as part of the LAX Master Plan, is subject to the Master Plan Commitments and Mitigation Measures contained in the LAX Master Plan EIR, which were adopted as project requirements in conjunction with approval of the LAX Master Plan. The Master Plan Mitigation Measures that pertain to historic and archaeological resources, and are applicable to the Bradley West Project, include: MM-HA-4, Discovery; MM-HA-5, Monitoring; MM-HA-6, Excavation and Recovery; MM-HA-7, Administration; MM-HA-8, Archaeological/Cultural Monitor Report; MM-HA-9, Artifact Curation; and MM-HA-10, Archaeological Notification. Subsequent to the publication of the LAX Master Plan EIR, an Archaeological Treatment Plan (ATP) was prepared for the LAX Master Plan. The ATP provides additional information and guidance for understanding the conditions and implementation of Mitigation Measures MM-HA-4 through MM-HA-10 and, in effect, supersedes these mitigation measures. Thus, Mitigation Measure MM-HA (BWP)-1, Conformance with LAX Master Plan Archaeological Treatment Plan, which incorporates the requirements of Master Plan Mitigation Measures MM-HA-4 through MM-HA-10, is applicable and specific to the Bradley West Project and would reduce potential Bradley West Project construction impacts on archaeological resources to a less than significant level. Conformance with the LAX Master Plan ATP would ensure that any potential impacts to potentially significant, undiscovered archaeological resources from construction of the Bradley West Project would be reduced to a level less than significant. The LAX Master Plan ATP was prepared by professional cultural resource specialists and provides numerous measures for the identification, evaluation, recovery/management, and curation of any significant historical or archaeological resource discovered during project grading.

Paleontological Resources

As discussed in Section 5.4 of the Bradley West Project EIR, the Bradley West Project would involve grading and excavation greater than 6 feet in depth, therefore, it is possible that potentially important paleontological resources could be exposed and/or damaged. Bradley West Project construction could make paleontological resources accessible for unauthorized fossil collection. This impact was identified in the LAX Master Plan EIR as significant, as discussed in Section 5.4 of the Bradley West Project EIR, and no new significant impacts have been identified.

The Bradley West Project, as part of the LAX Master Plan, is subject to the Master Plan Commitments and Mitigation Measures contained in the LAX Master Plan EIR, which were adopted as project requirements in conjunction with approval of the LAX Master Plan. The Master Plan Mitigation Measures that pertain to paleontological resources, and are applicable to the Bradley West Project, include: MM-PA-1, Paleontological Qualification and Treatment Plan; MM-PA-2, Paleontological Authorization; MM-PA-3, Paleontological Monitoring Specifications; MM-PA-4, Paleontological Resources Collection; MM-PA-5, Fossil Preparation; MM-PA-6, Fossil Donation; and MM-PA-7, Paleontological Reporting. Subsequent to the publication of the LAX Master Plan EIR, and in accordance with Master Plan Mitigation Measure MM-PA-1, a Paleontological Management Treatment Plan (PMTP) was prepared for the LAX Master Plan. The PMTP provides additional information and guidance for understanding the conditions and implementation of Master Plan Mitigation Measures MM-PA-1 through MM-PA-7 and, in effect, supersedes these mitigation measures. Implementation of Bradley West Project Mitigation Measures MM-PA (BWP)-1, Conformance with LAX Master Plan Paleontological Management Treatment Plan, and MM-PA (BWP)-2, Construction Personnel Briefing, requires project specific conformance to Master Plan Mitigation Measures MM-PA-1 through MM-PA-7, which include measures for the identification, evaluation, recovery/management, and donation of any significant paleontological resources discovered during site grading, and would reduce potential Bradley West Project construction impacts on paleontological resources to a less than significant level. Conformance with the LAX Master Plan PMTP would ensure that impacts to important

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paleontological resources exposed and/or damaged during construction of the project, if any, would be less than significant.

Findings: Based on substantial evidence in the administrative record, including Section 5.4 of the Bradley West Project EIR, the BOAC hereby finds and determines that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant environmental effects identified in the Bradley West Project EIR. Specifically, with implementation of mitigation already required by the LAX Master Plan as well as Bradley West Project-specific Mitigation Measures MM-HA (BWP)-1, MM-PA (BWP)-1, and MM-PA (BWP)-2, the Bradley West Project will not have significant impacts to historic, archaeological, or paleontological resources, for the reasons explained above.

h. Endangered and Threatened Species of Flora and Fauna

Description of Effects: As discussed in Sections 4.7 and 5.5 of the Bradley West Project EIR, a recent field survey of the proposed Bradley West Project construction staging, parking and work areas conducted on November 24, 2008 by BonTerra Consulting concluded that, with the exception of the Southeast Construction Staging/Parking Area, suitable habitat is not present in any of the Bradley West Project areas for any threatened or endangered plant or wildlife species; therefore, such species are not expected to occur in these areas. As discussed in Section 5.5.5.1 of the Bradley West Project EIR, several depressions with the potential to be considered "waters of the U.S." were identified at the Southeast Construction Staging/Parking Area during the November 24, 2008 field survey conducted by BonTerra. These ponded areas may provide habitat for Riverside fairy shrimp. BonTerra Consulting initiated wet season surveys for the presence of Riverside fairy shrimp within ponded areas at the Southeast Construction Staging/Parking Area on January 20, 2009. In accordance with USFWS guidelines for conducting fairy shrimp surveys, BonTerra conducted 2009 wet season surveys within the ponded areas once every two weeks until the ponded areas were no longer inundated (which occurred prior to 120 days of continuous inundation). These surveys will be followed by either a dry season survey or a second wet season survey, as required by USFWS guidelines. Based on the results of the 2009 wet season surveys, no Riverside fairy shrimp were found on the Southeast Construction Staging/Parking Area site. However, the absence of Riverside fairy shrimp at this site cannot be confirmed until completion of the protocol surveys (i.e., a dry season survey or a second wet season survey). In the event that Riverside fairy shrimp are identified at the Southeast Construction Staging/Parking Area, proposed construction activities would have a significant impact on the Riverside fairy shrimp, and consultation with the USFWS would be required in accordance with the Federal Endangered Species Act. Further, if USFWS protocol surveys for the Riverside fairy shrimp find that the species is located within the Southeast Construction Staging/Parking Area, Bradley-West Project-specific Mitigation Measure MM-ET (BWP)-1, Mitigation for Riverside Fairy Shrimp, would be implemented and would reduce potential impacts on endangered and threatened species to a less than significant level by implementing a salvage and relocation plan for soil containing Riverside fairy shrimp cysts, that would relocate cyst-bearing soils to established, created habitat at a location approved by USFWS and subject to the specific requirements of a Section 7 consultation with USFWS, therefore no additional mitigation measures are required.

Bradley West Project construction staging and stockpiling of materials in close proximity to the Habitat Restoration Area would have the potential to deposit fugitive dust within habitat for the El Segundo blue butterfly, which would be a significant impact. As described in Section 5.5.4.1 of the Bradley West Project EIR, the potential for construction activities to deposit fugitive dust within habitat for the El Segundo blue butterfly was identified and addressed as part of the LAX Master Plan EIR. To address the potential significant fugitive dust impacts on habitat for the El Segundo blue butterfly, Master Plan Mitigation Measure MM-ET-3, El Segundo Blue Butterfly Conservation: Dust Control, would be applicable to the Bradley West Project. With implementation of the existing Master Plan mitigation measure, construction activities within

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2,000 feet of the El Segundo Blue Butterfly Habitat Restoration Area would include feasible dust control measures such as soil stabilization and watering with the goal of reducing fugitive dust emissions by 90 to 95 percent during construction activities, and therefore, no significant impacts to the El Segundo blue butterfly would occur. Accordingly, no additional mitigation measures are required.

The aforementioned Master Plan Mitigation Measure MM-ET-3 and Bradley West Project-specific Mitigation Measure MM-ET (BWP)-1 will reduce potential impacts associated with endangered and threatened species of flora and fauna to below the level of significance.

Findings: Based on substantial evidence in the administrative record, including Sections 4.7 and 5.5 of the Bradley West Project EIR, the BOAC hereby finds and determines that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the potential significant environmental effects identified in the Bradley West Project EIR. Specifically, with implementation of mitigation already required by the LAX Master Plan as well as Bradley West Project-specific Mitigation Measure MM-ET (BWP)-1, the Bradley West Project will not have significant impacts on endangered and threatened species of flora and fauna, for the reasons explained above.

i. Wetlands

Description of Effects: As discussed in Section 5.6 of the Bradley West Project EIR, based on the preliminary findings of recent field surveys conducted to support preparation of a jurisdictional delineation, which must receive review and concurrence by the U.S. Army Corps Of Engineers (USACOE), there are no areas within the Bradley West Project work, staging and parking areas subject to USACOE jurisdiction. If USACOE concurs with these findings, no impacts to wetlands or "waters of the U.S." would occur. If USACOE finds that wetlands or "waters of the U.S." are present on-site, these impacts would be the same as those previously identified under the LAX Master Plan and for which a Jurisdictional Determination has already been issued. Therefore, the Bradley West Project would not result in any new impacts to wetlands or "waters of the U.S."

Master Plan Mitigation Measure MM-ET-1, Riverside Fairy Shrimp Habitat Restoration, pertains to wetlands and is applicable to the Bradley West Project. This mitigation measure requires creation of vernal pool habitat at a USFWS-approved offsite location to replace degraded wetland habitat impacted by LAX Master Plan projects at a replacement ratio of not more than 3:1, and establishes a long-term monitoring and maintenance plan. This mitigation measure will ensure that impacts associated with potential construction impacts on wetlands are less than significant.

Findings: Based on substantial evidence in the administrative record, including Section 5.6 of the Bradley West Project EIR, the BOAC hereby finds and determines that the Bradley West Project will not have significant impacts to wetlands. Because these impacts are less than significant, mitigation beyond that already required by the LAX Master Plan, which will be included in the Mitigation Monitoring and Reporting Program for the Bradley West Project, is not required.

j. Energy Supply and Natural Resources

Description of Effects:

Energy Supply

As discussed in Section 5.7 of the Bradley West Project EIR, construction activities for the Bradley West Project would require fuel for the operation of construction equipment and for construction-related vehicle trips, as well as electricity for lighting. The total amount of diesel and gasoline consumption related to construction equipment and additional worker vehicle trips to and from the construction sites would be approximately 1.825 million gallons and 665,000 gallons, respectively. Because adequate electricity, gasoline, and diesel supplies are anticipated to be available during the duration of construction activities for the Bradley West Project (a period of approximately 63 months, anticipated to start in the fourth quarter of 2009) the impact associated

with the consumption of these energy resources for construction activities would be less than significant.

Operations-related energy demands would include natural gas and electricity consumption associated with uses in buildings and with lighting. Implementation of the Bradley West Project would require the removal of several buildings, as well as outdoor lighting fixtures, which would eliminate the associated energy consumption. The project also includes the reconfiguration of TBIT, including new concourse area and the westward extension of the existing TBIT central core, which would increase the energy demands related to heating and cooling of the building space and need for lighting and other requirements. As discussed in Section 4.6 of the Bradley West Project EIR, the new construction is planned to be built to the U.S. Green Building Council's (USGBC) Leadership in Energy and Environmental Design (LEED) green building rating system at a silver rating. Under the LEED Silver rating, a 9 percent increase in energy efficiency is assumed over California's Energy Efficiency Standards for Residential and Nonresidential Buildings (California Code of Regulations, Title 24, Part 6). By incorporating LEED standards, the new Bradley West Project building area would achieve greater energy efficiency than the existing facility. However, the proposed increase in total floor area within TBIT from 997,120 square feet to 2,024,110 square feet would still cause an associated increase in energy consumption compared to existing conditions. Taking into account LEED standards and the increased building area, operation of the project would result in a net increase in electricity demand and natural gas demand over baseline that was forecast for 2015 in the LAX Master Plan EIR. As described in Section 5.7.2.1 of the Bradley West Project EIR, sufficient supply of natural gas and electricity is expected to be available for project operations. Operation of the project would not result in an exceedance in regional electricity and natural gas supplies or generation or distribution facilities due to project-related electricity and natural gas demand. Therefore, no significant impacts to energy resources from operation of the project would occur.

As discussed in Section 5.7.5.1 of the Bradley West Project EIR, the new contact gates on the west side of TBIT would reduce the need for busing passengers between the existing gates at the West Remote Pads and TBIT compared to 2013 conditions without the Bradley West Project. However, even with this reduction in future busing, with the forecast increase in international operations between 2008 and 2013, the total daily bus trips would still increase from 113 in 2008 to 160 in 2013. (Without the Bradley West Project, the number would increase to 273 daily bus trips.) Therefore, while bus trips would increase as result of increased travel, operation of the project would result in fewer bus trips between the West Remote Pads and TBIT than would occur under conditions in 2013 without the project.

The current bus fleet consists of both diesel- and CNG-fueled buses. LAWA plans to convert to all CNG-fueled buses before 2013. At an estimated round trip distance of 3 miles, the annual increase in CNG fuel consumption associated with the additional 47 daily trips in 2013 would be 170,349 gallons. Petroleum products, including CNG, are market-driven commodities. SoCalGas indicates adequate supplies of CNG are anticipated through 2030. There is no notable electricity demand associated with busing activities. Therefore, demand for electricity and natural gas from busing activities associated with the Bradley West Project would not exceed regional electricity or natural gas supplies or generation or distribution facilities. No significant impacts associated with busing would result.

Electrical power used at LAX is distributed across the airport via several transmission lines. Electrical transmission lines include subsurface lines throughout the project area, which would be relocated as required. Electrical transmission lines that would be impacted by the Bradley West Project include two existing electrical mains at TBIT that would be relocated and extended through the TBIT concourse and reconnected to existing lines outside of the Bradley West Core. In addition, construction of relocated Taxiways Q and S would require the abandonment/removal or relocation of several existing electrical transmission lines. Natural gas is supplied to the airport by several underground distribution lines, including branch connections from distribution lines that

provide natural gas service to airport tenants. Construction of relocated Taxiways Q and S would require the abandonment/removal or relocation of several existing natural gas distribution lines. Aviation fuel lines are also located within the project area, which would require relocation or protection in place. Construction of relocated Taxiways Q and S would also require removal of a liquid gas and fueling station and a fuel vault. As indicated in Chapter 2 of the Bradley West Project EIR, it is uncertain at this time whether the GSE fueling operations at the existing fueling stations would relocate to another on-airport GSE fueling station, possibly in the vicinity of the former United Airlines cargo facility, or whether the gas/fueling would be provided by an off-airport fuel vendor. The fuel lines to be relocated as part of Taxiways Q and S relocation would include new in-line valve structures; hence, there would be no need to relocate the existing fuel vault.

In accordance with Master Plan Commitments E-2, Coordination with Utility Providers, and PU-1, Develop a Utility Relocation Program, LAWA would work with the utility providers to assure that changes to the electrical, natural gas and aviation fuel distribution system would not adversely affect electricity, natural gas, or aviation fuel service on-airport or to the surrounding area. In addition, Master Plan Commitment E-1, Energy Conservation and Efficiency Program, would be implemented to further reduce impacts to energy supply. Implementation and adherence to the measures specified in Master Plan Commitments E-1, E-2 and PU-1 would ensure that impacts to the existing energy supply and distribution system from the Bradley West Project would be less than significant.

Natural Resources

As part of the Bradley West Project, existing concrete and asphalt pavement would be demolished and would be replaced by new concrete and asphalt surfaces. It is estimated that 95,099 cubic yards of concrete and asphalt pavement material would be demolished. This material would be sent to the rock crusher located on the airport to be ground for reuse on-site or off-site.

The Bradley West Project facilities would require petroleum-derived and aggregate-based building materials, including 318,665 cubic yards of Portland cement concrete, 139,110 cubic yards of econcrete, and 79,305 cubic yards of sub-base. The majority of this material would need to consist of new raw materials; however, it is estimated that, consistent with Master Plan Commitment SW-3, Requirements for the Recycling of Construction and Demolition Waste, approximately 30 percent of the sub-base, or 23,792 cubic yards, could be generated from on-site sources (i.e., reuse of demolished materials). In addition, per Master Plan Commitment SW-2, Requirements for the Use of Recycled Materials During Construction, the construction bid documents would specify that contractors use a minimum of 20 percent of recycled materials during construction of the Bradley West Project. Given the availability of permitted aggregate reserves in the region, no significant impacts to aggregate reserves would occur.

Implementation of Master Plan Commitments E-1, E-2, PU-1, SW-2, and SW-3 will ensure that impacts related to energy supply and natural resources are less than significant; therefore, no additional mitigation measures are required.

Findings: Based on substantial evidence in the administrative record, including Section 5.7 of the Bradley West Project EIR, the BOAC hereby finds and determines that the Bradley West Project will not have significant impacts to energy supply and natural resources. Because these impacts are less than significant, mitigation beyond that already required by the LAX Master Plan, which will be included in the Mitigation Monitoring and Reporting Program for the Bradley West Project, is not required.

k. Solid Waste

Description of Effects: As discussed in Section 5.8 of the Bradley West Project EIR, demolition of existing structures and construction of new terminal buildings associated with the Bradley West Project would generate solid waste requiring disposal. Approximately 26,313 tons of demolition-

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related solid waste and approximately 6,012 tons of new construction-related solid waste would be generated. As indicated in Section 5.8 of the Bradley West Project EIR, inert disposal capacity is anticipated to be available well beyond the 2015 build out year for the Bradley West Project.

Master Plan Commitment SW-3, Requirements for the Recycling of Construction and Demolition Waste, states that the percentage of waste materials required to be recycled must be specified in the construction bid document for each LAX Master Plan project. Specific to the Bradley West Project, the construction bid document would specify that a minimum of 20 percent of construction waste materials would be required to be recycled. All suitable demolished pavement would be recycled for use on-site or shipment off-site. Building materials to be recycled would include, but not be limited to, asphalt and concrete pavement, steel products (rebar, dowels, piping, and electrical items), and wiring. Steel products and electrical wiring would be sent off-site for recycling. In addition, per Master Plan Commitment SW-2, Requirements for the Use of Recycled Materials During Construction, the construction bid documents would specify that contractors use a minimum of 20 percent of recycled materials during construction of the Bradley West Project. With compliance with Master Plan Commitments SW-2 and SW-3, the Bradley West Project would not result in a significant impact related to the generation or disposal of construction solid waste.

The LAX Master Plan estimated the operational solid waste generation based on passenger-related activities and cargo handling activities. With the LAX Master Plan improvements, the airport's practical capacity in 2015 would be 78.9 MAP, based primarily on the constraints created by reducing the number of aircraft gates at the airport. The Bradley West Project would not alter the practical capacity of the airport, and therefore, would not result in an increase in the number of passengers beyond that analyzed in the LAX Master Plan EIR, nor would it alter the amount of cargo handled. Therefore, the Bradley West Project is consistent with the solid waste analysis conducted for the LAX Master Plan EIR. With compliance with Master Plan Commitment SW-1, Implement an Enhanced Recycling Program, the Bradley West Project would not result in a significant impact related to the generation or disposal of operational solid waste.

Implementation of Master Plan Commitments SW-1, SW-2, and SW-3 will ensure that impacts related to solid waste are less than significant; therefore, no additional mitigation measures are required.

Findings: Based on substantial evidence in the administrative record, including Section 5.8 of the Bradley West Project EIR, the BOAC hereby finds and determines that the Bradley West Project will not have significant impacts to solid waste. Because these impacts are less than significant, mitigation beyond that already required by the LAX Master Plan, which will be included in the Mitigation Monitoring and Reporting Program for the Bradley West Project, is not required.

I. Aesthetics

Description of Effects: As discussed in Section 5.9 of the Bradley West Project EIR, construction activities and construction staging would be visible from I-105, the upper stories of hotels and office buildings to the south and some residences on Imperial Avenue, and to a lesser extent due to their distance from the project site, a limited number of residences north of Westchester Parkway. Other than views of the central Theme Building and Airport Traffic Control Tower to the east of the Bradley West Project site, the view into the LAX terminal and airfield areas is not considered scenic and the Bradley West Project construction activities would be consistent with the existing industrial character of the airport. Moreover, the Bradley West Project site is located at a considerable distance from the nearest sensitive receptors (i.e., residential uses in the community of Westchester north of LAX are over 0.45 mile from the northern end of the Bradley West Project site to the nearest point in Westchester; residential uses to the south are approximately 0.75 mile from the southern end of the Bradley West Project site to the northern edge of El Segundo). In accordance with Master Plan Mitigation Measure MM-DA-1, construction

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fencing would be provided, as necessary and feasible, as part of the Bradley West Project to reduce temporary visual impacts during construction to a level less than significant. Construction of the Bradley West Project would not result in the removal of any features that contribute to the valued aesthetic character or image of the surrounding communities; therefore, impacts would be less than significant.

The Bradley West Project would incorporate more modern design elements, greater architectural articulation, and more extensive landscape amenities than present under existing conditions, consistent with the CTA's Southern Californian landscape theme. Further, the improvements would not cause view obstruction from off-site vantages. Therefore, no significant adverse aesthetic or view impacts would occur.

With respect to light emissions, construction of the Bradley West Project would include nighttime activities that would require lighting of work areas within the project area. Additionally, lighting is anticipated to be provided within each of the construction staging/parking areas; however, such lighting would generally be for security and general lighting purposes, being much lower in intensity than work area lighting. Construction lighting would be focused downward and directed on airport property away from sensitive uses. Further, construction work hours would comply with municipal code requirements (City of Los Angeles Municipal Code, Section 91.6205.13 and Section 93.0117). No nighttime construction work and associated lighting would occur in areas close enough to disturb residential uses. As a result of these considerations, light emissions impacts associated with Bradley West Project construction would be less than significant.

The new/relocated Bradley West Project facilities would be constructed of non-reflective materials or materials, such as stainless steel, with non-reflective coating. Master Plan Commitments LI-2, Use of Non-Glare Generating Building Materials, and LI-3, Lighting Controls, would ensure that no building materials or light sources would be introduced that could generate glare which would pose an aviation hazard or adversely affect off-site sensitive uses in the community of Westchester or El Segundo. Therefore, the Bradley West Project would not generate significant glare impacts.

The Bradley West Project would result in operational changes to lighting. As described in Section 5.9.5.1 of the Bradley West Project EIR, existing lighting at the following facilities that would be demolished/relocated would be removed during construction for the Bradley West Project: American Eagle Commuter Terminal, Airfield Operations Area (AOA) Access Post #5, SkyChefs Flight Kitchen, American Airlines (Former TWA) Maintenance Hangar, American Airlines Low Bay Hangar, ASIG GSE Storage and Menzies GSE Maintenance. Under the Bradley West Project, new facility and airfield lighting systems would be installed, including taxiway edge lights and in-pavement taxiway centerline lights along relocated Taxiways S and Q, aircraft parking apron lighting, and new airfield signage.

With the exception of the aircraft parking apron and ramp lighting, all lighting associated with the Bradley West Project airfield facilities would consist of low level lamps installed within or very close to the pavement. Low level lighting would not result in an increase in lighting intensity of more than 2 footcandles as measured at the property line of a residential property; therefore, no significant impacts would occur. Similar to the existing remain overnight (RON) aircraft parking and ramp areas at LAX, lighting for the new aircraft parking apron and ramp areas would include tall, bright lights to ensure sufficient visibility around the aircraft. The RON lighting system would be designed to maintain a minimum of 1-foot candle light intensity horizontally on the limits of the apron, therefore minimizing any adverse impacts on sensitive receptors. Given the distance (over 0.5 mile) of these lights to the nearest sensitive receptors, an increase in lighting intensity of more than 2 footcandles as measured at the property line of a residential property would not occur. Lighting for the new concourse and renovated central core areas would be shielded and focused to avoid unnecessary light spillover and, given the distance of these lights to the nearest sensitive receptors, no significant light emission impacts would occur. None of the Bradley West Project facilities lighting would make it difficult for pilots to distinguish between said lights and

aeronautical lights, or result in glare in the eyes of pilots that would impair their ability to operate aircraft; therefore, no significant light emissions impacts would occur.

Implementation of Master Plan Mitigation Measure MM-DA-1 and Commitments LI-2 and LI-3 will ensure that impacts related to aesthetics are less than significant; therefore, no additional mitigation measures are required.

Findings: Based on substantial evidence in the administrative record, including Section 5.9 of the Bradley West Project EIR, the BOAC hereby finds and determines that the Bradley West Project will not have significant impacts to aesthetics. Because these impacts are less than significant, mitigation beyond that already required by the LAX Master Plan, which will be included in the Mitigation Monitoring and Reporting Program for the Bradley West Project, is not required.

m. Earth and Geology

Description of Effects: As discussed in Section 5.10 of the Bradley West Project EIR, construction of the Bradley West Project would require grading and excavation. Construction of the Bradley West Project would involve 926,500 cubic yards of cut and 464,000 cubic yards of fill. A total of 462,500 cubic yards of soil would either be stockpiled on the airport or transported off-site for disposal or reuse at another location. A portion of this soil may be unsuitable for fill based on its characteristics; in addition, some of the material would consist of contaminated soils, which would be remediated on-site or sent off-site for treatment and/or disposal.

A site-specific soils and geotechnical investigation would be prepared for the Bradley West Project, which would provide the basis for a detailed grading plan, as well as detailed design of foundations and seismic requirements. The Bradley West Project would include an expansion of the TBIT existing central core, new concourses, and new connecting corridors between TBIT and Terminals 3 and 4. The new structural elements would be designed to meet current seismic requirements. Moreover, these structures would be designed and seismically isolated from the existing TBIT building and from Terminals 3 and 4 such that the seismic load demand on the existing structures is not increased. The site-specific soils and geotechnical investigation and the design and implementation of the recommended remedial and protective construction methods would reduce other potential geologic hazards, including slope stability, oil field gas, and groundwater/dewatering, settlement, seismic slope settlement, and off-site erosion, to a level that is less than significant. As such, the Bradley West Project would not result in substantial damage to, and would not have a significant impact on, structures or infrastructures, or exposure of people to substantial risk of injury, as a result of the creation or acceleration of a geologic hazard. In summary, no significant earth/geology-related impacts would occur as a result of the Bradley West Project.

Findings: Based on substantial evidence in the administrative record, including Section 5.10 of the Bradley West Project EIR, the BOAC hereby finds and determines that the Bradley West Project will not have significant impacts to earth and geology. Because these impacts are less than significant, mitigation is not required.

n. Hazards and Hazardous Materials

Description of Effects:

Hazardous Materials

As discussed in Section 5.11 of the Bradley West Project EIR, historical activities in the vicinity of the Bradley West Project site have resulted in contamination or the potential for contamination in the project area. Recent site investigations confirm that contamination would be encountered during construction of the Bradley West Project.

Grading in areas with known soil contamination could expose construction workers to hazardous materials. In addition, it is possible that, during other construction activities for the Bradley West Project, previously unidentified soil and/or perched groundwater contamination could be

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encountered. Worker health and safety and the environment would be protected to the maximum extent possible by strictly adhering to the safety measures required by local, state, and federal laws and regulations that govern contaminated materials encountered during construction. In addition, Master Plan Commitment HM-2, Handling of Contaminated Materials Encountered During Construction, was designed to ensure that any potential effects from contaminated materials encountered during construction would be less than significant. In order to facilitate the implementation of this Master Plan commitment, in 2005 LAWA adopted the "Procedure for the Management of Contaminated Materials Encountered During Construction" (the "Procedure") for application to all LAX Master Plan projects. This Procedure provides detailed guidance for implementing HM-2, especially for projects involving excavation and grading of soils. By following HM-2 and the Procedure that implements it, the environmental effects of grading, excavating and other construction activities for the Bradley West Project that involve handling of contaminated materials would be less than significant.

As discussed in Section 5.11.5.1 of the Bradley West Project EIR, vehicle trips associated with construction of the Bradley West Project would result in significant surface transportation impacts at up to four area intersections, depending on the construction parking scenario. However, temporary roadway Level of Service deficiencies associated with compromised emergency response would be avoided through implementation of Master Plan Commitments C-1, C-2, ST-9, ST-12, ST-14, ST-16 through ST-18, and ST-22. These commitments would ensure proper advanced coordination with the Los Angeles Fire Department (LAFD), LAWA Police Division (LAWAPD), and Los Angeles Police Department (LAPD) and planning of detours and emergency access routes to maintain response times during construction of the Bradley West Project. Implementation of Master Plan Commitment FP-1, LAFD Design Recommendations, would ensure that on-airport emergency response times would not be affected. Therefore, project-related construction would not significantly impair the implementation of emergency response plans, and no significant impact would occur.

Hazardous building materials, such as asbestos, lead-based paints, and PCBs, are known to be, or are suspected of being, present in structures within the Bradley West Project site. Exposure of workers to hazardous building materials would be minimized by implementing measures required by federal, state, and local laws and regulations, such as pre-demolition assessments of potential exposure to hazardous building materials, engineering and work practice controls, personal protective equipment for workers, and medical monitoring of workers. In addition, waste materials must be characterized and disposed of in accordance with all applicable laws and regulations. By complying with these measures, the demolition and renovation of existing structures would not result in the exposure of construction workers or the general public to hazardous building materials in excess of OSHA regulatory levels. As such, potential impacts associated with the presence of hazardous building materials, including the unauthorized and uncontrolled release of such materials and the exposure of workers to hazardous building materials within the Bradley West Project improvement area, would be less than significant.

With respect to hazardous materials disposal capacity, as indicated in Section 5.11.5.1 of the Bradley West Project EIR, the total volume of contaminated soil that would need to be excavated from the areas at the Bradley West Project site prior to construction of the Bradley West Project facilities is estimated at approximately 94,800 cubic yards. Hazardous wastes generated at LAX, including contaminated soils that cannot be treated on-site, are removed by licensed waste haulers and transported for treatment, disposal, or recycling at off-site facilities. It is anticipated that contaminated soils excavated as part of Bradley West Project construction activities would be able to be accommodated by existing treatment, storage and disposal facilities. Therefore, no significant impacts to hazardous waste disposal capacity would occur.

Risk of Upset

Under the LAX Master Plan, in the event of a risk of upset at the existing Central Utility Plant (CUP), individuals within some of the roadway, public, and terminal areas of the airport may be

injured. Similar to existing conditions, the improvements proposed under the Bradley West Project would be west of and outside the hazard footprint for a risk of upset at the CUP. No residences or other sensitive receptors would be affected. No such incidents have occurred at the existing CUP. In addition, as described in Chapter 3 of the Bradley West Project EIR, LAWA is proposing to replace the existing CUP with new systems to provide heat/steam and chilled water for space conditioning in terminal and concourse areas at the airport, which would also include a new cogeneration system that would use heat/steam from the CUP to generate electricity. The new CUP facility would be located immediately east of the existing CUP. If approved, construction of these improvements is anticipated to occur between May 2010 and April 2013. The hazard footprint for the proposed new CUP would be similar to that of the existing CUP. As the proposed new CUP would be further east of the existing CUP, the improvements proposed under the Bradley West Project would also be west of and outside the hazard footprint for a risk of upset at the new CUP. As a result, the Bradley West Project would not result in a substantial increase in the likelihood or consequence of an upset condition at the existing or proposed CUP; therefore, impacts would be less than significant.

Under the LAX Master Plan, in the event of a pool fire at the LAXFUEL Fuel Farm, individuals may be injured on the access road near the operations center, and at adjacent buildings. Due to the numerous safety features currently in place and compliance with all applicable setback and regulatory requirements, the risk of a pool fire at the LAXFUEL Fuel Farm would be low. Similar to existing conditions, the improvements proposed under the Bradley West Project would be east of and outside the hazard footprint for a risk of upset at the fuel farm. As a result, the proposed project would not result in a substantial increase in the likelihood or consequence of an upset incident at the LAX Fuel Fuel Farm; therefore, impacts would be less than significant.

Under the LAX Master Plan, in the event of a worst-case incident at the LAWA liquefied natural gas/compressed natural gas (LNG/CNG) Facility, individuals may be injured along World Way West and at adjacent buildings. Due to the safety-related project design features and compliance with all applicable setbacks and safety requirements, the likelihood of an incident at the LNG/CNG Facility would be low. Similar to existing conditions, the improvements proposed under the Bradley West Project would be east of and outside the hazard footprint for a risk of upset at the LAWA LNG/CNG Facility. As a result, the project would not result in a substantial increase in the likelihood or consequence of an upset incident at the LAWA LNG/CNG Facility; therefore, impacts would be less than significant.

Implementation of Master Plan Commitments HM-2, C-1, C-2, ST-9, ST-12, ST-14, ST-16 through ST-18, ST-22, and FP-1 will ensure that impacts related to hazards and hazardous materials are less than significant; therefore, no additional mitigation measures are required.

Findings: Based on substantial evidence in the administrative record, including Section 5.11 of the Bradley West Project EIR, the BOAC hereby finds and determines that the Bradley West Project will not have significant impacts associated with hazards and hazardous materials. Because these impacts are less than significant, mitigation beyond that already required by the LAX Master Plan, which will be included in the Mitigation Monitoring and Reporting Program for the Bradley West Project, is not required.

o. Public Utilities

Description of Effects:

Water Use and Facilities

As discussed in Section 5.12 of the Bradley West Project EIR, the nature of water use for construction activities associated with the Bradley West Project would be the same as identified in the LAX Master Plan EIR. It is estimated that 240 million gallons of water would be used during Bradley West Project construction activities. Although adequate water supply would be available for construction of the Bradley West Project, as indicated above, reclaimed water would

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be used to the extent feasible for dust suppression and other appropriate activities in accordance with Master Plan Commitment W-1, Maximize Use of Reclaimed Water. It is anticipated that up to 160 million gallons of construction-related water could be reclaimed water. Based on this, impacts associated with construction water use required for the Bradley West Project would be less than significant.

Operationally, implementation of the Bradley West Project would require the removal of several buildings. The majority of displaced tenants and uses would be relocated within the airport or to off-site facilities, depending upon the business plans of the individual tenants. Because the relocated tenants and uses may generally be retained on-site, the associated water consumption is assumed to remain the same, even though, overall, building square footage would be reduced by approximately 526,000 square feet. Therefore, the only change to operational water use under the Bradley West Project assumed in the water use analysis in Section 5.12 of the Bradley West Project EIR is associated with the increase in terminal space. Under the Bradley West Project, net terminal square footage would increase by 1,046,990 square feet, which would result in an increase of 93.8 acre-feet per year (AF-yr) of water use. This is approximately 14 percent of the 666 AF-yr increase over baseline that was forecast for 2015 in the LAX Master Plan EIR. Because the increase in terminal square footage within the CTA is consistent with the increase identified in the LAX Master Plan, and because the level of water demand associated with the Bradley West Project is well within the water demand calculated for the LAX Master Plan, the Bradley West Project is, by extension, consistent with the analysis of LAX Master Plan-related impacts related to water demand. Bradley West Project related water demand would be accommodated by the projected water supply and the Bradley West Project would not create a net new demand for public utilities or services in excess of that assumed under the LAX Master Plan EIR. Therefore, no significant adverse impacts relative to water supply would occur. Although adequate water supply would be available to support operations of the Bradley West Project, LAWA would incorporate water conservation measures into the design of the new facilities, in accordance with Master Plan Commitment W-2, Enhance Existing Water Conservation Program.

Based on the above, impacts associated with construction-related and operational water use required for the Bradley West Project would be less than significant.

Construction of the Bradley West Project would require the relocation of existing water transmission lines in the project area. Implementation of Master Plan Commitment PU-1, Develop a Utility Relocation Program, would ensure that impacts to water distribution facilities would be less than significant.

Wastewater

Operationally, implementation of the Bradley West Project would require the removal of several buildings. The majority of displaced tenants and uses would be relocated within the airport or to off-site facilities, depending upon the business plans of the individual tenants. Because the relocated tenants and uses may generally be retained on-site, the associated wastewater generation is considered to remain the same, even though, overall, building square footage would be reduced by approximately 526,000 square feet. Therefore, the only change to wastewater generation under the Bradley West Project assumed in the wastewater treatment capacity analysis in Section 5.12 of the Bradley West Project EIR is associated with the increase in terminal space. Under the Bradley West Project, net terminal square footage would increase by 1,046,990 square feet, which would result in an increased generation of 83,759 gallons per day (gpd) of wastewater. This is approximately 14 percent of the 584,187 gpd increase over baseline that was forecast for 2015 in the LAX Master Plan EIR. Because the increase in terminal square footage within the CTA is consistent with the increase identified in the LAX Master Plan, and because the level of wastewater generation associated with the Bradley West Project is within the water demand calculated for the LAX Master Plan, the Bradley West Project is, by extension, consistent with the analysis of LAX Master Plan-related impacts related to wastewater generation.

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The increase in wastewater generation would be accommodated by existing wastewater treatment facilities, and the Bradley West Project would not create a net new demand for public utilities or services in excess of that assumed under the LAX Master Plan EIR. Therefore, no significant adverse impacts relative to wastewater treatment capacity would occur.

Construction of the Bradley West Project would require the relocation of existing sewer lines in the project area. Implementation of Master Plan Commitment PU-1 would ensure that impacts to wastewater collection facilities would be less than significant.

Implementation of Master Plan Commitments W-1, W-2, and PU-1 will ensure that impacts related to water supply, water distribution facilities and the wastewater collection system are less than significant; therefore, no additional mitigation measures are required.

Findings: Based on substantial evidence in the administrative record, including Section 5.12 of the Bradley West Project EIR, the BOAC hereby finds and determines that the Bradley West Project will not have significant impacts associated with water use and facilities and existing wastewater collection system. Because these impacts are less than significant, mitigation beyond that already required by the LAX Master Plan, which will be included in the Mitigation Monitoring and Reporting Program for the Bradley West Project, is not required.

p. Public Services

Description of Effects:

Fire Protection

As described in Section 5.13.5.1 of the Bradley West Project EIR, vehicle trips associated with construction of the Bradley West Project would result in significant surface transportation impacts at up to four area intersections, depending on the construction parking scenario. However, temporary roadway LOS deficiencies associated with compromised emergency response would be avoided through implementation of Master Plan Commitments C-1, C-2, ST-9, ST-12, ST-14, ST-16 through ST-18, and ST-22. These commitments would ensure proper advanced coordination with LAFD, LAWAPD, and LAPD and planning of detours and emergency access routes to maintain response times during construction of the Bradley West Project. Implementation of Master Plan Commitment FP-1, LAFD Design Recommendations, would ensure that on-airport emergency response times would not be affected. Therefore, impacts from construction of the Bradley West Project on emergency access and response times would be less than significant.

As shown in Figure 2-7 in Chapter 2 of the Bradley West Project EIR, an existing fire station (Fire Station 80)/ Aircraft Rescue and Firefighting Facility (ARFF) is located on the airfield adjacent to Taxiway S and would be impacted as part of the Bradley West Project. Under the approved Crossfield Taxiway Project (CTFP), a new fire station/ARFF will be constructed as a replacement for the existing undersized Fire Station No. 80/ARFF. The new fire station/ARFF will be constructed approximately 400 feet south of the intersection of World Way West and Coast Guard Way. The size, layout, and facilities proposed for the new ARFF were determined through consultation and coordination between LAWA, the LAFD, and the design team, consistent with the provisions of Master Plan Commitments PS-1, Fire and Police Facility Relocation Plan, and PS-2, Fire and Police Facility Space and Siting Requirements. Further, the location for the new fire station/ARFF will be more centralized relative to responding to emergencies and, therefore, emergency response times will not be adversely affected, and will likely be improved. Upon completion of the new fire station/ARFF under the CTFP, the station crew will transfer to the new facility. The existing Fire Station 80/ARFF is anticipated to be vacated, and possibly used for storage, at the time of Bradley West Project implementation. As such, the existing facility would be removed and no further relocation would be required. Therefore, no significant impacts to fire protections services would occur.

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Implementation of Master Plan Commitments C-1, C-2, ST-9, ST-12, ST-14, ST-16 through ST-18, ST-22, FP-1, PS-1, and PS-2 will ensure that impacts related to fire protection services are less than significant; Therefore, no additional mitigation measures are required.

Law Enforcement

As described in Section 5.13.5.1 of the Bradley West Project EIR, vehicle trips associated with construction of the Bradley West Project would result in significant surface transportation impacts at up to four area intersections, depending on the construction parking scenario. However, temporary roadway LOS deficiencies associated with compromised emergency response would be avoided through implementation of Master Plan Commitments C-1, C-2, ST-9, ST-12, ST-14, ST-16 through ST-18, and ST-22. These commitments would ensure proper advanced coordination with LAFD, LAWAPD, and LAPD and planning of detours and emergency access routes to maintain response times during construction of the Bradley West Project. Therefore, impacts from construction of the Bradley West Project on emergency access and response times would be less than significant.

As described in Chapter 2 of the Bradley West Project EIR, the project includes renovation, improvement, and enlargement of the existing U.S. Customs and Border Protection (CBP) areas within the TBIT existing central core. The CBP area improvements would result in a beneficial impact to law enforcement services by enhancing passenger processing by the CBP within TBIT. In summary, no significant impacts to law enforcement services would occur.

In addition to the Master Plan Commitments noted above, Master Plan Commitment LE-2, Plan Review, pertains to law enforcement, and is applicable to the Bradley West Project. Implementation of Master Plan Commitments C-1, C-2, ST-9, ST-12, ST-14, ST-16 through ST-18, ST-22, PS-1, PS-2 and LE-2 will ensure that impacts related to law enforcement are less than significant; therefore, no additional mitigation measures are required.

Parks and Recreation

As discussed in Section 5.13.5, no acquisition of park or recreational facilities would occur under the Bradley West Project. Construction activities associated with the Bradley West Project would be contained within the airport property and therefore, would not restrict access to area parks and recreation areas, including the South Bay Bicycle Trail, Imperial Strip, or Westchester Golf Course. As described in Section 5.13 of the Bradley West Project EIR, given the distances of recreation facilities from the Bradley West Project site, construction noise is not anticipated to adversely affect area parks and recreation facilities. As such, construction of the Bradley West Project would not result in the need for new parks or recreational facilities due to degradation or acquisition of parkland or substantially alter existing parks or recreational facilities so that it would decrease the use of the park or recreational facility. Therefore, no significant impacts to park and recreation facilities would occur.

The Bradley West Project would provide 1,425 temporary construction-related jobs over the approximately 63-month construction period. The majority of the construction jobs would be filled by workers who already reside within a 20-mile radius, and the jobs would be temporary. Few construction workers are expected to move into the area due to temporary construction jobs at LAX. Thus, construction of the Bradley West Project would not directly generate a substantial increase in the population of the project area that creates an increase demand for parkland. Therefore, no significant park and recreation facilities demand impacts would occur.

Libraries

As discussed in Section 5.13.5, no acquisition of library facilities would occur under the Bradley West Project. As with the LAX Master Plan, construction of the Bradley West Project would not occur adjacent to local libraries. Due to the distance between construction activities and libraries, it is not anticipated that construction activities would cause substantial increases in noise levels or impair access to local libraries. As such, construction of the Bradley West Project would not

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result in the closure of a library or substantially inhibit use of a library facility. Therefore, no significant impacts to library facilities would occur.

The Bradley West Project would provide 1,425 temporary construction-related jobs over the approximately 63-month construction period. The majority of the construction jobs would be filled by workers who already reside within a 20-mile radius, and the jobs would be temporary. Few construction workers are expected to move into the area due to temporary construction jobs at LAX. Thus, construction of the Bradley West Project would not directly generate a substantial increase in the population of the project area that creates an increase demand for libraries. Therefore, no significant library facilities demand impacts would occur.

Findings: Based on substantial evidence in the administrative record, including Section 5.13 of the Bradley West Project EIR, the BOAC hereby finds and determines that the Bradley West Project will not have significant impacts associated with fire protection, law enforcement, parks and recreation, or libraries. Because these impacts are less than significant, mitigation beyond that already required by the LAX Master Plan, which will be included in the Mitigation Monitoring and Reporting Program for the Bradley West Project, is not required.

q. Schools

Description of Effects: As described in Section 5.14 of the Bradley West Project EIR, the Bradley West Project would provide approximately 1,425 temporary construction-related jobs over the approximately 63-month construction period. The majority of construction-related jobs associated with the Bradley West Project would be filled from the local labor force within a 20-mile radius and the jobs would be temporary. Thus, construction of the Bradley West Project would not result in a substantial demand for housing, and therefore, would not result in a substantial increase in student enrollment.

The information and analysis provided in the LAX Master Plan EIR adequately address potential school enrollment impacts due to operation of the Bradley West Project. As discussed in Section 5.2 of the Bradley West Project EIR, the new employment associated with operation of the Bradley West Project is consistent with the new employment assumed in the LAX Master Plan. As addressed in the LAX Master Plan EIR, there would continue to be a decrease in overall airport-related employees due to productivity improvements, with a resulting decrease in student enrollment. This on-airport employment decrease and associated student enrollment decrease would occur over time throughout the LAX Master Plan schools study area and would be offset by the overall forecasted increases in enrollment in the region. Further, new terminal space occupied by non-governmental tenants (i.e., concessions) would generate fee revenue for the Los Angeles Unified School District (LAUSD). Therefore, the effect of employment associated with operation of the Bradley West Project on student enrollment and available capacity of schools in the area would be less than significant.

Findings: Based on substantial evidence in the administrative record, including Section 5.14 of the Bradley West Project EIR, the BOAC hereby finds and determines that the Bradley West Project will not have significant impacts to schools. Because these impacts are less than significant, mitigation is not required.

B. Findings on Significant and Unavoidable Impacts

a. On-Airport Surface Transportation

Description of Effects: As discussed in Section 4.1 of the Bradley West Project EIR, the Bradley West Project would result in terminal building, aircraft apron, and taxiway improvements at LAX to accommodate new aircraft contact gates on the west side of TBIT. These contact gates would provide a more efficient and desirable option to the existing "hardstand" aircraft parking positions where aircraft park remotely and passengers are bused to and from the terminal building. In addition, the federal inspection services (FIS) facilities, such as U.S. Customs and Border Protection services, within TBIT would be improved as part of the project to provide increased

and more efficient processing of arriving international passengers. The on-airport surface transportation analysis was conducted to estimate the impacts on operation of the TBIT curbsides and Central Terminal Area (CTA) intersections and roadway links that would result from anticipated changes in traffic accompanying the changes in passenger demand and peaking characteristics following construction of the contact gates that would accommodate New Large Aircraft (NLA) such as the Airbus A380 and improved FIS processing. As described in Section 4.1 of the Bradley West Project EIR, it is anticipated that implementation of the Bradley West Project would affect only the peaking characteristics of airline passenger activity and would not affect the overall number of passengers accessing the airport. As such, other landside facilities, such as the capacity of public parking facilities, would not be affected by the Bradley West Project and were, therefore, not analyzed as part of the Bradley West Project EIR. Construction employee parking and construction delivery vehicles are not anticipated to access the CTA roadway system. Therefore, on-airport traffic impacts from construction would not be expected and are not addressed in the Bradley West Project EIR.

The Bradley West Project would not result in a significant impact to TBIT curbside operations. However, it would produce significant impacts at one key CTA intersection (Center Way and World Way South during the TBIT arrivals peak period and the overall airport arrivals peak period) and along each of the following CTA roadway links: World Way North at Terminal 1 on the departures level during both the TBIT and overall airport peak hours; World Way North at Terminal 1 on the arrivals level during both the TBIT and overall airport peak hours; World Way South at TBIT on the arrivals level roadway during both the TBIT and overall airport peak periods; and World Way South at Terminal 7/8 on the arrivals level roadway during both the TBIT and overall airport peak periods.

Three Bradley West Project-specific mitigation measures, comprised of physical and operational enhancements, are proposed to address estimated significant project-related intersection and roadway link impacts: MM-ST (BWP)-1, Trip Reduction Measures; MM-ST (BWP)-2, Improve the Intersection of Center Way and World Way South; and MM-ST (BWP)-3, Widen World Way Across from TBIT. In addition, the Bradley West Project, as part of the LAX Master Plan, is subject to the Master Plan Commitments and Mitigation Measures contained in the LAX Master Plan EIR, which were adopted as project requirements in conjunction with approval of the LAX Master Plan. The Master Plan Mitigation Measure that pertains to surface transportation and is applicable to the Bradley West Project is MM-AQ-3, Transportation-Related Mitigation Measure, as indicated in Section 4.1.7 of the Bradley West Project EIR. Implementation of the Mitigation Measure MM-ST (BWP)-2, which provides an additional right turn lane, would reduce intersection impacts to a level that is less than significant. Additionally, implementation of Mitigation Measures MM-ST (BWP)-1 and MM-AQ-3 would serve to reduce on-airport traffic volumes in general, which would further mitigate intersection impacts. All of the roadway link impacts summarized above would remain significant and unavoidable after mitigation.

Findings: Based on substantial evidence in the administrative record, including Section 4.1 of the Bradley West Project EIR, the BOAC hereby finds and determines that the Bradley West Project will have on-airport surface transportation impacts that have been mitigated to less than significant (CTA Intersection Impacts: Center Way and World Way South) and impacts which are significant and unavoidable (CTA Roadway Link Impacts). Impacts at Center Way and World Way South would be mitigated to a less than significant level as demonstrated by the methodology discussed in Draft EIR Section 4.1.2 beginning on page 4-6, including Table 4.1-21. As discussed therein, a micro-simulation model was run to simulate the operation of the traffic volumes through the airport roadway and curbside system with the improvements in place. Those improvements include the additional right turn lane provided through MM-ST (BWP)-1, which increases the operational capacity of the intersection at Center Way and World Way South and alleviates the significant impact at that location. The BOAC hereby finds that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant on-airport surface transportation impacts as identified in the Bradley West

Project EIR. Specifically, Master Plan Mitigation Measure MM-AQ-3, Transportation-Related Mitigation Measure, and Bradley West Project-specific Mitigation Measures MM-ST (BWP)-1, Trip Reduction Measures, MM-ST (BWP)-2, Improve the Intersection of Center Way and World Way South, and MM-ST (BWP)-3, Widen World Way Across from TBIT, will be part of the project's design.

Despite incorporation of these measures, the BOAC hereby finds on-airport surface transportation impacts (CTA Roadway Link Impacts) will remain significant and unavoidable and that specific economic, legal, social, technological, or other considerations make additional mitigation measures or project alternatives infeasible.

b. Off-Airport Surface Transportation

Description of Effects: As discussed in Section 4.2 of the Bradley West Project EIR, off-airport traffic generation in terms of new vehicle trips associated with the project would be limited to those resulting from additional employment within TBIT due to expanded building floor area (i.e., additional concessions, security/inspection areas, janitorial/maintenance requirements, etc.). Over the course of the five years between 2008 conditions and 2013 completion of the TBIT improvements, the volume of passengers traveling through TBIT is expected to increase substantially, irrespective of whether the proposed improvements are implemented. Completion of the improvements at TBIT would not cause an increase in the overall daily passenger activity levels at TBIT, but would affect the nature and timing of how passengers are processed through TBIT during the course of the day. The improvements would enable TBIT to better accommodate and process international flights, including those that utilize new large aircraft capable of carrying more passengers than most other aircraft. While the overall daily passenger activity level in 2013 would be about the same with or without the project, completion of the improvements would result in larger surges of passengers being processed through TBIT during certain times of the day. This, in turn, would affect the number of vehicle trips occurring during the three peak hours (i.e., a.m. commuter peak, mid-day airport peak, and p.m. commuter peak) evaluated in the on-airport surface transportation analysis in the Bradley West Project EIR.

As discussed in Section 4.2.8.1 of the Draft EIR and Section 3.2 of the Final EIR ("Corrections and Additions to the Draft EIR Text"), the project would result in significant impacts at the following intersections before mitigation: Intersections #6, 7, 9, 10, 14, 16, 36, 71, 88, 96, 101, 109, 110, 114, 125, 135, 136, and 139, shown in Table 4.2-6 and Figure 4.2-2.

Using the CMP methodology, discussed in Section 4.2.8.2 of the Draft EIR and Section 3.2 of the Final EIR ("Corrections and Additions to the Draft EIR Text"), the project would result in CMP Arterial Intersection impacts at Intersection #93. The Bradley West Project would not result in a significant impact on the adjacent freeway segments during either of the a.m. or p.m. peak hours.

Section 4.2.9 of the Bradley West project EIR identifies improvements at the 19 intersections that are anticipated to be significantly impacted. As discussed in Section 4.2.9, existing constraints at 13 significantly impacted intersections render potential intersection improvements infeasible. Improvements at the remaining six intersections (Intersections #9, 10, 71, 96, 101, 136) that are anticipated to be significantly impacted were incorporated into Bradley West Project-specific Mitigation Measures MM-ST (BWP)-4 through MM-ST (BWP)-9. Implementation of the recommended mitigation measures would reduce impacts to these six off-airport intersections to a level that is less than significant. Impacts were determined to be less than significant upon implementation of the mitigation measures using the methodology discussed in Section 4.2.2 of the Draft EIR, beginning on page 4-87 and demonstrated in Table 4.2-10. The values shown in Table 4.2-10 represent the intersection volume to capacity ratio (i.e., the amount of traffic occurring at an intersection relative to the design capacity of that intersection) for future conditions with project-related traffic compared to future conditions without project-related traffic. When factoring in the effect of proposed mitigation measures, the design capacity of each mitigated intersection is adjusted to account for the increased operational capacity provided by

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the specific improvement(s) proposed (i.e., the provision of an additional turn lane through restriping an intersection). Based on those mitigation improvements, the intersection volume-to-capacity ratios for future with-project conditions were recalculated to determine whether the applicable threshold of significance was exceeded. As indicated in Table 4.2-10, it is anticipated that impacts at the six intersections listed therein can be mitigated to a level that is less than significant. However, as discussed in Section 4.2.10, there would be situations, including unexpected conditions and circumstances, where a proposed improvement(s) would not yet be completed by the time the impact occurs, and consequently there would be a temporary significant and unavoidable impact until the improvements in Mitigation Measures MM-ST (BWP)-4 through MM-ST (BWP)-9 are in place. Examples of unanticipated condition and circumstances include, but are not limited to, delays in receiving required permits and approvals, coordination with affected jurisdictions, unexpected site conditions such as subsurface contamination, and coordination with other circulation system improvements nearby.

Findings: Based on substantial evidence in the administrative record, including Section 4.2 of the Bradley West Project EIR, the BOAC hereby finds and determines that the Bradley West Project will have significant and unavoidable off-airport surface transportation impacts. The BOAC hereby finds that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant off-airport surface transportation impacts as identified in the Bradley West Project EIR. Specifically, Bradley West Project-specific Mitigation Measures MM-ST (BWP)-4 through MM-ST (BWP)-9 will be required to be implemented in conjunction with the project.

Despite incorporation of these measures, the BOAC hereby finds off-airport surface transportation impacts at 13 intersections will remain significant and unavoidable and that specific economic, legal, social, technological, or other considerations make additional mitigation measures or project alternatives infeasible. Such measures are infeasible for the reasons discussed in the Draft EIR Section 4.2.9 and Final EIR Section 2.2 Response to Comment BWP-AL00001-13. Those reasons include the following:

Airport Boulevard and Arbor Vitae Street/Westchester Parkway (Intersection #6): In order to address the critical movement that is significantly impacted at this intersection, it would be necessary to widen the westbound approach to the Airport Boulevard and Arbor Vitae Street/Westchester Parkway intersection to provide two left-turn lanes, one through lane, and a through/right lane and widen the northbound approach to provide two left-turn lanes, two through lanes, and one right-turn lane. However, this improvement is infeasible due to right-of-way constraints on the northeast and southeast corners associated with widening the northbound and westbound approaches.

Airport Boulevard and Century Boulevard (Intersection #7): In order to address the critical movement that is significantly impacted at this intersection, it would be necessary to restripe the southbound approach at the Airport Boulevard and Century Boulevard intersection to provide two left-turn lanes, one through-left lane, and two right-turn lanes. However, in discussions with LADOT, the approval of the installation of southbound dual right-turn lanes would require the installation of an exclusive southbound right-turn signal phase. The addition of a new southbound right-turn phase would negate the capacity enhancements achieved with the proposed southbound lane reconfiguration.

Aviation Boulevard and Century Boulevard (Intersection #14): In order to address the critical movement that is significantly impacted at this intersection, it would be necessary to widen the westbound approach to the Aviation Boulevard and Century Boulevard intersection to provide one left-turn lane, four through lanes, and a through/right lane and widen the eastbound approach to provide one left-turn lane, four through lanes, and a right-turn lane. However, this improvement is infeasible due to right-of-way constraints associated with the existing above-grade railroad bridge just west of the intersection.

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Aviation Boulevard and Imperial Highway (Intersection #16): In order to address the critical movement that is significantly impacted at this intersection, it would be necessary to widen the eastbound approach to the Aviation Boulevard and Imperial Highway intersection to provide two left-turn lanes, three through lanes, and a right-turn lane. However, this improvement is infeasible due to right-of-way constraints along the south side of Imperial Highway west of Aviation Boulevard. Specifically, the right-of-way constraints include the presence of large pier structures supporting the I-105 Freeway, which passes over the subject area. The provision of additional travel lane area would cost approximately \$22 million. The removal and relocation/reconstruction would also be infeasible for environmental reasons. The potential improvements would result in the substantial disruption of traffic flows on Imperial Highway and Aviation Boulevard near the pier structures due to lane closures associated with major physical construction. The closures and construction activity would generate construction-related air pollutant emissions and noise impacts.

Century Boulevard and La Cienega Boulevard (Intersection #36): In order to address the critical movement that is significantly impacted at this intersection, it would be necessary to widen the southbound approach to the Century Boulevard and La Cienega Boulevard intersection to provide two left-turn lanes, two through lanes, and two right-turn lanes and widen the westbound approach to provide two left-turn lanes, three through lanes, and a right-turn lane. However, this improvement is infeasible due to right-of-way constraints on the northwest and northeast corners associated with widening the southbound and westbound approaches, respectively.

La Cienega Boulevard and La Tijera Boulevard (Intersection #88): In order to address the critical movement that is significantly impacted at this intersection, it would be necessary to widen the southbound approach to the La Cienega Boulevard and La Tijera Boulevard intersection to provide three through lanes and two right-turn lanes. However, this improvement is considered infeasible due to right-of-way constraints on the west side of La Cienega Boulevard north of La Tijera Boulevard.

La Cienega Boulevard and Stocker Avenue (Intersection #93): In order to address the critical movement that is significantly impacted at this intersection, it would be necessary to widen the northbound approach to the La Cienega Boulevard and Stocker Avenue intersection to provide three through lanes and a free right-turn lane. The existing northbound right-turn lane is generally blocked by northbound through vehicles queuing back from the intersection during the AM and PM peak hours, effectively causing the northbound approach to operate as two through lanes and a shared through/right-turn lane. In order to address that critical movement, the northbound approach would need to be widened in order to increase the length of the northbound right-turn lane to a distance where through vehicles no longer block right-turning vehicles. However, this improvement is considered infeasible due to right-of-way constraints associated with the presence of high voltage power lines and a large transmission line tower at the southeast corner of the intersection.

Lincoln Boulevard and Venice Boulevard (Intersection #109): In order to address the critical movement that is significantly impacted at this intersection, it would be necessary to widen the northbound approach to the Lincoln Boulevard and Venice Boulevard intersection to provide two left-turn lanes, three through lanes, and a right-turn lane and widen the southbound approach to provide two left-turn lanes, three through lanes, and a right-turn lane. However, this improvement is considered infeasible due to right-of-way constraints north and south of the intersection along Lincoln Boulevard associated with providing an additional travel lane in both directions.

Lincoln Boulevard and Washington Boulevard (Intersection #110): In order to address the critical movement that is significantly impacted at this intersection, it would be necessary to widen the northbound approach to the Lincoln Boulevard and Washington Boulevard intersection to provide two left-turn lanes, three through lanes, and a through/right lane and widen the southbound approach to provide two left-turn lanes, three through lanes, and a through/right lane. However, this improvement is considered infeasible due to right-of-way constraints north and south of the

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intersection along Lincoln Boulevard associated with providing an additional travel lane in both directions.

Manchester Avenue and Sepulveda Boulevard (Intersection #114): In order to address the critical movement that is significantly impacted at this intersection, it would be necessary to widen the southbound approach to the Manchester Avenue and Sepulveda Boulevard intersection to provide two left-turn lanes, three through lanes, and one right-turn lane. However, this improvement is considered infeasible due to right-of-way constraints on the northwest corner associated with widening the southbound approach.

Rosecrans Avenue and Sepulveda Boulevard (Intersection #125): In order to address the critical movement that is significantly impacted at this intersection, it would be necessary to restripe the northbound approach to the Rosecrans Avenue and Sepulveda Boulevard intersection to provide two left-turn lanes, four through lanes, and one right-turn lane and widen the southbound approach to provide two left-turn lanes, four through lanes, and one right-turn lane. However, this improvement is considered infeasible due to right-of-way constraints north and south of the intersection along Sepulveda Boulevard associated with providing an additional southbound travel lane. More specifically, the right-of-way constraints include the presence of a gas station on the southwest corner of the intersection, a hotel immediately south of the gas station, a Fry's Electronics store on the southeast corner and two Manhattan Village residential buildings immediately south of Fry's Electronics. The provision of additional travel lane area would cost approximately \$3.6 million. The provision of additional travel lane area would also require the demolition of the buildings mentioned above at an estimated cost of up to \$46.4 million. Implementation of this mitigation measure would also have environmental impacts associated with major physical construction, including disruption of traffic flows, generation of construction-related air pollutant emissions and noise impacts, loss of employment from removal of several commercial uses, and loss of housing.

Sepulveda Boulevard and Westchester Parkway (Intersection #135): In order to address the critical movement that is significantly impacted at this intersection, it would be necessary to widen the westbound approach to the Sepulveda Boulevard and Westchester Parkway intersection to provide two left-turn lanes, two through lanes, and a right-turn lane. This improvement is considered infeasible due to right-of-way constraints on Westchester Parkway east of Sepulveda Boulevard. However, with the elimination of parking on Westchester Parkway and the elimination of the functional eastbound right-turn lane, there is sufficient right-of-way to provide an additional westbound left-turn lane in order to partially mitigate this intersection. The loss of parking on Westchester Parkway is not considered a burden in this immediate area since there are large surface parking lots within a short walking distance, and parking is permitted on both sides of Sepulveda Boulevard. Even with this partial mitigation, the residual impact would be significant and unavoidable.

Sepulveda Boulevard and I-105 Ramp north of Imperial Highway (Intersection #139): In order to address the critical movement that is significantly impacted at this intersection, it would be necessary to widen the northbound approach to the Sepulveda Boulevard and I-105 ramp north of Imperial Highway to four through lanes. However, the entrance to the Sepulveda Tunnel is approximately 535 feet north of the I-105 off-ramp. If a fourth northbound through lane were to be installed from Imperial Highway to the tunnel entrance, there would be insufficient distance to provide the necessary signing and striping in advance of the lane drop (from four lanes back to three lanes through the tunnel) required by Caltrans. With a posted speed limit of 40 miles per hour, approximately 1,040 feet of distance would be needed north of the I-105 off-ramp to accommodate the lane reduction signing and striping from four lanes to three lanes. To achieve the distance needed to safely accommodate the lane reduction, the Sepulveda Tunnel would need to be widened. In 1994, DMJM Consultants, working for LAWA, prepared a feasibility study to determine alternatives to increase the traffic capacity through the Sepulveda Tunnel. The preferred alternative was to create new tunnels (one northbound and one southbound) parallel to

the existing tunnel. Regarding construction of the preferred alternative, the report states: "The proposed tunnels could be built using either cut-and-cover or pipe-roof construction method. The cut-and-cover method is a simple technique involving excavation along the entire length of the tunnel for construction of its roof and walls. This would require temporary closures of two airport runways above the tunnel, each for 60 days. The pipe-roof method is a tunneling technique requiring excavation only at two jacking pits and four retrieval pits. Although this method could be accomplished without runway closures, it is not technically proven for shallow tunnels with lengths comparable to that of the proposed tunnel." In 1993, the report estimated the cost to construct the two parallel tunnels to be \$195,000,000; the cost to build these tunnels would be considerably higher today. Although the traffic impact for the Bradley West Project at the intersection of Sepulveda Boulevard and the I-105 ramp north of Imperial Highway could be mitigated with the construction of the northbound parallel tunnel, the construction would come at considerable expense and would result in significant disruptions to LAX and the surrounding transportation system. The potential improvement would also be infeasible for environmental reasons. Implementation of this improvement would have environmental impacts associated with major physical construction, including disruption of traffic flows, and generation of construction-related air pollutant emissions and noise impacts.

c. Construction Surface Transportation

Description of Effects: As analyzed in Bradley West Project Draft EIR Sections 4.3 and 6.4 and Final EIR Section 2.1 (Topical Response TR-BWP-ST-1), Section 2.2 (Response to Comment BWP-AL00001-20), and Section 3 (Corrections and Additions to the Bradley West Project Draft EIR), implementation of the Bradley West Project would generate vehicle trips on the local roadway system during construction, including from construction employee vehicles, construction equipment and material delivery trucks, and other construction-related roadway traffic activity (i.e., employee shuttles and transfer trucks). The Bradley West Project construction surface transportation analysis addresses, in particular, the impacts from construction-related traffic that would occur during the peak period of project construction. As described in Draft EIR Section 4.3.8.2, cumulative impacts were evaluated for the most critical "surged" conditions that would occur at the peak of the Bradley West Project construction (Fourth Quarter 2011) combined with the peak cumulative condition that would occur in the Fourth Quarter of 2010. This peak-period analysis provides conservative results in that project-related traffic during periods when construction activities are less intensive will result in fewer traffic impacts (see Draft EIR Figure 4.3-5) than presented in the analysis in Section 4.3 of the Bradley West Project EIR.

As described in Topical Response TR-BWP-ST-1 in Section 2.2 of the Bradley West Project Final EIR, construction staging and construction parking for the Bradley West Project would be distributed between several locations situated around the airport. However the primary staging and parking area would be located at the West Construction Staging Area depicted in Figure 4.3-6 (Location "F"). The nature and intensity of construction would vary over the approximately 5-year construction period, as would the associated need for, and distribution of, construction staging and parking.

The Bradley West Project would result in project-related and cumulative significant impacts on up to four off-airport intersections: La Cienega Boulevard and Century Boulevard (Intersection #36); Imperial Highway and Main Street (Intersection #68); Imperial Highway and Pershing Drive (Intersection #69); and Sepulveda Boulevard and Manchester Avenue (Intersection #114).

Section 4.3.9 of the Bradley West project EIR identifies improvements at the four intersections that are anticipated to be significantly impacted. As discussed in Section 4.3.9, existing constraints at two significantly impacted intersections, La Cienega Boulevard and Century Boulevard (Intersection #36) and Sepulveda Boulevard and Manchester Avenue (Intersection #114), render potential intersection improvements infeasible. Improvements at the remaining two intersections that are anticipated to be significantly impacted, Imperial Highway and Main Street (Intersection #68) and Imperial Highway and Pershing Drive (Intersection #69), were incorporated

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into Bradley West Project-specific Mitigation Measures MM-ST (BWP)-10 and MM-ST (BWP)-11. In addition to these measures, mitigation Measure MM-ST (BWP)-12, added in response to comments received on the Draft EIR, would limit the number of construction employee parking spaces within the Northwest Construction Staging/Parking Area, the East Contractor Employee Parking Area, and the Southeast Construction Staging/Parking Area; however, adoption of Alternative 4 (see Part C herein) would reduce, instead of just limit, the amount of parking within these three areas by moving the primary parking area for construction workers to the West Construction Staging Area. In addition to the mitigation measures described above, the Bradley West Project, as part of the LAX Master Plan, is subject to the Master Plan Commitments and Mitigation Measures contained in the LAX Master Plan EIR, which were adopted as project requirements in conjunction with approval of the LAX Master Plan. The Master Plan Commitments that pertain to construction surface transportation and are applicable to the Bradley West Project include C-1, C-2, ST-9, ST-12, ST-14, ST-16 through ST-18, and ST-22, as indicated in Section 4.3.7 of the Bradley West Project Final EIR. Implementation of the recommended mitigation measures and commitments would reduce impacts to two off-airport intersections (Intersections #68 and #69) to a level that is less than significant. Impacts at those two intersections were determined to be less than significant upon implementation of the mitigation measures using the methodology discussed in Draft EIR Section 4.3.2 beginning on page 4-170 and demonstrated in Table 4.3-19, Final EIR Section 2.1, Table 3 in Topical Response TR-BWP-ST-1, Final EIR Section 2.2, and Table 5 in Response to Comment BWP-AL00001-20. The values shown in those tables represent the intersection volume to capacity ratio (i.e., the amount of traffic occurring at an intersection relative to the design capacity of that intersection) for conditions with project construction traffic compared to conditions without project construction traffic. When factoring in the effect of proposed mitigation measures, the design capacity of each mitigated intersection is adjusted to account for the increased operational capacity provided by the specific improvement(s) proposed (i.e., the provision of an additional turn lane through restriping an intersection or other such improvements). Based on those mitigation improvements, the intersection volume-to-capacity ratios for conditions with project construction traffic were recalculated to determine whether the applicable threshold of significance was exceeded.

Findings: Based on substantial evidence in the administrative record, including Bradley West Project Draft EIR Sections 4.3 and 6.4, Final EIR Section 2.1 (Topical Response TR-BWP-ST-1), Section 2.2 (Response to Comment BWP-AL00001-20), and Section 3 (Corrections and Additions to the Bradley West Project Draft EIR), the BOAC hereby finds and determines that the Bradley West Project will have significant and unavoidable construction surface transportation impacts at Intersections #36 and #114. The BOAC hereby finds that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant construction surface transportation impacts as identified in the Bradley West Project EIR. These changes or alterations include Bradley West Project-specific Mitigation Measures MM-ST (BWP)-10 through MM-ST (BWP)-12 and Master Plan Commitments C-1, C-2, ST-9, ST-12, ST-14, ST-16 through ST-18, and ST-22.

Despite incorporation of these measures and commitments, the BOAC hereby finds construction surface transportation impacts will remain significant and unavoidable and that specific economic, legal, social, technological, or other considerations make additional mitigation measures or project alternatives infeasible. For the reasons discussed in Section 4.3.9 it would be infeasible to mitigate impacts at Intersections #36 and #114. Those reasons include the following:

La Cienega Boulevard and Century Boulevard (Intersection #36): To mitigate the anticipated impacts, the landscaped median on eastbound Century Boulevard west of La Cienega Boulevard could be removed to accommodate an additional right-turn lane on the west leg of the intersection. The westbound approach could be restriped to provide one left-turn lane, three through lanes, and a right-turn lane. Existing roadway widths and right-of-way constraints do not allow for the proposed lane reconfiguration at this intersection without demolition of the

landscaped median installed by the City of Los Angeles that reduced the capacity of the eastbound approach by converting the dual eastbound right-turn lane to a single right-turn lane.

Sepulveda Boulevard and Manchester Avenue (Intersection #114): To mitigate the anticipated impacts to this intersection, the southbound approach could be widened to provide an additional left turn lane. The resulting southbound lane geometry would consist of a dual left-turn lane, three through lanes, and a single right-turn lane. However, this improvement is considered infeasible due to right-of-way constraints on the northwest corner associated with widening the southbound approach.

d. Air Quality

Description of Effects: The air quality analysis conducted for the Bradley West Project, provided in Section 4.4 of the Bradley West Project EIR, addresses emissions from construction activities (e.g., on-site and off-site construction equipment, fugitive dust, and worker vehicle trips) that would occur during the temporary construction period. The analysis describes anticipated conditions during the approximately 5 years of proposed construction activities.

Although the LAX Master Plan EIR analyzed future operational impacts, several operational sources were also evaluated in the Bradley West Project air quality analysis. The sources included are those that would have different operating characteristics after completion of the Bradley West Project than after full implementation of the LAX Master Plan. Specifically, the gates at the West Remote Pads would continue to be utilized after completion of the Bradley West Project, although at a much lower level than without the project. These gates would be taken out of service after full buildout of the LAX Master Plan. In addition, heating and cooling capacity would be added to TBIT as part of the project to address the incremental demand specific to the Bradley West Project. Finally, the Master Plan analysis assumed that ground access vehicles would enter a ground transportation center (GTC) to the east of the airport and passengers would then be transported by alternate modes into the Central Terminal Area (CTA). This GTC is not anticipated to be constructed by 2013 when the main Bradley West Project improvements are in place. Therefore, operational emissions associated with aircraft activity on the ground at LAX and transporting passengers between TBIT and the gates at the West Remote Pads, with off-airport ground access regional vehicle traffic, and with the heating and cooling units at TBIT were analyzed for 2013 with and without the project as well as for 2008 baseline conditions.

Uncontrolled and Controlled Construction Impacts

Uncontrolled and controlled construction related air quality impacts were analyzed in the air quality analysis for the Bradley West Project. In the analysis, "uncontrolled" referred to the emissions that would occur without application of the fugitive dust controls required by South Coast Air Quality Management District (SCAQMD) Rules 403, 1156, 1157, Regulation XIII, and without installation of diesel particulate filters required under the LAX Master Plan Community Benefits Agreement (CBA). The project would comply with the controls currently required by the SCAQMD Rules 403, 1156, 1157, Regulation XIII, and the CBA.

The air quality analysis for uncontrolled construction air quality impacts from the Bradley West Project indicates that peak daily and peak quarterly emissions would not exceed thresholds for sulfur dioxide (SO₂). However, peak daily and peak quarterly uncontrolled emissions of CO, volatile organic compounds (VOC), oxides of nitrogen (NO_x), PM₁₀ and PM_{2.5} associated with the Bradley West Project would exceed the SCAQMD construction emissions thresholds. Therefore, uncontrolled Bradley West Project construction emissions of CO, VOC, NO_x, PM₁₀, and PM_{2.5} would be significant.

Air dispersion modeling was used to predict pollutant concentrations in the vicinity of the airport from construction emissions in the peak year of construction. Pollutant concentrations were calculated for pollutants which exceeded the SCAQMD thresholds for peak daily or peak quarterly

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construction emissions. (Dispersion modeling was not conducted for VOC as there are no national or California ambient air quality standards for VOC.) Therefore, maximum pollutant concentrations were determined for CO, NO_x, PM10, and PM2.5 using AERMOD. As indicated in Section 4.6.6.1 of the Bradley West Project EIR, uncontrolled PM10 would exceed the 24-hour SCAQMD concentration threshold and NO₂ would exceed the 1-hour NO₂ California Ambient Air Quality Standards (CAAQS). Concentrations of uncontrolled PM10 and NO_x would therefore be significant. (As described in Section 4.4.7.3 of the Bradley West Project EIR, an extremely conservative method was used to determine NO₂ impacts. It is possible that actual NO₂ concentrations would not exceed the CAAQS.)

Controlled construction emissions were calculated for PM10 and PM2.5 only, using the watering control efficiency of 61 percent for fugitive dust, and using the control efficiencies for construction equipment diesel particulate filters described in Section 4.4.5 of the Bradley West Project EIR. The Bradley West Project peak daily controlled construction emissions of PM10 and PM2.5 and the peak quarterly controlled construction emissions of PM10 would exceed the SCAQMD construction emission thresholds. Peak quarterly controlled emissions of PM2.5 associated with the Bradley West Project would not exceed the SCAQMD construction emissions thresholds. Controlled Bradley West Project construction emissions of PM10 and PM2.5 would therefore be significant.

The controlled Bradley West Project PM10 annual concentration and PM2.5 24-hour concentration would not exceed the SCAQMD thresholds. The controlled PM10 24-hour peak concentration would exceed the SCAQMD threshold by approximately 9 percent. Due to this exceedance, the Bradley West Project controlled PM10 construction-related impact would be significant.

Operations Impacts (Emissions from On-Airport Sources and Off-Airport (Regional) Traffic Sources)

As described in 4.4.6.2 of the Bradley West Project EIR, the Bradley West Project would not alter the airspace traffic, runway operational characteristics, or the practical capacity of the airport. Therefore, changes in emissions from aircraft operations are due to increased travel demand and changes in aircraft fleet mixes that are projected to occur by 2013 irrespective of the proposed Bradley West Project improvements. Passenger bus trips from TBIT to the gates at the West Remote Pads and off-site ground access vehicle traffic would be affected by the Bradley West Project. Also, the Bradley West Project would require the installation of heating and cooling facilities to supply space and water heating and cooling in the new TBIT concourses and core area.

Total emissions from on-airport operations, including aircraft taxi/idle, West Remote Pad bus trips, and Bradley West heating and cooling utilities in 2013 would increase from the baseline conditions as a result of forecast increases in air travel demand. On-airport emissions from operational sources would be significant for CO, VOC, NO_x, and SO₂. However with the planned improvements of aircraft movement and reduction of bus transport to remote gates that would occur with implementation of the Bradley West Project, emissions in 2013 would decrease as compared to the Without Project scenario.

Emissions from off-airport sources are associated with off-airport traffic related to the Bradley West Project traveling to and from LAX. This traffic includes airport passengers, employees, and trucks delivering cargo to or from the airport. Operational emissions from off-airport sources of CO, VOC, NO_x, PM10, and PM2.5 with the Bradley West Project in 2013 would be significant.

Concentrations of air pollutants associated with Bradley West Project operations would not exceed the SCAQMD CEQA operational significance thresholds. Therefore, project operations would not have any significant impacts associated with pollutant concentrations.

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Cumulative Impacts (Construction Emissions, Operations Emissions, and Construction and Operations Concentrations)

Projects that were considered in the cumulative air quality analysis include: (1) Crossfield Taxiway Project (CFTP), (2) Airfield Operating Area (AOA) Perimeter Fence Enhancements -- Phase III, (3) Security Program - In-Line Baggage Screening Systems (T6) (4) TBIT Interior Improvements Program, (5) Airfield Intersection Improvements -- Phase 2, (6) Airport Operations Center (AOC)/Emergency Operation Center (EOC), (7) K-9 Training Facility, (8) Central Utilities Plant (CUP) Replacement Program, (9) Passenger Boarding Bridge Replacement, (10) Bus Wash Rack Facility, (11) CTA Elevators and Escalators Replacement, (12) CTA Seismic Retrofits, (13) Sewer Line Replacement, (14) CTA Joint Repair, Roadway Improvements, and Security Barriers, (15) Korean Air Cargo Terminal Improvement Project, (16), West Aircraft Maintenance/Aircraft Parking Area, (17) Westchester Golf Course 3-Hole Expansion Project, (18) Westchester Rainwater (Stormwater) Improvement Project, and (19) Metro Bus Maintenance and Operations Facility. Those cumulative projects that would be under construction in the peak year of Bradley West Project construction (i.e., 2010) were included in the quantitative analysis. From a cumulative standpoint, CO, NO_x, VOC, PM10 and PM2.5 emissions would be significant due to the combined emissions from all construction projects at LAX.

The cumulative impacts to air quality resulting from projects at LAX with operational emissions, such as from the Airport Operations Center (AOC)/Emergency Operation Center (EOC), have been accounted for as part of the overall long-term improvement of LAX addressed in the LAX Master Plan EIR. Other projects identified above, such as the Airfield Intersection Improvements -- Phase 2, the AOA Perimeter Fence Enhancement -- Phase III, and the Westchester Rainwater (Stormwater) Improvement Project, would not have any notable air pollutant emissions associated with operations. Cumulative operational emissions associated with the Bradley West Project and other cumulative projects would be significant for CO, VOC, NO_x and SO₂.

Regarding cumulative concentration impacts, which conservatively assume an overlap in Bradley West Project construction and operational activities, the one-hour NO₂ CAAQS would be exceeded during the peak year of cumulative project construction. The SCAQMD construction thresholds for annual and 24-hour PM10 would also be exceeded. The one-hour NO₂ peak concentration would occur at the CTA, and NO_x emissions from diesel construction equipment represent over 95 percent of this peak value. The annual PM10 and the 24-hour PM10 maximum concentrations would occur along the boundary of the Westchester Rainwater (Stormwater) Improvement Project site and would exceed the SCAQMD threshold at three additional fenceline locations. Implementation of the Bradley West Project would result in a cumulatively significant impact related to NO₂ and PM10. (As described in Section 4.4.7.3 of the Bradley West Project EIR, an extremely conservative method was used to determine NO₂ impacts. It is possible that actual cumulative NO₂ concentrations would not exceed the CAAQS.)

Of the three commitments and four mitigation measures that were designed to address air quality impacts related to implementation of the LAX Master Plan, two measures are applicable to Bradley West Project construction emissions and hence were considered in the air quality analysis as part of the project: Master Plan Mitigation Measures MM-AQ-1, LAX Master Plan – Mitigation Plan for Air Quality, and MM-AQ-2, Construction-Related Measure. In addition, the CBA includes several measures applicable to LAX Master Plan projects. Section X.F of the CBA delineates the measures specific to construction equipment, with the majority of such measures being centered on requiring best available emission control devices on all diesel construction equipment. LAWA is committed to mitigating temporary construction-related emissions to the extent feasible and has established some of the most aggressive construction emissions reduction measures in Southern California, particularly with regard to requiring construction equipment to be equipped with emissions control devices. The specific means for implementing the mitigation measures described in Section 4.4.5 of the Bradley West Project EIR were approved with the LAX Master Plan EIR and would also be applied to the Bradley West Project.

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Because these mitigation measures establish a commitment and process for incorporating all technically feasible air quality mitigation measures into each component of the LAX Master Plan, no additional project-specific mitigation measures are recommended in connection with the Bradley West Project. After implementation of the Master Plan Mitigation Measures MM-AQ-1 and MMAQ-2 and CBA measures, construction-related emissions associated with the Bradley West Project would be significant for CO, VOC, NO_x, PM10 and PM2.5. Bradley West Project construction-related concentrations would be significant for NO₂ and PM10. During the course of the approximately 5 years of construction activities associated with the Bradley West Project, several other improvement projects at or near LAX would also be constructed. Cumulative construction-related emissions from such activities would be significant for CO, VOC, NO_x, PM10, and PM2.5. In addition, during this time, portions of the Bradley West Project will be completed and begin operation while other portions of the project are still under construction. During such periods of overlap between project construction and project operation, cumulative air pollutant concentrations would be significant for NO₂ and PM10.

Findings: Based on substantial evidence in the administrative record, including Section 4.4 of the Bradley West Project EIR, the BOAC hereby finds and determines that the Bradley West Project will have significant and unavoidable project and cumulative construction- and operations-related air quality impacts. The BOAC hereby finds that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant air quality environmental effects as identified in the Bradley West Project EIR. Specifically, Master Plan Mitigation Measures MM-AQ-1, LAX Master Plan – Mitigation Plan for Air Quality, and MM-AQ-2, Construction-Related Measure, and Section X.F of the CBA that delineates the measures specific to construction equipment, will be implemented during project construction.

Despite incorporation of these measures, the BOAC hereby finds project and cumulative construction- and operations-related air quality impacts will remain significant and unavoidable and that specific economic, legal, social, technological, or other considerations make additional mitigation measures or project alternatives infeasible. All feasible air quality mitigation measures were adopted as Master Plan Mitigation Measures, and these measures establish a commitment and process for incorporating all technically feasible air quality mitigation measures into each component of the LAX Master Plan, including the Bradley West Project.

e. Global Climate Change

Description of Effects: The global climate change (GCC) analysis conducted in Section 4.6 of the Bradley West Project EIR provided a "baseline" that characterizes and estimates the amount of greenhouse gas (GHG) emissions from existing uses at the Bradley West Project site, and an estimate of GHG emissions associated with the project improvements. There are no widely-established or readily accepted thresholds of significance for GHG. The preliminary draft amendments to the CEQA Guidelines that were published by the Governor's Office of Planning and Research (OPR) in January 2009 do not identify a threshold of significance for greenhouse gas emissions but, instead, allow lead agencies to exercise discretion and make their own determinations of significance.

OPR has asked the California Air Resources Board (CARB) technical staff to recommend a method for setting thresholds of significance that encourage consistency and uniformity in the CEQA analysis of GHG emissions throughout the state. If CARB makes recommendations for setting a threshold that is supported by substantial evidence, lead agencies may take the CARB recommendations into consideration as part of their independent processes in adopting thresholds of significance for GHG emissions. In the meantime, however, each lead agency must make its own determination as to an appropriate threshold of significance related to GCC and GHG emissions, and may undertake a project-by-project analysis in so doing. As such, the threshold of significance set forth for the Bradley West Project EIR analysis is as follows: a significant impact relative to GCC and GHG is considered to occur if the project would: (a) result in a substantial increase in GHG emissions compared to current emission levels; and (b) conflict

with any applicable plan, policy or regulation of an agency adopted for the purpose of reducing the emissions of greenhouse gases.

Construction Impacts

It was determined that implementation of the Bradley West Project would result in the generation of between approximately 2,400 and 24,500 metric tons of new construction-related CO₂ per year and a total of approximately 97,000 metric tons of CO₂ over the total course of project construction. Those emissions are considered to represent a substantial increase in GHG emissions compared to baseline conditions.

Operational Impacts

CO₂ emission estimates were identified for each of the following major aspect of long-term operation of the Bradley West Project: building and lighting operations; aircraft operations; busing operations; and off-airport passenger travel.

With implementation of the Bradley West Project, an expanded TBIT facility would be responsible for increased energy demand. At the same time, several existing nearby facilities would be demolished, which would terminate the energy consumption associated with their operation; however, inasmuch as some of the existing activities would be relocated to another existing facility, a certain amount of existing energy demands would be transferred over to the recipient buildings. It is anticipated that the future (With Project) natural gas consumption would generate approximately 4,263 metric tons of CO₂e and the future electricity consumption would generate approximately 24,277 metric tons of CO₂e, for a total of 28,541 metric tons. This represents an increase of 4,577 metric tons of CO₂e, compared to existing conditions, a 19 percent increase over 2008 baseline emissions.

Upon completion of the Bradley West Project, aircraft movements around the airfield would see an improvement (reduction) in taxi/idle times. When averaged over 640,000 total operations, based on SIMMOD airfield modeling of representative baseline conditions, this reduction is approximately 50 seconds per landing/take-off (LTO). Based on the anticipated fleet mix, the annual CO₂e emission reductions with the project would be approximately 20,952 metric tons per year over the Without Project scenario, as shown in Table 4.6-4 of the Bradley West Project EIR. However CO₂ emissions would increase by 183,950 metric tons over 2008 baseline conditions.

Implementation of Bradley West Project would reduce the need for bus transport of passengers from remote gates to TBIT over the 2013 without project scenario, and therefore, bus emissions for the 2013 with project scenario would decrease by 346 metric tons compared to those for the 2013 without project scenario. However, emissions would increase by approximately 140 metric tons of CO₂e per year over baseline conditions due to increased demand for international air travel.

Passenger activity levels at TBIT are expected to increase by 2013 regardless of whether the proposed project is implemented. Based on an annual vehicle miles travelled (VMT) of 2,358,198 estimated for TBIT activity in 2013, it is estimated that approximately 444,568 metric tons of CO₂ would be generated annually.

In summary, operational emissions are considered to represent a substantial increase in GHG emissions compared to baseline conditions.

Cumulative Impacts

As stated in Section 4.6.7 of the Bradley West Project EIR, notwithstanding that the project's compliance with LAWA's Sustainable Airport Planning, Design and Construction Guidelines would serve to reduce greenhouse gas emissions, the project's contribution to cumulative global climate change impacts is cumulatively considerable.

The project includes mitigation measures applicable to construction and cumulative GHG impacts. These include Master Plan Commitments and Mitigation Measures MM-AQ-1, LAX Master Plan – Mitigation Plan for Air Quality, MM-AQ-2, Construction-Related Measure, and SW-3, Requirements for the Recycling of Construction and Demolition Waste. These measures will reduce air quality impacts associated with construction. There are no other feasible mitigation measures to reduce construction-related GHG emissions other than those already identified in Section 4.4, Air Quality, of the Bradley West Project EIR. Also, Section 4.6.8 of the Bradley West Project EIR evaluates potential GHG mitigation measures, presenting a comprehensive list of suggested mitigation measures for new development projects throughout the State of California. This list was prepared by the California Office of the Attorney General relative to addressing GHG emissions and climate change impacts within an EIR. Section 4.6.8 of the Bradley West Project EIR also evaluates examples of measures, identified by OPR, that have been used by some public agencies to reduce GHG emissions.

Findings: Based on substantial evidence in the administrative record, including Section 4.6 of the Bradley West Project EIR, the BOAC hereby finds and determines that the Bradley West Project will have significant and unavoidable project and cumulative construction- and operations-related GHG emissions. The BOAC hereby finds that changes or alterations have been required in, or incorporated into, the project which avoid or substantially lessen the significant GHG environmental effects as identified in the Bradley West Project EIR. Specifically, Master Plan Commitments and Mitigation Measures MM-AQ-1, LAX Master Plan – Mitigation Plan for Air Quality, MM-AQ-2, Construction-Related Measure, and SW-3, Requirements for the Recycling of Construction and Demolition Waste, and Section X.F of the CBA, as identified in Section 4.4 Quality of the Bradley West Project EIR, will be incorporated into the project. Additionally, all feasible GHG mitigation measures identified in Table 4.6-6 of the Bradley West Project EIR, based on a list prepared by the California Office of the Attorney General of suggested mitigation measures, have been incorporated into the project, as described in Table 4.6-6. In addition, all feasible GHG reduction measures identified in Table 4.6-7 of the Bradley West Project EIR, based on a list prepared by OPR or measures that have been used by some public agencies to reduce GHG emissions, have been incorporated into the project, as described in Table 4.6-7.

Despite incorporation of these measures, the BOAC hereby finds project and cumulative construction- and operations-related GHG emissions will remain significant and unavoidable and that specific economic, legal, social, technological, or other considerations make additional mitigation measures or project alternatives infeasible. As discussed above, Tables 4.6-6 and 4.6.7 of the Bradley West Project EIR identify potential GHG mitigation and reduction measures provided on the lists prepared by the California Office of the Attorney General and OPR. A number of these measures are infeasible either because they are not applicable to the project, for the reasons identified in Tables 4.6-6 and 4.6-7, or because they are beyond the scope or control of the project. Beyond the Master Plan Commitments and Mitigation Measures identified above, which will be included in the Mitigation Monitoring and Reporting Program for the Bradley West Project, there are no additional feasible measures available to mitigate project and cumulative construction- and operations-related GHG emissions.

C. Findings on Project Alternatives

a. Potential Alternatives Screened-Out From Further Consideration

Alternative Site

As described in Section 6.4.1.1 of the Bradley West Project EIR, the LAX Master Plan Final EIR evaluated a number of build alternatives for LAX which identified various options for new and reconfigured terminal facilities and associated gating, including related to TBIT, that would address the need to improve passenger level of service and accommodation of new generation aircraft associated with international travel. LAX is projected to remain the region's primary international airport; other airports in the region have limited market strength and/or facilities to

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fulfill or supplement LAX's role as the region's gateway for international travelers. Thus, alternative locations in terms of on-airport sites and off-airport sites for international terminal facilities and associated new generation aircraft airfield and gating accommodations have been previously addressed as part of the LAX Master Plan Final EIR. Such alternatives were rejected by the City and it was ultimately determined by the Los Angeles City Council that the LAX Master Plan (Alternative D), which includes the Bradley West Project, best met the project objectives.

As a variation of an Alternative Site scenario, consideration was given to constructing all or part of the Midfield Satellite Concourse in order to meet the Bradley West Project objectives, but in a different manner at a different location. Development of the Midfield Satellite Concourse would occur at a location approximately 1,300 feet west of the Bradley West Project. Implementation of this alternative would provide new contact gates suitable to accommodate new generation aircraft, reduce the need to utilize west remote gates for international travel, improve the quality of passenger service, support the phased implementation of the LAX Master Plan, and provide substantial construction employment opportunities. It should be noted that this scenario would not preclude construction of the Bradley West Project at a later date. On the contrary, the LAX Master Plan includes both the Bradley West Project and the Midfield Satellite Concourse. Rather, under this alternative, construction of the Midfield Satellite Concourse would merely precede construction of the Bradley West Project. Based on a review of the nature, characteristics, and location of the Midfield Satellite Concourse, it was determined that the overall level and intensity of construction activities associated with development of the Midfield Satellite Concourse would be comparable to those of the Bradley West Project. As such, construction of the Midfield Satellite Concourse could provide for facilities that meet the basic project objectives at an alternative location, however, it would not avoid or substantially reduce any of the construction- or operations-related significant impacts of the project.

Findings: The BOAC hereby rejects the alternative site eliminated from further consideration in the Bradley West Project EIR and finds it infeasible because it would not avoid or substantially reduce any of the significant effects of the project.

Alternative Construction Approach

An alternative construction approach, whereby construction of the Bradley West Project would be extended to reduce the amount of daily activity, was considered in the Bradley West Project EIR in Section 6.4.1.2. The Bradley West Project EIR analyzed the level of activity reduction that would be required to reduce air quality emissions and construction surface transportation below the level of significance and determined that it would take 100 years to complete the Bradley West Project under this approach. The Bradley West Project EIR determined that this approach, while reducing daily emissions to a level that is less than significant, would also increase the overall duration of air pollutant emissions and construction traffic on local roadways. In order to reduce daily air pollutant emissions to a less than significant level, this approach would require daily construction activities to be limited to between thirty minutes and one hour each day.

Findings: In light of the above, the BOAC hereby rejects the alternative construction approach eliminated from further consideration in the Bradley West Project EIR and finds that it is infeasible for specific economic, social, technological, legal and/or other considerations. Specifically, though it would reduce daily air emissions to a less than significant level, the overall emissions of air pollutants would not be reduced as compared to the project. Additionally, the alternative construction approach would be impractical to implement from a technological standpoint because of the severe time limitations it would place on daily construction activities.

Alternative Construction Staging/Parking

As discussed in Section 6.4.1.3 of the Bradley West Project EIR, consideration was given to using LAWA property located in Manchester Square (i.e., the area located between Century Boulevard, Aviation Boulevard, Arbor Vitae Street, and La Cienega Boulevard) as a construction staging/parking area. This alternative was considered in light of comments received on the

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Notice of Preparation for the Bradley West Project Draft EIR expressing concern about the proposed use of the Northwest Construction Staging/Parking Area and the East Contractor Employee Parking Area/Southeast Construction Staging/Parking Area. For several years, LAWA has been in the process of acquiring properties within Manchester Square as part of the Voluntary Residential Acquisition and Relocation Program related to airport noise compatibility. The majority of properties acquired to date are in the interior portions of Manchester Square, with much of the perimeter areas still being occupied by apartment complexes and other uses. The establishment of a construction staging/parking area at Manchester Square would probably need to occur within interior portions of the site, possibly on multiple non-contiguous parcels, requiring workers, shuttles, and trucks to travel on residential streets. This would pose the potential for traffic impacts, as well as noise impacts to noise-sensitive receptors, within the residential area. Additionally, access to and from Manchester Square would occur via several nearby major arterials having high traffic volumes, such as Century Boulevard, Aviation Boulevard, and La Cienega Boulevard, and would adversely affect the nearby intersection of La Cienega Boulevard and Century Boulevard to a greater extent than the project. Placement of a construction staging/parking area in Manchester Square would increase the shuttle and truck travel distance to and from the construction work area, which would have greater air quality impacts than the project. In summary, land use, noise, traffic, and other environmental impacts would be greater with this alternative than with the project, and this alternative would not avoid or substantially reduce the significant impacts of the project.

Findings: In light of the above, the BOAC hereby rejects the alternative construction staging/parking area alternative eliminated from further consideration in the Bradley West Project EIR and finds that it is infeasible because it will not effectively reduce or avoid any of the significant effects of the project.

b. Alternatives Carried Forward for Full Evaluation

Alternative 1: Reduced Project - No New North Concourse

Under Alternative 1, described in Section 6.4.2 of the Bradley West Project EIR, all of the improvements proposed under the Bradley West Project would be implemented, with the exception of construction of the new north concourse at TBIT and associated new three aircraft gates designed to accommodate either two ADG VI aircraft (new large aircraft) or three ADG V aircraft. As such, the existing north concourse, which is approximately 80,000 square feet in size, would continue to be used "as-is" and development of a new north concourse, approximately 200,000 square feet in size, would not occur. Although the new north concourse would not be constructed, this alternative assumes that the interim relocated bus gates facility would still be placed at the end of the existing north concourse because the Bradley West Core improvements would still go forward and remove the existing bus gates facility. This alternative would avoid the construction activities, and related air pollutant emissions and worker traffic, associated with: (1) removal and replacement of the apron area on the west side of the existing north concourse; (2) construction of the new north concourse; and (3) demolition of the existing north concourse. The reduction in construction activity would result in minor reductions (i.e., less than 10 percent) in construction-related air quality and global climate change impacts for most pollutants compared to those of the project, with the exception of VOC, which would experience a 23 percent reduction. These emission reductions would not be sufficient to cause any impacts to be reduced to a less than significant level, but the severity of the impact associated with some pollutants would be reduced. Operations-related air quality impacts under this alternative would be essentially the same as those of the project. Significant impacts associated with on-airport and off-airport surface transportation would remain largely unchanged under Alternative 1, based on the fact that the impacts are due primarily to anticipated ambient growth in international travel at TBIT. This alternative would not reduce or avoid the project's significant construction traffic impacts because peak construction activity would remain the same. Impacts to biotic resources would be the same for Alternative 1 as for the project, because both would use the same staging

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areas where the biotic resources occur. Under both scenarios, project implementation would impact 34 mature trees and approximately 300 southern tarplant individuals, both significant, but mitigable, impacts. The remaining resource areas would have less than significant impacts under both the project and Alternative 1.

In comparison to the project, which would provide up to six new ADG VI gates along the west side of the new concourses, Alternative 1 would provide only four new ADG VI gates. Thus, implementation of Alternative 1 would not fulfill two of the key objectives of the project to the same extent as the project, specifically, "Accommodate 'New Generation Aircraft' such as the Airbus A380, Boeing 747-8, and Boeing 787" and "Reduce the need for, and use of, existing remote gates at the west end of the airport and the need to bus passengers and crews between TBIT and the remote gates." Additionally, Alternative 1 would not respond to several other objectives to the same extent as the project, such as those related to improving passenger level of service and providing a substantial number of construction employment opportunities.

Findings: In light of this analysis, the BOAC hereby rejects Alternative 1 evaluated in the Bradley West Project EIR and finds that it will not fully meet most project objectives and will not effectively reduce or avoid the significant effects of the project.

Alternative 2: Reduced Project - No Bradley West Core Improvements

Under Alternative 2, described in Section 6.4.2 of the Bradley West Project EIR, the new replacement concourses and associated aircraft contact gates would be constructed; however, there would be no renovation, improvement, or enlargement of existing CBP, concession, office, and operations areas within the Bradley West Core. As such, the approximately 500,000 square feet of new building area and approximately 300,000 square feet of renovations to the existing building would not occur. For most pollutants, the reduction in construction activity associated with Alternative 2 would result in minor reductions (i.e., less than 10 percent) in construction-related air quality and global climate change impacts compared to those of the project, with the exception of PM2.5 and PM10, which would experience reductions of 17 and 25 percent, respectively. These emission reductions would not be sufficient to cause any impacts to be reduced to a less than significant level, but the severity of the impact associated with some pollutants would be reduced. Operations-related air quality impacts under this alternative would be essentially the same as those of the project. It is possible that Alternative 2 could avoid a significant construction-related traffic impact at one intersection, under certain construction worker parking location scenarios involving the use of the Northwest Construction Staging/Parking Area; however, the significant impacts identified for the project at the other three intersections would not be avoided or substantially reduced. Significant impacts associated with on-airport and off-airport operational surface transportation would remain largely unchanged under Alternative 2, because impacts are due primarily to anticipated ambient growth in international travel at TBIT, which would not be changed by implementing this alternative. Impacts to biotic resources would be the same for Alternative 2 as for the project, because both would use the same staging areas where the biotic resources occur. Under both scenarios, project implementation would impact 34 mature trees and approximately 300 southern tarplant individuals, both significant, but mitigable, impacts. Implementation of Alternative 2 would result in impacts that are the same as, or somewhat less than, those of the project for the remaining environmental resource topics. In all cases for these remaining topics, impacts would be less than significant for both the project and Alternative 2.

Implementation of Alternative 2 would not meet one of the key objectives of the project, to improve passenger level of service, because Alternative 2 would not renovate, improve, or enlarge the CBP, concession, office, or operations areas within the Bradley West Core. Also, Alternative 2 would not respond to the objective of providing a substantial number of construction employment opportunities to the same extent as the project.

Findings: In light of this analysis, the BOAC hereby rejects Alternative 2 evaluated in the Bradley West Project EIR and finds that it is infeasible for specific economic, social, technological, legal and/or other considerations. Specifically, it is not feasible to use airport funds and LAWA resources to develop new concourses, new gates, relocated taxiways, and other associated features while the central core remains inefficient and unimproved. The planning and design of the proposed Bradley West Project improvements to TBIT included evaluation of existing facilities and building areas within the existing concourse and the TBIT core, understanding that all of the facilities and building areas ultimately work together to accommodate passenger flows (i.e., passengers in TBIT would utilize both the concourse areas and the core areas). The proposed improvements were sized and designed to achieve a consistent level of improved passenger service throughout TBIT. For example, the evaluation of, and improvement plans for, facilities and floor areas within the concourses considered the size, number, and design of holdrooms, airline operations areas, restrooms, concessions, and circulation routes and areas for an estimated number of passengers and a particular level of service. Similarly, the evaluation of, and improvement plans for, the core building considered the size, number, and design of baggage claim areas/systems, primary and secondary federal inspection services (i.e., Customs and Border Protection), office areas, restrooms, lounge/concession areas, and circulation routes and areas for that estimated number of passengers and a particular level of service. The project is designed as an integrated system. For LAWA to undertake such a major project to substantially improve the key components of TBIT, but leave the central core of that system undersized and unimproved would be poor planning, poor use of substantial airport funds, poor stewardship of airport resources, and contrary to the basic purpose of improving TBIT. Moreover, Alternative 2 will not meet key project objectives, as discussed above, and will not effectively reduce or avoid the significant effects of the project.

Alternative 3: Design Variation - Redevelop Existing Concourses to Add New Gates

Under Alternative 3, described in Section 6.4.2 of the Bradley West Project EIR, the provision of new contact gates on the west side of TBIT would occur through expansion and renovation of the existing concourses, instead of construction of new replacement concourses as currently proposed. Under Alternative 3, the number and nature of the new gates would be the same as currently proposed, providing nine new gates, up to seven of which could accommodate ADG VI aircraft. In conjunction with providing such aircraft gates, new larger passenger holdrooms/lounges would be needed, which would occur as a westward expansion of the existing concourses. The basic footprint and floor area of the existing concourses would remain, but would be modified to tie into the new building area, and would be expanded approximately 90 feet westward for improvements related to larger passenger holdrooms/lounges, passenger circulation areas, concessions, airline lounges, restrooms, offices, etc. The amount of new building area that would be added to the existing concourses, approximately 360,000 square feet, would be approximately 18 percent less than the approximately 440,000 square feet of new concourse area that is envisioned under the project. However, substantial renovations to the interior of the existing concourses would be required under this alternative.

The reduction in construction activity associated with Alternative 3 would result in minor reductions (i.e., less than 10 percent) in construction-related air quality and global climate change impacts for most pollutants compared to those of the project, with the exception of VOC, which would experience a 20 percent reduction. These emission reductions would not be sufficient to cause any impacts to be reduced to a less than significant level, but the severity of the impact associated with some pollutants would be reduced. Operations-related air quality impacts under this alternative would be essentially the same as those of the project. Significant impacts associated with on-airport and off-airport surface transportation would remain largely unchanged under Alternative 3, because the impacts are due primarily to anticipated ambient growth in international travel at TBIT, which would not be affected by implementation of this alternative. Impacts to biotic resources would be the same for Alternative 3 as for the project, because both would use the same staging areas where the biotic resources occur. Under both scenarios,

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project implementation would impact 34 mature trees and approximately 300 southern tarplant individuals, both significant, but mitigable, impacts. Implementation of Alternative 3 would result in impacts that are the same as, or somewhat less than, those of the project for the remaining environmental resource topics. In all cases for these remaining topics, impacts would be less than significant for both the project and Alternative 2.

Implementation of Alternative 3 would not meet two of the key objectives of the project to the same extent as the project. Specifically, Alternative 3 would not improve passenger level of service or complement the systematic phased implementation of the Master Plan and minimize impacts to existing airport operations during construction to the same extent as the project. The level and quality of service afforded to passengers utilizing the TBIT concourses would be better with the provision of completely new facilities, which would occur as part of the project, than through a combination of partially new and partially renovated facilities that would occur under Alternative 3. While the project's development of new concourses separate from the existing concourses would minimize, if not avoid, disruption of existing airport operations within the concourses, the renovation and expansion of the existing concourses that would occur under Alternative 3 would result in periodic disruption of existing operations. Such disruption would occur along the interface of existing and new building areas, as well as throughout the interior of the existing concourses, as existing utility and building infrastructure systems are upgraded and/or modified to support the new building systems. Because many of these systems are contained within the walls, ceilings, and floors throughout the existing concourses, the necessary modifications to these systems would require temporary closures and passenger detours within the concourses.

Findings: In light of this analysis, the BOAC hereby rejects Alternative 3 evaluated in the Bradley West Project EIR and finds that it is infeasible for specific economic, social, technological, legal and/or other considerations. Specifically, implementation of this alternative poses a number of design, utility tie-in, constructability, and future maintenance issues. As noted in Sections 6.4.2.3 and 6.4.3.3 of the Bradley West Project EIR, construction of Alternative 3 would require substantial renovations to the interior of the existing concourses and would result in constructability problems including periodic disruption of existing operations. Such disruption would occur along the interface of the existing and new building areas, as well as throughout the interior of the existing concourses. Existing utility and building infrastructure systems that are contained within the walls, ceilings, and floors of the existing concourses would have to be modified to tie into new systems within the new building area. Relative to future maintenance, the existing exterior glazing and stucco wall system have problems with leaks and cracking; including rainwater seeping, undetected, into and behind the stucco. The complete removal, repair, and replacement of those systems while continuing to operate TBIT would be very difficult and expensive, and instead would have to be addressed as an ongoing, and somewhat unpredictable, maintenance issue. In September 2008 LAWA completed a preliminary engineering evaluation that compared the proposed project design to a design comparable to Alternative 3 and, based on 27 quantitative evaluation criteria, found that the alternative design ranked higher in only 2 of the criteria. The areas of evaluation included: services and infrastructure issues; design issues; constructability issues; and operational issues. Each of the two design options was evaluated relative to each evaluation criterion in terms of impacts to cost, time, and operations. The nature and extent of the differences between the two design options relative to each evaluation criterion were taken into consideration in assigning a numerical value to how each option ranked. The overall conclusion of the evaluation was "*There is significantly greater efficiency in building a new facility with a smaller footprint than modifying and adding to an existing facility that will require an increased total building area and substantial upgrades to meet current code, LAWA guidelines and passenger service standards.*" The individual analyses provided in the evaluation identified a number of specific economic, technological, legal (i.e., building code), and other considerations, such as constructability and impacts to existing operations while construction is underway, that are associated with the design envisioned under Alternative 3. Moreover, Alternative 3 will not

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meet key project objectives and will not effectively reduce or avoid the significant effects of the project.

Alternative 4: Construction Staging/Parking Areas - Optimize Use of West Construction Staging Area to Include Worker Parking

Under Alternative 4, the design and use of the West Construction Staging Area would be optimized to consolidate the spaces designated for construction laydown and staging, and the staging area layout plan would be reconfigured to create space for approximately 624 contractor employee parking spaces. This area would serve as the primary parking area for construction activities associated with the Bradley West Project. This would reduce the need for, and use of, the Northwest Construction Staging/Parking Area and the East Contractor Employee Parking Area/Southeast Construction Staging/Parking Area for general contractor employee parking. Additionally, the size and/or configuration of the Northwest Construction Staging/Parking Area and the Southeast Construction Staging/Parking Area would be reduced under this alternative, since the subject areas would only be used for construction trailers and staging and not for general parking, which would serve to avoid or substantially reduce impacts to biological resources located therein. While this alternative would alleviate the need for the Northwest Construction Staging/Parking Area and the East Contractor Employee Parking Area/Southeast Construction Staging/Parking Area to be used for general contractor employee parking during the anticipated construction activities, it may be necessary to use some of these areas for general contractor employee parking if there are temporary short-term surges in construction activities that result in the need for more parking spaces than available in the West Construction Staging Area. In the event there is a surge in construction activities that generates more than the 601 peak day vehicles described above, and the difference cannot be accommodated within the 624-space parking lot in the West Construction Staging Area, the excess parking demands would be accommodated at the East Contractor Employee Parking Area. Should the East Contractor Employee Parking Area not be available, the Southeast Construction Staging/Parking Area would accommodate excess parking demand. LAWA is also investigating the possibility of using the on-airport area currently occupied by the American Airlines Low Bay Hangar for construction staging or parking once the existing structure is removed in conjunction with the construction of Taxiway T that is proposed as part of the Bradley West Project. This area may be available for construction-related uses for several months before construction of Taxiway T. Should that occur, it may be possible to use some of the area for overflow parking during a construction surge, thereby reducing or avoiding the need to use the East Contractor Employee Parking Area or the Southeast Construction Staging/Parking Area for construction surge parking. The use of these areas for parking if there is a temporary surge in workers is described in Section 4.3 of this EIR and in Topical Response TR-BWP-ST-1. Given the location of the Northwest Construction Staging/Parking Area relative to streets that access residential areas nearby, this alternative would also include a requirement in construction contract documents that workers do not use the following streets in accessing this site: Falmouth Avenue, Pershing Drive north of Westchester Parkway, Cabora Drive between Pershing Avenue and Culver Boulevard, or Culver Boulevard. This alternative is responsive to comments received on the Notice of Preparation for the Bradley West Project Draft EIR that expressed general concerns about use of the Northwest Construction Staging/Parking Area and the Southeast Construction Staging/Parking Area.

Findings: In light of this analysis, the BOAC hereby adopts Alternative 4 evaluated in the Bradley West Project EIR. As such, the approved project is hereby defined to be that which is described in Chapter 2 of the Bradley West Project Final EIR as modified by Alternative 4 therein.

c. No Project Alternative

Under the "no project" alternative, none of the improvements and activities proposed for the Bradley West Project would occur; however, the ambient growth rate in passenger activity levels at TBIT by 2013 would continue to grow at the same rate as assumed for the project. As described in Section 6.4.3.5 of the Bradley West Project EIR, under the "no project" alternative,

TBIT and the nearby taxiways and aprons as they currently exist would be retained. Only Gates 101 and 123 at TBIT and the gates at the west remote pads would be able to accommodate new large aircraft such as the A380 and 747-8 at LAX. Use of the west remote gates for the new generation of aircraft is undesirable from both an operations standpoint, particularly as related to the amount of busing required for the number of passengers on each aircraft, and from a level of passenger service standpoint. Under the "no project" alternative, none of the construction-related significant impacts would occur; however, significant operations-related impacts would still occur under the "no project" alternative due to the increase in international travel activity at LAX that is projected to occur even if the project is not implemented. In some cases, operations-related impacts under the "no project" alternative would be worse than those of the project. These include air pollutant emissions associated with aircraft taxi/idle operations and airfield busing operations in 2013, which would be greater without the project than with the project. Moreover, the "no project" alternative would not meet any of the project objectives or provide the operational and environmental benefits associated with the Bradley West Project, including additional contact gates along the west side of TBIT, improvements made to accommodate new large aircraft such as the Airbus A380 and Boeing 747-8, the improved quality of service or the employment benefits, as detailed in the Statement of Overriding Considerations.

Findings: For reasons discussed above, the BOAC hereby rejects the "no project" alternative as infeasible and finds that it will not meet any of the objectives of the project.

D. Findings on Suggestions Included in Comments on the Bradley West Project Draft EIR

- Comment BWP-PC00011-45 on the Bradley West Project Draft EIR suggested that the project include "drop off on both levels for departures or arrivals at peak times when one is underutilized." For the reasons discussed in Response to Comment BWP-PC00011-45 (Section 2.2 of Bradley West Project Final EIR), the suggested measure would not reduce or avoid the impacts of the project, and specific economic, legal, social, technological, or other considerations make it infeasible. Specifically, (1) drivers can currently choose which roadway to use to pick up or drop off passengers, (2) signs directing airport visitors were suggested in 2005, and rejected due to community opposition in 2006, (3) temporary and permanent signs directing drivers to different CTA roadway levels may result in misdirection due to delayed sign changes and driver confusion, making impacts worse, and (4) the upper and lower levels are uniquely suited toward departures and arrivals, and significant numbers of arriving and departing passengers would not likely elect to use the departing and arriving levels, respectively, beyond those few passengers who currently engage in this practice.
- Comment BWP-PC00011-5 on the Bradley West Project Draft EIR suggested that the project include the following for use as a construction parking area: "access via a gate off the 105 freeway/Imperial beyond Main Street which directs traffic along the inside of the airport property." For the reasons discussed in Response to Comment BWP-PC00011-5 (Section 2.2 of Bradley West Project Final EIR), the suggestion would not reduce or avoid impacts of the project, and specific economic, legal, social, technological, or other considerations make it infeasible. Specifically, utilizing an airport gate to direct construction traffic onto airport property would pose problems relative to the vehicle queuing areas and personnel logistics needed to screen/inspect each and every vehicle and worker entering airside areas of the airport, as compared to the project staging/parking areas and initial vehicle access points that would be set up as landside facilities. The formation of vehicle queues, including cars and trucks, associated with the additional screening requirements would result in increased air quality impacts as well as traffic impacts if the queue extends back into travel lanes. In summary, such an arrangement would be infeasible and would result in air quality and traffic impacts that would not occur under the project.
- Comment BWP-PH00003-1 on the Bradley West Project Draft EIR suggested that the project include "the former Delta Airlines parking garage down on Century and Avion Drive" as a construction parking area. For the reasons discussed in Response to Comment BWP-

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PH00003-1 (Section 2.2 of Bradley West Project Final EIR), the suggestion would not reduce or avoid impacts of the project, and specific economic, legal, social, technological, or other considerations make it infeasible. Specifically, based on the locations of these intersections, as shown in Figure 4.3-2 of the Bradley West Project Draft EIR, the placement of construction parking at the former Delta parking structure, located at the southeast corner of Avion Drive and Century Boulevard (approximately mid-way between Sepulveda Boulevard and Aviation Boulevard), would likely result in greater impacts to Intersections #36 and #114. This is due to the fact that the main access routes to the former Delta parking structure would include Sepulveda Boulevard and Century Boulevard. Additionally, placement of contractor employee parking at the former Delta parking structure would still require the shuttling of workers to and from work areas on the west end of the airport since providing employee access through the Central Terminal Area (CTA) poses significant logistical problems.

- Comment BWP-PC00011-28 on the Bradley West Project Draft EIR suggested that the project include "parking on the top of the CTA parking lots" as an alternative contractor parking area. For the reasons discussed in Response to Comment BWP-PC00011-28 (Section 2.2 of Bradley West Project Final EIR), the suggestion would not reduce or avoid impacts of the project, and specific economic, legal, social, technological, or other considerations make it infeasible. Specifically, using the CTA parking structures for contractor employee parking would pose substantial logistical and operational concerns. In particular, such an arrangement would be problematic because it would require the routing of numerous workers through TBIT and/or airfield checkpoints in order to get them to and from work areas, which are primarily located on airfield areas west of TBIT. Under the commentor's proposal, the routing of workers from parking within the CTA to airside work areas west of TBIT would require that each and every worker go through security inspection checkpoints every day. This process would create a burden disproportionate to any benefits use of the CTA parking structures might have. Additionally, there is no evidence that use of the CTA parking structures would reduce any significant environmental impacts of the proposed project.
- Comment BWP-PC00011-28 on the Bradley West Project Draft EIR suggested that the project include "an entrance off Imperial beyond Main Street which would allow traffic to be inside of the fence and reduce impacts on the surrounding community" if the Southeast Construction Staging/Parking Area is used for contractor parking. For the reasons discussed in Response to Comment BWP-PC00011-28 (Section 2.2 of Bradley West Project Final EIR), the suggestion would not reduce or avoid impacts of the project, and specific economic, legal, social, technological, or other considerations make it infeasible. Specifically, as indicated in Table 4.3-12 of the Bradley West Project Draft EIR, the use of the Southeast Construction Staging/Parking Area would result in a significant unmitigable traffic impact at the intersection of La Cienega Boulevard/Century Boulevard. Given that this intersection is located north of the subject staging/parking area, the use of an entrance off of Imperial Highway, which is south of the site and extends east and west, would do nothing to avoid or substantially reduce the significant traffic impact. Also, such access would take vehicles into the airfield area, which, as noted above, would require that each vehicle undergo security inspections and clearances at a gate checkpoint on each and every trip. Depending on the entrance location, the security processing time for clearing vehicles during busy periods could result in extensive queuing of vehicles that would result in increased air quality impacts as well as traffic impacts if the queue extends back into travel lanes.

E. Findings on Responses to Comments on the Draft EIR and Revisions to the Final EIR

Responses to comments made on the Draft EIR and revisions made in the Final EIR merely clarify and amplify the analysis presented in the document and do not trigger the need to recirculate per CEQA Guidelines §15088.5(b).

F. Location and Custodian of Records

The documents and other materials that constitute the administrative record for LAWA's actions related to the project are located at the City of Los Angeles, Los Angeles World Airports, 7301 World Way West, 3rd floor, Los Angeles, CA 90045. The LAWA Airports and Facilities Planning Division is the custodian of the administrative record for the project.

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EXHIBIT D

THE BRADLEY WEST PROJECT

**MITIGATION MONITORING AND REPORTING
PLAN**

**Bradley West Project
Mitigation Monitoring and Reporting Program**

September 2009

This document constitutes the Mitigation Monitoring and Reporting Program (MMRP) for the Bradley West Project (BWP) developed under the Los Angeles International Airport (LAX) Master Plan. This MMRP specifies the monitoring and reporting requirements for the BWP, as related to implementation of applicable LAX Master Plan commitments and mitigation measures identified in the BWP Final EIR. Such commitments and measures include many of those set forth in the LAX Master Plan Final Environmental Impact Report (FEIR), which is a program EIR that addresses the overall Master Plan, as well as additional new measures identified in the EIR analysis specific to the BWP.

The following table provides, by environmental discipline, the number and title of each applicable Master Plan commitment, Master Plan mitigation measure, and BWP-specific mitigation measure, the full text of the subject Master Plan commitment or mitigation measure or BWP-specific mitigation measure, the potential impact being addressed, and the timing of implementation, monitoring frequency, and actions indicating compliance.

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**Mitigation Monitoring and Reporting Program
Master Plan Commitments and Mitigation Measures for the Bradley West Project**

Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
Noise				
MM-N-7 Monitoring Agency: LAWA	Significant noise impacts at noise-sensitive receivers during construction	Prior to the earliest of either the issuance of a grading permit, issuance of a demolition permit, or commencement of construction each project with noise sensitive uses within 600 feet of project site	Once, upon completion of Noise Control Plan for each project and as specified in the Noise Control Plan	Inclusion of requirement for a Noise Control Plan in subcontract agreement & subsequent approval of the noise control plan by LAWA
MM-N-8 Monitoring Agency: LAWA	Significant noise impacts at noise-sensitive receivers during construction	Prior to the earliest of either the issuance of a grading permit, issuance of a demolition permit, or commencement of construction each project with noise sensitive uses within 600 feet of project site	Once, upon approval of construction staging area by LAWA	Approval of construction staging area by LAWA

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Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>MM-N-9 Monitoring Agency: LAWA</p> <p>Equipment Replacement. Noisy equipment shall be replaced with quieter equipment (for example, rubber tired equipment rather than track equipment) when technically and economically feasible.</p>	<p>Significant noise impacts at noise sensitive receivers during construction</p>	<p>Prior to the earliest of either the issuance of a grading permit, issuance of a demolition permit, or construction commencement of each project with noise sensitive uses within 600 feet of the project site</p>	<p>Once, upon completion of Noise Control Plan for each project and as specified in the Noise Control Plan</p>	<p>Inclusion of requirement for a Noise Control Plan in subcontract agreement and subsequent approval of the Noise Control Plan by LAWA</p>
<p>MM-N-10 Monitoring Agency: LAWA</p> <p>Construction Scheduling. The timing and/or sequence of the noisiest on-site construction activities shall avoid sensitive times of the day, as feasible (9 p.m. to 7 a.m. Monday - Friday; 8 p.m. to 6 a.m. Saturday; anytime on Sunday or Holidays).</p>	<p>Significant noise impacts at noise-sensitive receivers during construction</p>	<p>Prior to the earlier of either the issuance of a grading permit, issuance of a demolition permit, or construction commencement of each project with noise sensitive uses within 600 feet of project site</p>	<p>Once, upon completion of Noise Control Plan for each project and as specified in the Noise Control Plan</p>	<p>Inclusion of requirement for a Noise Control Plan in subcontract agreement and subsequent approval of the Noise Control Plan by LAWA</p>

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Land Use				
<p>LU-4 Monitoring Agency: LAWA</p> <p>Neighborhood Compatibility Program. Ongoing coordination and planning will be undertaken by LAWA to ensure that the airport is as compatible as possible with surrounding properties and neighborhoods. Measures to enforce this policy will include:</p> <ul style="list-style-type: none"> ◆ Along the northerly and southerly boundary areas of the airport, LAWA will provide and maintain landscaped buffer areas that will include setbacks, landscaping, screening or other appropriate view sensitive uses with the goal of avoiding land use conflicts, shielding lighting, enhancing privacy and better screening views of airport facilities from adjacent residential uses. Use of existing facilities in buffer areas may continue as required until LAWA can develop alternative facilities. ◆ Locate airport uses and activities with the potential to adversely affect nearby residential land uses through noise, light spill-over, odor, vibration and other consequences of airport operations and development as far from adjacent residential neighborhoods as feasible. ◆ Provide community outreach efforts to property owners and occupants when new development on airport property is in proximity to and could potentially affect nearby residential uses. 	<p>Land use incompatibility with nearby residential uses</p>	<p>Throughout Master Plan development</p>	<p>On-going throughout Master Plan development</p>	<p>Compliance with the revisions of the LAX Zone/LAX Specific Plan and LAX Plan</p>

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Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
Surface Transportation (Off-Airport)				
ST-9 Monitoring Agency: LAWA	Construction Deliveries. Construction deliveries requiring lane closures shall receive prior approval from the Construction Coordination Office. Notification of deliveries shall be made with sufficient time to allow for any modifications to approved traffic detour plans.	During construction	On-going during construction	Periodic reporting by Construction Coordination Office
ST-12 Monitoring Agency: LAWA	Designated Truck Delivery Hours. Truck deliveries shall be encouraged to use night-time hours and shall avoid the peak periods of 7:00 a.m. to 9:00 a.m. and 4:30 p.m. to 6:30 p.m.	LAWA approval of delivery schedule as part of the Construction Traffic Management Plan	On-going during construction	Periodic reporting by Construction Coordination Office
ST-14 Monitoring Agency: LAWA	Construction Employee Shift Hours. Shift hours that do not coincide with the heaviest commuter traffic periods (7:00 a.m. to 9:00 a.m., 4:30 p.m. to 6:30 p.m.) will be established. Work periods will be extended to include weekends and multiple work shifts, to the extent possible and necessary.	Prior to construction activity for each Master Plan project	Once, upon approval of employees' work schedule on a project-by-project basis	LAWA approval of employee work schedule as part of the Construction Traffic Management Plan
ST-16 Monitoring Agency: LAWA	Designated Haul Routes. Every effort will be made to ensure that haul routes are located away from sensitive noise receptors.	At issuance of approved haul route	Once, at approval of each haul route	Approval of haul route by LADBS
ST-17 Monitoring Agency: LAWA	Maintenance of Haul Routes. Haul routes on off-airport roadways will be maintained periodically and will comply with City of Los Angeles or other appropriate jurisdictional requirements for maintenance. Minor striping, lane configurations, and signal phasing modifications will be provided as needed.	As dictated by LAWA's Construction Coordination Office and LADBS	On-going during construction	Field inspection report; maintenance logs

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<p>ST-18 Monitoring Agency: LAWA</p> <p>Construction Traffic Management Plan. A complete construction traffic plan will be developed to designate detour and/or haul routes, variable message and other sign locations, communication methods with airport passengers, construction deliveries, construction employee shift hours, construction employee parking locations and other relevant factors.</p>	<p>Traffic congestion, delay and safety, as they relate to the LAX Master Plan program construction activities</p>	<p>Prior to commencement of construction</p>	<p>On-going during construction, as stipulated by LAWA's Construction Coordination Office</p>	<p>LAWA approval of Construction Traffic Management Plan by LAWA's Construction Coordination Office</p>
<p>ST-22 Monitoring Agency: LAWA</p> <p>Designated Truck Routes. For dirt and aggregate and all other materials and equipment, truck deliveries will be on designated routes only (freeways and non-residential streets). Every effort will be made for routes to avoid residential frontages. The designated routes on City of Los Angeles streets are subject to approval by LADOT's Bureau of Traffic Management and may include, but will not necessarily be limited to: Pershing Drive (Westchester Parkway to Imperial Highway); Florence Avenue (Aviation Boulevard to I-405); Manchester Boulevard (Aviation Boulevard to I-405); Aviation Boulevard (Manchester Avenue to Imperial Highway); Westchester Parkway/Arbor Vitae Street (Pershing Drive to I-405); Century Boulevard (Sepulveda Boulevard to I-405); Imperial Highway (Pershing Drive to I-405); La Cienega Boulevard (north of Imperial Highway); Airport Boulevard (Arbor Vitae Street to Century Boulevard); Sepulveda Boulevard (Westchester Parkway to Imperial Highway); I-405; and I-105.</p>	<p>Traffic congestion and delay as they relate to the LAX Master Plan program construction activities</p>	<p>At issuance of haul route approval</p>	<p>Once, upon approval of each haul route.</p>	<p>Approval of haul route by LADBS</p>

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Master Plan Commitments and Mitigation Measures for the Bradley West Project**

Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
Environmental Justice				
<p>EJ-1 Monitoring Agency: LAWA</p>	<p>Disproportionately high and adverse effects on minority and/or low-income communities, particularly those that would remain significant after implementation of mitigation measures. Would also help ensure that such communities have access to benefits flowing from the LAX Master Plan</p>	<p>Throughout Master Plan development</p>	<p>Annually</p>	<p>Implementation of proposed aviation curriculum</p>
<p>EJ-2 Monitoring Agency: LAWA</p>	<p>Disproportionately high and adverse effects on minority and/or low-income communities, particularly those that would remain significant after implementation of mitigation measures. Would also help ensure that such communities have access to benefits flowing from the LAX Master Plan</p>	<p>Throughout Master Plan development</p>	<p>Annually</p>	<p>Implementation of proposed aviation academy</p>

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Monitoring Agency:	Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>EJ-3 Monitoring Agency: LAWA</p>	<p>Job Outreach Center Construction and Other LAX-Related Job Outreach -LAWA will create or utilize an existing resource center to assist historically underrepresented and at-risk local residents to find construction and other substantive jobs with LAWA and surrounding airport-related businesses through training and comprehensive outreach. Written materials regarding job training and placements should be compiled and disseminated from the existing LAWA Job Outreach Center. The Job Outreach Center will accomplish the following:</p> <ul style="list-style-type: none"> ◆ Fund outreach efforts; ◆ Encourage minority firms within the affected communities to participate in each phase of the plan, including the design phase; ◆ Coordinate with local organizations (including, among others, The Urban League, National Association for the Advancement of Colored People (NAACP), Southern Christian Leadership Conference (SCLC), Watts Labor Community Action Committee (WLCAC), Brotherhood Crusade, First African Methodist Episcopal (FAME) Renaissance, Concerned Citizens of South Central Los Angeles (CCSCLA), Black Business Association (BBA), Greater Los Angeles African American Chamber of Commerce (GLAAACC), and LA X Coalition for Economic, Environmental and Educational Justice) regarding job training, outreach and incubator programs to ensure expansive outreach; ◆ Establish specific outreach and/or training programs for special targeted populations such as 	<p>Disproportionately high and adverse effects on minority and/or low-income communities, particularly those that would remain significant after implementation of mitigation measures. Would also help ensure that such communities have access to benefits flowing from the LAX Master Plan</p>	<p>Throughout Master Plan development</p>	<p>Annually</p>	<p>Implementation of proposed Job Outreach Center</p>

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Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>local ex-offenders, welfare recipients, homeless person, and low-income area residents;</p> <ul style="list-style-type: none"> ◆ Hold workshops and training classes for professional development across disciplines that may provide service to LAX pre-and post-employment; ◆ Establish educational/training/internship programs for local students; ◆ Provide referrals and linkages to manufacturing (assembly line) job opportunities in impacted communities, especially South Los Angeles, that produce materials and/or devices used by the airport. This would help to revitalize the community through the provision of long-term work for existing industrial businesses. <p>Community Job Database - LAWA will coordinate data gathering, outreach and counseling through the following:</p> <ul style="list-style-type: none"> ◆ Research and assess existing specialties and current capabilities of local work force to assist with targeted training and outreach efforts; ◆ Develop and manage a complete database of minority contractors; ◆ Produce a database of potential jobs and specialties needed, per Master Plan phase, and disseminate the information throughout the communities and to local Minority Business Enterprises/Disadvantaged Business Enterprises (MBE/DBE) companies. <p>MBE/DBE Business Outreach - LAWA will implement proactive measures that further State and local initiatives to ensure meaningful contract participation of MBE/DBE firms as follows:</p>				

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Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<ul style="list-style-type: none"> ◆ Research and assess existing specialties and capabilities of local MBE/DBE firms to assist with targeted training and outreach efforts; ◆ Good Faith Effort (GFE) Outreach Training - to assist prime contractors with their outreach to local and MBE/DBE firms by providing them use of relevant databases and referring them to other local organizations that may be able to assist them in their efforts; ◆ Encourage use of MBE/DBE local subcontractors; ◆ LAWA shall adopt policies to promote the use of MBE/WBE/DBE subcontractors by requiring Prime Contractors to document outreach to MBE/WBE/DBEs; dividing projects into smaller component parts, or tasks to permit maximum participation by smaller entities; placing qualified MBE/WBE/DBEs on solicitation lists available to Prime Contractors; and advertising the availability of services of the Small Business Administration and Minority Business Development Agency of the Department of Commerce to Prime Contractors; ◆ Monitor and implement specific GFE guidelines for outreach to MBE/DBE firms. <p>Small Business Outreach - LAWA will establish the below-listed proactive measures to ensure meaningful contract participation of small businesses. The resources obtained through small business outreach will be compiled in a user-friendly brochure or report and disseminated from the existing LAWA Job Outreach Center. Contacts and loan conditions will be included where available. Counselors will be available to provide one-on-one assistance.</p> <ul style="list-style-type: none"> ◆ Fund and institute sub-contractor 				

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Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>training/apprentice programs to be instituted pre-construction and during construction;</p> <ul style="list-style-type: none"> ◆ Establish sensitivity training - educate prime contractors of the concerns and needs of the local business owners and MBE/DBE contractors; ◆ Develop special work packages to provide small businesses prime contracting opportunities; ◆ Establish loan assistance information programs that would provide counseling to small businesses in need of loans and, through potential partnerships with local banks, facilitate relationships with lenders; ◆ Establish incentives to large businesses for mentorship of, or partnering with local small businesses; ◆ Provide bonding assistance; ◆ Provide licensing assistance; ◆ Ensure prime and subcontracting opportunities for local small businesses. 				
<p>EJ-4 Monitoring Agency: LAWA</p> <p>Community Mitigation Monitoring. LAWA will include community participation in monitoring the implementation of the final Mitigation Measures and Master Plan Commitments in order to ensure agency compliance and accountability. The community participation will include a diverse group of residents, stakeholders, environmental specialists and community leaders that will convene on a regular basis.</p>	<p>Disproportionately high and adverse effects on minority and/or low-income communities, particularly those that would remain significant after implementation of mitigation measures. Would also help ensure that such communities have access to benefits flowing from the LAX Master Plan</p>	<p>Throughout Master Plan development</p>	<p>Annually</p>	<p>Inclusion of community participation as a component of the Mitigation Monitoring and Reporting Program</p>

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Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
Air Quality				
<p>MM-AQ-1 Monitoring Agency: LAWA</p> <p>LAX Master Plan - Mitigation Plan for Air Quality. LAWA shall expand and revise the existing air quality mitigation programs at LAX through the development of an LAX Master Plan Mitigation Plan for Air Quality (LAX MP-MPAQ). The LAX MP-MPAQ shall be developed in consultation with the FAA, the U.S. Environmental Protection Agency (USEPA), the California Air Resources Board (CARB), and the South Coast Air Quality Management District (SCAQMD), as appropriate, and shall include all feasible methods to reduce air pollutant emissions from aircraft, Ground Support Equipment (GSE), traffic, and construction equipment both on and off the airport. The goal of the LAX MP-MPAQ shall be to reduce potential air pollutant emissions associated with implementation of the LAX Master Plan to levels equal to, or less than, the thresholds of significance identified in the Final EIS/EIR for the project. At a minimum, air pollutant emissions associated with implementation of the LAX Master Plan will be reduced to levels equal to those identified in Table AD5-8, Total Operational and Construction Emission - Mitigated. The LAX MP-MPAQ shall include feasible mitigation measures that are grouped into the following three (3) categories:</p> <ol style="list-style-type: none"> 1. Construction-Related Measure; 2. Transportation-Related Measure; and 3. Operations-Related Measure. <p>The LAX MP-MPAQ will, initially, present the basic framework of the overall air quality mitigation program</p>	<p>Overall air pollutant emissions associated with construction and operation of the LAX Master Plan</p>	<p>Basic LAX MP-MPAQ and the Construction-Related component to be completed prior to issuance of grading or demolition permit for first Master Plan project. The Transportation-Related component and the Operations-Related component to be completed in conjunction with implementation of the Master Plan components that materially affect surface transportation emissions and operations emissions</p>	<p>Twice: Once, upon confirmation of the basic LAX MP-MPAQ (i.e., basic framework of Plan), and once upon confirmation of the full LAX MP-MPAQ, when all three implementation plans (one for each category of air quality mitigation measures) are complete</p>	<p>Annual progress reports, summarizing the nature and effectiveness of air quality mitigation measures that were implemented during the year, will be prepared</p>

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<p>(basic LAX MP-MPAQ), and will, ultimately, define the specific measures to be implemented within the context of three (3) individual components specific to the categories of emissions indicated above (full LAX MP-MPAQ). Implementation of Mitigation Measure MM-AQ-2, Construction-Related Mitigation Measure, will define the specific measures to be included in the construction-related component; Mitigation Measure MM-AQ-3, Transportation-Related Mitigation Measure, will define the specific measures to be included in the surface transportation-related component; and Mitigation Measure MM-AQ-4, Operations-Related Mitigation Measure, will define the specific measures to be included in the operations-related component. The basic framework of the LAX MP-MPAQ and the Construction-Related component will be developed prior to initiation of construction activities for the first project to be developed under the LAX Master Plan, and the development of the other two components will occur in conjunction with implementation of the Master Plan components that materially affect surface transportation emissions and operations emissions</p>				

Table AD5-8

Total Operational and Construction Emissions - Mitigated (tons per year)

Pollutant and Source	Interim Year				Horizon Year 2015					
	NA/NP ^{1,2}	A	B	C	D	NA/NP ¹	A	B	C	D
VOC - On-Airport	1,652	1,385	1,330	1,384	1,513	1,513	1,497	1,578	1,534	1,473
VOC - Off-Airport	2,795	2,286	2,261	2,163	1,365	1,606	1,282	1,271	1,270	1,091
VOC - Construction	909	170	148	155	86	-	44	39	40	-
VOC - Total	5,356	3,841	3,739	3,702	2,964	3,119	2,823	2,888	2,844	2,564
CO - On-Airport	11,842	9,555	9,459	9,578	9,077	9,451	9,053	9,553	9,412	8,266
CO - Off-Airport	31,114	29,405	29,385	28,691	16,719	15,188	16,368	16,227	16,336	13,166
CO - Construction	667	1,094	955	995	556	-	352	307	320	-
CO - Total	43,623	40,054	39,799	39,264	26,352	24,639	25,773	26,087	26,068	21,432
NO _x - On-Airport	6,356	5,504	5,503	5,543	5,760	5,729	6,357	6,440	5,999	5,474
NO _x - Off-Airport	4,665	4,420	4,514	4,463	2,628	2,368	2,723	2,718	2,741	2,102
NO _x - Construction	405	2,237	1,952	2,034	1,141	-	494	431	449	-
NO _x - Total	11,426	12,161	11,969	12,040	9,529	8,097	9,574	9,589	9,189	7,576
SO ₂ - On-Airport	405	382	382	382	436	449	494	513	489	436
SO ₂ - Off-Airport	52	50	51	50	24	27	30	30	30	24
SO ₂ - Construction	3	7	7	7	3	-	2	2	2	-
SO ₂ - Total	460	439	440	439	463	476	526	545	521	460
PM ₁₀ - On-Airport	181	128	126	132	182	167	165	168	158	177
PM ₁₀ - Off-Airport	1,617	1,833	1,603	1,572	1,752	1,780	2,089	2,078	2,060	1,658
PM ₁₀ - Construction	68	531	463	482	335	-	137	119	124	-
PM ₁₀ - Total	1,866	2,492	2,192	2,186	2,269	1,947	2,391	2,365	2,342	1,835

¹ NA/NP=No Action/No Project Alternative.

² As described in the introduction to Chapter 4, the evaluation of mitigation measures is not a part of the No Action/No Project Alternative analysis. Emissions provided in this table for the No Action/No Project Alternative are the same as those reported in Table F4.6-11a and have been included here for comparative purposes.

³ Interim year is 2005 for NA/NP and Alternatives A, B, and C and 2013 for Alternative D.

Source: Camp Dresser & McKee Inc., 2004.

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<p>MM-AQ-2 Monitoring Agency: LAWA</p> <p>Construction-Related Measure. The required components of the construction-related air quality mitigation measure are itemized below. These components include numerous specific actions to reduce emissions of fugitive dust and of exhaust emissions from on-road and nonroad mobile sources and stationary engines. All of these components must be in place prior to commencement of the first Master Plan construction project and must remain in place through build out of the Master Plan. An implementation plan will be developed which provides available details as to how each of the elements of this construction-related mitigation measure will be implemented and monitored. Each construction subcontractor will be responsible to implement all measures that apply to the equipment and activities under his/her control, an obligation which will be formalized in the contractual documents, with financial penalties for noncompliance. LAWA will assign one or more environmental coordinators whose responsibility it will be to ensure compliance with the construction-related measure by use of direct inspections, records reviews, and investigation of complaints with reporting to LAWA management for follow-up action. The estimated ranges of emissions reductions quantified for this mitigation measure for Alternative D are shown in Table F5-8, Estimated Ranges of Emission Reductions for Construction-Related Air Quality Mitigation Measures. Reliable emissions reductions were not able to be quantified for all of these components.</p>	<p>Construction-related air pollutant emissions</p>	<p>Prior to issuance of grading or demolition permit for first Master Plan project</p>	<p>Once, upon completion of implementation plan for construction-related measures, and as specified in the implementation plan</p>	<p>Completion of implementation plan</p>

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<p>Table F5-8</p> <p>Estimated Ranges of Emissions Reductions for Construction-Related Air Quality Mitigation Measures</p> <table border="1"> <thead> <tr> <th>Pollutant</th> <th>Alternatives A, B, C, and D¹ (tons)</th> </tr> </thead> <tbody> <tr> <td>ROG</td> <td>1 - 10</td> </tr> <tr> <td>NOx</td> <td>300 - 1,100</td> </tr> <tr> <td>CO</td> <td>10 - 30</td> </tr> <tr> <td>PM₁₀</td> <td>140 - 400</td> </tr> <tr> <td>SO_x</td> <td>1 - 10</td> </tr> </tbody> </table> <p>¹ In the year of peak construction emissions. Source: Camp Dresser & McKee Inc., 2004.</p> <p>The specific components of this construction-related air quality mitigation measure include:</p> <ol style="list-style-type: none"> <u>Fugitive Dust Source Controls:</u> <ul style="list-style-type: none"> ◆ Apply non-toxic soil stabilizer to all inactive construction areas (i.e., areas with disturbed soil). ◆ Following the addition of materials to, or removal of materials from, the surface of outdoor storage piles, said piles shall be effectively stabilized of fugitive dust emissions utilizing non-toxic soil stabilizer. ◆ Post a publicly visible sign with the telephone number and person to contact regarding dust 	Pollutant	Alternatives A, B, C, and D ¹ (tons)	ROG	1 - 10	NOx	300 - 1,100	CO	10 - 30	PM ₁₀	140 - 400	SO _x	1 - 10				
Pollutant	Alternatives A, B, C, and D ¹ (tons)															
ROG	1 - 10															
NOx	300 - 1,100															
CO	10 - 30															
PM ₁₀	140 - 400															
SO _x	1 - 10															

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<p>complaints; this person shall respond and take corrective action within 24 hours.</p> <ul style="list-style-type: none"> ◆ Prior to final occupancy, the applicant demonstrates that all ground surfaces are covered or treated sufficiently to minimize fugitive dust emissions. ◆ All roadways, driveways, sidewalks, etc. being installed as part of project should be completed as soon as possible; in addition, building pads should be laid as soon as possible after grading. ◆ Pave all construction access roads at least 100 feet on to the site from the main road. <p>2. <u>On-Road Mobile Source Controls:</u></p> <ul style="list-style-type: none"> ◆ To the extent feasible, have construction employees work/commute during off-peak hours. ◆ Make available on-site lunch trucks during construction to minimize off-site worker vehicle trips. <p>3. <u>Nonroad Mobile Source Controls:</u></p> <ul style="list-style-type: none"> ◆ Prohibit staging or parking of construction vehicles (including workers' vehicles) on streets adjacent to sensitive receptors such as schools, daycare centers, and hospitals. ◆ Prohibit construction vehicle idling in excess of ten minutes. ◆ Utilize on-site rock crushing facility, when feasible, during construction to reuse rock / concrete and minimize off-site truck haul trips. <p>4. <u>Stationary Point Source Controls:</u></p> <ul style="list-style-type: none"> ◆ Specify combination of electricity from power poles and portable diesel- or gasoline-fueled 				

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<p>generators using "cleaner burning diesel" fuel and exhaust emission controls.</p> <p>5. <u>Mobile and Stationary Source Controls:</u></p> <ul style="list-style-type: none"> ◆ Specify combination of construction equipment using "cleaner burning diesel" fuel and exhaust emission controls. ◆ Suspend use of all construction equipment during a second-stage smog alert in the immediate vicinity of LAX. ◆ Utilize construction equipment having the minimum practical engine size (i.e., lowest appropriate horsepower rating for intended job). ◆ Require that all construction equipment working on site is properly maintained (including engine tuning) at all times in accordance with manufacturers' specifications and schedules. ◆ Prohibit tampering with construction equipment to increase horsepower or to defeat emission control devices. <p>6. <u>Administrative Controls</u></p> <ul style="list-style-type: none"> ◆ The contractor or builder shall designate a person or persons to ensure the implementation of all components of the construction-related measure through direct inspections, records reviews, and investigations of complaints. 				

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<p>MM-AQ-3 Monitoring Agency: LAWA</p>	<p>Surface Transportation-related air pollutant emissions</p>	<p>Prior to issuance of building permit for ITC and within 6 months following City Council approval of the LAX Plan</p>	<p>Once, upon completion, of implementation plan for transportation-related measures within the LAX MP-IMPAQ</p>	<p>Completion of implementation plan for transportation-related measures within the LAX MP-IMPAQ</p>
<p>Transportation-Related Measure. The primary feature of the transportation-related air quality mitigation measure is the development and construction of at least eight (8) additional sites with FlyAway service similar to the service provided by the Van Nuys FlyAway currently operated by LAWA. The intent of these FlyAway sites is to reduce the quantity of traffic going to and from LAX by providing regional locations where LAX employees and passengers can pick up an LAX-dedicated, clean-fueled bus that will transport them from a FlyAway closer to their home or office into LAX and back. The reduction in vehicle miles traveled (VMT) translates directly into reduced air emissions, as well as a reduction in traffic congestion in the vicinity of the airport. An implementation plan will be developed which provides available details as to how each of the elements of this transportation-related mitigation measure will be implemented and monitored. The estimated emissions reductions associated with this component of the transportation-related air quality mitigation measure are shown in Table F5-9.</p>				

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<p>Table F5-9</p> <p>Estimated Emissions Reductions (Tons) for Eight (8) New FlyAway Terminals - 2015</p> <table border="1" data-bbox="662 1207 828 1753"> <thead> <tr> <th>Pollutant¹</th> <th>Alternative D</th> </tr> </thead> <tbody> <tr> <td>ROG</td> <td>56.0</td> </tr> <tr> <td>NOX</td> <td>82.9</td> </tr> <tr> <td>CO</td> <td>1064.5</td> </tr> <tr> <td>PM10</td> <td>152.6</td> </tr> <tr> <td>SOX</td> <td>1.7</td> </tr> </tbody> </table> <p>Note: Reductions are the combined totals from all new FlyAway capacity, and may include expansion of the existing FlyAway.</p> <p>¹ Based on EMFAC2002 Emission Factors for Calendar Year 2015.</p> <p>Source: Camp Dresser & McKee Inc., 2004.</p> <p>The required two (2) elements of this transportation-related air quality mitigation measure include:</p> <ol style="list-style-type: none"> <u>Development of New FlyAway Capacity:</u> Additional service capacity from at least eight (8) FlyAway service terminals are required under this measure, and all eight must be operational by 2015. LAWA has already begun analyzing potential FlyAway locations. Selection of the eight general locations 	Pollutant ¹	Alternative D	ROG	56.0	NOX	82.9	CO	1064.5	PM10	152.6	SOX	1.7				
Pollutant ¹	Alternative D															
ROG	56.0															
NOX	82.9															
CO	1064.5															
PM10	152.6															
SOX	1.7															

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<p>should be made and included in the overarching air quality mitigation program plan discussed in Mitigation Measure MM-AQ-1, LAX Master Plan Mitigation Plan for Air Quality, as well as in the implementation plan for the transportation-related measures noted above. Final selection of the sites must be completed on a schedule that allows for property acquisition or leasing, terminal design, construction, and implementation of all sites by 2015.</p> <p>The sites may include, but are not limited to the following:</p> <ul style="list-style-type: none"> ◆ West San Fernando Valley/Eastern Ventura County ◆ Santa Monica/Pacific Palisades ◆ Central Los Angeles ◆ Long Beach/South Bay/San Pedro ◆ East San Fernando Valley ◆ San Gabriel Valley ◆ Southeast Los Angeles County ◆ North Los Angeles County <p>2. <u>Public Outreach Program for FlyAway Service:</u></p> <p>This measure also requires a public outreach program to inform potential users of the terminals about their existence and their locations. The outreach program would be geared towards encouraging the use of the FlyAways with convenience and low cost being the primary selling points.</p> <p>Other feasible mitigation elements may be developed to ensure that the emission reductions for this transportation-related measure are achieved. These</p>				

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<p>may include, for example:</p> <ul style="list-style-type: none"> ◆ <u>Transit Ridership measures such as:</u> <ul style="list-style-type: none"> - Constructing on-site or off-site bus turnouts, passenger benches, or shelters to encourage transit system use. - Constructing on-site or off-site pedestrian improvements/including showers for pedestrian employees to encourage walking/bicycling to work by LAX employees. ◆ <u>Highway and Roadway Improvements measures such as:</u> <ul style="list-style-type: none"> - Linking ITS (Intelligent Transportation System) with off-airport parking facilities with ability to divert/direct trips to these facilities to reduce traffic/parking congestion and associated air emissions in the immediate vicinity of the airport. - Expanding ITS/ATCS systems, concentrating on I-405 and I-105 corridors, extending into South Bay and Westside surface street corridors to reduce traffic/parking congestion and associated air emissions in the immediate vicinity of the airport. - Linking LAX traffic management system with airport cargo facilities, with ability to reroute cargo trips to/from these facilities to reduce traffic/parking congestion and associate air emissions in the immediate vicinity of the airport. 				

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<ul style="list-style-type: none"> - Developing a program to minimize the use of conventional-fueled fleet vehicles during smog alerts to reduce air emissions from vehicles at the airport. ◆ <u>Parking measures such as:</u> <ul style="list-style-type: none"> - Providing free parking and preferential parking locations for ULEV/SULEV/ZEV in all (including employee) LAX lots; providing free charging stations for ZEV; including public outreach to reduce air emissions from automobiles accessing airport parking. - Measures to reduce air emissions of vehicles in line to exit parking lots such as pay-on-foot (before getting into car) to minimize idle time at parking check out, including public outreach. - Implementing on-site circulation plan in parking lots to reduce time and associated air emissions from vehicles circulating through lots looking for parking. - Encouraging video conferencing and providing video conferencing capabilities at various locations on the airport to reduce VMT in associated air emissions in the vicinity of the airport. ◆ <u>Additional Ridesharing measures such as:</u> <ul style="list-style-type: none"> - Expanding the airport's ridesharing program to include all airport tenants. ◆ <u>Clean Vehicle Fleets measure such as:</u> 				

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<ul style="list-style-type: none"> - Promoting commercial vehicles/trucks/vans using terminal areas (LAX and regional intermodal) to install SULEV/ZEV engines to reduce vehicle air emissions. - Promoting "best-engine" technology (SULEV/ZEV) for rental cars using on-airport RAC facilities to reduce vehicle air emissions. - Consolidating nonrental car shuttles using SULEV/ZEV engines to reduce vehicle air emissions. <p>◆ <u>Energy Conservation measures such as:</u></p> <ul style="list-style-type: none"> - Covering, if feasible, any parking structures that receive direct sunlight, to reduce volatile emissions from vehicle gasoline tanks; and installing solar panels on these roofs where feasible to supply electricity or hot water to reduce power production demand and associated air emissions at utility plants. <p>These other components may require the approval of other federal, state, regional, and/or local government agencies. It should be noted that no air quality benefit (i.e., pollutant reduction) was estimated in the Final EIS/EIR for these additional components; hence, implementation of any of these other components would, in conjunction with the FlyAways described above, provide for additional air quality benefits over and above the amount of transportation-related pollutant reductions accounted for in the Final EIS/EIR.</p>				

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Hydrology and Water Quality				
<p>HWQ-1 Monitoring Agency: LAWA</p> <p>Conceptual Drainage Plan. Once a Master Plan alternative is selected, and in conjunction with its design, LAWA will develop a conceptual drainage plan of the area within the boundaries of the Master Plan alternative (in accordance with FAA guidelines and to the satisfaction of the City of Los Angeles Department of Public Works, Bureau of Engineering). The purpose of the drainage plan will be to assess area-wide drainage flows as related to the Master Plan project area, and at a level of detail sufficient to identify the overall improvements necessary to provide adequate drainage capacity to prevent flooding. The conceptual drainage plan will provide the basis and specifications from which detailed drainage improvement plans will be designed in conjunction with site engineering specific to each Master Plan project. Best Management Practices (BMPs) will be incorporated to minimize the effect of airport operations on surface water quality and to prevent a net increase in pollutant loads to surface water resulting from the selected Master Plan alternative.</p> <p>To evaluate drainage capacity, LAWA will use either the Peak Rate Method specified in Part G - Storm Drain Design of the City of Los Angeles' Bureau of Engineering Manual or the Los Angeles County Modified Rational Method, both of which are acceptable to the LADPW. In areas within the boundary of the selected alternative where the surface water runoff rates are found to exceed the capacity of the storm water conveyance infrastructure with the</p>	<p>Significant changes in surface hydrology or adverse impacts to surface water quality due to new development associated with the Master Plan</p>	<p>Prior to issuance of a grading/building permit for the first Master Plan project involving substantial surface alternations or substantial changes to existing operations</p>	<p>Once, upon completion of conceptual drainage plan</p>	<p>Completion of conceptual drainage plan</p>

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<p>potential to cause flooding, LAWA will take measures to either reduce peak flow rates or increase the structure's capacity. These drainage facilities will be designed to ensure that they adequately convey storm water runoff and prevent flooding by adhering to the procedures set forth by the Peak Rate Method/Los Angeles County Modified Rational Method.</p> <p>Methods to reduce the peak flow of surface water runoff could include:</p> <ul style="list-style-type: none"> ◆ Decreasing impervious area by removing unnecessary pavement or utilizing porous concrete or modular pavement ◆ Building storm water detention structures ◆ Diverting runoff to pervious areas (reducing directly-connected impervious areas) ◆ Diverting runoff to outfalls with additional capacity (reducing the total drainage area for an individual outfall) ◆ Redirecting storm water flows to increase the time of concentration <p>Measures to increase drainage capacity could include:</p> <ul style="list-style-type: none"> ◆ Increasing the size and slope (capacity) of storm water conveyance structures (pipes, culverts, channels, etc.). ◆ Increasing the number of storm water conveyance structures and/or outfalls. <p>To evaluate the effect of the selected Master Plan alternative on surface water quality, LAWA will prepare a specific Standard Urban Stormwater Mitigation Plan (SUSMP) for the selected alternative, as required by the LARWQCB. The SUSMP</p>				

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<p>addresses water quality and drainage issues by specifying source control, structural, and treatment control BMPs with the objective of reducing the discharge of pollutants from the stormwater conveyance system to the maximum extent practicable. Once BMPs are identified, an updated pollutant load estimate will be calculated that takes into account reductions from treatment control BMPs.</p> <p>These BMPs will be applied to both existing and future sources with the goal of achieving no net increase in loadings of pollutants of concern to receiving water bodies. LAWA will therefore address water quality issues, including erosion and sedimentation, and comply with the SUSMP requirements by designing the storm water system through incorporation of the structural and treatment control BMPs specified in the SUSMP.</p> <p>The following list includes some of the BMPs that could be employed to infiltrate or treat storm water runoff and dry weather flows, and control peak flow rates.</p> <ul style="list-style-type: none"> ◆ Vegetated swales and strips ◆ Oil/Water separators ◆ Clarifiers ◆ Media filtration ◆ Catch basin inserts and screens ◆ Continuous flow deflective systems ◆ Bioretention and infiltration ◆ Detention basins ◆ Manufactured treatment units ◆ Hydrodynamic devices 				

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<p>Other structural BMPs may also be selected from the literature and the many federal, state and local guidance documents available. Performance of structural BMPs varies considerably based on their design. USEPA has published estimated ranges of pollutant removal efficiencies for structural BMPs based on substantial document review.</p> <p>These ranges of removal efficiencies are presented in Table F5-1, Structural BMP Expected Pollutant Removal Efficiency.</p>				

Table F5-1

Structural BMP Expected Pollutant Removal Efficiency

BMP Type	Typical Pollutant Removal (percent)			
	Suspended Solids	Nitrogen	Phosphorus	Metals
Dry Detention Basins	30-35	15-45	15-45	15-45
Retention Basins	50-80	30-65	30-65	50-80
Infiltration Basins	50-80	50-80	50-80	50-80
Infiltration Trenches/Dry Wells	50-80	50-80	15-45	50-80
Porous Pavement	65-100	65-100	30-65	65-100
Grassed Swales	30-65	15-45	15-45	15-45
Vegetated Filter Strips	50-80	50-80	50-80	30-65
Surface Sand Filters	50-80	<30	50-80	50-80
Other Media Filters	65-100	15-45	0	50-80

Source: U.S. Environmental Protection Agency, Preliminary Data Summary of Urban Storm Water Best Management Practices Methodology, August 1999.

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<p>In addition to the structural BMP types that will be used, non-structural/source control BMPs will continue to be a part of the LAX program to reduce pollutant loadings. Existing practices and potentially new ones will be extended to acquisition areas and to the areas where airport operations will increase in frequency or duration.</p> <p>These source control BMPs will be incorporated into the LAX Storm Water Pollution Prevention Plan (SWPPP) and will consequently be required of LAWA and all airport tenants at all locations where industrial activities occur that have the potential to impact water quality.</p> <p>The overall result of Master Plan Commitment HWQ-1 will be a drainage infrastructure that provides adequate drainage capacity to prevent flooding and control peak flow discharges, that incorporates BMPs to minimize the effect of airport operations on surface water quality, and that prevents a net increase of pollutant loads to either receiving water body as a result of the selected Master Plan alternative.</p>				

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Historical/Architectural and Archaeological/Cultural Resources				
MM-HA-4 Monitoring Agency: LAWA	<p>Discovery. The FAA shall prepare an archaeological treatment plan (ATP), in consultation with SHPO, that ensures the long-term protection and proper treatment of those unexpected archaeological discoveries of federal, state, and/or local significance found within the APE of the selected alternative. The ATP shall include a monitoring plan, research design, and data recovery plan. The ATP shall be consistent with the Secretary of the Interior's Standards and Guidelines for Archaeological Documentation; California Office of Historic Preservation's (OHP) <i>Archaeological Resources Management</i></p>	<p>Prior to issuance of any excavation and grading permits associated with the first Master Plan project</p>	<p>Once, at approval of ATP</p>	<p>Approval of ATP by LAWA</p>
MM-HA-5 Monitoring Agency: LAWA	<p>Monitoring. Any grading and excavation activities within LAX proper or the acquisition areas that have not been identified as containing redeposited fill material or having been previously disturbed shall be monitored by a qualified archaeologist. The archaeologist shall be retained by LAWA and shall meet the Secretary of the Interior's Professional Qualifications Standards. The project archaeologist shall be empowered to halt construction activities in the immediate area if potentially significant resources are identified. Test excavations may be necessary to reveal whether such findings are significant or insignificant. In the event of notification by the project archaeologist that a potentially significant or unique archaeological/cultural find has been unearthed, LAWA shall be notified and grading operations shall cease immediately in the affected area until the geographic extent and scientific value of the resource</p>	<p>Retain archaeologist prior to issuance of excavation and grading permits for first Master Plan project, with continued monitoring efforts in accordance with the ATP</p>	<p>Once, upon retention of archaeologist and on-going during excavation and grading activities, as identified in ATP</p>	<p>Retention of archaeologist and filing of periodic monitoring reports with LAWA, as stipulated in the ATP</p>

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<p>can be reasonably verified. Upon discovery of an archaeological resource or Native American remains, LAWA shall retain a Native American monitor from a list of suitable candidates obtained from the Native American Heritage Commission.</p>	<p>Loss or destruction of important archaeological resources</p>	<p>Upon discovery of potential archaeological resources by qualified archaeologist</p>	<p>On-going during excavation and grading activities as identified in ATP</p>	<p>Filing of appropriate reports (i.e. excavation/recovery report) with LAWA by project archaeologist pursuant to ATP. If no resources are found, a report indicating as much should be filed</p>
<p>MM-HA-6 Monitoring Agency: LAWA</p> <p>Excavation and Recovery. Any excavation and recovery of identified resources (features) shall be performed using standard archaeological techniques and the requirements stipulated in the ATP. Any excavations, testing, and/or recovery of resources shall be conducted by a qualified archaeologist selected by LAWA.</p>	<p>Loss or destruction of important archaeological resources</p>	<p>Prior to approval of excavation and grading plans (for MM/MPC imprint component); Prior to excavation and grading activities pursuant to ATP (for on-site training component)</p>	<p>Once, upon approval of excavation and grading plans (for MM/MPC imprint component); Prior to initiation of excavation and grading activities, and with construction staff change-outs, pursuant to ATP (for on-site training component)</p>	<p>Sign off of plans by project archaeologist (for MM/MPC imprint component); Filing of sign-in sheet with LAWA by project archaeologist, as specified by ATP (for on-site training component)</p>
<p>MM-HA-7 Monitoring Agency: LAWA</p> <p>Administration. Where known resources are present, all grading and construction plans shall be clearly imprinted with all of the archaeological/cultural mitigation measures. All site workers shall be informed in writing by the on-site archaeologist of the restrictions regarding disturbance and removal as well as procedures to follow should a resource deposit be detected.</p>	<p>Loss or destruction of important archaeological resources</p>	<p>Prior to approval of excavation and grading plans (for MM/MPC imprint component); Prior to excavation and grading activities pursuant to ATP (for on-site training component)</p>	<p>Once, upon approval of excavation and grading plans (for MM/MPC imprint component); Prior to initiation of excavation and grading activities, and with construction staff change-outs, pursuant to ATP (for on-site training component)</p>	<p>Sign off of plans by project archaeologist (for MM/MPC imprint component); Filing of sign-in sheet with LAWA by project archaeologist, as specified by ATP (for on-site training component)</p>

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<p>MM-HA-8 Monitoring Agency: LAWA</p> <p>Archaeological/Cultural Monitor Report. Upon completion of grading and excavation activities in the vicinity of known archaeological resources, the Archaeological/Cultural monitor shall prepare a written report. The report shall include the results of the fieldwork and all appropriate laboratory and analytical studies that were performed in conjunction with the excavation. The report shall be submitted in draft form to the FAA, LAWA and City of Los Angeles-Cultural Affairs Department. City representatives shall have 30 days to comment on the report. All comments and concerns shall be addressed in a final report issued within 30 days of receipt of city comments.</p>	<p>Loss or destruction of important archaeological resources</p>	<p>Upon completion of grading & excavation activities per ATP</p>	<p>Once, upon completion of excavation and grading activities on a project by project basis, pursuant to ATP</p>	<p>Receipt of final report on a project by project basis by LAWA</p>
<p>MM-HA-9 Monitoring Agency: LAWA</p> <p>Artifact Curation. All artifacts, notes, photographs, and other project-related materials recovered during the monitoring program shall be curated at a facility meeting federal and state standards.</p>	<p>Loss or destruction of important archaeological resources</p>	<p>Upon completion of each project during which resources were recovered, as stipulated in ATP</p>	<p>Once, at completion of excavation and grading activities on a project by project basis, as stipulated in ATP</p>	<p>Acceptance letter of curated artifacts from selected repository, or offer letter from LAWA to repository</p>
<p>MM-HA-10 Monitoring Agency: LAWA</p> <p>Archaeological Notification. If human remains are found, all grading and excavation activities in the vicinity shall cease immediately and the appropriate LAWA authority shall be notified: compliance with those procedures outlined in Section 7050.5(b) and (c) of the State Health and Safety Code, Section 5097.94(k) and (l) and Section 5097.98(a) and (b) of the Public Resources Code shall be required. In addition, those steps outlined in Section 15064.5(e) of the CEQA Guidelines shall be implemented.</p>	<p>Loss or destruction of important archaeological resources</p>	<p>During excavation and grading activities</p>	<p>When any bone material is encountered and project archaeologist identifies it as human remains</p>	<p>Completion of those steps outlined in Section 15064.5(e) of the CEQA Guidelines and sign off by project archaeologist and, if applicable, selected Native American monitor</p>

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Paleontological Resources				
<p>MM-PA-1 Monitoring Agency: LAWA</p> <p>Paleontological Qualification and Treatment Plan. A qualified paleontologist shall be retained by LAWA to develop an acceptable monitoring and fossil remains treatment plan (that is, a Paleontological Management Treatment Plan - PMTP) for construction-related activities that could disturb potential unique paleontological resources within the project area. This plan shall be implemented and enforced by the project proponent during the initial phase and full phase of construction development. The selection of the paleontologist and the development of the monitoring and treatment plan shall be subject to approval by the Vertebrate Paleontology Section of the Natural History Museum of Los Angeles County to comply with paleontological requirements, as appropriate.</p>	<p>Loss or destruction of important paleontological resources</p>	<p>Prior to issuance of any excavation and grading permits for first Master Plan project</p>	<p>Once, upon retention of paleontologist and approval of the PMTP</p>	<p>Retention of paleontologist and approval of the PMTP by LAWA</p>
<p>MM-PA-2 Monitoring Agency: LAWA</p> <p>Paleontological Authorization. The paleontologist shall be authorized by LAWA to halt, temporarily divert, or redirect grading in the area of an exposed fossil to facilitate evaluation and, if necessary, salvage. No known or discovered fossils shall be destroyed without the written consent of the project paleontologist.</p>	<p>Loss or destruction of important paleontological resources</p>	<p>Continued monitoring in accordance with the PMTP</p>	<p>On-going during excavation and grading activities as identified in the PMTP</p>	<p>Filing of periodic monitoring reports with LAWA, as stipulated in the PMTP</p>
<p>MM-PA-3 Monitoring Agency: LAWA</p> <p>Paleontological Monitoring Specifications. Specifications for paleontological monitoring shall be included in construction contracts for all LAX projects involving excavation activities deeper than six feet.</p>	<p>Loss or destruction of important paleontological resources</p>	<p>Prior to finalization and approval of construction contracts for projects involving excavation deeper than six feet</p>	<p>Once, upon approval of each construction contract on a project-by-project basis</p>	<p>Review and approval of relevant construction contracts by project paleontologist and the filing of such contracts with LAWA</p>

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MM-PA-4 Monitoring Agency: LAWA Paleontological Resources Collection. Because some fossils are small, it will be necessary to collect sediment samples of promising horizons discovered during grading or excavation monitoring for processing through fine mesh screens. Once the samples have been screened, they shall be examined microscopically for small fossils.	Loss or destruction of important paleontological resources	During excavation and grading activities, as stipulated in the PMTP	On-going during excavation and grading activities, as outlined in the PMTP	Filing of collection/recovery reports with LAWA by project paleontologist, as stipulated in the PMTP
MM-PA-5 Monitoring Agency: LAWA Fossil Preparation. Fossils shall be prepared to the point of identification and catalogued before they are donated to their final repository.	Loss or destruction of important paleontological resources	Upon discovery of significant fossils by project paleontologist	During grading and excavation activities as identified in the PMTP	Filing of appropriate reports by paleontologist with LAWA, as stipulated in the PMTP
MM-PA-6 Monitoring Agency: LAWA Fossil Donation. All fossils collected shall be donated to a public, nonprofit institution with a research interest in the materials, such as the Los Angeles County Museum of Natural History.	Loss or destruction of important paleontological resources	Upon completion of each project during which fossils were discovered, as outlined in the PMTP	Once, upon completion of grading and excavation activities on a project-by-project basis	Acceptance letter of fossils from accepting repository, or offer letter from LAWA to repository
MM-PA-7 Monitoring Agency: LAWA Paleontological Reporting. A report detailing the results of these efforts, listing the fossils collected, and naming the repository shall be submitted to the lead agency at the completion of the project.	Loss or destruction of important paleontological resources	Upon completion of excavation activities, as outlined in the PMTP	Once, upon completion of excavation activities on a project-by-project basis	Receipt of paleontological report by LAWA. If no resources are found, a report indicating as much should be filed

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Biotic Communities				
<p>MM-BC-1 Monitoring Agency: LAWA</p>	<p>Temporary construction impacts to sensitive areas and degradation of state-designated sensitive habitats</p>	<p>Preconstruction/construction</p>	<p>Once, upon completion of pre-construction evaluation and then on-going during construction if within 100 feet of the Habitat Restoration Area; Annually during operation and maintenance</p>	<p>Completion of pre-construction evaluation and presence of environmental monitor when construction is within 100 feet of state-designated sensitive habitat; Periodic Monitoring Report</p>
<p>Conservation of State-Designated Sensitive Habitat Within and Adjacent to the El Segundo Blue Butterfly Habitat Restoration Area. FAA is responsible for conservation measures related to the relocation of navigational aids, while LAWA is responsible for all other conservation measures. All necessary steps shall be taken to ensure that the state-designated sensitive habitats within and adjacent to the Habitat Restoration Area are conserved and protected during construction, operation, and maintenance.</p> <p>These steps shall, at a minimum, include the following:</p> <p><i>Implementation of construction avoidance measures in areas where construction or staging are adjacent to the Habitat Restoration Area. Prior to the initiation of construction of LAX Master Plan components to be located adjacent to the Habitat Restoration Area, a pre-construction evaluation shall be conducted to identify and flag specific areas of state-designated sensitive habitats located within 100 feet of construction areas. Subsequent to the pre-construction evaluation, a pre-construction meeting shall be conducted and written construction avoidance measures provided to be implemented in areas adjacent to state-designated sensitive habitats. Construction avoidance measures include erecting a 10-foot-high tarped chain-link fence where the construction or staging area is adjacent to state-designated</i></p>				

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<p>sensitive habitats to reduce the transport of fugitive dust particles related to construction activities. Soil stabilization, watering or other dust control measures, as feasible and appropriate, shall be implemented to reduce fugitive dust emissions during construction activities within 2,000 feet of the El Segundo Blue Butterfly Habitat Restoration Area, with a goal to reduce fugitive dust emissions by 90 to 95 percent. In addition, to the extent feasible, no grading or stockpiling for construction activities should take place within 100 feet of a state-designated sensitive habitat. LAWA or its designee shall incorporate provisions for the identification of additional construction avoidance measures to be implemented adjacent to state-designated sensitive areas. All construction avoidance measures that address Best Management Practices shall be clearly stated within construction bid documents. In addition, provisions shall be included in all construction bid documents requiring the presence of a qualified environmental monitor. Construction drawings shall indicate vegetated areas within the Habitat Restoration Area as "Off-Limits Zone."</p> <p><i>Ongoing maintenance and management efforts for the El Segundo Blue Butterfly Habitat Restoration Area.</i> LAWA or its designee shall ensure that maintenance and management efforts prescribed in the Habitat Management Plan (HMP) for the Habitat Restoration Area shall continue to be carried out as prescribed.</p>				

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<p>MM-BC-3 Monitoring Agency: LAWA</p> <p>Conservation of Floral Resources: Mature Tree Replacement. LAWA or its designee shall prepare and implement a plan to compensate at a ratio of 2:1 for the loss of approximately 300 mature trees, which would occur as a result of implementation of the LAX Northside project. The plan shall include provisions to census and map all mature trees with a diameter of at least 8 inches at breast height, which may be removed due to implementation of the LAX Northside project. This information shall be gathered prior to initiation of construction. The plan shall include a program by which replacement (at a ratio of 2:1) of all impacted mature trees shall be included in plans prepared for landscape treatments within the Master Plan boundaries, which would then be implemented by LAWA. The species of newly planted replacement trees shall be local native tree species to the extent feasible. Each mitigation tree shall be at least a 15-gallon or larger specimen.</p>	<p>Loss of mature trees</p>	<p>Preparation of Replacement Plan for Mature Trees within one (1) year of City Council approval of the LAX Plan; Replanting as dictated by Replacement Plan; Preparation of survey prior to initiation of construction of LAX Northside project</p>	<p>As per Replacement Plan for Mature Trees</p>	<p>Completion of survey and preparation of Replacement Plan for Mature Trees; Periodic Monitoring Report</p>
<p>MM-BC-8 Monitoring Agency: LAWA</p> <p>Replacement of Habitat Units. LAWA or its designee shall undertake mitigation for the loss of habitat units resulting from implementation of Alternative D. Implementation of Alternative D would result in the loss of 45.43 habitat units. These habitat units shall be replaced at a 1:1 ratio within the Los Angeles/El Segundo Dunes. Opportunities for compensation for the loss of 45.43 habitat units include 13.52 habitat units (16.9 acres x 0.8 Habitat Value) from restoration of Non-Native Grassland/Ruderal habitat to a Valley Needlegrass Grassland; 14.4 habitat units from removal and</p>	<p>Loss of habitat/open space</p>	<p>Preparation of Replacement Plan for Habitat Units within three (3) years of City Council approval of the LAX Plan; Implementation per Replacement Plan</p>	<p>As per Replacement Plan for Habitat Units</p>	<p>Preparation of Replacement Plan for Habitat Units; Periodic Monitoring Report</p>

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<p>restoration of 50 percent of the existing roadways to Southern ForeDune (36.11 acres of streets within the Los Angeles/EI Segundo Dunes x 0.5 x 0.8 Habitat Value); and 59.68 habitat units from restoration of Disturbed Dune Scrub/ForeDune to Southern ForeDune (74.6 acres x 0.8 Habitat Value). A habitat value of 0.8 is considered to be the maximum feasible target value for restoration and enhancement of biotic communities. The restoration and enhancement of biotic communities as related to the establishment or enhancement of wildlife habitat shall consider and comply with the provisions of FAA Advisory Circular 150/5200-33 regarding hazardous wildlife attractants on or near airports. Additionally, such restoration and enhancement shall take into account, as appropriate, the Memorandum of Agreement between FAA and other federal agencies, including the US Fish and Wildlife Service, pertaining to environmental conditions that could contribute to aircraft-wildlife strikes.</p> <p>Valley Needlegrass Grassland restoration efforts consist of site preparation, propagation and planting of species characteristic of the Valley Needlegrass Grassland community at the Los Angeles/EI Segundo Dunes, and maintenance and monitoring of the restoration site. The species to be planted include native perennials as described in the Long-Term Habitat Management Plan for Los Angeles Airport/EI Segundo Dunes. The characteristic species include nodding needlegrass (<i>Nassella cernua</i>): 1,500 plants/habitat unit; white everlasting (<i>Gnaphalium microcephalum</i>): 40 plants/habitat unit; doveweed</p>				

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<p>(<i>Eremocarpus setigerus</i>): 40 plants/habitat unit; California croton (<i>Croton californicus</i>): 45 plants/habitat unit; and dune primrose (<i>Camissonia chieranthifolia</i>): 70 plants/habitat unit. Site preparation includes physical demarcation of the site, mapping of the restoration site onto a one inch equals 40 feet aerial photograph, and removal of all non- native species (weed abatement). Removal of non- native herbaceous species shall take place by mowing prior to seed set, raking to remove cut material, and hand-pulling the remainder. Removal of non-native shrubs shall be undertaken by cutting and daubing with herbicide. Propagation and planting of nodding needlegrass shall be accomplished by propagation from seed collected on-site during late spring/early summer. Seed shall be properly cleaned, dried, and stored until used. In late summer, nodding needlegrass seed shall be propagated at an on-site nursery in two-inch thimble pots and properly maintained. Nodding needlegrass shall be planted at a rate of 1,500 plants per habitat unit within Non- Native Grassland/Ruderal community, within the Los Angeles/El Segundo Dunes, which has undergone site preparation as described above. Planting shall take place in the fall or after the first welling rain. Maintenance of restoration plantings shall consist of adequate irrigation and weed abatement. Given the irregularity of rainfall in southern California, supplemental irrigation shall be provided for two years to ensure the successful establishment of mitigation plantings. Irrigation of the site shall be adjusted to adequately provide for the establishment of the out-plantings. Weed abatement shall take</p>				

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<p>place on a quarterly basis for a period of five years. Monitoring shall be undertaken on a quarterly basis for the first three years following planting, and twice a year thereafter. Monitoring shall consist of qualitative and quantitative monitoring; quantitative monitoring shall take place once a year. Performance criteria to be met include the attainment of at least a 10 percent cover of native cover in the first year and 20, 30, 40 and 45 percent cover of native species over a five-year period as determined by the point-intercept transect method (the CDFG has adopted a 10 percent threshold of native cover as its criteria for significance of native grasslands). This plan assumes the performance criteria outlined below shall be met. If monitoring discerns any failure in performance goals, remedial plantings shall be undertaken. Habitat restoration shall be conducted by a qualified habitat restoration specialist.</p> <p>Southern Foredune restoration efforts consist of site preparation, propagation, and planting of the species characteristic of the Southern Foredune community at the Los Angeles/EI Segundo Dunes, and maintenance and monitoring of the restoration site. The species to be planted include primary and secondary perennial plants as described in the Long-Term Habitat Management Plan for Los Angeles Airport/EI Segundo Dunes. Site preparation, propagation and planting, and maintenance and monitoring shall take place as described above. Performance criteria to be met include the attainment of 10, 20, 30, 40, and 45 percent cover of native species over a five-year period as determined by the</p>				

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<p>point intercept method. The Long-Term Habitat Management Plan for Los Angeles Airport/EI Segundo Dunes assumes the performance criteria stated above shall be met. If monitoring discerns any failure in performance goals, remedial plantings shall be undertaken. Habitat restoration shall be conducted by a qualified habitat restoration specialist.</p> <p>Any combination of habitat replacement completed by LAWA or its designee drawn from the opportunities listed under Alternative D that equals at least 45.43 habitat units shall be considered sufficient replacement for loss of habitat units resulting from implementation of Alternative D.</p>				
<p>MM-BC-9 Monitoring Agency: LAWA</p>	<p>Conservation of Faunal Resources. FAA is responsible for conservation measures related to the relocation of navigational aids, while LAWA is responsible for all other conservation measures. LAWA or its designee shall develop and implement a relocation and monitoring plan to compensate for the loss of 1.34 habitat units (0.3 habitat units + 1.04 habitat units) of occupied western spadefoot toad habitat and for the loss of western spadefoot toad individuals currently in the southwestern portion of the AOA. LAWA or its designee shall identify possible relocation sites in consultation with the CDFG and USFWS and shall develop and implement a monitoring plan to monitor the success of the relocated tadpoles for a period of not more than five years. LAWA or its designee shall relocate the western spadefoot toad population currently inhabiting three locations on the AOA. One potential</p>	<p>Preparation of Conservation Plan for Faunal Resources within three (3) years of City Council approval of the LAX Plan; Implementation per Conservation Plan. Toad relocation and monitoring component of the Conservation Plan to be undertaken in connection with MM-EI-1 (Riverside Fairy</p>	<p>As per Conservation Plan for Faunal Resources</p>	<p>Preparation of Conservation Plan for Faunal Resources; Periodic Monitoring Report</p>

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<p>site is the Madrona Marsh Nature Center in Torrance, 20 miles south of LAX, which supports several vernal pools and one large pond capable of supporting western spadefoot toads. Spadefoot toad experts suggest the best approach to accomplish relocation is to transport tadpoles and metamorphs only, as adults return to their birth site. Site preparation shall include confirmation by a permitted biologist that no predators, such as mosquitofish or bullfrogs, are present within the proposed relocation site or in waterways surrounding the relocation site. The CDFG has suggested that if the first relocation effort is not successful, another attempt should be made the following year. Therefore, western spadefoot toads shall be collected two consecutive years prior to construction activities taking place in existing occupied spadefoot toad habitat. In addition, since the western spadefoot toad is known to become reproductively mature within three years, an additional performance criterion shall be the identification of tadpoles at the relocation site between years three and four. The success criteria should be 50 percent survival of all tadpoles and metamorphs for the first, second, and third years following the last relocation. This shall be accomplished through a five-year monitoring plan, with bi-monthly monitoring between January 31 and June 1, to document the success of this relocation effort. LAWA or its designee shall develop and implement a relocation and monitoring plan to compensate for the loss of 2.38 habitat units of occupied San Diego black-tailed jackrabbit habitat located within the AOA. LAWA or its designee shall</p>		Shrimp Habitat Restoration		

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<p>relocate the San Diego black-tailed jackrabbit population currently inhabiting the AOA. Relocation efforts shall be coordinated with CDFG. The San Diego black-tailed jackrabbit shall be captured on the AOA using live traps and shall be released into the Habitat Restoration Area. Compensation for the loss of 2.38 habitat units shall be the utilization of at least 2.38 habitat units within the Los Angeles/EI Segundo Dunes by the San Diego black-tailed jackrabbit individuals relocated to the site. Black-tailed jackrabbit is currently absent from the Los Angeles/EI Segundo Dunes. Opportunities for compensation for the loss of 2.38 habitat units include 13.52 habitat units from restoration of Non-Native Grassland/Ruderal habitat to a Valley Needlegrass Grassland; 14.4 habitat units from removal and restoration of 50 percent of the existing roadways to Southern Forelune; and 59.68 habitat units from restoration of Disturbed Dune Scrub/Forelune to Southern Forelune. LAWA or its designee shall implement a monitoring plan to monitor the success of the relocated individuals for a period of not more than five years. Performance criteria shall include confirmed success of survival for three years of the San Diego black-tailed jackrabbit within the Habitat Restoration Area. This shall be accomplished through a quarterly monitoring plan to document the success or failure of this relocation effort.</p> <p>LAWA or its designee shall compensate for the loss of areas utilized by loggerhead shrike currently located on the western airfield and composed of 10.83 habitat units (equivalent to 83.25 acres).</p>				

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<p>Compensation for the loss of 10.83 habitat units of habitat utilized by the loggerhead shrike shall be the utilization of at least 10.83 habitat units within the Los Angeles/EI Segundo Dunes. Opportunities for compensation for the loss of 10.83 habitat units include 13.52 habitat units from restoration of Non-Native Grassland/Ruderal habitat to a Valley Needlegrass Grassland; 14.4 habitat units from removal and restoration of 50 percent of the existing roadways to Southern Fore dune; and 59.68 habitat units from restoration of Disturbed Dune Scrub/Fore dune to Southern Fore dune. Compensation for the loss of at least 10.83 habitat units shall take place prior to construction. LAWA or its designee shall implement a monitoring program for a period of not more than five years. Performance criteria shall include the use of at least 10.83 habitat units of improved habitat by the loggerhead shrike for foraging and nesting. Monitoring shall take place quarterly for the first three years and biannually thereafter. Monitoring shall be timed appropriately to include monitoring during the breeding period, which is between February and June.</p> <p>As a means of minimizing incidental take of active nests of loggerhead shrike, LAWA or its designee shall have all areas to be graded surveyed by a qualified biologist at least 14 days before construction activities begin to ensure maximum avoidance to active nests for loggerhead shrike. Construction avoidance measures shall include flagging of all active nests for loggerhead shrike and a 300 feet wide buffer area shall be designated around the</p>				

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<p>active nests. A biological monitor shall be present to ensure that the buffer area is not infringed upon during the active nesting season, March 15 to August 15. In addition, LAWA or its designee shall require that vegetation clearing within the designated 300 foot buffer be undertaken after August 15 and before March 15.</p> <p>The FAA or LAWA as appropriate, or the respective designee of each, shall conduct pre-construction surveys to determine the presence of individuals of sensitive arthropod species, the silvery legless lizard, the San Diego horned lizard, and the burrowing owl within the proposed area of impact within the Los Angeles/EI Segundo Dunes. Surveys will be conducted at the optimum time to observe these species as described in Section 6.1 of the "Los Angeles/EI Segundo Dunes Habitat Restoration Plan." Should an individual be observed, they will be relocated to suitable habitat for that species within the Habitat Restoration Area. Prior to construction, the FAA or its designee shall develop and implement a relocation plan to avoid the potential loss of individuals from the installation of navigational aids and associated service roads. This relocation plan is provided in the "Los Angeles/EI Segundo Dunes Habitat Restoration Plan." Relocation efforts shall be undertaken by a qualified biologist, in coordination with CDFG.</p>				

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Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
Endangered and Threatened Species				
<p>MM-ET-1 Monitoring Agency: LAWA</p> <p>Riverside Fairy Shrimp Habitat Restoration. LAWA or its designee shall undertake mitigation for direct impacts to 0.04 acre (1,853 square feet) of degraded wetland habitat containing embedded cysts of Riverside fairy shrimp and potential indirect impacts to 1.26 acres of degraded wetland habitat containing embedded cysts of the Riverside fairy shrimp. As specified in the Biological Opinion, soils containing embedded cysts of the Riverside fairy shrimp in 0.04 acres (1,853 square feet) shall be salvaged and relocated to property owned by the FAA and designated a habitat preserve at the former Marine Corps Air Station at El Toro, or comparable site(s) approved by the USFWS at a ratio of not more than 3:1. The 1.26 acres of degraded wetland habitat containing embedded cysts of the Riverside fairy shrimp retained on the LAX airfield shall be avoided through the implementation of construction avoidance measures, including Best Management Practices (BMPs), and the creation of a buffer area around the occupied, degraded areas. The FAA shall oversee the development of a Vernal Pool Creation, Maintenance, and Monitoring Plan for the embedded cysts to ensure that Alternative D would be consistent with the recommendations provided in the <i>Recovery Plan for Vernal Pools of Southern California</i>, and with the conservation measures provided in the Biological Opinion. As specified in the Biological Opinion, LAWA shall be responsible for all costs identified in the Vernal Pool Creation, Maintenance, and</p>	<p>Loss of occupied habitat of endangered Riverside Fairy Shrimp</p>	<p>Preparation of Habitat Restoration Plan for Riverside Fairy Shrimp prior to issuance of grading or demolition permit for any project impacting the Riverside Fairy Shrimp; Implementation per Habitat Restoration Plan</p>	<p>As per Habitat Restoration Plan for Riverside Fairy Shrimp</p>	<p>Preparation of Habitat Restoration Plan for Riverside Fairy Shrimp; Periodic Monitoring Report</p>

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Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>Monitoring Plan related to off-site relocation of soils containing cysts of the Riverside fairy shrimp, including entitlement for use and designation for long-term conservation, site preparation, monitoring, and maintenance.</p> <p>Ongoing Section 7 consultation among LAWA, FAA, and USFWS has been necessary to identify suitable mitigation sites pursuant to Section 7 of the Endangered Species Act. As a result, extensive research has been conducted to identify sites that historically or currently support vernal pools or vernal pool-associated species in southern California. Information was gathered from the <i>Recovery Plan for Vernal Pools of Southern California</i>, the California Natural Diversity Database (CNDDB), and coordination with recognized experts in the field. This information was augmented through a review of geologic maps of the coastal portions of Los Angeles and topographic quadrangles for locations known to have historically supported vernal pools. A total of 35 potential relocation sites were identified for further site characterization (Figure F5-2, Vernal Pool Restoration Opportunities Considered).</p> <p>Each of the 35 sites was visited and inspected by teams of biologists and environmental analysts. Analysis of site topography, historic or extant vernal pools, historic or extant vernal pool species, drainage features, climate, and parent material (from regional geologic maps) was conducted. Hazardous materials databases were consulted for information on known potential sources of contamination for those sites. In-field soil texture analysis was conducted, followed by</p>				

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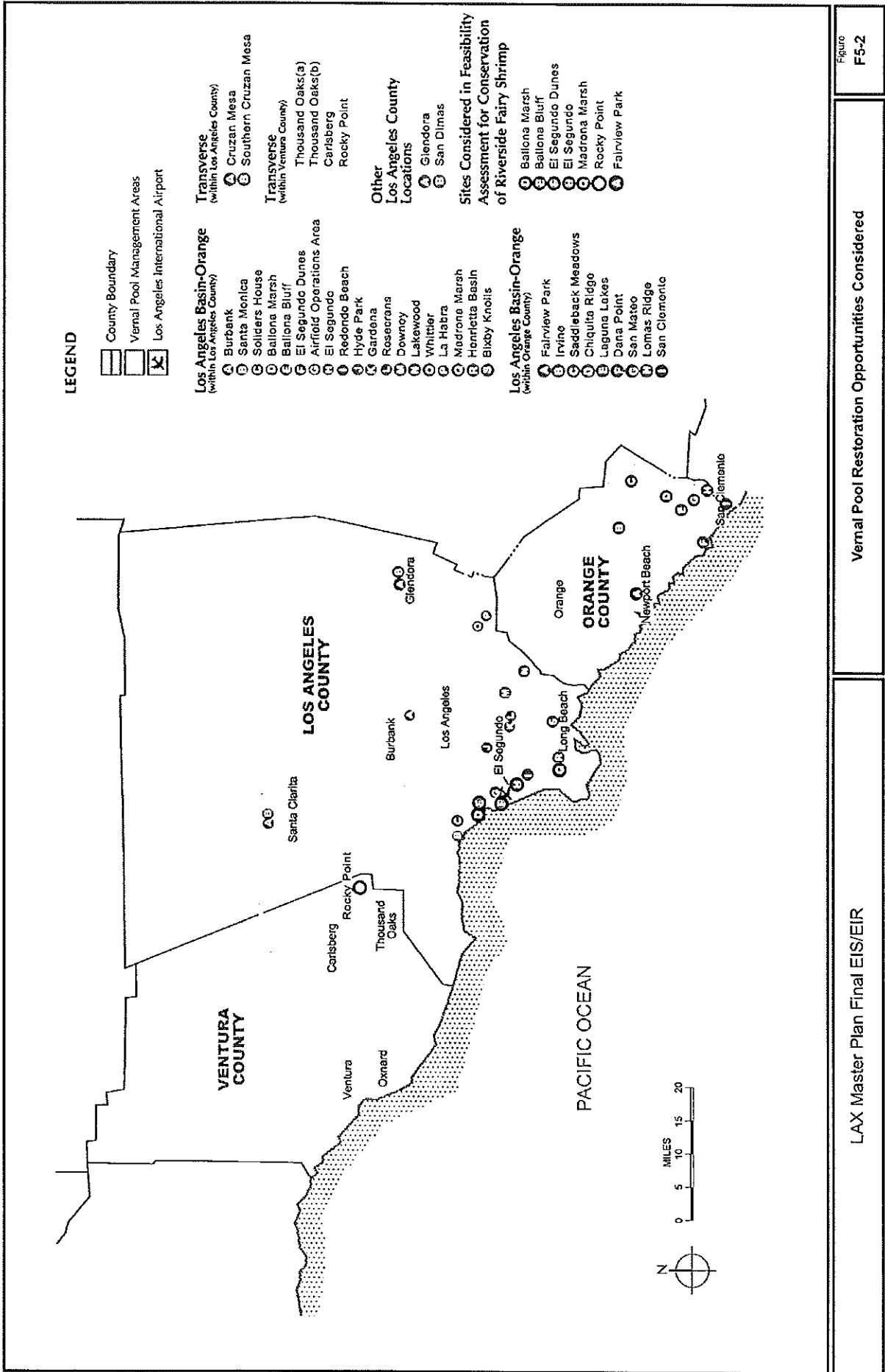
Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>laboratory analysis of collected soil samples. Land use at the site and surrounding the site was characterized, plant communities were characterized, and the presence or absence of suitable hydrology was determined.</p> <p>Prioritization of the potential sites for the relocation of soils containing cysts of the Riverside fairy shrimp was based solely on the presence of physical and biological characteristics provided in the <i>Recovery Plan for Vernal Pools of Southern California</i> and did not reflect planning constraints indicated by current land uses. LAWA and FAA, in consultation with the USFWS, recommended the relocation of cysts to alternate locations within the Los Angeles County portion of the Los Angeles Basin-Orange Management Area for vernal pools (Figure F5-2). The use of these sites within Los Angeles County was determined infeasible and LAWA undertook evaluation of the feasibility of vernal pools or vernal pool complexes located in the Orange County portion of the Los Angeles Basin-Orange Management Area and the Ventura County portion of the Transverse Management Area. As a result of consultation with the USFWS, property owned by FAA and designated a habitat preserve at the former Marine Corps Air Station at El Toro was identified as a mitigation site for the receipt of soils containing embedded cysts of the Riverside fairy shrimp, or an alternate comparable site(s).</p> <p>Once a suitable mitigation site(s) is secured, vernal pool creation shall be undertaken by LAWA or its designee, in consultation with the USFWS. Methods</p>				

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<p>of vernal pool creation may vary depending on the physical and biological characteristics of the selected sites. LAWA or its designee, in conjunction with the USFWS and a qualified wildlife biologist, shall develop a program to monitor the progress of vernal pool creation. LAWA or its designee shall undertake the relocation of soils containing embedded cysts of Riverside fairy shrimp from the western portion of the airfield to the vernal pool mitigation sites. Soils containing embedded cysts of the Riverside fairy shrimp shall not be salvaged and translocated until the created vernal pool(s) is established and has met certain success criteria as described in detail below and included in the 12 conservation measures within the Biological Opinion.</p> <p>Soils containing embedded cysts of the Riverside fairy shrimp from EW001 and EW002 (Figure F5-3, North Area Ephemeral Wet Pools and Buffer Areas) shall be salvaged and translocated to created vernal pool habitat on property owned by the FAA and designated as a habitat preserve at the former Marine Corps Air Station at El Toro (El Toro), or another site as approved by Carlsbad Fish and Wildlife Office (CFWO). The created vernal pool(s) shall contain a minimum of 5,559 square feet of vernal pool surface area (as determined by a 3:1 mitigation ratio). Soils containing embedded cysts of the Riverside fairy shrimp from EW001 and EW002 will not be salvaged and translocated from LAX until the created vernal pool(s) is established and has met certain success criteria specified in the Biological</p>				

Insert Figure F5-2



LEGEND

- County Boundary
- Vernal Pool Management Areas
- Los Angeles International Airport

Los Angeles Basin-Orange
(within Los Angeles County)

- 1 Burbank
- 2 Santa Monica
- 3 Soliders House
- 4 Ballona Marsh
- 5 Ballona Bluff
- 6 El Segundo Dunes
- 7 Airfield Operations Area
- 8 El Segundo
- 9 Redondo Beach
- 10 Hyde Park
- 11 Gardena
- 12 Rosecrans
- 13 Downoy
- 14 Lakewood
- 15 Whittier
- 16 La Habra
- 17 Modrone Marsh
- 18 Homfretta Basin
- 19 Bixby Knolls

Transverse
(within Los Angeles County)

- 20 Cruzan Mesa
 - 21 Southern Cruzan Mesa
- Transverse**
(within Ventura County)
- 22 Thousand Oaks(a)
 - 23 Thousand Oaks(b)
 - 24 Carlsberg
 - 25 Rocky Point

Other Los Angeles County Locations

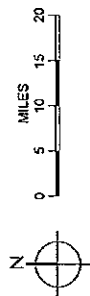
- 26 Glendora
- 27 San Dimas

Sites Considered in Feasibility Assessment for Conservation of Riverside Fairy Shrimp

- 28 Ballona Marsh
- 29 Ballona Bluff
- 30 El Segundo Dunes
- 31 El Segundo
- 32 Madrona Marsh
- 33 Rocky Point
- 34 Fairview Park

Los Angeles Basin-Orange
(within Orange County)

- 35 Fairview Park
- 36 Irvine
- 37 Saddleback Meadows
- 38 Chiquita Ridge
- 39 Laguna Lakes
- 40 Dana Point
- 41 San Mateo
- 42 Lomas Ridge
- 43 San Clemente



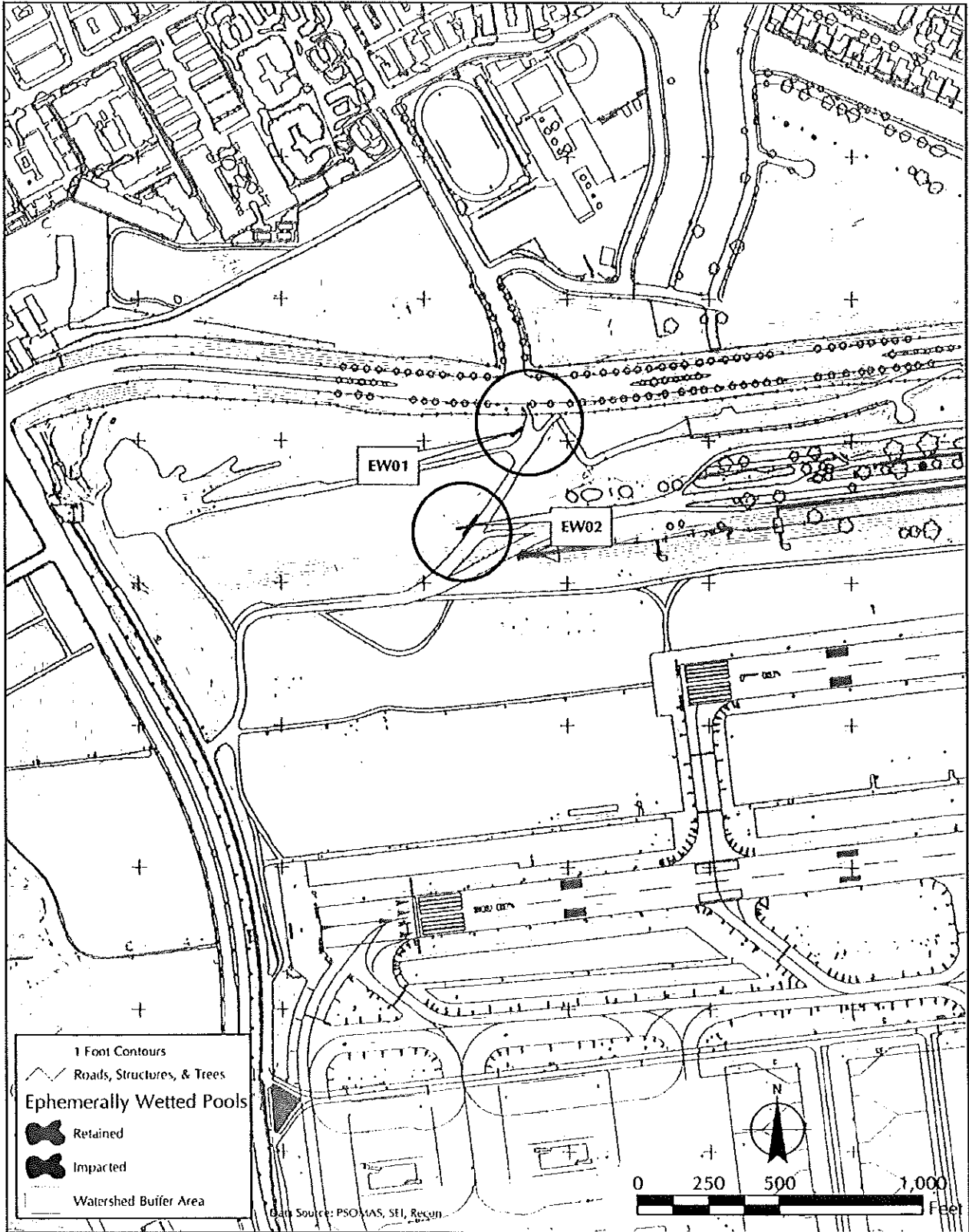
LAX Master Plan Final EIS/EIR

Vernal Pool Restoration Opportunities Considered

Figure F5-2

Bradley West Project Mitigation Monitoring and Reporting Program

Insert Figure F5-3

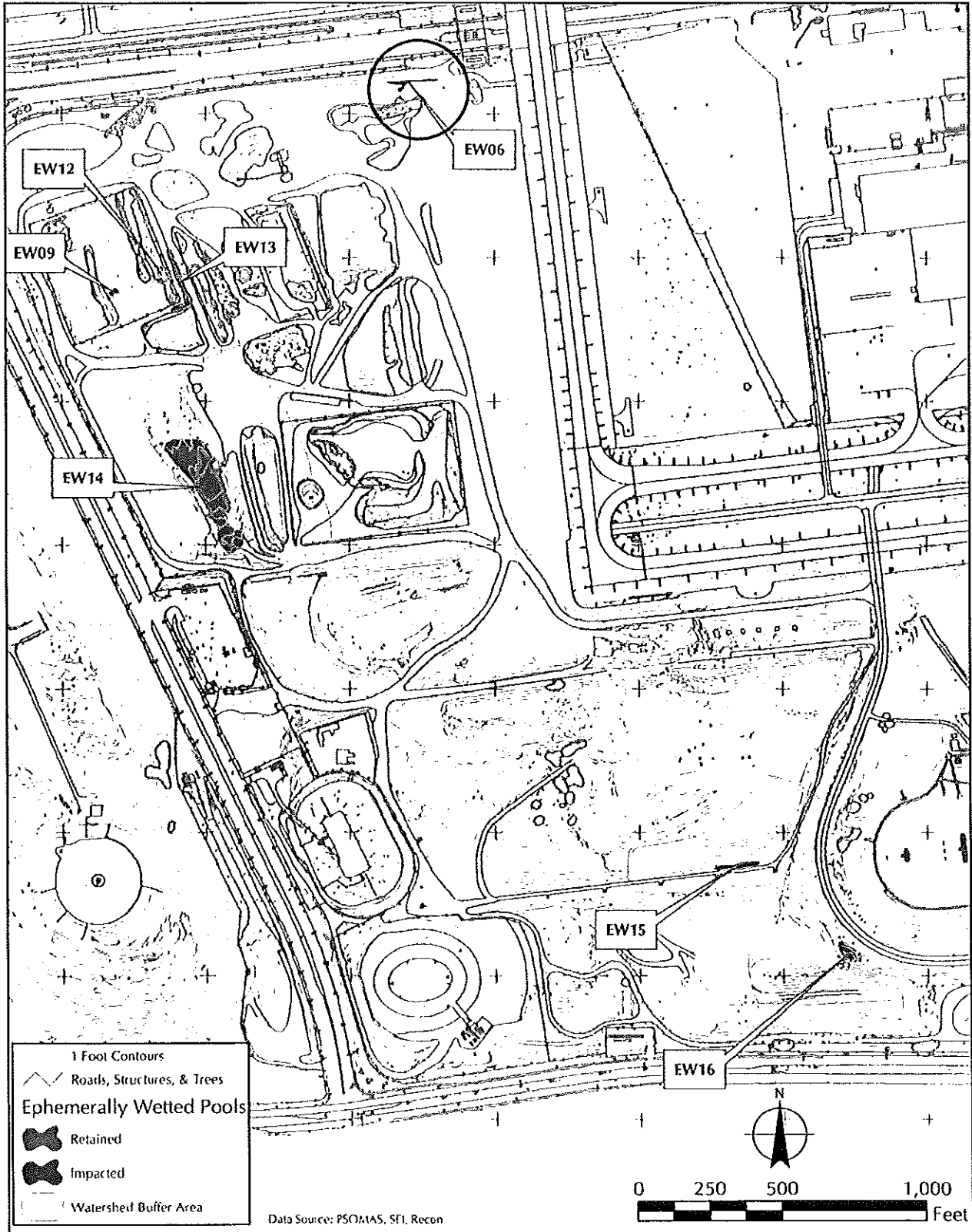


LAX Master Plan Final EIS/EIR

North Area Ephemeral Wet Pools and Buffer Areas

Figure F5-3

Insert Figure F5-4



LAX Master Plan Final EIS/EIR

South Area Ephemeral Wetted Pools and Buffer Areas

Figure F5-4

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
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Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>Opinion. As a contingency measure, if the specified success criteria for the created vernal pools have not been attained within six years of project authorization, in spite of a good faith effort on the part of LAWA, soils containing embedded cysts of the Riverside fairy shrimp will be salvaged from EW001 and EW002 and placed in appropriate storage at the San Diego Zoological Society's Center for the Reproduction of Endangered Species. Soils containing embedded cysts of the Riverside fairy shrimp from EW006 (Figure F5-4, South Area Ephemeral Wetted Pools and Buffer Areas) shall be salvaged and stored prior to implementation of Alternative D and shall be translocated to the created vernal pool(s) with EW001 and EW002 once the success criteria are met. Soils containing embedded cysts of the Riverside fairy shrimp from EW006 shall be placed in appropriate storage at the San Diego Zoological Society's Center for the Reproduction of Endangered Species. Until soils bearing embedded cysts of the Riverside fairy shrimp have been appropriately salvaged and stored, or vernal pool creation has been completed and embedded cysts have been appropriately salvaged and translocated to the created vernal pool(s), habitat-altering activities associated with Alternative D in these areas shall be avoided.</p> <p>LAWA shall be responsible for implementing construction avoidance measures for the six areas (EW009, EW012, EW013, EW014, EW015 and EW016) that would not be directly affected, as indicated in the Biological Opinion. Construction</p>				

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Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>avoidance measures shall include implementation of construction avoidance measures, including BMPs required pursuant to the Standard Urban Stormwater Mitigation Plan and the LAX Stormwater Pollution Prevention Plan, and establishment of a buffer area around the six occupied areas retained on the LAX airfield (Figure F5-4). In addition, LAX operations personnel with vehicular access to the airfield operations area shall be apprised of these off-limit buffer areas annually. The construction avoidance measures shall be periodically inspected by LAWA, or its designee throughout construction to ensure the efficacy of the BMPs, and corrective action shall be undertaken as necessary to ensure that construction and operation of airport facilities do not result in adverse impacts to surface water quality.</p> <p>Soils containing embedded cysts of the Riverside fairy shrimp will not be translocated to the created vernal pool(s) until the vernal pool(s) is established and has met certain success criteria specified in the Biological Opinion. Success criteria for the created vernal pool(s) includes holding water for a minimum of 60 days, having less than 10 percent absolute cover of exotic herbaceous species in the pool(s), having less than 20 percent absolute cover of exotic herbaceous species with 300 feet of the area from limits of the pool, removal of all non-herbaceous plant species within the pool and 300 feet from the pool annually, and provide suitable water quality for the Riverside fairy shrimp. Duration of inundation, exotic species removal, and water quality analyses may be undertaken within the first year after vernal pool</p>				

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Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>creation. The performance criteria for percent absolute cover of exotic herbaceous species within 300 feet of the area from limits of the pool may be redesignated by mutual agreement of FAA, LAWA and USFWS.</p> <p>Upon meeting success criteria and approval from the USFWS, soils containing embedded cysts of the Riverside fairy shrimp may be brought to the pool(s). LAWA shall make every effort to collect all cyst-bearing soils from the entire surface area of EW001, EW002, and EW006, however, it is expected that some small number of undetected individual cysts will remain in the soil. Soil containing the cysts shall be salvaged and translocated during the dry season to minimize damage to the cysts during transport. The soil shall be collected using a hand trowel, removed in chunks, and kept out of direct sunlight to ensure viability. Soil shall be stored in properly labeled boxes or bags with adequate ventilation. The soils shall then be redeposited and spread out in small basins or pool-like areas of similar size without active mechanical compaction to minimize potential damage to the cysts. Any potential indirect environmental impacts resulting from vernal pool construction activities shall be compliant with BMPs and terms and conditions stipulated by the permitting agencies.</p> <p>LAWA or its designee, in conjunction with the USFWS and a qualified wildlife biologist, shall also develop a program to monitor created habitat for the presence of Riverside fairy shrimp as described in the Vernal Pool Creation, Maintenance, and Monitoring Plan. As specified in the Biological Opinion, LAWA shall be</p>				

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
Master Plan Commitments and Mitigation Measures for the Bradley West Project**

Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>responsible for implementing a monitoring and reporting program to demonstrate successful achievement of the performance standards for off-site relocation over a 25-year period:</p> <ul style="list-style-type: none"> ◆ Monthly during the first year, following relocation of soils containing embedded cysts of the Riverside fairy shrimp ◆ Quarterly in the second, third, and fourth years, following relocation of soils containing embedded cysts of the Riverside fairy shrimp ◆ Biannually in the fifth, seventh, and ninth years, following relocation of soils containing embedded cysts of the Riverside fairy shrimp ◆ Annually in the tenth, fifteenth, twentieth, and twenty-fifth years, following relocation of soils containing embedded cysts of the Riverside fairy shrimp <p>LAWA shall provide the USFWS with annual monitoring reports as specified in the Vernal Pool Creation, Maintenance, and Monitoring Plan. The monitoring report, due on September 1 of each specified monitoring year, shall provide information regarding the implementation of the vernal pool creation, restoration, and maintenance activities. The yearly report shall also discuss the effectiveness of the project as it pertains to the existing condition of the created vernal pool(s) and Riverside fairy shrimp population. To measure the effectiveness of the created vernal pool(s), the FAA and LAWLA shall work with the USFWS to develop long-term goals and objectives as part of their habitat creation plan.</p>				

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
Master Plan Commitments and Mitigation Measures for the Bradley West Project**

Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>Lastly, LAWA shall coordinate with the USFWS to create educational materials on the Riverside fairy shrimp for integration into LAWA's public outreach program. Educational opportunities regarding federally endangered Riverside fairy shrimp include public outreach in the form of an educational brochure made available through the LAWA Public Affairs Department, information provided on LAWA's Web site describing the ephemeral habitat required to support the species, and LAWA's outreach to local schools.</p> <p>Implementation of Mitigation Measure MM-ET-1 would provide for the replacement of 0.04 acres (1,853 square feet) of degraded wetland habitat containing embedded cysts of the Riverside fairy shrimp, with an estimated habitat value of 0.15; with 0.12 acres (5,559 square feet) of created vernal pool habitat with an estimated habitat value of 0.75 (see Table F5-11, Mitigation Land Evaluation Procedure for the Mitigation Site). By relocating embedded cysts to habitat restoration sites that are managed for the existence of the species, the opportunity for embedded cysts to complete the adult phase of their life cycle would be enhanced.</p>				

Table F5-11

Mitigation Land Evaluation Procedure for the Mitigation Site

	Habitat		Riverside Fairy Shrimp Wetland Habitat Mitigation Site
	Reference Sites		
Topography/Hydrology	0.20		0.20
Mound-Depression Microrelief	0.05		0.05
Native Soils w/Slope <10%	0.05		0.05
Areas w/Period of Inundation ≥30 days	0.05		0.05
Summer Desiccation	0.20		0.20
Flora			
>10% Vegetative Cover	0.05		0.05
Native Grasses >10%	0.05		0.05
Vernal Pool Associated Species	0.05		0.05
Listed Vernal Pool Associated Species	0.05		0.05
Fauna	0.20		0.15
Dominated by Native Fauna (reproducing)	0.05		0.05
Grassland-Associated Species (reproducing)	0.05		0.05
Sensitive Vernal Pool-Associated Species (reproducing)	0.05		0.05
Listed Vernal Pool-Associated Species (reproducing)	0.05		0.00
Ecosystem Functional Integrity	0.40		0.20
Contiguous w/Wetland and State-designated Sensitive Terrestrial Habitat	0.10		0.00
Under Regulatory Conservation	0.10		0.10
Variety of Pollinator/Dispersal Mechanisms Present (Wind, Wildlife)	0.10		0.10
Contiguous Native Habitat >40 acres	0.10		0.00
Total Habitat Value (HV)	1.00		0.75

Source: Sapphos Environmental, Inc. 2003.

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Master Plan Commitments/ Mitigation Measures		Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
MM-ET-3 Monitoring Agency: LAWA	<p>EI Segundo Blue Butterfly Conservation: Dust Control. To reduce the transport of fugitive dust particles related to construction activities, soil stabilization, watering or other dust control measures, as feasible and appropriate, shall be implemented with a goal to reduce fugitive dust emissions by 90 to 95 percent during construction activities within 2,000 feet of the EI Segundo Blue Butterfly Habitat Restoration Area. In addition, to the extent feasible, no grading or stockpiling for construction activities should take place within 100 feet of occupied habitat of the EI Segundo blue butterfly.</p>	Temporary construction impacts	Preconstruction/ construction	Once, upon execution of contracts, and periodically during construction	Inclusion of measure in construction contracts; Periodic reporting by construction monitor
Energy Supply					
E-1 Monitoring Agency: LAWA	<p>Energy Conservation and Efficiency Program. LAWA will seek to continually improve the energy efficiency of building design and layouts during the implementation of the LAX Master Plan. Title 24, Part 6, Article 2 of the California Administrative Code establishes maximum energy consumption levels for heating and cooling of new buildings to assure that energy conservation is incorporated into the design of new buildings. LAWA will design new facilities to meet or exceed the prescriptive standards required under Title 24. Some of the energy conservation measures that LAWA may incorporate into the design of new buildings and airports facilities may include the use of energy-efficient building materials, energy-saving lighting systems, energy-efficient air-conditioning systems, energy-efficient water-heating systems, and</p>	Avoid a substantial increase in energy consumption due to the development of new facilities	Prior to approval of building plans for each project involving new or substantially renovated buildings that consume electricity or natural gas	Once prior to approval of building plans	Approval of building plans by LADBS or LADPW, as appropriate

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Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>designed-in access for alternative means of surface transportation, including the Green Line and the APM. These energy conservation measures may be further improved upon as energy-saving design approaches and technologies develop.</p>				
<p>E-2 Monitoring Agency: LAWA</p> <p>Coordination with Utility Providers. LAWA will implement Master Plan activities in coordination with local utility providers. Utility providers will provide input on the layout of utilities at LAX to assure that LAX and the surrounding region receive both safe and uninterrupted service. When service by existing utility lines could be affected by airport design features, LAWA will work with the utility to identify alternative means of providing equivalent or superior post-construction utility service.</p>	<p>Potential for incompatibility and/or inefficiency of new utilities</p>	<p>Plan for each project to be completed prior to issuance of demolition permit, grading permit, building plans or B-Permit, whichever occurs first, as applicable</p>	<p>Once prior to issuance of applicable permit</p>	<p>Submittal of utility compatibility plan to the satisfaction of affected utilities</p>
<p>PU-1 Monitoring Agency: LAWA</p> <p>Develop a Utility Relocation Program. LAWA will develop and implement a utilities relocation program to minimize interference with existing utilities associated with LAX Master Plan facility construction. Prior to initiating construction of a Master Plan component, LAWA will prepare a construction evaluation to determine if the proposed construction will interfere with existing utility location or operation. LAWA will determine utility relocation needs and, for sites on LAX property, LAWA will develop a plan for relocating existing utilities as necessary before, during, and after construction of LAX Master Plan features. LAWA will implement the utility relocation program during construction of LAX Master Plan improvements.</p>	<p>Disturbance of existing utility lines/systems</p>	<p>Plan to be completed prior to issuance of demolition permit, grading permit, building permit or B-Permit, whichever occurs first, as applicable</p>	<p>Once prior to issuance of applicable permit</p>	<p>Submittal of utility relocation plan to the satisfaction of affected utilities</p>

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Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
Light Emissions				
LI-2 Monitoring Agency: LAWA	Avoidance of adverse glare effects on aviation and other sensitive uses	Prior to issuance of a building permit for each Master Plan project (excluding airfield projects)	Twice: Once during plan review and once during project construction, on a project-by-project basis	Sign-off on plans by LAWA prior to issuance of building permit and completion of site inspection for materials during construction
LI-3 Monitoring Agency: LAWA	Avoidance of adverse light and glare effects on aviation activities and other sensitive uses	Prior to issuance of any MEP permits or B-permits which include lighting	Once, during review of lighting plans on a project-by-project basis	Approval of lighting plans by LAWA prior to issuance of MEP permits or B-permits involving lighting

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Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
Solid Waste				
<p>SW-1 Monitoring Agency: LAWA</p> <p>Implement an Enhanced Recycling Program. LAWA will enhance their existing recycling program, based on successful programs at other airports and similar facilities. Features of the enhanced recycling program will include: expansion of the existing terminal recycling program to all terminals, including new terminals; development of a recycling program at LAX Northside/Westchester Southside; lease provisions requiring that tenants meet specified diversion goals; and preference for recycled materials during procurement where, practical and appropriate.</p>	<p>Generation of additional solid waste due to increased activity levels at LAX</p>	<p>Prior to issuance of certificate of occupancy for any use developed in LAX Northside, or approval of building permits for CTA improvements, whichever occurs first</p>	<p>Annually</p>	<p>Annual confirmation that LAX and LAX Northside are exceeding waste reductions requirements of AB 939</p>
<p>SW-2 Monitoring Agency: LAWA</p> <p>Requirements for the Use of Recycled Materials during Construction. LAWA will require, where feasible, that contractors use a specified minimum percentage of recycled materials during construction of LAX Master Plan improvements. The percentage of recycled materials required will be specified in the construction bid documents. Recycled materials may include, but are not limited to, asphalt, drywall, steel, aluminum, ceramic tile, cellulose insulation, and composite engineered wood products. The use of recycled materials in LAX Master Plan construction will help to reduce the project's reliance upon virgin materials and support the recycled materials market, decreasing the quantity of solid waste requiring disposal.</p>	<p>Indirect impacts to solid waste management facilities/capacity (i.e., increased use of recycled materials would reduce the amount of waste materials that would otherwise need to be managed/disposed of)</p>	<p>Prior to issuance of RFP/RFB for each construction project</p>	<p>Once, upon approval of contract for each project</p>	<p>Confirmation that general contractor's bid includes usage of specified minimum percentage of recycled materials</p>

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Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>SW-3 Monitoring Agency: LAWA</p> <p>Requirements for the Recycling of Construction and Demolition Waste. LAWA will require that contractors recycle a specified minimum percentage of waste materials generated during demolition and construction. The percentage of waste materials required to be recycled will be specified in the construction bid documents. Waste materials to be recycled may include, but are not limited to, asphalt, concrete, drywall, steel, aluminum, ceramic tile, and architectural details.</p>	<p>Indirect impacts to solid waste management facilities/capacity (i.e., recycling of demolition/construction wastes would reduce the amount of waste materials that would otherwise need to be managed/disposed of)</p>	<p>Prior to issuance of RFP/RFB for each construction project</p>	<p>Once, upon approval of construction contract for each project</p>	<p>Confirmation that general contractor's bid includes specified minimum percentage of demolition/construction waste to be recycled</p>
<p>Construction Impacts</p>				
<p>C-1 Monitoring Agency: LAWA</p>	<p>Traffic congestion and delays as they relate to the LAX Plan construction activities</p>	<p>Prior to issuance of any permits for first Master Plan project. Complete set of duties for this office will be established prior to issuance of any permit for a project that may significantly impact surface streets</p>	<p>Once, at establishment of LAWA's Construction Coordination Office</p>	<p>Establishment of Ground Transportation/Construction Coordination Office; Notification regarding duties, business hours, telephone numbers via the Internet and print media to the public</p>
<p>Establishment of a Ground Transportation/Construction Coordination Office. Establish this office for the life of the construction projects to coordinate deliveries, monitor traffic conditions, advise motorists and those making deliveries about detours and congested areas, and monitor and enforce delivery times and routes. LAWA will periodically analyze traffic conditions on designated routes during construction to see whether there is a need to improve conditions through signage and other means. This office may undertake a variety of duties, including but not limited to:</p> <ul style="list-style-type: none"> ◆ Inform motorists about detours and congestion by use of static signs, changeable message signs, media announcements, airport website, etc.; ◆ Work with airport police and the Los Angeles Police Department to enforce delivery times and routes; 				

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Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<ul style="list-style-type: none"> ◆ Establish staging areas; ◆ Coordinate with police and fire personnel regarding maintenance of emergency access and response times; ◆ Coordinate roadway projects of Caltrans, City of Los Angeles, and other jurisdictions with those of the airport construction projects; ◆ Monitor and coordinate deliveries; ◆ Establish detour routes; ◆ Work with residential and commercial neighbors to address their concerns regarding construction activity; and ◆ Analyze traffic conditions to determine the need for additional traffic controls, lane restriping, signal modifications, etc. 				
<p>C-2 Monitoring Agency: LAWA</p>	<p>Traffic congestion and delays as they relate to the LAX Plan construction activities</p>	<p>Prior to commencement of construction for each project</p>	<p>As required by arrival of new personnel</p>	<p>Contractor certification; signatures of orientation attendees</p>

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Master Plan Commitments/ Mitigation Measures		Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
Design, Art, and Architecture, Applications/Aesthetics					
MM-DA-1 Monitoring Agency: LAWA	Construction Fencing. Construction fencing and pedestrian canopies shall be installed by LAWA to the degree feasible to ensure maximum screening of areas under construction along major public approach and perimeter roadways, including Sepulveda Boulevard, Century Boulevard, Westchester Parkway, Pershing Drive, and Imperial Highway west of Sepulveda Boulevard. Along Century Boulevard, Sepulveda Boulevard, and in other areas where the quality of public views are a high priority, provisions shall be made by LAWA for treatment of the fencing to reduce temporary visual impacts.	Avoidance of temporary view degradation	Prior to issuance of grading or building permits for each project along a major public approach or perimeter roadway	Once, prior to issuance of grading or building permits for each project along a major public approach or perimeter roadway	Installation of construction fencing and pedestrian canopies to the extent feasible
Hazardous Materials					
HM-2 Monitoring Agency: LAWA	Handling of Contaminated Materials Encountered During Construction. Prior to the initiation of construction, LAWA will develop a program to coordinate all efforts associated with the handling of contaminated materials encountered during construction. The intent of this program will be to ensure that all contaminated soils and/or groundwater encountered during construction are handled in accordance with all applicable regulations. As part of this program, LAWA will identify the nature and extent of contamination in all areas where excavation, grading, and pile-driving activities are to be performed. LAWA will notify the appropriate regulatory agency when contamination has been identified. If warranted by the extent of the contamination, as determined by the regulatory agency with jurisdiction, LAWA will	Potential for encountering hazardous materials/waste during construction activities	Prior to initiation of construction of first Master Plan project	Once prior to construction of first Master Plan project	Preparation of Hazardous Materials/Wastes Management Plan

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Master Plan Commitments and Mitigation Measures for the Bradley West Project**

Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>conduct remediation prior to initiation of construction. Otherwise, LAWA will incorporate provisions for the identification, segregation, handling and disposal of contaminated materials within the construction bid documents. In addition, LAWA will include a provision in all construction bid documents requiring all construction contractors to prepare site-specific Health and Safety Plans prior to the initiation of grading or excavation. Each Health and Safety Plan would include, at a minimum, identification/description of the following: site description and features; site map; site history; waste types encountered; waste characteristics; hazards of concern; disposal methods and practices; hazardous material summary; hazard evaluation; required protective equipment; decontamination procedures; emergency contacts; hospital map and contingency plan.</p> <p>In the event that any threshold of significance listed in the Hazardous Materials section of the EIS/EIR for the LAX Master Plan is exceeded due to the discovery of soil or groundwater contaminated by hazardous materials or if previously unknown contaminants are discovered during construction or a spill occurs during construction, LAWA will notify the lead agency(ies) with jurisdiction and take immediate and effective measures to ensure the health and safety of the public and workers and to protect the environment, including, as necessary and appropriate, stopping work in the affected area until the appropriate agency has been notified.</p>				

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
Master Plan Commitments and Mitigation Measures for the Bradley West Project**

Master Plan Commitments/ Mitigation Measures		Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
Water Use					
W-1 Monitoring Agency: LAWA	Maximize Use of Reclaimed Water. To the extent feasible, LAWA will maximize the use of reclaimed water in Master Plan-related facilities and landscaping. The intent of this commitment is to maximize the use of reclaimed water as an offset for potable water use and to minimize the potential for increased water use resulting from implementation of the LAX Master Plan. This commitment will also facilitate achievement of the City of Los Angeles' goal of increased beneficial use of its reclaimed water resources. This commitment will be implemented by various means, such as installation and use of reclaimed water distribution piping for landscape irrigation.	Reduce demands for, and use of, potable water	Prior to approval of building plans for each project involving new or substantially renovated buildings that use water, and prior to approval of landscaping plans	Once, prior to approval of plans for affected project	Approval of plans for affected project
W-2 Monitoring Agency: LAWA	Enhance Existing Water Conservation Program. LAWA will enhance the existing Street Frontage and Landscape Plan for LAX to ensure the ongoing use of water conservation practices at LAX facilities. The intent of this program, to minimize the potential for increased water use due to implementation of the LAX Master Plan program, is also in accordance with regional efforts to ensure adequate water supplies for the future. Features of the enhanced conservation program will include identification of current water conservation practices and an assessment of their effectiveness; identification of alternate future conservation practices; continuation of the practice of retrofitting and installing new low-flow toilets and other water-efficient fixtures in all LAX buildings, as remodeling takes place or new construction occurs;	Avoid a substantial increase in water consumption due to the development of new facilities	Prior to the approval of building plans or landscaping plans for first Master Plan project involving water use (i.e., CTA Landside Terminal or LAX Northside development, whichever occurs first	Once, prior to approval of building plans or landscaping plans for first Master Plan project	Preparation of Water Conservation Program

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
Master Plan Commitments and Mitigation Measures for the Bradley West Project**

Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>use of Best Management Practices for maintenance; use of water efficient vegetation for landscaping, where possible; and continuation of the use of fixed automatic irrigation for landscaping.</p>				
Fire Protection				
<p>FP-1 Monitoring Agency: LAWA</p>	<p>Avoidance of compromised fire prevention and protection</p>	<p>Prior to issuance of building permits or B-permits</p>	<p>Once, upon sign-off of plans for each project</p>	<p>LAFD sign-off on plans prior to issuance of building permits or prior to issuance of B-permit for street improvements</p>
<p>LAFD Design Recommendations. During the design phase prior to initiating construction of a Master Plan component, LAWA will work with LAFD to prepare plans that contain the appropriate design features applicable to that component, such as those recommended by LAFD, and listed below:</p> <ul style="list-style-type: none"> ◆ Emergency Access. During Plot Plan development and the construction phase, LAWA will coordinate with LAFD to ensure that access points for off-airport LAFD personnel and apparatus are maintained and strategically located to support timely access. In addition, at least two different ingress/egress roads for each area, which will accommodate major fire apparatus and will provide for major evacuation during emergency situations, will be provided. ◆ Fire Flow Requirements. Proposed Master Plan development will include improvements, as needed, to ensure that adequate fire flow is provided to all new facilities. The fire flow requirements for individual Master Plan improvements will be determined in conjunction with LAFD and will meet, or exceed, fire flow requirements in effect at the time. 				

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
Master Plan Commitments and Mitigation Measures for the Bradley West Project**

Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<ul style="list-style-type: none"> ◆ <i>Fire Hydrants.</i> Adequate off-site public and on-site private fire hydrants may be required, based on determination by the LAFD upon review of proposed plot plans. ◆ <i>Street Dimensions.</i> New development will conform to the standard street dimensions shown on the applicable City of Los Angeles Department of Public Works Standard Plan. ◆ <i>Road Turns.</i> Standard cut-corners will be used on all proposed road turns. ◆ <i>Private Roadway Access.</i> Private roadways that will be used for general access and fire lanes shall have at least 20 feet of vertical access. Private roadways will be built to City of Los Angeles standards to the satisfaction of the City Engineer and the LAFD. ◆ <i>Dead-End Streets.</i> Where fire lanes or access roads are provided, dead-end streets will terminate in a cul-de-sac or other approved turning area. No fire lane shall be greater than 700 feet in length unless secondary access is provided. ◆ <i>Fire Lanes.</i> All new fire lanes will be at least 20 feet wide. Where a fire lane must accommodate a LAFD aerial ladder apparatus or where a fire hydrant is installed, the fire lane will be at least 28 feet wide. ◆ <i>Building Setbacks.</i> New buildings will be constructed no greater than 150 feet from the edge of the roadways of improved streets, access roads, or designated fire lanes. ◆ <i>Building Heights.</i> New buildings exceeding 28 feet in height may be required to provide 				

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
Master Plan Commitments and Mitigation Measures for the Bradley West Project**

Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<ul style="list-style-type: none"> ◆ additional LAFD access. ◆ <i>Construction/Demolition Access.</i> During demolition and construction activities, emergency access will remain unobstructed. ◆ <i>Aircraft Fire Protection Systems.</i> Effective fire protection systems will be provided to protect the areas beneath the wings and fuselage portions of large aircraft. This may be accomplished by incorporating foam-water deluge sprinkler systems with foam-producing and oscillating nozzle (per NFPA 409, aircraft hangars for design criteria). 				
<p>PS-1 Monitoring Agency: LAWA</p>	<p>Avoidance of compromised fire prevention and protection</p>	<p>Prior to any Master Plan activities affecting on-airport fire and police facilities</p>	<p>Once, upon completion of Fire and Police Facility Relocation Plan; as necessary during relocation process</p>	<p>Completion of Fire and Police Facility Relocation Plan</p>
<p>PS-2 Monitoring Agency: LAWA</p>	<p>Avoidance of compromised fire prevention and protection</p>	<p>Prior to any Master Plan activities affecting on-airport police and fire facilities</p>	<p>On-going during early design phase</p>	<p>Approval of facility program requirements by involved agencies</p>

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
Master Plan Commitments and Mitigation Measures for the Bradley West Project**

Master Plan Commitments/ Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
LE-2 Monitoring Agency: LAWA	and other agencies as appropriate, to evaluate and refine as necessary, program requirements for fire and police facilities. This coordination will ensure that final plans adequately support future facility needs, including space requirements, siting and design.	Law Enforcement	Once, prior to issuance of building permits for each project	Plan sign-off by LAWAPD and LAX Detail
	Unsafe facility/architectural design	Prior to issuance of building permits for each Master Plan project		

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
BWP-Specific Mitigation Measures**

BWP-Specific Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
Surface Transportation				
<p>MM-ST (BWP)-1 Monitoring Agency: LAWA</p> <p>Trip Reduction Measures. LAWA will implement the following trip reduction measures: (a) Continue to promote and expand the FlyAway services in accordance with LAX Master Plan Mitigation Measure MM-AQ-3. It is anticipated that the continued expansion of the FlyAway service will promote a shift in mode-share away from the private vehicle mode which would reduce traffic volume using the CTA roadway system. (b) Continue to promote the consolidation of shuttle services (e.g., hotel/motel, off-airport parking, rental cars) or programs to reduce trips associated with these modes.</p>	<p>Traffic congestion and delays along on-airport roadways during airport operations</p>	<p>Ongoing programs</p>	<p>Annually</p>	<p>Status updates/confirmation in annual MMRP progress report.</p>
<p>MM-ST (BWP)-2 Monitoring Agency: LAWA</p> <p>Improve the Intersection of Center Way and World Way South. Widen World Way South approach on the east side of the roadway to provide an additional right turn lane. The resulting configuration would be a single left turn lane, one through-left turn lane, two through lanes, and two right turn lanes. During the Future (2013) Without Project overall airport peak hour the intersection of Center Way and World Way South operates at a V/C of 0.978 which is LOS E. With an intersection operating at a LOS E condition, the volume to capacity ratio can be increased by 0.01 without generating an impact. This equates to an increase in the intersection's V/C ratio</p>	<p>Traffic congestion and delays at the intersection of Center Way and World Way South during airport operations</p>	<p>When traffic levels reach the conditions specified in the measure.</p>	<p>Once, upon completion of subject intersection improvement</p>	<p>Confirmation that the subject intersection has been completed.</p>

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
BWP-Specific Mitigation Measures**

BWP-Specific Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>from 0.978 to 0.988, or approximately 1.1 percent (i.e., 0.988/0.978) in the critical movement traffic volume without triggering an impact. LAWA will monitor traffic conditions at this intersection to determine when an estimated impact has been "triggered" in accordance with the LOS thresholds described above. Specifically, LAWA will monitor future CTA average daily traffic volumes in August to determine when CTA average daily traffic volumes have increased by more than 1.1 percent relative to the Future (2013) Without Project average daily traffic volumes. In addition, LAWA will record turning movement volumes at this intersection annually during the airport's peak month (August). When the August average daily CTA volumes have increased by 1.1 percent as compared to the Future (2013) Without Project estimated volume, LAWA will complete a V/C analysis using the same intersection methodology described in the Bradley West Draft EIR (Section 4.1.3.7) to determine if an impact has occurred. The mitigation measure would be constructed once both (a) the CTA average daily traffic volumes are 1.1 percent greater than the Future (2013) Without Project and (b) the V/C for the intersection meets or exceeds 0.988. The intersection analysis would be subject to approval by LADOT regarding timing of the mitigation measure.</p>	<p>Traffic congestion and delays along on-airport roadways during airport operations</p>	<p>Within two (2) years following completion of the Bradley West Project construction.</p>	<p>Once, upon completion of subject roadway widening</p>	<p>Confirmation that the subject roadway widening has been completed.</p>
<p>MM-ST (BWP)-3 Monitoring Agency: LAWA</p>	<p>Widen World Way Across from TBIT. Widen the arrivals-level outer roadway across from TBIT by changing the left-most lane that currently terminates at Center Way to a through/left lane and extending this lane to World Way South</p>			

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
BWP-Specific Mitigation Measures**

BWP-Specific Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>MM-ST (BWP)-4 Monitoring Agency: LAWA</p> <p>Modify the Intersection of Airport Boulevard and Manchester Avenue (Intersection #9). The eastbound approach to the Airport Boulevard and Manchester Avenue intersection shall be restriped to provide one left-turn lane, two through lanes, and a through/right lane. Three parking spaces on the south side of Manchester Avenue west of Belford Avenue and two parking spaces on the south side of Manchester Avenue east of Belford Avenue shall be restricted during the PM peak period. Alternatively, the westbound approach to the Airport Boulevard and Manchester Avenue intersection shall be restriped and the traffic signal modified to provide two left-turn lanes, two through lanes, and a right-turn lane. This mitigation measure will be implemented to the standards and satisfaction of the City of Los Angeles. Implementation of this measure shall occur if/when international passenger activity levels at TBIT increase to 19.7 million annual passengers.</p>	<p>Traffic congestion and delays at the intersection of Airport Boulevard and Manchester Avenue during airport operations</p>	<p>If/when international passenger activity levels at TBIT increase to 19.7 million annual passengers</p>	<p>Once, upon completion of subject intersection improvement</p>	<p>Confirmation that the subject intersection improvement has been completed.</p>
<p>MM-ST (BWP)-5 Monitoring Agency: LAWA</p> <p>Modify the Intersection of Arbor Vitae Street and Aviation Boulevard (Intersection #10). The eastbound approach to the Arbor Vitae Street and Aviation Boulevard intersection shall be widened to provide one left-turn lane, two through lanes, and a right-turn lane. This mitigation measure will be implemented to the standards and satisfaction of the City of Los Angeles and City of Inglewood. Implementation of this measure shall occur if/when international passenger activity levels at TBIT increase to 20.7 million annual passengers.</p>	<p>Traffic congestion and delays at the intersection of Arbor Vitae Street and Aviation Boulevard during airport operations</p>	<p>If/when international passenger activity levels at TBIT increase to 20.7 million annual passengers</p>	<p>Once, upon completion of subject intersection improvement</p>	<p>Confirmation that the subject intersection improvement has been completed.</p>

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
BWP-Specific Mitigation Measures**

BWP-Specific Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>MM-ST (BWP)-6 Monitoring Agency: LAWA</p> <p>Modify the Intersection of Imperial Highway and Sepulveda Boulevard (Intersection #71). The northbound approach to the Imperial Highway and Sepulveda Boulevard intersection shall be restriped to provide one left-turn lane, three through lanes, and two right-turn lanes. While restriping this intersection as described above would mitigate this impact, an alternative would be to widen the east side of Sepulveda Boulevard south of Imperial Highway to provide one left-turn lane, three through lanes, and two right-turn lanes on the northbound approach. However, provided the right-of-way is available, the provision of additional travel lane area would require disruption of traffic flows, generation of construction-related air pollutant emissions and noise impacts, and therefore the restriping is recommended rather than the widening. This mitigation measure will be implemented to the standards and satisfaction of the City of Los Angeles, City of El Segundo, and Caltrans. Implementation of this measure shall occur if/when international passenger activity levels at TBIT increase to 19.7 million annual passengers.</p>	<p>Traffic congestion and delays at the intersection of Imperial Highway and Sepulveda Boulevard during airport operations</p>	<p>If/when international passenger activity levels at TBIT increase to 19.7 million annual passengers</p>	<p>Once, upon completion of subject intersection improvement</p>	<p>Confirmation that the subject intersection has been improved has been completed.</p>

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
BWP-Specific Mitigation Measures**

BWP-Specific Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>MM-ST (BWP)-7 Monitoring Agency: LAWA</p> <p>Modify the Intersection of La Cienega Boulevard and I-405 Ramps N/O Century Boulevard (Intersection #96). The southbound approach to the La Cienega Boulevard and I-405 Ramps N/O Century Boulevard intersection shall be widened to provide two left-turn lanes and two through lanes. This mitigation measure will be implemented to the standards and satisfaction of the City of Los Angeles, City of Inglewood, and Caltrans. Implementation of this measure shall occur if/when international passenger activity levels at TBIT increase to 20.7 million annual passengers.</p>	<p>Traffic congestion and delays at the intersection of La Cienega Boulevard and I-405 Ramps N/O Century Boulevard during airport operations</p>	<p>If/when international passenger activity levels at TBIT increase to 20.7 million annual passengers</p>	<p>Once, upon completion of subject intersection improvement</p>	<p>Confirmation that the subject intersection improvement has been completed.</p>
<p>MM-ST (BWP)-8 Monitoring Agency: LAWA</p> <p>Modify the Intersection of La Tijera Boulevard and Sepulveda Boulevard (Intersection #101). The westbound approach to the La Tijera Boulevard and Sepulveda Boulevard intersection shall be restriped and the traffic signal modified to provide two left-turn lanes, one through lane, and a through/right lane. This mitigation measure will be implemented to the standards and satisfaction of the City of Los Angeles. Implementation of this measure shall occur if/when international passenger activity levels at TBIT increase to 18.7 million annual passengers.</p>	<p>Traffic congestion and delays at the intersection of La Tijera Boulevard and Sepulveda Boulevard during airport operations</p>	<p>If/when international passenger activity levels at TBIT increase to 18.7 million annual passengers</p>	<p>Once, upon completion of subject intersection improvement</p>	<p>Confirmation that the subject intersection improvement has been completed.</p>

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
BWP-Specific Mitigation Measures**

	BWP-Specific Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>MM-ST (BWP)-9 Monitoring Agency: LAWA</p>	<p>Modify the intersection of Sepulveda Boulevard and 76th/77th Street (Intersection #136). The eastbound approach to the Sepulveda Boulevard and 76th/77th Street intersection shall be restriped to provide two left-turn lanes, a through/left-turn lane, and one right-turn lane. This mitigation measure will be implemented to the standards and satisfaction of the City of Los Angeles. Implementation of this measure shall occur if/when international passenger activity levels at TBIT increase to 19.7 million annual passengers.</p>	<p>Traffic congestion and delays at the intersection of Sepulveda Boulevard and 76th/77th Street during airport operations</p>	<p>If/when international passenger activity levels at TBIT increase to 19.7 million annual passengers</p>	<p>Once, upon completion of subject intersection improvement</p>	<p>Confirmation that the subject intersection improvement has been completed.</p>
<p>MM-ST (BWP)-10 Monitoring Agency: LAWA</p>	<p>Modify the intersection of Imperial Highway and Main Street (Intersection #68). Modify the median island on the east leg of the intersection to provide a second left turn lane. The resulting westbound configuration would be comprised of a dual left-turn lane and two through lanes.</p>	<p>Traffic congestion and delays at the intersection of Imperial Highway and Main Street during project construction</p>	<p>Prior to start of construction of the Bradley West Project</p>	<p>Once, at issuance of grading permit</p>	<p>Approval of improvements by LADOT and City of El Segundo</p>
<p>MM-ST (BWP)-11 Monitoring Agency: LAWA</p>	<p>Modify the intersection of Imperial Highway and Pershing Drive (Inter-section #69). Widen the north side of the westbound approach of Imperial Highway to provide a second right-turn lane. The resulting westbound lane configuration would be comprised of one left turn lane, two through lanes, and two right turn lanes.</p>	<p>Traffic congestion and delays at the intersection of Imperial Highway and Pershing Drive during project construction</p>	<p>Prior to start of construction of the Bradley West Project</p>	<p>Once, at issuance of grading permit</p>	<p>Approval of improvements by LADOT</p>

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
BWP-Specific Mitigation Measures**

BWP-Specific Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>MM-ST (BWP)-12 Monitoring Agency: LAWA</p> <p>Distribution of Contractor Employee Parking between the Northwest Construction Staging/Parking Area and the East Contractor Employee Parking Area or Southeast Construction Staging/Parking Area. General parking for Bradley West Project contractor employees within the Northwest Construction Staging/Parking Area and within the East Contractor Employee Parking Area or Southeast Construction Staging/Parking Area shall be distributed such that neither the northwest area (i.e., Northwest Construction Staging/Parking Area) or the east/southeast area (i.e., East Contractor Employee Parking Area or Southeast Construction Staging/Parking Area) is assigned parking for more than 601 vehicles. Should the need for contractor employees' daily general parking exceed 601 vehicles in either of these areas (northwest area or east/southeast area), the additional increment of daily parking demand shall be assigned to the other area.</p>	<p>Traffic congestion and delays at off-airport intersections during project construction</p>	<p>Prior to start of construction of the Bradley West Project</p>	<p>Once, prior to finalization of construction bid documents for activities that would use the subject contractor employee parking areas.</p>	<p>[Confirmation that construction bid documents for activities involving the subject parking areas include the parking limitations specified in the measure.</p>

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
BWP-Specific Mitigation Measures**

BWP-Specific Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance	
Historical/Architectural and Archaeological/Cultural Resources					
<p>MM-HA (BWP)-1 Monitoring Agency: LAWA</p>	<p>Potential to unexpectedly encounter and impact subsurface archaeological resources, including Native American remains, during grading and excavation associated with the Bradley West Project</p>	<p>Prior to initiation of grading and/or excavation activities associated with the construction of the Bradley West Project</p>	<p>As per the Cultural Resource Monitor determining proposed project area being subject to archaeological monitoring, the extent and frequency of inspection shall be defined based on consultation with the archeologist</p>	<p>Conformance with LAX Master Plan Archaeological Treatment Plan</p> <p>Archaeological Treatment Plan. Prior to initiation of grading and construction activities, LAWA will retain an on-site Cultural Resource Monitor (CRM), as defined in the LAX Master Plan MMRP ATP, who will determine if the proposed project area is subject to archaeological monitoring. As defined in the ATP, areas are not subject to archaeological monitoring if they contain redeposited fill or have previously been disturbed. The CRM will compare the known depth of redeposited fill or disturbance to the depth of planned grading activities, based on a review of construction plans. If the CRM determines that the proposed project site is subject to archaeological monitoring, a qualified archaeologist (an archaeologist who satisfies the Secretary of the Interior's Professional Qualifications Standards [36 CFR 61]) shall be retained by LAWA to inspect excavation and grading activities that occur within native material. The extent and frequency of inspection shall be defined based on consultation with the archaeologist. Following initial inspection of excavation materials, the archaeologist may adjust inspection protocols as work proceeds.</p>	<p>Conformance with LAX Master Plan Archaeological Treatment Plan</p>

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
BWP-Specific Mitigation Measures**

BWP-Specific Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
Paleontological Resources				
<p>MM-PA (BWP)-1 Monitoring Agency: LAWA</p> <p>Conformance with LAX Master Plan Paleontological Management Treatment Plan. Prior to the initiation of grading and construction activities, LAWA will retain a professional paleontologist, as defined in the Final LAX Master Plan MMRP PMTP, who will determine if the project site exhibits a high or low potential for subsurface resources. If the project site is determined to exhibit a high potential for subsurface resources, paleontological monitoring will be conducted in accordance with the procedures stipulated in the PMTP. If the project site is determined to exhibit a low potential for subsurface deposits, excavation need not be monitored as per the PMTP. In the event that paleontological resources are discovered, the procedures outlined in the PMTP for the identification of resources will be followed.</p>	<p>Potential to unexpectedly encounter and impact subsurface paleontological resources during grading and excavation associated with the Bradley West Project</p>	<p>Prior to initiation of grading and/or excavation activities associated with the construction of the Bradley West Project</p>	<p>As per the professional paleontologist determining proposed project area being subject to paleontological monitoring, the extent and frequency of inspection shall be defined based on procedures outlined in the PMTP</p>	<p>Conformance with LAX Master Plan Paleontological Management Treatment Plan</p>
<p>MM-PA (BWP)-2 Monitoring Agency: LAWA</p> <p>Construction Personnel Briefing. In accordance with the PMTP, construction personnel will be briefed by the consulting paleontologist in the identification of fossils or fossiliferous deposits and in the correct procedures for notifying the relevant individuals should such a discovery occur.</p>	<p>Potential to unexpectedly encounter and impact subsurface paleontological resources during grading and excavation associated with the Bradley West Project</p>	<p>Prior to initiation of grading and/or excavation activities associated with the construction of the Bradley West Project</p>	<p>Once</p>	<p>Completion of briefing of construction personnel on identification of fossils or fossiliferous deposits and notification procedures in accordance with the PMTP</p>

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**Mitigation Monitoring and Reporting Program
Bradley West Project-Specific Mitigation Measures**

Bradley West Project-Specific Mitigation Measures	Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>MM-ST (BWP)-9 Monitoring Agency: LAWA</p> <p>Modify the Intersection of Sepulveda Boulevard and 76th/77th Street (Intersection #136). The eastbound approach to the Sepulveda Boulevard and 76th/77th Street intersection shall be restriped to provide two left-turn lanes, a through/left-turn lane, and one right-turn lane. This mitigation measure will be implemented to the standards and satisfaction of the City of Los Angeles. Implementation of this measure shall occur if/when international passenger activity levels at TBIT increase to 19.7 million annual passengers.</p>	<p>Traffic congestion and delays at the intersection of Sepulveda Boulevard and 76th/77th Street during airport operations</p>	<p>If/when international passenger activity levels at TBIT increase to 19.7 million annual passengers</p>	<p>(1) Prior to implementation of the intersection improvement, this measure will be monitored annually to determine whether TBIT passenger activity levels have reached 19.7 MAP, based on annual passenger activity reports. (2) Following implementation of the intersection improvement, the monitoring frequency will be reduced to occurring just once, upon completion of the intersection improvement</p>	<p>Confirmation that the subject intersection improvement has been completed</p>
<p>MM-ST (BWP)-10 Monitoring Agency:</p> <p>Modify the Intersection of Imperial Highway and Main Street (Intersection #68). Modify the median island on the east leg of the intersection to provide a second left turn lane. The resulting westbound</p>	<p>Traffic congestion and delays at the intersection of Imperial Highway and Main</p>	<p>The preparation of the intersection improvement plans, pursuant of</p>	<p>Once, upon completion of the subject intersection improvement</p>	<p>Confirmation that the subject intersection improvement has been completed</p>

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
Bradley West Project-Specific Mitigation Measures**

Bradley West Project-Specific Mitigation Measures	Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
LAWA	configuration would be comprised of a dual left-turn lane and two through lanes.	Street due to peak construction traffic	improvement	
MM-ST (BWP)-11 Monitoring Agency: LAWA	Modify the Intersection of Imperial Highway and Pershing Drive (Inter-section #69). Widen the north side of the westbound approach of Imperial Highway to provide a second right-turn lane. The resulting westbound lane configuration would be comprised of one left turn lane, two through lanes, and two right turn lanes.	Traffic congestion and delays at the intersection of Imperial Highway and Pershing Drive due to peak construction traffic	Once, upon completion of the subject intersection improvement	Confirmation that the subject intersection improvement has been completed
MM-ST (BWP)-12 Monitoring Agency:	Distribution of Contractor Employee Parking between the Northwest Construction Staging/Parking Area and the East Contractor Employee Parking Area or Southeast Construction Staging/Parking Area. General parking for Bradley	Traffic congestion and delays at off-airport intersections during project construction	Once, prior to finalization of construction bid documents for activities that	Confirmation that construction bid documents for activities involving the subject parking areas

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**Mitigation Monitoring and Reporting Program
BWP-Specific Mitigation Measures**

BWP-Specific Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<ul style="list-style-type: none"> ◆ <i>Schedule.</i> A schedule shall be developed, which includes planting, to occur in late fall and early winter (between October and January 30). ◆ <i>Maintenance plan/guidelines.</i> A three to five year maintenance plan shall include (1) weed control; (2) herbivory control; (3) trash removal; (4) irrigation system maintenance; (5) maintenance training; and (6) replacement seeding, if necessary. Ten percent of the original seed collected shall be stored in the event it is needed for replacement seeding. ◆ <i>Monitoring plan.</i> The monitoring plan shall include the following success criteria: <ul style="list-style-type: none"> - Germination, flowering and seed set of 60 percent of the original population size in year one; - Germination, flowering and seed set of 80 percent of the original population size by year three; - Germination, flowering and seed set of 100 percent of the original population size by year five. If these success criteria are not met, or are unlikely to be met within the required time periods, remedial measures will be required. Such measures could include reseeding, transplanting container plants or selection of an alternative site if required. This plan may include qualitative and quantitative monitoring. Qualitative monitoring includes site visits at regular intervals (i.e., monthly, quarterly, 				

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
BWP-Specific Mitigation Measures**

BWP-Specific Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>etc.) to determine the overall general performance of the site and maintenance needs. Quantitative monitoring is conducted on an annual basis and includes data collection specific to the performance standards established in the monitoring plan.</p> <ul style="list-style-type: none"> ◆ <i>Long-term preservation.</i> Long-term preservation of the site shall also be outlined in the conceptual mitigation plan to ensure that future development does not impact the mitigation site. 				
<p>MM-BC (BWP)-2 Monitoring Agency: LAWA</p>	<p>Potential loss of Lewis' evening primrose individuals that would result in a substantial adverse effect or reduction in population</p>	<p>Prior to any work activities, pre-construction focused surveys during the period of March through May to determine the presence or absence of Lewis' evening primrose. If it is determined that a substantial net reduction in population would occur, preparation of a special status plant mitigation program prior to initiation of construction of the Bradley West Project.</p>	<p>If required, as per special status plant mitigation program for Lewis' evening primrose; Regular site visits (e.g., quarterly, annually) for no more than 5 years or until germination, flowering and seed set of at least an equal number of plants impacted</p>	<p>If required, preparation of special status plant mitigation program; periodic monitoring report</p>

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
BWP-Specific Mitigation Measures**

BWP-Specific Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>If it is determined that a substantial net reduction in population would occur, LAWA or its designee shall prepare and implement a plan to compensate for the loss of individuals of the sensitive Lewis' evening primrose. LAWA or its designee shall collect seed from those plants to be removed, and properly clean and store the collected seed until used. A mitigation site of suitable habitat equal to the area of impact shall be delineated within the boundaries of LAX or at a suitable off-site location. If a site at LAX is selected, site selection will occur in consultation with LAWA's USDA Wildlife Hazard Biologist and will be consistent with FAA Advisory Circular No. 150/5200-33 "Hazardous Wildlife Attractants on or Near Airports" and LAWA's "LAX Wildlife Hazard Mitigation Plan" to avoid increasing wildlife hazards to aircraft. Collected seed shall be broadcast (distributed) after the first wetting rain. LAWA or its designee shall implement a monitoring plan to monitor the establishment of individuals of Lewis' evening primrose for a period of not more than five years. Performance criteria shall include the establishment of an equal number of plants as that impacted in the first year following the distribution of seed within the mitigation site. Performance criteria shall also include confirmation of recruitment for two years following the first year flowering is observed and establishment of individuals throughout the mitigation area within three years following the first year flowering is observed.</p>				

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
BWP-Specific Mitigation Measures**

BWP-Specific Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>MM-BC (BWP)-3 Monitoring Agency: LAWA</p> <p>Conservation of Floral Resources: California Spineflower. Prior to any work activities (i.e., vegetation clearing, invasive species removal and/or spraying, and sediment removal) on the project site, including construction staging areas, pre-construction focused surveys shall be conducted during the period of March through July by a qualified biologist to determine the presence or absence of California spineflower. Known populations of this species shall be monitored to determine the best time to conduct the surveys. The surveys shall follow guidelines developed by the CNPS and the CDFG. If this species is not observed, no further mitigation shall be required. If this plant species is observed on-site, a qualified botanist and LAWA shall evaluate the number of individuals, their location and the type of impact that would occur to determine if the anticipated impact would result in a substantial adverse effect or substantial net reduction in the population, given the species' rarity and abundance. If impacts are deemed not significant, no additional measures are warranted.</p> <p>If impacts to California spineflower are found to be adverse, LAWA or its designee shall prepare and implement a plan to compensate for the loss of individuals of the sensitive California spineflower. LAWA or its designee shall collect seed from those plants to be removed, and properly clean and store the collected seed until used. A mitigation site of suitable habitat equal to the area of impact shall be delineated within the boundaries of LAX or at a suitable off-site location. If a site at LAX is selected,</p>	<p>Potential loss of California spineflower individuals that would result in a substantial adverse effect or substantial net reduction in population</p>	<p>Prior to any work activities, pre-construction focused surveys during the period of March through July to determine the presence or absence of California spineflower. If it is determined that a substantial net reduction in population would occur, preparation of a special status plant mitigation program prior to initiation of construction of the Bradley West Project</p>	<p>If required, as per special status plant mitigation program for California Spineflower; Regular site visits (e.g., quarterly, annually) for no more than 5 years or until germination, flowering and seed set of at least an equal number of plants impacted</p>	<p>If required, preparation of special status plant mitigation program; periodic monitoring report</p>

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
BWP-Specific Mitigation Measures**

BWP-Specific Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>site selection will occur in consultation with LAWA's USDA Wildlife Hazard Biologist and will be consistent with FAA Advisory Circular No. 150/5200-33 "Hazardous Wildlife Attractants on or Near Airports" and LAWA's "LAX Wildlife Hazard Mitigation Plan" to avoid increasing wildlife hazards to aircraft. Collected seed shall be broadcast (distributed) after the first wetting rain. LAWA or its designee shall implement a monitoring plan to monitor the establishment of individuals of California spineflower for a period of not more than five years. Performance criteria shall include the establishment of an equal number of plants as that impacted in the first year following the distribution of seed within the mitigation site. Performance criteria shall also include confirmation of recruitment for two years following the first year flowering is observed and establishment of individuals throughout the mitigation area within three years following the first year flowering is observed.</p>	<p>Potential loss of burrowing owl individuals</p>	<p>Prior to any work activities within the Southeast Construction Staging/Parking Area, a survey for burrows that could be used by burrowing owls and, if burrows are present, four additional surveys between April 15</p>	<p>If required, annual removal of burrows between September and January</p>	<p>If required, preparation of Habitat Restoration Plan ; [JULIE: MM-BC-8 applied only to jackrabbit and shrike]</p>
<p>MM-BC (BWP)-4 Monitoring Agency: LAWA</p>	<p>Conservation of Faunal Resources: Burrowing Owl. Prior to any work activities (i.e., vegetation clearing, invasive species removal and/or spraying, and sediment removal) within the Southeast Construction Staging/Parking Area (also known as the Continental City site), a survey for burrows by a qualified biologist will be conducted by walking through the suitable habitat within the site in accordance with CDFG-accepted protocols. If the site contains burrows that could be used by burrowing owls, four surveys will be conducted during the burrowing owl breeding season (April 15 through July 15). If an active burrow is observed during the nesting</p>			

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
BWP-Specific Mitigation Measures**

BWP-Specific Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>season, disturbance of the owls would constitute a significant impact and the burrow will be protected until nesting activity has ended to ensure compliance with Section 3503.5 of the California Fish and Game Code. Nesting activity for burrowing owl normally occurs from February 1 through August 31. To protect any active burrow, the following restrictions are required between February 1 and August 31 (or until burrows are no longer active as determined by a qualified biologist): (1) clearing limits will be established a minimum of 300 feet in any direction from any occupied nest and (2) access and surveying will be restricted within 200 feet of any occupied nest. Any encroachment into the 300/200 foot buffer area around the known nest will only be allowed if it is determined by a qualified biologist that the proposed activity will not disturb the nest occupants. These avoidance measures will be coordinated with LAWA's USDA Wildlife Hazard Biologist and will be consistent with FAA Advisory Circular No. 150/5200-33 "Hazardous Wildlife Attractants on or Near Airports" and LAWA's "LAX Wildlife Hazard Management Plan."</p> <p>If nesting individuals are observed, LAWA or its designee will develop and implement a habitat replacement plan to compensate for the loss of habitat associated with use of the site for construction staging and parking. The objective of the habitat replacement plan will be to replace the habitat value to be lost with equal or greater habitat value. The habitat replacement will occur at an off-site location to avoid potential conflicts with aircraft activities at LAX. Off-site locations for habitat replacement may include</p>		<p>and July 15 followed by annual removal of any burrows onsite between September and January until such time as the entire staging area is in active use.</p>		

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
BWP-Specific Mitigation Measures**

BWP-Specific Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>Madrona Marsh Nature Center in Torrance, Three Sisters Reserve located on the Palos Verdes Peninsula, or another location deemed appropriate. Whether or not any nesting burrowing owls are identified on-site, after the end of the nesting period (August 31), LAWA or its designee will remove all burrows from the site on a monthly basis between September and January. Removal may include physically collapsing the burrows or installing one-way doors in burrow entrances. Such maintenance will continue annually until such time as the entire staging area is in active use.</p>				
<p>MM-BC (BWP)-5 Monitoring Agency: LAWA</p> <p>Conservation of Faunal Resources: Loggerhead Shrike. If construction is scheduled to occur during the nesting season for the loggerhead shrike (March 15 to August 15), vegetation that will be impacted by the proposed project shall be removed outside the nesting season if feasible. If this is not feasible, a qualified biologist shall inspect the shrubs/trees at least 14 days prior to construction activities to ensure that no nesting shrike are present. If a nest is present, construction avoidance measures shall include flagging of all active nests and a 300-foot wide buffer area around the active nests. These construction avoidance measures will be coordinated with LAWA's USDA Wildlife Hazard Biologist and will be consistent with FAA Advisory Circular No. 150/5200-33 "Hazardous Wildlife Attractants on or Near Airports" and LAWA's "LAX Wildlife Hazard Mitigation Plan" to avoid increasing wildlife hazards to aircraft. In addition, a Biological Monitor shall be present to</p>	<p>Potential loss of nesting loggerhead shrike individuals</p>	<p>If construction is scheduled to occur between March 15 and April 15, removal of vegetation outside the nesting season, if feasible. If not feasible, pre-construction surveys 14 days prior to construction.</p>	<p>If nests are present, a Biological Monitor shall be present between March 15 and August 15</p>	<p>If required, establishment of construction avoidance measures and onsite monitoring between March 15 and August 15</p>

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
BWP-Specific Mitigation Measures**

BWP-Specific Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>ensure the buffer area is not infringed upon and vegetation clearing within the designated 300-foot buffer only takes place from August 16 to March 14.</p> <p>MM-BC (BWP)-6 Monitoring Agency: LAWA</p> <p>Conservation of Faunal Resources: San Diego Black-Tailed Jackrabbit. Prior to the commencement of clearing operations or other activities involving significant soil disturbance at locations identified in Table 4.7-2 with suitable habitat, a survey shall be conducted to locate black-tailed jackrabbits within 100 feet of the outer extent of projected soil disturbance activities. The locations of any observed jackrabbits shall be clearly marked and identified on the construction plans. If this species is present, a monitoring biologist shall be on-site during any clearing to flush the jackrabbit from occupied habitat areas immediately prior to brush-clearing and earth-moving activities. The monitoring biologist shall have authority to halt construction activities until individual jackrabbits can be removed from the construction impact areas to assure that the jackrabbit shall not be directly impacted by brush-clearing and earth-moving equipment in a manner that also allows for construction activities on a timely basis.</p>	<p>Potential loss of San Diego black-tailed jackrabbit individuals</p>	<p>Prior to commencement of clearing operations or other activities involving significant soil disturbance within the Northwest Construction Staging/Parking Area, West Construction Staging Area, or Southeast Construction Staging/Parking Area</p>	<p>If species is present, a monitoring biologist shall be onsite prior to and during any brush-clearing and earth-moving activities</p>	<p>If required, onsite monitoring during brush-clearing and earth-moving activities</p>
<p>MM-BC (BWP)-7 Monitoring Agency: LAWA</p> <p>Conservation of Floral Resources: Mature Tree Replacement. LAWA or its designee shall compensate at a ratio of 2:1 for the loss of mature trees, which would occur as a result of implementation of Northwest Construction Staging/Parking Area. The species of newly planted replacement trees shall be local native tree species to the extent feasible. Each mitigation tree shall be at least a 15-gallon or larger</p>	<p>Potential loss of mature trees</p>	<p>Prior to removal of mature trees within the Northwest Construction Staging/Parking Area</p>	<p>If mitigation occurs within LAX boundaries, periodic site visits to ensure trees are established</p>	<p>Replacement of trees, if required</p>

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
BWP-Specific Mitigation Measures**

BWP-Specific Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>specimen. The replacement will be implemented within the boundaries of LAX or at a suitable off-site location. It mitigation occurs within LAX boundaries, the replacement site and tree species will be determined in consultation with LAWA's USDA Wildlife Hazard Biologist and will be consistent with FAA Advisory Circular No. 150/5200-33 "Hazardous Wildlife Attractants on or Near Airports" and LAWA's "LAX Wildlife Hazard Mitigation Plan" to avoid increasing wildlife hazards to aircraft.</p>				
<p>MM-BC (BWP)-8 Monitoring Agency: LAWA</p> <p>Conservation of Faunal Resources: Nesting Birds/Raptors. To comply with the Migratory Bird Treaty Act, for those areas of the project site that are not actively maintained and have a potential for nesting birds/raptors, if construction is scheduled to occur during the nesting season for birds/raptors (generally February 1 to June 30 for raptors and March 15 to August 15 for nesting birds), vegetation that will be impacted by the proposed project shall be removed outside the nesting season if feasible. If this is not feasible, then a qualified biologist shall inspect the shrubs/trees prior to project activities to ensure that no nesting birds/raptors are present. If the biologist finds an active nest within the construction area and determines that the nest may be impacted, the biologist will delineate an appropriate buffer zone; the size of the buffer zone will depend on the species and the type of construction activity, and will be determined in consultation with CDFG. Only construction activities (if any) that have been approved by a Biological Monitor will take place within the buffer zone until the nest is vacated. The biologist</p>	<p>Potential loss of nesting birds/raptors subject to the Migratory Bird Treaty Act</p>	<p>If construction occurs between February 1 and August 15, removal of vegetation outside the nesting season, if feasible. If not feasible, pre-construction surveys.</p>	<p>If active nests are present and may be impacted, a Biological Monitor shall be present during those periods when construction activities will occur near active nest areas.</p>	<p>If required, establishment of buffer zones and construction avoidance measures between February 1 and August 15.</p>

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
BWP-Specific Mitigation Measures**

BWP-Specific Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
	<p>shall serve as a construction monitor during those periods when construction activities shall occur near active nest areas to ensure that no inadvertent impacts on these nests shall occur. These construction avoidance measures will be coordinated with LAVA's USDA Wildlife Hazard Biologist and will be consistent with FAA Advisory Circular No. 150/5200-33 "Hazardous Wildlife Attractants on or Near Airports" and LAVA's "LAX Wildlife Hazard Mitigation Plan" to avoid increasing wildlife hazards to aircraft.</p>			
<p>MM-ET (BWP)-1 Monitoring Agency: LAWA</p>	<p>Endangered and Threatened Species of Flora and Fauna</p>			
	<p>Mitigation for Riverside Fairy Shrimp. If Riverside fairy shrimp are found to be located on-site, LAWA shall coordinate with FAA and USFWS to initiate consultation under the federal Endangered Species Act and prepare a Mitigation Plan in consultation with the USFWS. The plan shall provide mitigation for direct impacts to affected habitat through salvage and relocation of soil containing Riverside fairy shrimp. The receiver site of the soil and cysts shall be equal or greater in biological value, as determined by the USFWS.</p> <p>Specific requirements of the Mitigation Plan shall be subject to the Section 7 consultation with USFWS, but generally will require that soils containing embedded cysts of the Riverside fairy shrimp be salvaged and translocated to created Riverside fairy shrimp habitat at a suitable site. One potential site is the Madrona Marsh Nature Center in Torrance, 20 miles south of</p>	<p>If required, preparation of Mitigation Plan for Riverside fairy shrimp prior to clearing or other construction activities within the Southeast Construction Staging/Parking Area; Implementation per Mitigation Plan</p>	<p>If required, monthly during the first year of implementation, quarterly in years 2-4, biannually in years 5, 7 and 9, annually in year 10</p>	<p>If required, preparation of Mitigation Plan for Riverside Fairy Shrimp; annual monitoring reports due on September 1 of each specified monitoring year</p>

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
BWP-Specific Mitigation Measures**

BWP-Specific Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>LAX. Responsibility for habitat creation and maintenance of the created habitat may be transferred to a LAWA designee at any time with USFWS approval.</p> <p>Soils containing embedded cysts of the Riverside fairy shrimp shall not be translocated to the created habitat until the habitat is established and has met certain success criteria specified during Section 7 consultation. Success criteria for the created habitat will likely include holding water for a minimum of 60 days, having less than 10 percent absolute cover exotic herbaceous species within the created habitat, having less than 20 percent absolute cover of exotic herbaceous species within 300 feet of the area from limits of the created habitat, removal of all non-herbaceous plant species within the created habitat and 300 feet from the created habitat annually, and providing suitable water quality for Riverside fairy shrimp. Duration of inundation, exotic species removal, and water quality analyses may be undertaken within the first year after habitat creation. The performance criteria for percent absolute cover of exotic herbaceous species within 300 feet of the area from limits of the created habitat may be redesignated by mutual agreement of FAA, LAWA, and USFWS.</p> <p>Upon meeting success criteria and approval from the USFWS, soils containing embedded cysts of the Riverside fairy shrimp may be brought to the created habitat. LAWA shall make every effort to collect all cyst-bearing soils from the entire surface area of the occupied habitat, however it is expected that some small number of undetected individual cysts will</p>				

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
BWP-Specific Mitigation Measures**

BWP-Specific Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>remain in the soil. Soil containing the cysts shall be salvaged and translocated during the dry season to minimize damage to the cysts during transport. The soil shall be collected using a hand trowel, removed in chunks, and kept out of direct sunlight to ensure viability. Soil shall be stored in properly labeled boxes or bags with adequate ventilation. The soils shall then be deposited and spread out in small basins or pool-like areas of similar size without active mechanical compaction to minimize potential damage to the cysts. Any potential indirect environmental impacts resulting from habitat construction activities shall be compliant with best management practices and terms and conditions stipulated by the permitting agencies.</p> <p>LAWA or its designee, in conjunction with the USFWS and a qualified wildlife biologist, shall also develop a program to monitor created habitat for the presence of Riverside fairy shrimp as described in the Mitigation Plan. LAWA shall be responsible for implementing a monitoring and reporting program to demonstrate successful achievement of the performance standards to be determined in consultation with USFWS for off-site relocation over a 10-year period:</p> <ul style="list-style-type: none"> ◆ Monthly during the first year, following relocation of soils containing embedded cysts of the Riverside fairy shrimp ◆ Quarterly in the second, third, and fourth years, following relocation of soils containing embedded cysts of the Riverside fairy shrimp ◆ Biannually in the fifth, seventh, and ninth years, following relocation of soils containing embedded 				

Bradley West Project Mitigation Monitoring and Reporting Program

**Mitigation Monitoring and Reporting Program
BWP-Specific Mitigation Measures**


BWP-Specific Mitigation Measures	Potential Impact Being Addressed	Timing of Implementation	Monitoring Frequency	Actions Indicating Compliance
<p>cysts of the Riverside fairy shrimp</p> <ul style="list-style-type: none"> ◆ Annually in the tenth year, following relocation of soils containing embedded cysts of the Riverside fairy shrimp <p>LAWA shall provide the USFWS with annual monitoring reports as specified in the Mitigation Plan. The monitoring report, due on September 1 of each specified monitoring year, shall provide information regarding the implementation of habitat creation, restoration, and maintenance activities. The yearly report shall also discuss the effectiveness of the project as it pertains to the existing condition of the created habitat and Riverside fairy shrimp population. To measure the effectiveness of the created habitat, the FAA and LAWLA shall work with the USFWS to develop long-term goals and objectives as part of their habitat creation plan.</p>				


Bradley West Project Mitigation Monitoring and Reporting Program

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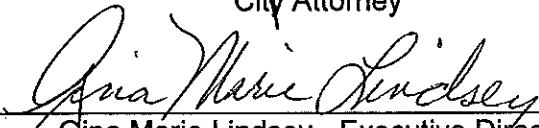


BOARD OF AIRPORT COMMISSIONERS REPORT


Approved by: Intissar Durham, Chief Airports Engineer


Reviewed by: Roger Johnson, Deputy Executive Director


City Attorney


Gina Marie Lindsey - Executive Director

Meeting Date:

September 21, 2009

CAO Review:

<input type="checkbox"/>	Completed
<input type="checkbox"/>	Pending
<input checked="" type="checkbox"/>	N/A

Date Reviewed & Reviewer Initials:

Capital Budget	08/28/09	N/A
Operating Budget	08/28/09	RW
CEQA	08/26/09	AE
Contract Services	08/31/09	TJ

SUBJECT:

Request For Bids

AUTHORIZATION to ADVERTISE the Request For Bids for "ELEVATORS, ESCALATORS AND MOVING WALKS SYSTEM UPGRADES FOR PRIORITY II, III, and IV UNITS at LOS ANGELES INTERNATIONAL AIRPORT:

RECOMMENDATION:

Management RECOMMENDS that the Board of Airport Commissioners:

1. ADOPT the Staff Report.
2. DETERMINE that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article III, Class 1(32) of the Los Angeles City CEQA Guidelines.
3. AUTHORIZE the Executive Director to advertise for bids "Elevators, Escalators and Moving Walks System Upgrades for Priority II, III, and IV Units at Los Angeles International Airport (LAX)".

DISCUSSION:

1. Executive Summary

Staff requests that Los Angeles World Airports' (LAWA) Board of Airport Commissioners (BOAC) authorize the Executive Director to advertise the Request For Bids (RFB) for the projects entitled "Elevators, Escalators and Moving Walks System Upgrades for Priority II, III, and IV Units at Los Angeles International Airport (LAX)". The project will be advertised in three bid groups as follows: Equipment Procurement and Installation; General Construction – Site Modifications; and General Construction – New Machine Room-Less Elevators. Once bids are received and evaluated, staff will come back to the BOAC with recommendations on award of contracts.

This authorization to advertise for new bids will allow LAWA to replace and/or upgrade all remaining 172 old and under-performing elevators, escalators and moving walks in the Central Terminal Area (CTA) and administration areas at LAX. No further authorizations to advertise for bids will be required.

2. Prior Related Actions

By Resolution No. 23673, dated December 1, 2008, the BOAC approved Contract No. DA-4313 with Hellmuth, Obata+Kassabaum, Inc. (HOK) to provide complete on-call aviation professional services for various projects at LAX, LA/Ontario International Airport, and Van Nuys Airport. One of these projects was to provide design documents, construction documents, and support services for the replacement and modernization of Priority I elevators and escalators at LAX.

By Resolution No. 23695, dated January 12, 2009, the BOAC authorized the Executive Director to advertise for bids to procure Priority I elevators, escalators and moving walks from manufacturers who would also perform the installation, and for a general contractor to perform field work to prepare the site for installation.

By Resolution No. 23788, dated May 18, 2009, the BOAC approved the award of Contract No. DA-4344 to Kone, Inc. for the procurement and installation of 48 Priority I units at LAX.

By Resolution No. 23877, dated August 17, 2009, the BOAC approved the amendment to HOK Contract DA-4313 (with amendment DA-4313A) for the complete design survey and design drawing development for the remaining 172 units at LAX.

By Resolution No. 23880, dated August 17, 2009, the BOAC approved the award of Contract No. DA-4371 to W.E. O'Neil Construction Co. for the site modifications to allow the previously procured equipment to be installed.

3. Current Action

This authorization to advertise for new bids will allow LAWA to replace and/or upgrade all remaining 172 old and under-performing elevators, escalators and moving walks in the Central Terminal Area (CTA) and administration areas at LAX. Once bids are received and evaluated, staff will come back to the BOAC with recommendations on award of contracts.

No further authorizations to advertise for bids will be required for this critical infrastructure improvement program at LAX.

HOK's design contract for the Priority I units has been amended to include design and bid plans for all remaining 172 Priority II, III and IV units at LAX. All field design surveys and the new transit duty equipment installation plans for each custom installation are nearing completion. The plans include all infrastructure upgrades to structural, electrical, plumbing, mechanical, fire safety, and architectural features at each unit. All seismic, code and disabled access (ADA) required upgrades are also being incorporated into the plans.

Project delivery methods have been investigated and staff determined that the most efficient means of delivering these projects, and securing the advantageous pricing due to current market conditions, is to procure the escalators, hydraulic elevators and moving walks directly from the manufacturers concurrent with design development of the required site modifications. Once the site designs are completed, bids will be issued to secure General Contractors to complete the site specific modifications. Staff anticipates that through this BOAC approval, three bid packages will be released as follows:

- Equipment Procurement and Installation for Priority II, III, and IV Units;
- General Contractor – Site Modifications; and
- General Contractor - New Machine Room-Less Elevators.

The scope of the General Construction (GC) contracts will include all demolition, site modifications, upgrades, rebuilds, utilities installations, code upgrades and finish work.

Staff anticipates five distinct advantages to separating the equipment procurement and installation bids from the GC bids:

- LAWA will be able to purchase the long lead time escalators at prices below the national average;
- the installation plan designs based on the specific manufacturer's equipment requirements can be accelerated;
- equipment suppliers are able to provide input during plan development;
- the placement of early equipment orders minimizes the risk of equipment delivery delays; and
- greater control on the maintenance and service contracts from the equipment manufacturer.

Staff requests the BOAC's authorization for the Executive Director to advertise for bids "Elevators, Escalators and Moving Walks System Upgrades for Priority II, III, and IV Units at Los Angeles International Airport (LAX)".

4. Alternatives Considered

Charter Section 1022 Process –

Take no action or delay the project – If we do not proceed with this project, LAWA will continue to experience numerous failures of the elevators, escalators and moving walks at LAX. In some locations elevators and escalators do not currently have redundancy and a shutdown forces passengers to use stairways. Throughout the CTA, the heavy

maintenance demands are left unsatisfied at increasing rates, and units are being shut down more frequently. Without this project, maintenance demands and costs will continue to skyrocket and passenger flows will be impacted more frequently. Also, delays to procuring and installing these Priority II, III, and IV Units could cost LAWA more in the long term due to the favorable market conditions at this time.

Use Existing LAWA staff – LAWA does not have sufficient staff to perform the demolition of the existing equipment, build-outs for the new equipment, or installation of the new equipment. Current construction and maintenance staff is dedicated to keeping the existing equipment operational and cannot afford any time to do other tasks.

FISCAL AND ECONOMIC IMPACT STATEMENT:

At this time, only authorization to advertise for bids for this program is requested. The estimated cost of developing, printing, advertising, and distributing the RFBs will be \$5,000 for reproduction of plans and specifications and \$10,000 for advertisement in applicable trade papers for a total cost of \$15,000.

Funds for the advertisement and release of these RFBs are currently available in the Fiscal Year 2009-2010 Los Angeles World Airports Operating Budget in Cost Center 1150122 – Major Projects Division, Commitment Item 524 – Advertising and Public Relations.

The estimated total cost for the Procurement of Elevators, Escalators and Moving Walks for this phase of work is \$64 million. The estimated total cost for the General Construction – Site Modifications is \$39 million. The estimated total cost of the General Construction – New Machine Room-Less Elevators is \$76 million. All total costs referenced herein include estimated hard and soft costs. Funds for the resulting contracts in an amount totaling \$179 million will be allocated by the BOAC at the time that an Award of Contract is requested. No allocation of capital funds is required at this time.

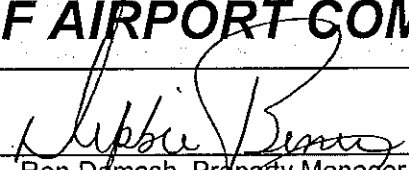
STANDARD PROVISIONS:

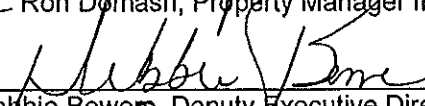
1. "Elevators, Escalators and Moving Walks System Upgrades for Priority II, III, and IV Units at Los Angeles International Airport (LAX)", includes installation, maintenance or modification of mechanical equipment and public convenience devices and facilities which are accessory to the use of existing structures or facilities involving negligible or no expansion of use is exempt from the requirements of the California Environmental Quality Act (CEQA) as provided by Article III, Class 1(32) of the Los Angeles City CEQA Guidelines.
2. The specifications for this project have been approved as to form by the City Attorney.
3. Action taken on this item by the BOAC will become final pursuant to the provisions of the Los Angeles City Charter Section 245.
4. This item is statutorily exempt from the provisions of the Living Wage/Service Contractor Worker Retention Ordinances.

5. Contract Services has reviewed this item and established a 20% combined Minority/Women Business Enterprise level of participation for these projects.
6. The selected bidders must submit an Affirmative Action Plans and comply with the provisions of the Affirmative Action Program.
7. The selected bidders must provide a Business Tax Registration Certificate number prior to contract execution.
8. The selected bidders will be required to comply with the provisions of the Child Support Obligations Ordinance.
9. The selected bidders will be required to have approved insurance documents, in the terms and amounts required, on file with Los Angeles World Airports.
10. This item is not subject to the provisions of Charter Section 1022 (Use of Independent Contractors).
11. The selected bidders will be subject to the provisions of the Contractor Responsibility Program.
12. The selected bidders will be subject to the provisions of the Equal Benefits Ordinance.
13. The selected bidders will be required to comply with the provisions of the First Source Hiring Program for all non-trade LAX Airport jobs once the Program is formally implemented by LAWA.

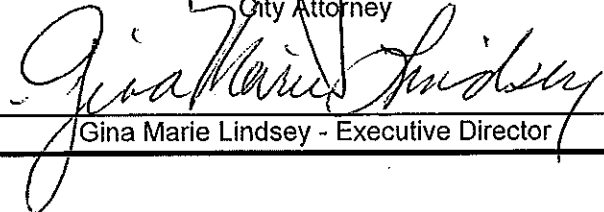


BOARD OF AIRPORT COMMISSIONERS REPORT

Approved by: 
Ron Domash, Property Manager II

Reviewed by: 
Debbie Bowers, Deputy Executive Director

 CA
City Attorney


Gina Marie Lindsey - Executive Director

Meeting Date:

September 21, 2009

CAO Review:

Completed
 Pending
 N/A

Date Reviewed & Reviewer Initials:

Capital Budget	N/A	ds
Operating Budget	08/07/09	rw
CEQA	07/27/09	kh
Contract Services	08/17/09	lj

SUBJECT:

CONSENT TO ASSIGNMENT, LEASE AWARD, AND CONSENT TO SUBLEASE

ADOPT a NEGATIVE DECLARATION for the CASTLE AND COOKE AVIATION SERVICES, INC. VAN NUYS AIRPORT FBO PROJECT; APPROVE CONSENT TO ASSIGNMENT of Lease VNA-8327 from THORNTON AVIATION, LLC, a California limited liability company, to CASTLE AND COOKE AVIATION SERVICES, INC., a California corporation; APPROVE a 30-year consolidated LEASE between the CITY OF LOS ANGELES and CASTLE AND COOKE AVIATION SERVICES, INC. at VAN NUYS AIRPORT; APPROVE CONSENT TO SUBLEASE between CASTLE AND COOKE AVIATION SERVICES, INC. and THORNTON AIRCRAFT COMPANY, LLC.

RECOMMENDATION:

Management RECOMMENDS that the Board of Airport Commissioners:

1. ADOPT the Staff Report.
2. CONSIDER the proposed Negative Declaration together with the comments received during the public review period.
3. FIND on the basis of the entire record, including the Initial Study and all comments received:
 - a. That there is no substantial evidence that this project will have a significant effect on the environment; and

- b. That the project will not result in a safety hazard or noise problem for persons using the airport or for persons residing or working in the project area; and
 - c. That the Initial Study/Negative Declaration reflects the independent judgment and analysis of the Board.
4. ADOPT the proposed Negative Declaration.
 5. APPROVE the Consent to Assignment of Lease VNA-8327 from Thornton Aviation, LLC, to Castle & Cooke Aviation Services, Inc.
 6. APPROVE proposed 30-year consolidated Lease between the City of Los Angeles and Castle & Cooke Aviation Services, Inc.
 7. APPROVE Consent to Sublease between Castle & Cooke Aviation Services, Inc. and Thornton Aviation, LLC.
 8. RECOMMEND that the City Council also consider the Negative Declaration together with the public comments, make the findings identified above, adopt the Negative Declaration and approve the proposed 30-year consolidated Lease between the City of Los Angeles and Castle & Cooke Aviation Services, Inc.
 9. AUTHORIZE the Executive Director to execute the Consent to Assignment of Lease, the Consent to Subleases, and proposed consolidated Lease upon approval as to form by the City Attorney and approval of the Los Angeles City Council.

DISCUSSION:

1. Executive Summary

Staff requests assignment of Thornton Aviation, LLC's (Thornton) Lease No. VNA-8327 to Castle and Cooke Aviation Services, Inc. (C&C) and subsequent approval of a 30-year master lease with C&C at Van Nuys Airport (VNY). The proposed master lease will consolidate C&C's five (5) leases (VNA-2952, VNA-8164, VNA-8277, VNA-8480 and VNA-8327) at VNY (the Prior Leases). Upon execution of C&C's master lease, a portion of Thornton's old Lease (VNA-8327) will be subleased back to Thornton. The total leasehold size of the consolidated master lease will be 7.52 acres.

As part of this proposal, C&C will invest approximately \$10.8 million in new construction and mid-term refurbishments. In addition, C&C will purchase from LAWA the existing facilities located at the Thornton parcel (VNA-8327) and the former Century Aero Club parcel (VNA-8277) at \$1.3 million and \$330,000 respectively prior to demolition.

C&C, whose predecessor company is Pacific Holdings, Inc., has been operating at VNY since December 10, 1980. C&C provides hangar and office rental and aviation services to companies and individuals, flight departments, aircraft management companies and air charter companies. It is a privately held company owned by David H. Murdock, who also serves as Chairman and Chief Executive Officer.

2. Prior Related Actions

C&C currently leases four (4) properties from LAWA at VNY covered under separate contracts. Prior actions relative to the leases identified for consolidation are summarized below.

Lease No. VNA-2952

The original 20-year ground lease located at 7415 Hayvenhurst Place between the City and David Murdock was executed on November 3, 1980 and approved under Board Order AO-3200. In 1981, Mr. Murdock constructed a 20,000 square foot corporate aircraft hangar as required in the lease. Subsequently, in 1996, a first amendment to extend the lease for 16 years was granted under Board Order AO-4543. As required by the amendment, an additional 34,000 square feet of hangar and office space was constructed. On May 27, 2005, the lease was assigned to C&C which is also owned by Mr. Murdock. The lease is scheduled to terminate on March 31, 2016.

Lease No. VNA-8164

On June 16, 2003, the Board of Airport Commissioners (BOAC) approved under Board Order No. AO-4863 a 30-year development lease (VNA-8164) with C&C located at 7501, 7525, and 7522 Hayvenhurst Place that commenced on September 1, 2003 and is scheduled to terminate on August 31, 2033. As required by the lease, C&C constructed a 39,600 SF hangar, an 11,380 SF office building and a .67 acre aircraft parking apron. The required improvements were developed timely and are in a good condition.

Lease No. VNA-8277

On April 7, 2008, the BOAC approved, under Resolution No. 23527, a Consent to Assignment of Lease VNA-8277 from Century Aero Club, LLC. (Century) to C&C. The assignment included the premises located at 7552 and 7614 Hayvenhurst Avenue at VNY. The two (2) acre site consists of approximately 16,800 square feet of hangar and offices constructed in the 1940s. C&C purchased the assets of Century and was assigned Century's lease in May 1, 2008.

Lease No. VNA-8327

On December 1, 2005, the City of Los Angeles entered into a replacement Lease VNA-8327 with Thornton Corporation, a California corporation, for 1.49 acres of land, 20,400 SF of hangar space and 15,000 SF of office space located at 7520 and 7530 Hayvenhurst Avenue. These facilities had been constructed by Thornton in 1983 under a 20-year ground lease. Thornton has operated as an aircraft maintenance company with a FAA Part 145 Repair Facility designation. The lease was subsequently assigned to Thornton Aircraft Company by the BOAC on February 2, 2006 under Board Order No. AO-4996.

Lease No. VNA-8480

On April 6, 2009, the BOAC approved, under Board Order No. AO-5122, a 5-year lease (VNA-8480) with C&C for 100 square feet (0.0023 acre) of LAWA land for the placement of a directional monument sign. This portion of land is located at the NE corner of Sherman Way and Hayvenhurst Ave. The lease commenced on July 1, 2009 and will terminate on June 30, 2014. The lease provides for a 100 square foot area visible from the street to construct a monument sign to direct their patrons towards their leaseholds.

3. Current Action

The proposed action is to approve a 30-year master lease with C&C consolidating C&C's four (4) existing leases (VNA-2952, VNA-8164, VNA-8277, and VNA-8480) and Thornton's lease (VNA-8327) at VNY. The leased area will total 7.52 acres. The Thornton lease (VNA-8327) will be assigned to C&C prior to the execution of the master lease with a provision to sublease a portion of the leasehold back to Thornton.

The term of the Master Lease shall commence upon the 1st of the month following BOAC approval (Commencement Date) and terminate 30 years thereafter. All existing leases proposed for consolidation will terminate simultaneous to the commencement of the new Master Lease. A summary of the existing lease and proposed lease terms is presented on the attached table.

The proposed lease will allow for general aviation uses. However, to utilize leasehold as a Fixed Based Operator, C&C must meet and continue to maintain the minimum standards for FBO's provided in the VNY Executive Directives.

Key lease elements are summarized below:

Total Investment and Delay Penalty

C&C proposes a total investment of approximately \$10,843,000 of which \$10,143,000 will be used for the construction of new aviation facilities during the first thirty-six (36) months of the consolidated Master Lease term and \$700,000 will be allocated towards mid-term refurbishments. The proposed investment in new construction and mid-term refurbishments produces a minimum investment of approximately \$1,266,706 per acre.

If Lessee fails to complete construction by the Completion Date provided in the Lease (except when subject to delays due to force majeure, for which Lessee has presented City evidence for such delays, to the reasonable satisfaction of City), the Executive Director may impose a fee equal to \$3,000 per day for the first 6 months, \$2,000 per day for the next six months, and \$1,000 per day for the next 6 months.

Redevelopment Plans

C&C's proposed investment in new aviation facilities of approximately \$10,143,000 will be made to the Thornton and old Century Aeroclub parcels. Plans for these facilities are described below.

- VNA-8327 – Thornton Aircraft Parcel
Demolish two hangars and offices measuring a total of approximately 36,841 square feet and construct one hangar and office complex measuring approximately 51,000 square feet in the aggregate on the Thornton Land, comprised of an approximately 40,000 square foot hangar and an approximately 11,000 square foot office building.
- VNA-8277 – Century Aero Parcel
Demolish one hangar and one office measuring a total of approximately 16,746 square feet and construct approximately 75,000 square foot transient ramp, complete with lights, power, a new driveway approach and decorative wrought iron gate and fence in the Century Aero Club Land. C & C may construct an

approximately 1,000 square foot customer lobby and customer service facility with restrooms compliant with ADA standards.

Mid-Term Refurbishment Plans

C&C proposes to invest \$700,000 in the mid-term refurbishment to the existing facilities as set forth in the proposed Master Lease. C&C would invest \$500,000 in VNA-2952 to upgrade such items as hangar floor recoating, interior office upgrades, fuel farm environmental upgrades, aircraft ramp repaving and roof rehabilitation. C&C would invest \$200,000 in VNA-8164 to upgrade such items as hangar floor recoating, HVAC upgrades, interior office upgrades and roof rehabilitation. Upgrades will be mutually agreed to by C&C and City prior to the mid-term of the Master Lease.

Purchase of City-owned Improvements

C&C obtained appraisals for the City-Owned improvements on VNA-8327 (Thornton parcel) and VNA-8277 (old Century Aero parcel). C&C shall pay LAWA the market value of the improvements at time of demolition. The improvement on Lease VNA-8327 was appraised at \$1,300,000 on February 2007 and the improvements on Lease VNA-8277 were appraised at \$330,000 on January 2008. A separate estimate of value done by LAWA staff for each improvement was conducted; the results confirmed the values as established in the appraisals.

Indemnification

The indemnification provisions of the Prior Leases expressly survive this lease consolidation. In addition to the indemnity provisions under the Prior Leases, C&C expressly indemnifies, defends, and holds the City harmless from any and all claims, liabilities, costs, etc. claimed by anyone arising out of, among other things, its use and occupancy of the demised premises under the Prior Leases and its use or occupancy of any other area of the Airport since the commencement date of such leases. C&C also provides indemnification for, among other things, its use and occupancy of the Demised Premises under the consolidated lease.

Assignment Fees

In the event that the consolidated Master lease is assigned in the future, assignment fees will apply under the following schedule:

- If an Assignment occurs prior to Lessee obtaining a Certificate of Substantial Completion (AIA Document G704) for the Initial Improvements, the Lessee shall pay to City an Assignment Fee equal to twenty percent (20%) of the difference between the gross transaction value received by Lessee and/or its Affiliate and the net book value of any and all Qualified Investments made by Lessee and/or Murdock with respect to any portion of the Demised Premises under this Lease or under any Prior Lease.
- If an Assignment occurs on or after Lessee (C&C) obtains a Certificate of Substantial Completion AIA Document G704 for the Initial Improvements, Lessee shall pay to City an Assignment Fee equal to ten percent (10%) of the difference between the gross transaction value received by Lessee and/or its Affiliate and the net book value of any and all Qualified Investments made by Lessee and/or

Murdock with respect to any portion of the Demised Premises under this Lease or under any Prior Lease.

Negative Declaration

An Initial Study was prepared analyzing the proposed project's effect on the environment. The Initial Study concluded that there is no substantial evidence that the project will have a significant effect on the environment. The Initial Study/Negative Declaration was available for review and comment from June 25, 2009 to July 15, 2009, in accordance with CEQA Guidelines Section 15073. A Notice of Intent to Adopt a Negative Declaration was also posted in the City and County Clerk's offices. A public notice regarding the availability of the Initial Study and the public comment period was published in the Los Angeles Times and the Los Angeles Daily News on June 25, 2009. Persons or entities on an interested parties list consisting of various public agencies and representatives, neighborhood councils in the San Fernando Valley, selected homeowner groups and business organizations, and selected tenants at VNY were also notified of the Notice of Intent to Adopt a Negative Declaration and the availability to review and comment on the proposed Negative Declaration. These documents were available for review at LAWA's VNY and LAX administrative offices and online on LAWA's website.

Comments on the proposed Negative Declaration could be submitted by mail, in person or electronically via a link on the LAWA website. Three comment letters were received. The comments did not result in any changes to the findings made in the Initial Study that the environmental impacts would be less than significant nor was any new evidence presented. The Initial Study was prepared in accordance with Public Resources Code Section 21000 et seq. and the State CEQA Guidelines Title 14 California Code of Regulations (CCR) Section 15000 et seq.

All parties involved in this action have submitted all appropriate documentation. Staff has reviewed all submittals from prospective Lessee and recommends that the BOAC approve C&C's proposed new consolidated master lease, lease assignment from Thornton Aviation, LLC to C&C, and sublease to Thornton Aircraft Company, LLC.

This item was presented at the Van Nuys Citizen's Advisory Committee on October 7, 2008.

4. Alternatives Considered

Deny Request to Consolidate Leases – Denying C&C's request to consolidate leases at VNY into a Master Lease will result in: LAWA's loss of a \$10 million proposed new construction project that would have resulted in larger more modern hangar facilities that better accommodate today's larger aviation fleet mix; loss of management and land use efficiencies that would have resulted from the consolidating the leases for both LAWA and the tenant; and the loss of potential jobs that would have resulted from both the construction project and newly planned businesses.

FISCAL & ECONOMIC IMPACT STATEMENT:

Approval of the proposed action will result in approximately \$10,000,000 in capital investments at VNY for the development of aviation facilities and \$700,000 in upgrades to

existing facilities. Although, annual revenue from building rents will decrease by \$277,768 after Castle and Cooke purchases the structures that are to be demolished; this revenue loss will be mitigated by a one-time payment of over \$1.63 million for the existing improvements on VNA-8277 and VNA-8327.

STANDARD PROVISIONS:

1. An Initial Study/Negative Declaration has been prepared for this project in compliance with the California Environmental Quality Act (CEQA) and the Los Angeles City CEQA Guidelines. As described in the Initial Study/Negative Declaration, implementation of the project will have a less than significant environmental impact. Pursuant to CEQA Guidelines Section 15074(c), the location and custodian of documents and materials for the Initial Study/Negative Declaration for this project is the Los Angeles World Airports, Environmental Planning Section, 7301 World Way West, 3rd floor, Los Angeles, California 90045.
2. The action is subject to City Attorney approval as to form.
3. Action taken by the Board of Airport Commissioners will become final pursuant to the provisions of Los Angeles City Charter Section 606.
4. Castle and Cooke Aviation Services, Inc. will comply with the provisions of the Living Wage./ Service Contractor Worker Retention Ordinances.
5. This item is statutorily exempt from the provisions of the Minority/Women Business Enterprise Program pursuant to Executive Directive 2001-26.
6. Castle and Cooke Aviation Services, Inc. has submitted Affirmative Action Plan and will comply with the provisions of the Affirmative Action Program.
7. Castle and Cooke Aviation Services, Inc. has been assigned Business Tax Registration Certificate No. 0000444337
8. Castle and Cooke Aviation Services, Inc. has submitted the Certification of Compliance with Child Support Obligations and will comply with the provisions of the Child Support Obligations Ordinance.
9. Castle and Cooke Aviation Services, Inc. has approved insurance, in the terms and amounts required, on file with Los Angeles World Airports.
10. This item is not subject to the provisions of Charter Section 1022 (Use of Independent Contractors).
11. Castle and Cooke Aviation Services, Inc. has submitted the Contractor Responsibility Program Pledge of Compliance and will comply with the provisions of the Contractor Responsibility Program.
12. Castle and Cooke Aviation Services, Inc. has been determined by Public Works, Office of Contract Compliance, to be in full compliance with the provisions of the Equal Benefits Ordinance.
13. This item is not subject to the provisions of the First Source Hiring Program.



BOARD OF AIRPORT COMMISSIONERS REPORT

Approved by: Gina Marie Lindsey, Executive Director

Reviewed by: Roger A. Johnson, Deputy Executive Director

City Attorney

Gina Marie Lindsey - Executive Director

Meeting Date:

September 21, 2009

CAO Review:

- Completed
- Pending
- N/A

Date Reviewed & Reviewer Initials:

Capital Budget	N/A	DS
Operating Budget	08/28/09	RW
CEQA	08/28/09	AE
Contract Services	08/31/09	TJ

SUBJECT:

Adopt Policy

DELEGATION OF SIGNATURE AUTHORITY to the EXECUTIVE DIRECTOR or her DESIGNEE and for CONSTRUCTION CONTRACT CHANGE ORDERS.

RECOMMENDATION:

Management RECOMMENDS that the Board of Airport Commissioners:

1. ADOPT the Staff Report.
2. DETERMINE that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II, Section 2(n) of the Los Angeles City CEQA Guidelines.
3. EXERCISE its authority under Charter Sec. 376 and approve a policy that establishes signature authority for the Executive Director, or her designee, for individual change order amounts as well as a maximum cumulative amount for change orders within a given construction contract.
4. ADOPT a construction contract delegation of signature authority policy that:
 - Increases the signature authority limits for the Executive Director, or her designee, for individual change orders from \$150,000 to 2% of the contract value, whichever is greater.
 - Limits the cumulative amount of change orders authorized under this authority not to exceed 10% of the contract value without further Board of Airport Commissioners approval.

STIPULATE a monthly reporting requirement by the staff to the BOAC whenever the Executive Director exercises the signature authority for any change orders over the current \$150,000 limit.

DISCUSSION:

1. Executive Summary

Execution of multi-year, multi-billion dollar airport capital programs is, by definition, not "business as usual". The complexity and number of challenges associated with these mega programs exponentially increase when compared to routine airport construction. Typically they require some change in the practices of the governing authorities. One of the most significant negative impacts to a multi-billion dollar program's schedule and budget is an inability to make timely decisions when faced with the inevitable need for change orders.

Under current LAWA policy, the Executive Director has signature authority for change orders up to \$150,000 and Board of Airport Commissioners (BOAC) approval is required for any change orders over this threshold. The approval process can take weeks resulting in costly delays. Management recommends that the Board exercise its authority under Charter Section 376 and adopt a Construction Contract Change Order Policy which will provide for timely decisions and expedient processing of changes that are within the original scope of the contract.

The proposed policy increases the current signature authority limit for the Executive Director, limits the cumulative amount of change orders, and requires monthly reports when the authority is exercised.

2. Prior Related Actions

None

3. Current Action

Change Orders are written authorizations that change the specifications and plans for the construction work, the amount to be paid for such work, or the time for such work to be completed. Change Orders allow the owner to add or delete work from the project without stopping the progress of the work. Change Orders are used when the changes needed are within the original overall scope of the contract as opposed to contract amendments which alter the overall scope or the terms and conditions of the original contract.

LAWA's current Change Order process does not provide for timely decisions that are critical to the cost effective and timely delivery of a Capital Improvement Program of the magnitude and complexity currently contemplated. The City of Los Angeles Charter Section 376 provides: "Upon the award of any contract, the contracting authority may delegate the approval of change orders to a department employee, but that delegation shall specify the dollar amount that can be approved without further authorization by the contracting authority."

To identify best practices, LAWA conducted a review of policies implemented at other airports and identified the following:

Phoenix Sky Harbor International Airport (PHX)

PHX is operated by the City of Phoenix and therefore falls within the governing authority of the city. Phoenix has adopted a twofold signatory authority. First, an "owner's contingency" is included within the amount authorized by the Council when the contract is initially authorized. This is typically 5% to 10% of the contract amount. This "pre-approved" amount allows the staff to authorize changes to the contract amount up to the pre-approved contingency. Second, the Airport Director can authorize up to 10% of the Council approved amount without specific Council action, the only requirement is to list the item on the Council's consent agenda at the following Council meeting.

Sacramento International Airport (SMF)

SMF is a department within the County of Sacramento and therefore falls within the County's governing authority. SMF recently initialed a \$1.2B Terminal development under a modified Design-Build delivery method. The airport used a procurement method where they received a Guaranteed Maximum Price (GMP) from the contractor based on 30% drawings. The execution of the work will be on a package by package basis within the overall GMP. The County Board of Supervisors put in place a special signature authority for the development program giving the Airport Director signature authority equal to 1% of the GMP on a single action basis and 10% on an aggregate basis. In this situation the Landside Terminal's GMP is \$400M resulting in the Airport director having a \$4M single action authority and \$40M cumulative for the project before the County Board of Supervisors approval would be required.

DFW International Airport (DFW)

DFW is an independent authority with a governing board of directors appointed by the two cities of Dallas and Fort Worth. The DFW board of directors (11 voting board members) is vested with all contracting authority. As a result of this governance structure the DFW chose to address the signature authority issue on the \$2.7B capital program by creating a "telephone polling" procedure of any three members of the board for authorization to execute a change in any amount. The change order was then subsequently ratified at the next board meeting by the full board. While this practice was effective in reducing the costs of delayed decisions, it required a great deal of confidence between the Board members approving multi-million dollar actions and the staff that requested them. Additionally, among the eleven board members there was not always consistency in the decision process or criteria.

Tampa International Airport (TPA)

Tampa International Airport is operated by The Hillsborough County Aviation Authority. It is an autonomous unit of County government, created by the 1945 Florida Legislature and charged with the operation of all publicly-owned aviation facilities within Hillsborough County, Florida. The Aviation Authority Board has delegated signatory authority to the Airport's Executive Director of the greater of \$100,000 or 5% of the contract's value.

Atlanta Hartsfield Jackson International Airport (ATL)

ATL is a department within the City of Atlanta and falls under the City's governing authority. The airport's approach to deal with the inherent changes for a major project is to include a percentage (typically 5-10%) of the contract value for the project as a pre-approved contingency for the staff to execute necessary changes to the work without requiring additional Council approval. As a part of the current multi-billion dollar program, the City has authorized an "owner's contingency" for parts of the program under the airport director's authority, approximately \$168M, for use on the international terminal, a \$1.6B

project. There is a separate \$18.5m owners contingency on a \$625 Million CONRAC project.

Based upon this research and the legal options available to LAWA through the City Charter, staff recommends adoption of a Construction Contract Change Order Policy which:

- Increases the signature authority limits for the Executive Director, or her designee, for individual change orders from \$150,000 to 2% of the contract value, whichever is greater.
- Limits the cumulative amount of change orders authorized under this authority not to exceed 10% of the contract value without further BOAC approval.
- Requires monthly report to the BOAC detailing the nature and dollar amount of any change orders authorized under this authority, including the cumulative total of all change orders approved to date.

4. Alternatives Considered

▪ *Operate under existing Signature Authority*

LAWA considered conducting business as usual under the existing signature authority policy while implementing a Capital Improvement Program with expenditures that could peak at \$1.3 million per day. However, BOAC approval of change orders over \$150,000 can take several weeks. These delays in timely decisions can create a climate where those most responsible for on-time delivery seek ways to work around the proscribed restrictions. In this case, an otherwise good, "can-do" work ethic collides with unchanged governing practices ill-suited to the demands of a multi-billion program.

▪ *Other Airport Approaches*

LAWA considered implementing approaches utilized at other US international airports as detailed above. In consideration of these alternatives and the legal options available, LAWA determined the best course of action was for the BOAC to establish a signature authority level for the Airport Director that will allow the management team the ability to effectively manage its multi-billion CIP program.

FISCAL & ECONOMIC IMPACT STATEMENT:

As an administrative action, approval of this item will have no fiscal impact on the Los Angeles World Airports Budget.

STANDARD PROVISIONS:

1. General policy procedure making is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article II Section 2(n) of the Los Angeles City CEQA Guidelines.
2. The Construction Contracts subject to this policy will be approved as to form by the City Attorney
3. Action taken by the Board of Airport Commissioners will become final pursuant to the provisions of the Los Angeles City Charter Section 245.
4. This action is not subject to the Service Contract Worker Retention and Living Wage Ordinances.

5. This action is not subject to the provisions of the MBE/WBE/OBE/DBE program.
6. This action is not subject to the provisions of the Affirmative Action program.
7. This action does not require a Business Tax Registration Certificate.
8. This action is not subject to the provisions of the Child Support Obligations Ordinance.
9. This action is not subject to the insurance requirements of the City of Los Angeles.
10. This action is not subject to the provisions of Charter Section 1022 (use of Independent Contractors).
11. This item is not subject to the provisions of the Contractor Responsibility Program.
12. This action is not subject to the Equal Benefits Ordinance.
13. This action is not subject to the provisions of the First Source Hiring Program.



BOARD OF AIRPORT COMMISSIONERS REPORT

[Signature]
Approved by: Dave Jones, LAX Terminals Business Management

[Signature]
Reviewed by: Debbie L. Bowers, Deputy Executive Director

[Signature]
City Attorney

[Signature]
Gina Marie Lindsey - Executive Director

Meeting Date:

September 21, 2009

CAO Review:

<input type="checkbox"/>	Completed
<input type="checkbox"/>	Pending
<input checked="" type="checkbox"/>	N/A

Date Reviewed & Reviewer Initials:

Capital Budget	N/A	
Operating Budget	8/14/09	RW
CEQA	8/12/09	AE
Contract Services	8/17/09	TJ

SUBJECT:

ADMINISTRATIVE ACTION

Approval of REVISION NO. 3 of the LOS ANGELES INTERNATIONAL AIRPORT PASSENGER TERMINAL TARIFF to (i) extend the terms to certain non-airline aeronautical users of the terminals at LOS ANGELES INTERNATIONAL AIRPORT and (ii) amend other terms.

RECOMMENDATION:

Management RECOMMENDS that the Board of Airport Commissioners:

1. ADOPT the Staff Report.
2. DETERMINE that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article III Class 1, (31) of the Los Angeles City CEQA Guidelines.
3. APPROVE Revision No. 3 of the Los Angeles International Airport Passenger Terminal Tariff to (i) extend the terms to certain non-airline aeronautical users of the terminals at Los Angeles International Airport and (ii) amend other terms.

DISCUSSION:

1. Executive Summary

Staff requests the Board of Airport Commissioners (Board) approve Revision No. 3 to the Los Angeles International Airport Terminal Tariff (Tariff). The Tariff currently applies only to airline users at Los Angeles International Airport (LAX) Passenger Terminals. Revision No. 3 proposes to expand the Tariff to certain non-airline aeronautical users of terminal space at LAX and make other revisions to clarify ambiguities with the existing Tariff. Staff believes it is impractical to establish new rates and lease terms for non-airline aeronautical users which may be changed by the pending outcome of litigation between LAWA and the airlines. Therefore, until the outcome of the litigation is known and a new lease and rates structure is created, staff recommends expanding the existing Tariff to apply to certain non-airline aeronautical users of terminal space at LAX.

2. Prior Related Actions

On January 22, 2007, Resolution No. 23198 established the Tariff at LAX to set rates, charges, and regulations for all airlines occupying terminal space after January 31, 2007, except pursuant to a lease.

On November 5, 2007, Revision No. 1 of the Tariff amended Section 4.0 to allow airlines subject to the Tariff to make alterations to any area of a terminal upon prior written approval by Los Angeles World Airports (LAWA) under specific conditions.

On April 21, 2008, Revision No. 2 of the Tariff authorized the Executive Director to designate and assign space in conformance with City Charter Section 633.

On October 20, 2008, Board Order No. AO-5108 authorized the Executive Director to enter into binding letter agreements with airlines and other entities subject to the Tariff in Terminals One through Eight regarding certain Tariff charges.

3. Current Action

Staff requests approval of Revision No. 3 to the Tariff to allow certain non-airline aeronautical users to occupy space in LAX Terminals subject to the terms of the Tariff. Revision No. 3 also provides a number of global and specific changes to the Tariff to clarify existing terms and to expand the application of the Tariff to certain non-airline aeronautical users of the terminals at LAX as follows:

- **Aeronautical User:** Reference(s) made to an "Airline" are replaced with "Aeronautical User," except when applying terms or conditions specifically to airlines, in which case the reference shall be to "Airline Aeronautical User(s)" and applicability to Airline Aeronautical Users shall be noted. Aeronautical Users is defined as "a Person whose business is involved in aeronautical activity, other than a (i) government or political subdivision thereof or a governmental agency, or (ii) Concessionaire."
- **Joint Use:** Joint Use areas, consisting of gate areas, departure holdroom areas, ticket counter areas, baggage claim areas, baggage processing space, and similar areas used by or otherwise benefiting one or more Terminal Users for operations apply only to Airline Aeronautical Users. Airline passengers utilize these Joint Use areas and the efficient use

requires that the areas be available for use by all Terminal Users. Airline Aeronautical Users are subject to LAWA's control and administration of these areas to ensure efficient use and are charged for use of the Joint Use areas in accordance with the methodologies outlined in the Tariff. Non-Airline Aeronautical Users do not have passengers that use these areas and therefore will not be charged for Joint Use Areas.

- Remote Holdrooms: Remote holdrooms are added to the list of facilities that the Tariff covers to allow for the Tariff to be applied to carriers that may from time to time use the remote holdrooms.
- Section 5 - Maintenance: Language clarifying maintenance responsibilities is added that will allow LAWA to enter into maintenance agreements with Aeronautical Users subject to Board approval.
- Section 9.1 - Indemnity: To clarify LAWA's ability to control litigation, negotiation, compromise, settlement and appeals, the following language is proposed: "In the Aeronautical User's defense, negotiation, compromise, or settlement under this Section of any action against LAWA, LAWA shall retain discretion in and control of the litigation, negotiation, compromise, settlement, and appeals therefore, as required by the Los Angeles City Charter, particularly Article II, Sections 271, 272 and 273 thereof."
- Section 10 - Damage and Destruction: To clarify Aeronautical Users' responsibilities to repair and/or restore their space should the entire terminal be destroyed, the following language has been added to limit Aeronautical Users obligations to repair and/or restore their space only if the Terminal as a whole has been effectively restored; "...provided, however, that any such repair and restoration obligation of the Aeronautical User shall be contingent upon LAWA's repair and restoration of the Terminal as a whole and all structural components of the Occupied Terminal Area if necessary."
- Section 15.4 - Performance Guaranty: To accommodate potential future Board actions, additional language is being proposed to require Aeronautical Users to comply with the most current Board approved Faithful Performance Guarantee requirement as follows: "The Board reserves the right, power and duty to revise and readjust the Performance Guaranty policy and amount at any time throughout the Aeronautical User's use of the Occupied Terminal Area. Upon the adoption of a revised Performance Guaranty policy by the Board, such policy shall be applicable to the Aeronautical User."
- Section 16.4 - Cancellation and Cessation of Service: Section (16.4.2) is added to add a corresponding term for non-Airline Aeronautical Users to the current provision for Airlines which allows removal of an Airline from its space when its air services at LAX are cancelled: "[Applicable to non-Airline Aeronautical Users Only] If the Aeronautical User for any reason does not have a valid agreement or license with LAWA to do business on Airport property, LAWA may immediately remove the Aeronautical User from any Occupied Terminal Area. In such event, (i) the Aeronautical User will surrender the Occupied Terminal Area as soon as practicable, in the condition required by the provisions of this Tariff, and (ii) the Base Charge and

all additional charge will be prorated as of the date of vacancy."

- Section 19.1 - Aeronautical User Responsible: To accommodate situations when it would be impracticable for an Aeronautical User to separately meter utility services, the following additional language is being proposed: "If LAWA agrees that it is impracticable to separately meter a given utility for the Occupied Terminal Area, then the Aeronautical User shall pay to LAWA, as an additional charge, on a pro-rata per square foot basis, for all utilities that are supplied by LAWA to the Occupied Terminal Area, at charges which will reflect fully compensatory, non-discriminatory, standard rates established by LAWA from time to time.

Additional language is also being proposed to clarify the Aeronautical User's responsibility for the payment of taxes with respect to utilities as follows: "The Aeronautical User shall also be responsible for the payment of any and all taxes of whatever character that may be levied or charged upon the Occupied Terminal Area for furnishing utilities to the Occupied Terminal Area."

- Section 25.2 - Security: This section is updated to reflect the current Transportation Security Administration Regulations.
- Calculation of Measured Areas: A revision to the definition of Space Use Factor is being proposed to allow staff to calculate Measured Areas as of the first day of each calendar month regardless of any changes in Measured Areas for any future Aeronautical User during the middle of any calendar month. This proposed revision will greatly reduce the administrative burden for LAWA.
- Revision of Definitions (Section 26): Additional terms are being included in the definitions section to correspond to the proposed revisions in the Tariff, as well as revisions to certain existing terms in the definitions section so that these terms will work in tandem with the addition of the Aeronautical User concept.

Approval of Revision No. 3 will significantly increase staff's ability to manage and assign space to non-airline aeronautical users in LAX Terminals during litigation, and after the litigation is settled, it will allow staff to move forward with one lease document and rate that can be utilized by all terminal tenants. Therefore, staff recommends that the Board approve the proposed Revision No. 3 to the Tariff.

4. Alternatives Considered

- *Not Revising Tariff*

Not approving Revision No. 3 will leave staff with no LAX Terminal Occupancy Agreement for non-airline aeronautical users to occupy space in LAX Terminals. This will lead to continued problems managing non-airline aeronautical users in the Passenger Terminals at LAX and potentially cause loss of airport revenue from new entrant non-airline aeronautical users.

FISCAL & ECONOMIC IMPACT STATEMENT:

This is an administrative action and therefore there is no additional cost to LAWA associated with Revision No. 3 to the Tariff. There is no impact on future maintenance or operation costs

resulting from approval of this item. Adoption of the Tariff Revision No. 3 will allow staff to apply the terms of the Tariff to a greater number of tenants which may increase revenues to LAX. However, the total revenue that will be generated as a result of these changes is unknown at this time. Any revenue received will be allocated to the appropriate cost centers.

STANDARD PROVISIONS:

1. Modification of a rate, fee, or tariff for the use of an existing municipal facility involving negligible or no expansion of use is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article III Class 1, (18) (c) of the Los Angeles City CEQA Guidelines, as amended by the Los Angeles City Council on July 31, 2002.
2. The City Attorney has reviewed and approved the proposed revision of the Tariff.
3. Action taken on this item by the Board of Airport Commissioners will become final pursuant to the provisions of the Los Angeles City Charter, Section 245
4. This action is not subject to the provisions of the Service Contract Worker Retention and Living Wage Ordinances.
5. This action is not subject to the provisions of the MBE/WBE/OBE/DBE Program.
6. This action is not subject to the provisions of the Affirmative Action Program.
7. This action does not require a Business Tax Registration Certificate.
8. This action is not subject to the provisions of the Child Support Obligations Ordinance.
9. This action is not subject to the insurance requirements of the City of Los Angeles
10. This action is not subject to the provisions of Charter Section 1022 (Use of Independent Contractors).
11. This action is not subject to the Contractor Responsibility Program.
12. This action is not subject to the provisions of the Equal Benefits Ordinance.
13. This action is not subject to the provisions of the First Source Hiring Program.

**LOS ANGELES INTERNATIONAL AIRPORT
PASSENGER TERMINAL TARIFF, AS AMENDED**

for

**TERMINALS ONE, TWO, THREE, FOUR, FIVE, SIX, SEVEN, EIGHT,
TOM BRADLEY INTERNATIONAL TERMINAL
and REMOTE HOLDROOMS**

Naming Rates, Charges, Rules and Regulations at Los Angeles International Airport for all
Aeronautical Users Using Passenger Terminal Space at Los Angeles International Airport after
January 31, 2007, Except Pursuant to a Lease

LOS ANGELES BOARD OF AIRPORT COMMISSIONERS

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PREFACE

This Tariff is made by the City of Los Angeles, acting by and through the Board of Airport Commissioners ("Board") of the Los Angeles World Airports ("LAWA"), under the terms of the Los Angeles City Charter & Administrative Code §§ 630 et seq.

LAWA is the manager of the Los Angeles International Airport (the "Airport"), charged by the City of Los Angeles and the Board of Airport Commissioners with operating, managing, and enforcing this Tariff.

All charges under this Tariff shall be payable in cash as they are incurred unless credit arrangements satisfactory to LAWA have been made in advance, including, but not limited to, the payment of all arrears in accounts with LAWA. Any Aeronautical User or other patron in arrears in its accounts with LAWA may be denied the use of Terminal space at the Airport based thereon.

This Tariff is published for the benefit of Aeronautical Users, patrons of the Airport, and Airport staff. It is not a codification of the resolutions of the Board of Airport Commissioners and it should not be construed as such.

LOS ANGELES INTERNATIONAL AIRPORT PASSENGER TERMINAL TARIFF, AS AMENDED

1. *Consent to Terms of Tariff and Scope of Tariff.*

1.1. Name; Defined Terms. This Tariff may be referred to as the “Los Angeles International Airport Passenger Terminal Tariff,” the “Airport Terminal Tariff,” or this “Tariff.” Certain terms used in this Tariff and not defined elsewhere in the text of this Tariff are used with the meanings specified in Section 26; terms defined elsewhere in the text of this Tariff are listed in the Index of Defined Terms appearing following the Table of Contents. This Tariff includes the Basic Information Schedule.

1.2. Effective Date. This Tariff became effective February 1, 2007.

1.3. Use Constitutes Consent. Use by any Aeronautical User of space in any Terminal at the Airport after January 31, 2007, except pursuant to a Lease constitutes (a) consent by the Aeronautical User to the terms and conditions of this Tariff, and (b) agreement by the Aeronautical User to pay all charges specified, and to be governed by all rules and regulations contained in this Tariff.

1.4. Use Does Not Create Any Property Right. Use by any Aeronautical User of space in any Terminal at the Airport under the terms of this Tariff creates no right to or interest in the property, either of occupancy or possession, legal or otherwise. This Tariff does not in any way modify or replace the Landing Fee or any other fees, charges, rents, or any other cost based on use of the Airport’s runways, apron, or any other location at the Airport other than its Terminals by any entity, including the Aeronautical User. Nothing in this Tariff shall be construed as creating, modifying, or furthering any property rights, including, but not limited to, a Lease. Without limiting the generality of the foregoing, the fact that the terms and conditions of this Tariff mirror the terms and conditions in the forms of leases approved by LAWA in December of 2006 does not create any property interest in any Aeronautical User using space in any Terminal at the Airport. Any Aeronautical User using space at any Terminal at the Airport pursuant to this Tariff may be required by LAWA, in the exercise of LAWA’s discretion, to terminate its use at any time.

1.5. Modification. LAWA may modify this Tariff at any time. Any modification of this Tariff shall take effect upon the publication by LAWA of the modification on LAWA’s website.

1.6. Conflict with Form of Lease. [Applicable to Airline Aeronautical Users only] In December of 2006, LAWA formally transmitted for signature by certain Airlines that may be subject to the terms of this Tariff a proposed form of instrument (the “Proposed Lease Form”), entitled “Airline Terminal Space Lease and License Agreement”. It is LAWA’s intention that the payments due from any Airline under the terms of this Tariff be identical to the payments that would have been due from the Airline under the terms of the Proposed Lease Form that was transmitted to the Airlines, had the Airline entered into a Lease in the form of the Proposed Lease Form. In any case, therefore, in which the computation of any payment due from any Airline under the terms of this Tariff differs from the corresponding payment that would have

been due under the same circumstances from the Airline under the Proposed Lease Form (and notwithstanding any other provision of this Tariff to the contrary), the provisions of this Tariff shall be deemed amended accordingly to the extent necessary to required only the payment that would have been due under the Proposed Lease Form.

1.7 Aeronautical User Space. For the purposes of the Basic Information Schedule, the space used by an Aeronautical User in any Terminal from time to time under the terms of this Tariff shall be determined by LAWA, and LAWA's determination shall, in the absence of manifest error, be binding on the Aeronautical User.

2. *Fees and Charges.*

2.1. Computation of Fees and Charges.

2.1.1. Computation of Basic Rate. Any Aeronautical User using any space in any Terminal at the Airport without a Lease shall be subject to this Tariff and shall pay fees and charges as set forth in this Tariff. The amount of those fees and charges shall be calculated for each calendar month in an amount equal to the Basic Rate (calculated as provided in this Section 2.1) for the month multiplied by the Aeronautical User's Space Use Factor for the month. The Basic Rate for the calendar month in which an Aeronautical User first uses any space in a Terminal at the Airport pursuant to this Tariff is the amount reflected on the Basic Information Schedule as the "Initial Basic Rate". The Board has established the Initial Basic Rate for each Terminal on the basis of the Initial Base Charge Method reflected on the Basic Information Schedule and adopted by the Board for the Valuation Cycle in which the date of publication of this Tariff occurs. The Basic Rate is subject to adjustment during each Valuation Cycle as provided in Sections 2.1.2 and 2.1.3, and as of each Valuation Adjustment Date as provided in Section 2.3.

2.1.2. Adjustments to Basic Rate; Market Method. For each Valuation Year (other than the first Valuation Year during a Valuation Cycle) for which the basis of calculating the Basic Rate is the Market Method, the Basic Rate (as the Basic Rate may previously have been adjusted under this Section 2.1.2 and under Sections 2.1.3 and 2.3) shall be increased effective on the first day of the Valuation Year by the CPI Change between the first day of the Valuation Cycle in which the Valuation Year occurs and the last day of the previous Valuation Year (but less so much of the CPI Change as may have previously been applied under this Section 2.1.2 in effecting increases of the Basic Rate for previous Valuation Years in the same Valuation Cycle). In no event will the Basic Rate be decreased by reason of the CPI Change.

2.1.3. Adjustments to Basic Rate; Terminal Capital Charges Method. For each Valuation Year (other than the first Valuation Year during a Valuation Cycle) for which the basis of calculating the Basic Rate is the Terminal Capital Charges Method, the Basic Rate (as the Basic Rate may previously have been adjusted under this Section 2.1.3 and under Sections 2.1.2 and 2.3) shall be adjusted effective on the first day of the Valuation Year by the percentage increase or decrease in the Terminal Capital Charges for the Valuation Year for which the determination is made over the Terminal Capital Charges in the immediately preceding Valuation Year.

2.2. Base Charges.

2.2.1. Monthly Installments. Aeronautical Users subject to this Tariff will pay installments of Base Charge in advance on the first day of each calendar month during the Aeronautical User's use of the Occupied Terminal Area, without notice or demand. If the Commencement Date is a day other than the first day of a calendar month, the installment of Base Charge for that month shall be payable on the Commencement Date. The Base Charge for any partial calendar month in which an Aeronautical User uses any Terminal space shall be prorated at LAWA's discretion.

2.2.2. Estimated Payment of Base Charge. LAWA will from time to time estimate in advance the actual Base Charge. Upon LAWA's delivery to the Aeronautical User of a notice of LAWA's estimate and until LAWA's delivery to the Aeronautical User of a revised estimate, the Aeronautical User will pay to LAWA in monthly installments, on the first day of each calendar month, without further notice or demand, such amounts as LAWA may from time to time in good faith estimate to be the equal monthly installments necessary to pay the Base Charge. For any time period for which the Aeronautical User shall have paid estimated installments of Base Charge, LAWA will deliver to the Aeronautical User within 150 days after the end of the calendar year in which the Aeronautical User last paid the estimated Base Charge, or within such longer period as LAWA reasonably requires, a reasonably detailed statement (the "Base Charge Reconciliation Statement") specifying LAWA's calculation of Base Charge. If the Aeronautical User's payments of installments of estimated Base Charge shall exceed the Base Charge actually owing, LAWA will, so long as the Aeronautical User has not failed to pay its costs or comply with any condition of this Tariff, promptly, at LAWA's election, (a) credit the account of the Aeronautical User with the amount of the excess, for application to amounts of Base Charge and additional charge as such amounts become due, or (b) reimburse the Aeronautical User in the amount of the excess, together with interest at the Reimbursement Rate upon the excess payments from the dates of payment to the date of reimbursement, provided that interest on the excess need not be paid if the amount of the excess is reimbursed within 30 days of LAWA's delivery of the Base Charge Reconciliation Statement. If the Aeronautical User's payments of installments of estimated Base Charge shall be less than the Base Charge actually owing, the Aeronautical User will pay LAWA the amount of the deficiency within 15 days of receiving the Base Charge Reconciliation Statement, together with interest at the Reimbursement Rate upon the amount of the deficiency from the dates incurred to the date of payment, provided that interest on the deficiency need not be paid if the amount of the deficiency is reimbursed within 30 days of the delivery of the Base Charge Reconciliation Statement.

2.3. Periodic Valuation Adjustment.

2.3.1. Policy. In order to fairly compensate LAWA for the Aeronautical User's use of space at any Terminal at the Airport, and in order to avoid an indirect subsidy of the operations of the Aeronautical Users at the Airport by the City of Los Angeles, it is the policy of LAWA that charges for any Aeronautical User subject to this Tariff be periodically set at the amount that, for each Terminal at the Airport, would be the greater of that derived by reference to the Terminal Capital Charges Method and the Market Method. In order, therefore, to implement this policy, the Basic Rate for each Terminal at the Airport shall be adjusted effective on the fifth anniversary of the Initial Valuation Date for the Terminal, and, effective on every

fifth anniversary of the Initial Valuation Date thereafter (the date of each adjustment being referred to as an “Valuation Adjustment Date”), to an amount that is the greater of the amount that is obtained by application of the Market Method and the amount that is obtained by the Terminal Capital Charges Method, in accordance with the provisions of Sections 2.3.2 and 2.3.3.

2.3.2. Procedures; Tentative Valuation. Not later than the date that is 120 days before the next Valuation Adjustment Date with respect to each Terminal, LAWA will (a) tentatively determine, in the exercise of its discretion and on the basis of such forecasts, assumptions, appraisals, and other considerations as LAWA in its discretion shall deem appropriate, (1) the Basic Rate that would be established for each Terminal as of the next Valuation Adjustment Date, if the Basic Rate were established by the Market Method, on the basis of the fair market rental value of the Terminal areas as determined in the discretion of LAWA, and (2) whether the Basic Rate to be established for each Terminal for the Valuation Cycle beginning on the next Valuation Adjustment Date would be greater if determined by the Market Method or by the Terminal Capital Charges Method, and (b) by notice (a “Tentative Valuation Notice”) tentatively inform the Aeronautical User of whether the Basic Rate for the Valuation Cycle beginning on the next Valuation Adjustment Date will be determined by the Market Method or by the Terminal Capital Charges Method. LAWA will specify in the Tentative Valuation Notice the Basic Rate tentatively determined by LAWA to be applicable to the first year of the Valuation Cycle beginning on the next Valuation Adjustment Date, or (if the Basic Rate is tentatively determined by the Terminal Capital Charges Method) the Basic Rate then estimated by LAWA to be applicable to the first year of the Valuation Cycle.

2.3.3. Final Valuation. Not later than the date that is 60 days before the next Valuation Adjustment Date, the Executive Director shall furnish to the Board all material that the Executive Director deems relevant to the determination of the Basic Rate for each Terminal for the next Valuation Cycle and the Executive Director’s recommendations. Not later than the date that is 30 days before the next Valuation Adjustment Date, LAWA will (a) finally determine, in the exercise of its discretion and on the basis of such forecasts, assumptions, appraisals, and other considerations as LAWA in its discretion shall deem appropriate, (1) the Basic Rate that would be established as of the next Valuation Adjustment Date, if the Basic Rate were established by the Market Method, on the basis of the fair market cost of the Terminal areas as determined in the discretion of LAWA, and (2) whether the Basic Rate to be established for the Valuation Cycle beginning on the next Valuation Adjustment Date would be greater if determined by the Market Method or by the Terminal Capital Charges Method, and (b) by notice (a “Final Valuation Notice”) inform the Aeronautical User of whether the Basic Rate for the Valuation Cycle beginning on the next Valuation Adjustment Date will be determined by the Market Method or by the Terminal Capital Charges Method. The method of determining the Basic Rate reflected in the Final Valuation Notice will be final and binding upon the Aeronautical User for the Valuation Cycle beginning on the next Valuation Adjustment Date. LAWA will specify in the Tentative Valuation Notice the Basic Rate finally determined by LAWA to be applicable to the next year, or (if the Basic Rate is determined by the Terminal Capital Charges Method) the Basic Rate then estimated by LAWA to be applicable to the next year.

2.4. Terminal Expenses.

2.4.1. Calculation. Aeronautical Users subject to this Tariff will pay to LAWA as additional costs (a) the Aeronautical User's Use Share of the Terminal Expenses for each calendar month during its use (the amount payable by the Aeronautical User described in this clause (a) being referred to as "Terminal Regular Expenses"), and (b) if the Aeronautical User is an Airline, the Aeronautical User's Special Use Share of the Terminal Special Expenses for each calendar month of its use (the amount payable by the Aeronautical User described in this clause (b) being referred to as the "Terminal Special Expenses"; the Terminal Regular Expenses and the Terminal Special Expenses are referred to collectively as the "Terminal Expenses"). Terminal Expenses may be calculated separately for each calendar month by LAWA in its discretion, and shall be payable by the Aeronautical User within 15 days after a statement of Terminal Expenses for the month it is delivered to the Aeronautical User. Terminal Expenses for any partial calendar month in which the Aeronautical User uses any Terminal space shall be prorated at LAWA's discretion.

2.4.2. Estimated Payments. At the election of LAWA, LAWA may estimate from time to time in advance the actual Terminal Expenses. Upon LAWA's delivery to the Aeronautical User of a notice of LAWA's election and until the election shall be rescinded by LAWA, the Aeronautical User will pay to LAWA in monthly installments, on the same dates as installments of Base Charge are payable, such amounts as LAWA may in its discretion estimate to be the equal monthly installments necessary to pay the Terminal Expenses for the then current Tariff Year. For each Tariff Year for which the Aeronautical User shall have paid estimated installments of Terminal Expenses, LAWA will deliver to the Aeronautical User within 150 days after the end of the Tariff Year, or within such longer period as LAWA reasonably requires, a reasonably detailed statement (the "Terminal Expenses Reconciliation Statement") specifying the Terminal Expenses incurred by LAWA and LAWA's calculation of Terminal Expenses. If the Aeronautical User's payments of installments of estimated Terminal Expenses exceed the Terminal Expenses actually owed, LAWA will, so long as the Aeronautical User is not in arrears in the payment of any charges due under this Tariff, promptly, in LAWA's discretion, either (a) credit the account of the Aeronautical User with the amount of the excess, or (b) reimburse the Aeronautical User in the amount of the excess. If the Aeronautical User's payments of installments of estimated Terminal Expenses are less than the Terminal Expenses actually owing, then the Aeronautical User will pay LAWA the amount of the deficiency within 15 days of receiving the Terminal Expenses Reconciliation Statement, together with interest at the Reimbursement Rate upon the amount of the deficiency from the dates incurred to the date of payment, provided that interest on the deficiency need not be paid if the amount of the deficiency is reimbursed within 30 days of the delivery of the Terminal Expenses Reconciliation Statement.

2.5. Airport Infrastructure Charges.

2.5.1. Calculation. Each Aeronautical User subject to this Tariff will pay to LAWA the Aeronautical User's Use Share of the Airport Infrastructure Charges for each calendar month in which it uses space at a Terminal (the amount payable by the Aeronautical User being referred to as "Airport Infrastructure Charges"). Airport Infrastructure Charges shall be calculated separately for each calendar month of the Aeronautical User's use and shall be payable by the Aeronautical User within 15 days after a statement of Airport Infrastructure

Charges for the month is delivered to the Aeronautical User. Airport Infrastructure Charges for any partial calendar month shall be prorated according to the portion of the month in which the Aeronautical User uses Terminal space.

2.5.2. Estimated Payments. At the election of LAWA, LAWA may estimate from time to time in advance the actual Airport Infrastructure Charges for the then current or next year. Upon LAWA's delivery to the Aeronautical User of a notice of LAWA's election and until the election shall be rescinded by LAWA, the Aeronautical User will pay to LAWA in monthly installments, on the same dates as installments of Base Charge are payable, such amounts as LAWA may estimate to be the equal monthly installments necessary to pay the Airport Infrastructure Charges. For any Tariff Year for which the Aeronautical User shall have paid estimated installments of Airport Infrastructure Charges, LAWA will deliver to the Aeronautical User within 150 days after the end of the Tariff Year, or within such longer period as LAWA reasonably requires, a reasonably detailed statement (the "Airport Infrastructure Charges Reconciliation Statement") specifying the Airport Infrastructure Charges incurred by LAWA for the Tariff Year and LAWA's calculation of Airport Infrastructure Charges for the Tariff Year. If the Aeronautical User's payments of installments of estimated Airport Infrastructure Charges exceed the Airport Infrastructure Charges actually owing, LAWA will, so long as the Aeronautical User is not in arrears in the payment of any charges due under this Tariff, promptly, in LAWA's discretion, either (a) credit the account of the Aeronautical User with the amount of the excess, or (b) reimburse the Aeronautical User in the amount of the excess. If the Aeronautical User's payments of installments of estimated Airport Infrastructure Charges are less than the Airport Infrastructure Charges actually owing, then the Aeronautical User will pay LAWA the amount of the deficiency within 15 days of receiving the Airport Infrastructure Charges Reconciliation Statement, together with interest at the Reimbursement Rate upon the amount of the deficiency from the dates incurred to the date of payment, provided that interest on the deficiency need not be paid if the amount of the deficiency is reimbursed within 30 days of the delivery of the Airport Infrastructure Charges Reconciliation Statement.

2.6. Percentage Charge. For each calendar month of use, each Aeronautical User subject to this Tariff will pay to LAWA, as an additional charge, a percentage of the Aeronautical User's gross receipts, if any, from the sale by the Aeronautical User at the Terminal of goods (including food and beverages) and services (other than air transport services) to the Aeronautical User's passengers and invitees (the additional charge payable is referred to as the "Percentage Charge"). The percentage of the gross receipts to be used in calculating the Percentage Charge payable by the Aeronautical User for any calendar month will be the same as the highest percentage rates then being paid to LAWA by concessionaires selling similar goods or services in the terminal buildings at the Airport. The Aeronautical User will pay installments of Percentage Charge on the same dates as installments of Base Charge are payable, with the amount of each installment of Percentage Charge being calculated based on the Aeronautical User's gross receipts from sales for the last month for which the Aeronautical User's records of sales are complete, but in any event not further in arrears than the second complete month prior to the date on which the installment of Base Charge is due. After the end of the Aeronautical User's use of the Occupied Terminal Area under the Tariff, the Aeronautical User will continue to pay installments of Percentage Charge for the calendar months falling within the period of the Aeronautical User's use of the Terminal and for which payments have not been made.

2.7. Aeronautical User's Records. LAWA's accurate calculation and verification of the above charges depend upon timely and accurate information regarding the Aeronautical User's operations, including the number of passengers using the Terminal to enplane onto or deplane from flights operated by the Aeronautical User, if the Aeronautical User is an Airline. Thus, the Aeronautical User will promptly and periodically (but not less frequently than monthly) provide to LAWA sufficient information about the Aeronautical User's operations as LAWA may find necessary or useful in calculating the Aeronautical User's charges, and the Aeronautical User will keep books and records sufficient for the purpose of substantiating the Aeronautical User's operations information for auditing purposes. LAWA may examine (and, in the course of such examination, may copy) and audit the Aeronautical User's books and records for the purpose of verifying the Aeronautical User's operations information. The expense of any such examination or audit shall be borne by LAWA, provided that if the Aeronautical User's books and records are not made available to LAWA at a location within 50 miles from the Airport, the Aeronautical User will reimburse LAWA the reasonable out-of-pocket costs incurred by LAWA in inspecting the Aeronautical User's books and records, including travel, lodging and subsistence costs. Except to the extent necessary to substantiate charges to other Aeronautical User at the Terminal or as required by applicable law, LAWA will keep all information obtained from the Aeronautical User's books and records confidential, and LAWA will use good faith efforts to cause LAWA's agents and employees to keep all information obtained from the Aeronautical User's books and records confidential.

2.8. Late Charges. If an Aeronautical User subject to this Tariff shall fail to pay any installment of Base Charge or any other cost or charge payable under this Tariff within five days after it becomes due, the Aeronautical User will pay to LAWA, in addition to the installment of Base Charge or amount of any additional charge, as the case may be, as a further additional charge, a sum equal to interest at the Stipulated Rate on the unpaid overdue amount, computed from the date the payment was due to and including the date of payment. If the Aeronautical User shall fail to pay any additional cost within ten days after it becomes due, in addition to interest at the Stipulated Rate, the Aeronautical User will pay to LAWA a late charge in the amount of five percent (the "Additional Late Charge") of the delinquent additional charge. No Additional Late Charge shall be payable for any item of additional charge that constitutes a late charge or interest.

2.9. No Counterclaim, etc. Aeronautical Users subject to this Tariff will pay the Base Charge and all additional costs payable under this Tariff without notice, demand, counterclaim, setoff, deduction, defense, abatement, suspension, deferment, diminution or reduction, and the obligations and liabilities of the Aeronautical User under this Tariff shall in no way be discharged or otherwise affected for any reason, whether foreseen or unforeseen. To the extent permitted by applicable law, all payments by the Aeronautical User to LAWA made hereunder shall be final, and the Aeronautical User will not seek to recover any such payment or any part thereof for any reason.

2.10. No Waiver; Retroactive Payments. The failure by LAWA to timely execute the provisions of this Section 2 relating to the adjustment of the Base Charge or any item of additional charge payable under this Tariff shall not be construed as a waiver of LAWA's ability to adjust the Base Charge or to the adjustment of any additional charges otherwise payable under this Tariff. If a determination of the adjusted Base Charge is not completed before the relevant

Valuation Adjustment Date or if a determination of the adjustment of any item of additional charge is not completed before any relevant date, the Aeronautical User will continue to pay the amounts applicable to the preceding period, and if the Base Charge as of the relevant Valuation Adjustment Date or any item of additional charge as of any relevant date is thereafter determined to be an amount greater than that paid by the Aeronautical User, the adjusted amount shall take effect, and shall promptly be paid by the Aeronautical User, retroactively to the date when the payment would have been due absent the failure to timely complete the determination of the appropriate adjustment. If LAWA has substantially executed the provisions of this Section 2 relating to the adjustment, LAWA shall be entitled to receive, in addition to all amounts of additional Base Charge and additional charge becoming retroactively effective, interest on the retroactive amounts from the time retroactively due until the date of payment to LAWA, at an annual rate per annum equal to the Reimbursement Rate.

2.11. Manner of Payment. All payments of Base Charge and other amounts payable under the preceding provisions of this Section 2 shall be paid in U.S. dollars without setoff or deduction by mailing to the following address:

City of Los Angeles
Department of Airports
Accounts Receivable
File 54989
Los Angeles CA 90074-4959

LAWA may from time to time designate any other address to which the payments shall be made. As a matter of courtesy, invoices may be sent by LAWA to the Aeronautical User, but notwithstanding any custom of LAWA in sending invoices, the receipt of an invoice shall not be a condition to any payment due to LAWA from the Aeronautical User. All payments, including each payment check and remittance advice, shall include reference to this Tariff. No payment by the Aeronautical User or receipt by LAWA of a portion of any sum due under this Tariff shall be deemed to be other than a partial payment on account of the earliest sum next due from the Aeronautical User. No endorsement or statement on any check or any letter accompanying a check or other payment from an Aeronautical User shall be deemed an accord and satisfaction or otherwise binding upon LAWA. LAWA may accept any partial payment from the Aeronautical User without invalidation of any notice required to be given under this Tariff or otherwise under applicable law.

3. *Uses.*

3.1. Permitted Uses. Aeronautical Users subject to this Tariff may, subject to any applicable Legal Requirements and to all other applicable provisions of this Tariff, use the Terminal areas only for the uses reflected on the Basic Information Schedule as the "Permitted Uses".

3.2. Prohibited Uses. Notwithstanding anything in Section 3.1 to the contrary, without the prior consent of LAWA no Aeronautical User subject to this Tariff may use any portion of the Terminal areas in any manner not specifically permitted.

3.3. Other Use Limitations. Aeronautical Users subject to this Tariff must conduct their operations at the Terminal areas used pursuant to this Tariff in such a manner as to reduce as much as is reasonably practicable any and all activities that interfere unreasonably (whether by reason of noise, vibration, air movement, fumes, odors or otherwise) with the use of any other space in the Terminal or other facilities at the Airport.

4. *Alterations, etc.*

4.1. LAWA's Consent. Aeronautical Users subject to this Tariff have no property interest in any space at any Terminal at the Airport subject to this Tariff and therefore may not make any alterations, installations, additions and improvements in and to the Terminal (referred to as "Alterations") except as provided in Section 4.2.

4.2. Alterations. Aeronautical Users subject to this Tariff (although though they have no property interest in any space at any Terminal at the Airport subject to this Tariff) may, with LAWA's prior written consent only, make Alterations in the Terminal including cosmetic Alterations such as new furniture, furnishings, painting, carpeting, wall coverings and other decorative changes in its Occupied Terminal Areas. LAWA may condition its consent on any basis, including a condition that the Aeronautical User removes some or all of the Alterations at the Aeronautical User's expense.

4.3. Ownership of Improvements and Alterations. Ownership of all improvements and equipment existing in the Occupied Terminal Areas on the Commencement Date is and shall be in LAWA. Ownership of all Alterations constructed or installed in the Terminal by or at the direction of an Aeronautical User (whether at LAWA or the Aeronautical User's expense) after the Commencement Date, other than Aeronautical User's Property, shall be and remain in LAWA. Upon the end of its use of the Occupied Terminal Area, all Alterations constructed or installed in the Terminal by or at the direction of an Aeronautical User, other than Aeronautical User's Property, shall be left in the Terminal (without compensation to the Aeronautical User), unless LAWA requests that the Aeronautical User remove some or all of the Alterations, in which case the Aeronautical User will promptly remove them (excluding only painting and other wall coverings) at the Aeronautical User's expense. All items of Aeronautical User's Property remaining in the Occupied Terminal Areas or at the Terminal shall, if not removed by the Aeronautical User within three Business Days following the end of its use of the Occupied Terminal Space, be deemed abandoned and shall, at LAWA's election (i) be disposed of in any manner selected by LAWA, at the Aeronautical User's expense, or (ii) become the property of LAWA. The Aeronautical User will promptly repair any damage to the Occupied Terminal Areas or the Terminal resulting from the removal of any items of the Aeronautical User's Property.

4.4. Notices of Non-Responsibility. In connection with any Alteration, LAWA may post notices of non-responsibility for the services and material furnished by mechanics, materialmen and other vendors.

5. *Maintenance and Repair by Aeronautical Users.* Unless the Aeronautical User and LAWA agree otherwise pursuant to a separate written agreement approved by the Board, at the Aeronautical User's expense and to the extent identified on the maintenance schedule attached to

this Tariff as Schedule 1, each Aeronautical User subject to this Tariff will maintain the Occupied Terminal Area and will make all repairs to the Occupied Terminal Area and to all the fixtures, equipment and appurtenances therein as and when needed to preserve them in good working order and good and safe condition. Notwithstanding the foregoing, all damage to the Occupied Terminal Area and the fixtures, equipment and appurtenances therein, or the Terminal, in each case requiring structural repairs or requiring repairs that affect the Terminal systems, and all damage or injury to any Terminal system, caused by or resulting from the negligence of the Aeronautical User, its servants, employees, agents, customers, invitees or licensees, shall be repaired by LAWA, at the Aeronautical User's expense, payable within 15 days after LAWA's delivery of an invoice therefor. If LAWA determines the Aeronautical User to have failed to maintain equipment in the Terminal areas, LAWA may elect to maintain the neglected equipment itself (directly or through third-party contractors and at the Aeronautical User's expense payable promptly after LAWA's delivery of invoices therefor from time to time). All damage or injury to the Terminal, the Occupied Terminal Area or its fixtures, equipment and appurtenances therein or thereto caused by the Aeronautical User's removal of furniture, fixtures or other property, shall be repaired to its condition existing before the damage or injury, or restored or replaced promptly by the Aeronautical User at its expense. The Aeronautical User will at all times keep the Occupied Terminal Area free and clear of wastepaper, discarded plastic, graffiti, and all other trash and debris of any kind.

6. *Liens, etc.* Aeronautical Users subject to this Tariff will not permit to be created or to remain, and will discharge (by payment, filing of an appropriate bond or otherwise), any lien, deed of trust, mortgage or other encumbrance affecting the Occupied Terminal Area or, to the extent caused or created by the act of the Aeronautical User, the Airport or any part thereof, other than (i) any encumbrance affecting the Occupied Terminal Area or the Airport and arising solely from any act or omission of LAWA or any Person claiming by, through or under LAWA (other than the Aeronautical User or any Person claiming by, through or under the Aeronautical User), and (ii) inchoate liens of mechanics, materialmen, suppliers or vendors, or rights thereto incurred by the Aeronautical User in the ordinary course of business for sums that under the terms of the related contracts are not yet due. Aeronautical Users subject to this Tariff have no property rights in the Occupied Terminal Area and may not, by lien, deed of trust, mortgage or any other encumbrance, hold themselves out as having such rights or seek to impart such rights to itself or any other party. Notice is hereby given that LAWA shall not be liable for any labor or materials furnished or to be furnished to the Aeronautical User upon credit, and that no mechanics' or other lien for any such labor or materials shall attach to or affect the reversion or other estate or interest of LAWA in and to the Airport, the Terminal, or the Occupied Terminal Areas. Without limiting the generality of Section 9.1 or the remedies available to LAWA for any violation of this Tariff under Section 14, if the Aeronautical User does not, within 30 days following the imposition of any lien, deed of trust, mortgage or other encumbrance that the Aeronautical User is required to discharge (any of the foregoing being referred to as an "Impermissible Lien"), cause the Impermissible Lien to be released of record by payment or posting of a proper bond or otherwise, LAWA shall have, in addition to all other remedies provided by law, the right, but not the obligation, upon ten Business Days' prior notice to the Aeronautical User, to cause the Impermissible Lien to be released by such means as LAWA shall deem proper, including payment in satisfaction of the claim giving rise to the Impermissible Lien. All sums paid by LAWA and all expenses incurred by it in connection with the release of the Impermissible Lien, including costs and attorneys fees, shall be paid by the Aeronautical

User to LAWA on demand.

7. *Compliance with Legal Requirements and Insurance Requirements, etc.* Use of any Terminal space pursuant to this Tariff requires that the Aeronautical User comply with all current and future Legal Requirements and Insurance Requirements that impose any violation or obligation upon LAWA or the Aeronautical User relating to the Occupied Terminal Area or the use thereof, at the Aeronautical User's expense. Without limiting the generality of the foregoing, the Aeronautical User will, at the Aeronautical User's expense, comply with any Legal Requirement that requires repairs or alterations within the Occupied Terminal Areas so as to cause the Occupied Terminal Areas to comply with the Americans with Disabilities Act, and any other Legal Requirements regarding access of disabled persons to the Occupied Terminal Areas, including any services, equipment, programs or activities provided by the Aeronautical User. The Aeronautical User will cooperate with LAWA in LAWA's efforts to ensure compliance by the Airport with all applicable Legal Requirements, including Legal Requirements regarding access of disabled persons to the Airport. The Aeronautical User will cooperate with LAWA and participate in and comply with activities organized by LAWA and mandated by any governmental agency, including recycling programs. LAWA will not be liable to the Aeronautical User by reason of any obligation by the Aeronautical User to comply with applicable Legal Requirements.

8. *[Intentionally Omitted].*

9. *Indemnity; Insurance.*

9.1. Indemnity. Aeronautical Users subject to this Tariff shall indemnify LAWA against and hold LAWA harmless from all expenses (including reasonable attorneys' fees and disbursements), liabilities, losses, damages or fines incurred or suffered by LAWA by reason of (i) any breach or nonperformance by the Aeronautical User, or its agents, employees, contractors, customers, and invitees, of any provision of this Tariff to be observed or performed by the Aeronautical User, (ii) the carelessness, negligence or improper conduct of the Aeronautical User, or its agents, employees, contractors and invitees, and (iii) all Environmental Losses arising from the Aeronautical User's Application of Hazardous Materials at the Airport. LAWA will promptly notify the Aeronautical User of any claim asserted against LAWA for which the Aeronautical User may be liable under this Section 9.1 and will promptly deliver to the Aeronautical User the original or a true copy of any summons or other process, pleading, or notice issued in any suit or other proceeding to assert or enforce the claim. If the Aeronautical User becomes aware of any claim asserted against LAWA for which the Aeronautical User may be liable under this Section 9.1, and of which the Aeronautical User has not yet been notified by LAWA under the provisions of the immediately preceding sentence, the Aeronautical User will promptly notify LAWA of the claim. If any claim, action or proceeding is made or brought against LAWA for which claim, action or proceeding the Aeronautical User would be liable under this Section 9.1, upon demand by LAWA, the Aeronautical User, at its expense, will defend the claim, action or proceeding, in LAWA's name, if necessary, by such attorneys as LAWA shall approve, which approval shall not be unreasonably withheld. Attorneys for the Aeronautical User's insurance carrier are deemed approved for purposes of this Section 9.1 (and if the Aeronautical User's insurance carrier offers the Aeronautical User more than one choice of counsel, the Aeronautical User will select the counsel provided by the insurance carrier that is

reasonably acceptable to LAWA). The Aeronautical User shall, in any event, have the right, at the Aeronautical User's expense, to participate in the defense of any action or other proceeding brought against LAWA and in negotiations for and settlement thereof if, under this Section 9.1, the Aeronautical User may be obligated to reimburse LAWA in connection therewith. LAWA in its discretion may settle any claim against it that is covered by the Aeronautical User's indemnity in this Section 9.1, if LAWA shall first have provided notice to the Aeronautical User of LAWA's intention to settle the claim and the material terms of the proposed settlement and if the Aeronautical User does not object to the proposed settlement within five Business Days of its receipt of the notice (or, if the Aeronautical User receives immediate notice of the offer of settlement and its terms, such lesser time as was given as a condition of the settlement offer). In the case of any claim for which LAWA's proposed settlement includes the payment of more than \$100,000, LAWA may settle the claim over the Aeronautical User's objection unless the Aeronautical User furnishes LAWA with either (i) a bond in an amount equal to the claim in a form and from a surety reasonably satisfactory to LAWA, or (ii) other security reasonably satisfactory to LAWA. For the purposes of this Section 9.1 and any other indemnity by the Aeronautical User in this Tariff, any indemnity of LAWA shall be deemed to include an indemnity of the Board and all of LAWA's officers, employees and agents. In the Aeronautical User's defense, negotiation, compromise, or settlement under this Section of any action against LAWA, LAWA shall retain discretion in and control of the litigation, negotiation, compromise, settlement, and appeals therefrom, as required by the Los Angeles City Charter, particularly Article II, Sections 271, 272 and 273 thereof.

9.2. Insurance. Aeronautical Users subject to this Tariff will obtain and keep in full force and effect during its use of the Occupied Terminal Area, at its expense, policies of insurance of the types, with the coverages and insuring the risks specified in the insurance schedule attached to this Tariff as Schedule 2. Based on its periodic review of the adequacy of insurance coverages, LAWA may from time to time, but not more than once each year, in the exercise of its reasonable judgment, revise the types of insurance required to be maintained by the Aeronautical User, the risks to be insured and the minimum policy limits, on 30 days' prior notice to the Aeronautical User. All policies of insurance required to be maintained by the Aeronautical User under this Section 9.2 (a) shall be primary and noncontributing with any other insurance benefiting LAWA where liability arises out of or results from the acts or omissions of the Aeronautical User, its agents, employees, officers, assigns or any other Person acting on behalf of the Aeronautical User, and (b) may provide for reasonable deductibles or retention amounts satisfactory to LAWA based upon the nature of the Aeronautical User's operations and the risks insured. Without limiting the generality of Section 9.1, if the Aeronautical User does not furnish LAWA with evidence of insurance and maintain insurance in accordance with this Section 9.2, LAWA may, but shall not be obligated to, procure the insurance at the expense of the Aeronautical User, in which event the Aeronautical User will promptly reimburse LAWA for any amounts advanced by LAWA in procuring the insurance, together with a charge of 15% of the amounts so advanced for LAWA's administrative costs in so doing. The Aeronautical User will provide proof of all insurance required to be maintained by this Section 9.2 by (a) production of certified copies of the actual insurance policies, (b) use of LAWA's own endorsement forms, (c) broker's letter satisfactory to LAWA in substance and form in the case of foreign insurance syndicates, or by other written evidence of insurance satisfactory to LAWA. The documents evidencing all specified coverages shall be filed with LAWA in duplicate and

shall be procured and approved in strict accordance with the provisions in Sections 11.47 through 11.56 of Administrative Code of the City of Los Angeles before the Aeronautical User uses the Occupied Terminal Area or any other portions of the Terminal areas. The documents evidencing the coverages shall contain the applicable policy number, the inclusive dates of policy coverages, and the insurance carrier's name, and shall bear an original signature of an authorized representative of the carrier. LAWA has the right to have submitted to it, upon request, all pertinent information about the agent and carrier providing any policy of insurance required by this Section 9.2. Policies of insurance issued by non-California admitted carriers are subject to the provisions of California Insurance Code Sections 1760 through 1780, and any other regulations and directives from the California Department of Insurance or other regulatory board or agency. Unless exempted, the Aeronautical User will provide LAWA with proof of insurance from the non-California admitted carriers through a surplus lines broker licensed by the State of California. The Aeronautical User will promptly furnish LAWA with (i) notice of cancellation or change in the terms of any policy of insurance required to be maintained by this Section 9.2, and (ii) copies of any renewals, replacement or endorsements of or to the policies (and, in the case of renewals or replacements, at least 15 days before the expiration of the corresponding existing policy).

9.3. Carriers; Policy Provisions. All insurance policies referred to in Section 9.2 that are carried by Aeronautical Users subject to this Tariff shall be maintained with insurance companies of recognized standing and with an A.M. Best rating of A/XII or better. Each insurance policy referred to in Section 9.2 shall also, whether under the express provisions of the policy, by LAWA's own endorsement form or by other endorsement attached to the policy, include LAWA, the Board and all of LAWA's officers, employees, and agents, as additional named insureds for all purposes of the policy. Each insurance policy referred to in Section 9.2 (other than policies for workers' compensation, employers' liability and fire and extended coverages) shall contain (a) a "Severability of Interest (Cross Liability)" clause stating "It is agreed that the insurance afforded by this policy shall apply separately to each insured against whom claim is made or suit is brought except with respect to the limits of the company's liability", and (b) a "Contractual Endorsement" stating "Such insurance as is afforded by this policy shall also apply to liability assumed by the insured under its use of property at Los Angeles International Airport." Each insurance policy referred to in Section 9.2 shall provide that the insurance provided under the policy shall not be subject to cancellation, reduction in coverage, or nonrenewal except after written notice, at least 30 days before the effective date, by certified mail, return receipt requested, to LAWA at its address specified in or under the provisions of Section 18.

10. *Damage or Destruction.*

10.1. Aeronautical User to Restore. If any Occupied Terminal Area is damaged or destroyed by fire or other casualty, then, whether or not (i) the damage or destruction shall have resulted from the fault or neglect of the Aeronautical User or any other Person, or (ii) the insurance proceeds shall be adequate therefor, the Aeronautical User will repair the damage, and restore the Occupied Terminal Area at the Aeronautical User's expense, promptly and expeditiously and with reasonable continuity, to the same or better condition as existed before the casualty and in such a manner as is otherwise consistent with this Tariff and the Aeronautical User's uses of the Occupied Terminal Area, in each case subject to all then existing Legal

Requirements; provided, however, that any such repair and restoration obligation of the Aeronautical User shall be contingent upon LAWA's repair and restoration of the Terminal as a whole and all structural components of the Occupied Terminal Area if necessary. Any repair or restoration by the Aeronautical User of the Occupied Terminal Area following a casualty shall be considered an Alteration for the purposes of Section 4. If as a result of the repairs or restoration, a new certificate of occupancy shall be necessary for the Occupied Terminal Area, the Aeronautical User will obtain and deliver to LAWA a temporary or final certificate of occupancy before the damaged portions of the Occupied Terminal Area shall be used for any purpose.

10.2. Aeronautical User to Give Notice. Aeronautical Users subject to this Tariff will give LAWA notice in case of material damage or destruction to the Occupied Terminal Area promptly after the Aeronautical User becomes aware of the event.

11. *Eminent Domain.*

11.1. Total Taking. If there shall occur a whole or partial Taking (other than for temporary use) of any Terminal, this Tariff shall be either modified or cease to be in effect with respect to the affected Terminal at the discretion of the eventual owner.

11.2. Awards. Whether there is a whole or partial Taking, Aeronautical Users subject to this Tariff shall not be entitled to receive any portion of LAWA's award in any proceeding relating to any Taking, whether temporary, partial, or whole.

12. *No Purported Assignment or Subletting*. No Property Rights, No Assignment. Because Aeronautical Users subject to this Tariff have no property rights in any property at any Terminal at the Airport subject to this Tariff, Aeronautical Users subject to this Tariff may not attempt to assign, mortgage, encumber sublet, license, nor sublicense Terminal areas used pursuant to this Tariff or any part thereof. Any such purported assignment, mortgage, encumbrance, license, subletting, or sublicensing is void. Notwithstanding the provisions of this Section 12, and without granting any property right or interest in the Terminal area used pursuant to this Tariff, in the event the Aeronautical User purports to license, sublet, or sublicense any portion of its Occupied Terminal Area, the licensee, sublessee, or sublicensee shall be subject to the same terms and conditions of this Tariff as though it were an Aeronautical User itself.

13. *Pipes, Ducts and Conduits; Access to Terminal areas, etc.*

13.1. Pipes, Ducts and Conduits. LAWA may, at its discretion, erect, use and maintain pipes, ducts and conduits in and through the Terminal areas.

13.2. LAWA's Access to Occupied Terminal Areas. Because Aeronautical Users subject to this Tariff have no property rights in the Occupied Terminal Areas, LAWA, its officers, employees, agents and contractors may enter the Occupied Terminal Areas at any time for the purpose of (i) inspecting the Occupied Terminal Areas and making repairs, restorations or alterations, (ii) inspecting the Occupied Terminal Areas or exhibiting them to prospective tenants or other users, or (iii) doing any other act or thing that LAWA may be obligated or have the right to do.

13.3. Emergency Access to Occupied Terminal Areas. If no authorized representative

of the Aeronautical User shall be personally present to when LAWA, its officers, employees, agents and contractors, seek to enter the Occupied Terminal Areas and such an entry shall be urgently necessary by reason of fire or other emergency, LAWA may forcibly enter the Occupied Terminal Area without rendering LAWA liable therefor, if, to the extent possible and during and following the entry, LAWA will accord due care to the Aeronautical User's property under the emergency circumstances. LAWA will notify the Aeronautical User of any emergency entry as soon thereafter as practicable.

13.4. Changes to Common Areas. LAWA may, at its discretion, change the arrangement, design, number and location of entrances, passageways, doors, doorways, corridors, elevators, stairways, restrooms, roads, sidewalks, landscaping and other parts of the Occupied Terminal Areas, the Terminal Common Areas, the Joint Use Areas, the International Joint Use Areas, Vertical Areas, and other areas of the Terminal and the Airport, although LAWA will attempt to avoid unreasonable interference or impairment of the Aeronautical User's use of the Occupied Terminal Areas, except with reasonable notice to the Aeronautical User of the changes.

14. *Tariff Violations.* If any one or more of the following events shall occur (each being referred to as a "Tariff Violation"):

- a. if the Aeronautical User shall fail to pay any installment of Base Charge or any additional charge on the date the same becomes due and payable and the failure shall continue for more than three days after payment is due; or
- b. if the Aeronautical User shall fail to perform or comply with the provisions of Section 5, and the failure shall continue for more than the number of days specified for the cure thereof in any notice from LAWA to the Aeronautical User of the failure; or
- c. if any insurance required to be maintained by the Aeronautical User under the terms of Section 9 shall be cancelled or terminated or shall expire (and if replacement insurance complying with the terms of Section 9 shall not have been effected prior to the cancellation, termination or expiration), or shall be amended or modified, except, in each case, as permitted by the terms of Section 9; or
- d. if the Aeronautical User shall fail to perform or comply with any term of this Tariff (other than those referred to in clauses (a) through (c) of this sentence) and the failure shall continue for more than ten days; or
- e. if the Aeronautical User shall (i) file, or consent by answer or otherwise to the filing against it of, a petition for relief or reorganization or arrangement or any other petition in bankruptcy, for liquidation or to take advantage of any bankruptcy or insolvency law of any jurisdiction, (ii) make an assignment for the benefit of its creditors, or admits in writing its inability to pay its debts when due, (iii) consent to the appointment of a custodian, receiver, trustee or other officer with similar powers of itself or of any material part of its

properties, (iv) be adjudicated insolvent or be liquidated, or (v) take corporate action for the purpose of any of the foregoing; or

- f. if a court or governmental authority of competent jurisdiction shall enter an order appointing, without consent by the Aeronautical User, a custodian, receiver, trustee or other officer with similar powers with respect to the Aeronautical User or with respect to any material part of its property, or if an order for relief shall be entered in any case or proceeding for liquidation or reorganization or otherwise to take advantage of any bankruptcy or insolvency law of any jurisdiction, or ordering the dissolution, winding-up or liquidation of the Aeronautical User, or if any petition for any such relief shall be filed against the Aeronautical User and the petition shall not be dismissed within 30 days; or
- g. if the Aeronautical User shall leave the Occupied Terminal Areas without a demonstrable intention to return, whether or not the Aeronautical User continues to pay the Base Charge and additional charges in a timely manner; or
- h. if the Aeronautical User or any of its Affiliates shall be in material breach of the terms of any other tariff imposed by LAWA or any lease, license, permit or contract to which LAWA shall be a party; or
- i. if the Aeronautical User shall fail to pay when due any amount due under the Landing Fee; or
- j. if the Aeronautical User shall fail to remit when due to LAWA any Passenger Facility Charges;

the Aeronautical User shall be considered in violation of the Tariff and may be removed from any of its Occupied Terminal Areas without further notice, except that LAWA, in its discretion, may permit a good faith effort by the Aeronautical User either to comply immediately with the terms of this Tariff or to bring itself into compliance with the terms of this Tariff within a reasonable period of time. In the event LAWA does not choose to exercise such discretion to permit the continued use of the Occupied Terminal Areas, the Aeronautical User will pay, as an additional charge under this Tariff, all reasonable costs and expenses incurred by or on behalf of LAWA (including, without limitation, reasonable attorneys' fees and expenses) occasioned by any violation by the Aeronautical User of this Tariff. If a Tariff Violation shall occur, LAWA may immediately apply all amounts held by LAWA under any Performance Guaranty toward amounts then payable by the applicable Aeronautical User to LAWA. In the event of a removal of the Aeronautical User from the Occupied Terminal Areas at the expense of the Aeronautical User, LAWA may store any Aeronautical User Property so removed from the Terminal areas. LAWA shall be under no liability for or by reason of the Aeronautical User Property's removal.

15. *Performance Guaranty.*

15.1. Initial Performance Guaranty. It shall be a condition to the use of any Terminal area under this Tariff that the Aeronautical User shall have previously delivered a security

deposit (the "Performance Guaranty") to LAWA at the following address:

City of Los Angeles
Department of Airports
Accounts Receivable
Attn: FPG Administrator
P.O Box 92214
Los Angeles CA 90009-2214

The initial amount of the Performance Guaranty shall be the amount reflected on the Basic Information Schedule as the "Performance Guaranty Amount", which is three times the sum of the amount of the initial estimated monthly installments of Base Charge, Terminal Expenses Additional charge, Airport Infrastructure Additional charge, and any other additional charges. The Performance Guaranty may only be in the form of a cashier's check or in the form of an irrevocable bank letter of credit (and if the Performance Guaranty is for an amount equal to or greater than \$5,000.00, the Performance Guaranty must be in the form of an irrevocable bank letter of credit), in either case issued by a bank satisfactory to LAWA. Any irrevocable bank letter of credit shall be self-renewing annually (but subject to termination as of any renewal date upon not less than 60 days' prior notice to LAWA, in accordance with Section 18) and shall otherwise be in such form as may be approved by the City Attorney. The Performance Guaranty shall not be in lieu of any other guaranty required by LAWA, nor shall any other guaranty in favor of LAWA relating to any obligation of the Aeronautical User, whether in connection with this Tariff or otherwise, stand wholly or partly in lieu of the Performance Guaranty.

15.2. Increases to Performance Guaranty. Whenever under the terms of this Tariff the monthly amounts payable by the Aeronautical User on account of Base Charge, Terminal Expenses Additional charge, Airport Infrastructure Additional charge, and all other additional charges increase, such that the amount of the aggregate cumulative increase shall exceed ten percent of the amount of the existing Performance Guaranty, the Aeronautical User will, within 30 days of the delivery by LAWA of a notice requiring that the Performance Guaranty be increased, deliver a new Performance Guaranty to LAWA at the address specified in Section 15.1 (or such other address as LAWA may from time to time specify for the purpose of this Section 15.2) in the amount of three times the sum of the amount of the then current monthly installments of Base Charge, Terminal Expenses, Airport Infrastructure Additional Charges, and all other additional charges payable under this Tariff. Upon the application by LAWA of any portion of the Performance Guaranty under the terms of Section 14, the Aeronautical User will immediately deliver a new Performance Guaranty to LAWA in the amount of the Performance Guaranty immediately before the application.

15.3. Purpose; Return. The Performance Guaranty shall be held by LAWA as security for the agreement by the Aeronautical User to obey the rules and regulations of this Tariff, including the payment of Base Charge, Terminal Expenses Additional charge, Airport Infrastructure Additional charge, and all other additional charges. Upon the permanent vacation of the Occupied Terminal Areas by the Aeronautical User, and provided it has satisfied all of its obligations to LAWA under this Tariff, LAWA will return the Performance Guaranty to the Aeronautical User.

15.4 Policy Change. The Board reserves the right, power and duty to revise and readjust the Performance Guaranty policy and amount at any time throughout the Aeronautical User's use of the Occupied Terminal Area. Upon the adoption of a revised Performance Guaranty policy by the Board, such policy shall be applicable to the Aeronautical User.

16. *Space Utilization.*

16.1. Policy. Because the Airport is a public facility essential to regional and national transport and economy, as a matter of public policy LAWA requires that space at the facilities of the Airport be fully utilized.

16.2. Accommodation. Without limiting the generality of rights of LAWA under Section 12, Section 16.3, or Section 16.4, if LAWA determines that any portion of the Joint Use Areas or the International Joint Use Areas are not being utilized, and are not likely to become fully utilized within a reasonable period of time, to the extent required by the utilization standards (the "Utilization Standards") from time to time adopted by LAWA (and applicable generally to the Terminal areas and similarly situated space in the facilities of the Airport), LAWA may designate such Persons as it deems appropriate for the occupancy and use of the underutilized portion of the Joint Use Areas and the International Joint Use Areas.

16.3. Underutilization. If LAWA determines that any portion of the Occupied Terminal Area is not being utilized, and is not likely to become fully utilized within a reasonable period of time to the extent required by the Utilization Standards, LAWA may seek and incorporate other Persons to utilize fully the underutilized yet Occupied Terminal Area (the "Underutilized Space"). If within 90 days following the delivery of the notice the Aeronautical User subject to this Tariff fails to adequately demonstrate to the satisfaction of LAWA that the Underutilized Space is then being, and reasonably anticipated to continue being, utilized to the extent required by the Utilization Standards, LAWA may deliver to the Aeronautical User a notice that it is in violation of this Tariff and may be removed from the underutilized Occupied Terminal Areas on a date specified in the notice and not less than 30 days following the date on which the notice is delivered. If LAWA so elects under this Section 16.3, (i) the Aeronautical User will vacate the Underutilized Space on the date specified in LAWA's notice of election in the condition required by the provisions of this Tariff, (ii) the Underutilized Space shall be eliminated from the Occupied Terminal Area, (iii) the Aeronautical User's Use Share and the Aeronautical User's Special Use Share shall be recalculated after subtracting the Measured Area of the Underutilized Space from the then Measured Area of the Occupied Terminal Area immediately before the full utilization, (iv) the Base Charge shall be recalculated after subtracting the Measured Area of the Underutilized Space from the previously Measured Area of the Occupied Terminal Area immediately before the recapture, (v) any other additional charge payable for any period from and after the date of the full utilization shall be appropriately adjusted, and (vi) any necessary proration of Base Charge, Terminal Expenses Additional charge, Airport Infrastructure Additional charge, and all other additional charges will be made as if, for the Underutilized Space, the date of the full utilization was the last day of the month.

16.4. Cancellation upon Cessation of Service.

16.4.1. [Applicable to Airline Aeronautical Users Only] If the Aeronautical User

shall for any reason cease regularly scheduled or actual flight services at the Airport, LAWA may immediately remove the Aeronautical User from any Occupied Terminal Area. In the event of such a cancellation of service, (i) the Aeronautical User will surrender the Occupied Terminal Area as soon as practicable, in the condition required by the provisions of this Tariff, and (ii) the Base Charge and all additional charge will be prorated as of the date of vacancy.

16.4.2. [Applicable to non-Airline Aeronautical Users Only] If the Aeronautical User for any reason does not have a valid agreement or license with LAWA to do business on Airport property, LAWA may immediately remove the Aeronautical User from any Occupied Terminal Area. In such event, (i) the Aeronautical User will surrender the Occupied Terminal Area as soon as practicable, in the condition required by the provisions of this Tariff, and (ii) the Base Charge and all additional charge will be prorated as of the date of vacancy.

16.5. Scheduling of Ticket Counter Space, Gate Areas, etc. [Applicable to Airline Aeronautical Users Only] The efficient use of the Terminal in the public interest requires that certain critical facilities in the Joint Use Areas and the International Joint Use Areas (consisting of ticket counters, gate areas and other facilities from time to time designated by LAWA, and referred to as the “Allocated Facilities”) be available for use by Terminal Users, that from time to time can make the most productive use of the Allocated Facilities. LAWA shall therefore have the right in its discretion to schedule specific portions of the Allocated Facilities for the use of particular Terminal Users, for specific periods, and the Aeronautical User acknowledges that all Terminal Users must accept flexibility in the scheduling by LAWA of the Allocated Facilities. Furthermore, LAWA may from time to time adopt guidelines for the scheduling of the Allocated Facilities. In addition to the right to schedule the use of the Allocated Facilities, LAWA shall have the right to establish preferences in the use of Allocated Facilities under the provisions of Section 16.6.

16.6. Preferential Use Rights. [Applicable to Airline Aeronautical Users Only] LAWA may from time to time, by notice to the Terminal Users, establish preferences in the use of the Allocated Facilities in favor of one or more Terminal Users, to the extent specified in the notice. LAWA may establish in favor of a Terminal User a preferential use right in a gate area and associated Allocated Facilities in the Joint Use Areas when, as determined in the discretion of LAWA, the arrivals and departures of flights operated by the Terminal User from the gate area can be scheduled in a manner that will substantially exceed the Utilization Standards. In the discretion of LAWA, flights arrivals and departures operated by any Affiliate of a Terminal User may be treated as being operated by the Terminal User for the purposes of LAWA’s determination under the immediately preceding sentence. If LAWA shall have determined in its discretion that (a) the Aeronautical User can no longer be reasonably expected to operate flights from a gate area as to which the Aeronautical User was previously granted preferential rights under this Section 16.6, or (b) any preferential right granted to the Aeronautical User under this Section 16.6 unreasonably reduces the efficient use of the Terminal, LAWA may, in its discretion, terminate the preferential right as to which the determination is made.

17. *End of Use.* Upon its vacancy of the Occupied Terminal Areas, the Aeronautical User will leave the premises broom clean, in good order and in the condition required by the

provisions of this Tariff.

18. *Notices.* Any notice or other communication required or permitted to be given, rendered or made by either party to the other, by any provision of this Tariff or by any applicable law or requirement of public authority, shall (unless otherwise expressly set forth herein) be in writing and shall be deemed to have been properly given, rendered or made, if delivered by hand or received by certified mail, postage prepaid, return receipt requested, or delivered by nationally recognized overnight courier service, delivery service prepaid, or delivered by telecopier, in any case addressed as follows:

If to LAWA:

Department of Airports
1 World Way
Post Office Box 92216
Los Angeles, California 90009-2216
Attention: Executive Director

Telecopier No. (310) 646-0523

with a copy to:

Department of Airports
1 World Way
Post Office Box 92216
Los Angeles, California 90009-2216
Attention: City Attorney

Telecopier No. (310) 646-9617

If to the Aeronautical User:

to the addresses shown on the Basic Information Schedule under the heading "Aeronautical User Addresses for Notices".

LAWA or the Aeronautical User may from time to time, by notice, designate a different or additional address within the United States or attention designation for communications intended for it. Any notice or other communication given by certified mail shall be deemed given as of the date of delivery as indicated on the return receipt, or when the delivery is first refused. Any notice or other communication delivered by a nationally recognized overnight courier service shall be deemed delivered on the Business Day following the day upon which the notice or other communication was delivered to the courier. Any notice or other communication delivered by telecopier shall be deemed delivered when the transmission is actually received, if received during normal business hours, otherwise the notice or other communication, if received, shall be deemed delivered on the following Business Day. Any notice or other communication may be given on behalf of LAWA or the Aeronautical User by their respective attorneys, provided that the attorneys represent their capacity as such in the notice or other communication.

19. *Utilities.*

19.1. Aeronautical User Responsible. Aeronautical Users subject to this Tariff shall be responsible for the payment of all costs of furnishing utilities to the Occupied Terminal Area (including all charges for water, gas, heat, light, power, telephone, and other utility service used by the Aeronautical User in connection with its use of the Occupied Terminal Area), including deposits, connection fees and meter installation and rentals required by the supplier of any utility service, and the costs of all equipment and improvements necessary for connecting the Occupied Terminal Area to utility service facilities. If LAWA agrees that it is impracticable to separately meter a given utility for the Occupied Terminal Area, then the Aeronautical User shall pay to LAWA, as an additional charge, on a pro-rata per square foot basis, for all utilities that are supplied by LAWA to the Occupied Terminal Area, at charges which will reflect fully compensatory, non-discriminatory, standard rates established by LAWA from time to time. The Aeronautical User shall also be responsible for the payment of any and all taxes of whatever character that may be levied or charged upon the Occupied Terminal Area for furnishing utilities to the Occupied Terminal Area.

19.2. LAWA Not Liable. LAWA will not be liable to the Aeronautical User for any failure, defect, impairment or deficiency in the supply of any utility service furnished to the Occupied Terminal Area or in any system supplying the service.

19.3. Interruptions of Service. LAWA has the right to interrupt the services provided by the Terminal's heating, ventilation, air conditioning, elevator, plumbing and electrical systems or other Terminal systems when necessary by reason of accident or emergency or for repairs, alterations, replacements or improvements.

20. *Rights of Flight.* LAWA has, for the use and benefit of the public, a right of flight for the passage of aircraft in the airspace above any space used in the Terminal, including the right to cause any noise and vibration inherent in the operation of any aircraft through the airspace or landing at, taking off from, or operating at the Airport. The Aeronautical User will not to make any claim against LAWA under any theory of recovery for any interference with the Aeronautical User's use of the Occupied Terminal Areas that may result from noise or vibration emanating from the operation of aircraft at the Airport.

21. *Airport and Terminal Management.*

21.1. Authority of LAWA in Terminal Common Areas, Vertical and Joint Use Areas. The Airport is a public facility essential to regional and national transport and economy and LAWA is a political subdivision with a public responsibility for the proper functioning of the Airport and the Terminal. In order to carry out its responsibilities (including its obligations to comply with the requirements of the Federal Aviation Administration, the U.S. Transportation Security Administration, and other Legal Requirements), LAWA must therefore have broad power to regulate activities in the Airport and in the areas of the Terminal not part of the Occupied Terminal Area. Accordingly, LAWA may from time to time adopt rules and regulations, and may make other specific orders, for the conduct of operations in the Joint Use Areas, the International Joint Use Areas, the Terminal Common Areas, and the Vertical Areas. Aeronautical Users subject to this Tariff shall at all times comply with any rules and regulations

from time to time so adopted and any specific orders so made by LAWA (and of which the Aeronautical User shall have received a copy in writing), provided only that the rules and regulations are adopted, and the orders made, by LAWA in the good faith discharge of its public responsibilities and do not unreasonably discriminate against the business operations of the Aeronautical User in the Terminal areas.

21.2. Major Changes. LAWA may make any change to the Terminal or the Airport that LAWA determines may be necessary or desirable. Aeronautical Users subject to this Tariff acknowledge that LAWA may undertake various improvements to the Airport and the Terminal during the Aeronautical User's use of the Occupied Terminal Area, and that the construction of the improvements may interfere with the Aeronautical User's operations at the Terminal. LAWA will reasonably attempt to mitigate the effects on the Aeronautical User's operations.

22. *No Representations*. By virtue of use under this Tariff, the Aeronautical User accepts the Occupied Terminal Area and the Terminal "as is", in their condition and state of repair existing on the date that the Aeronautical User begins to use Terminal space at any Terminal at the Airport subject to this Tariff. LAWA makes no representations, express or implied, as to the current condition of the Terminal, the Airport or the Occupied Terminal Area, or the equipment and systems serving the Terminal, the Airport or the Occupied Terminal Area.

23. *Communications Equipment and Antennae*. Aeronautical Users subject to this Tariff have no right to install or use any telecommunications equipment or antennae on the roof or exterior of the Terminal, unless (a) the installation and use are directly related to the conduct of the Aeronautical User's business at the Occupied Terminal Area and are in full compliance with LAWA's permit process and telecommunications policies, as established in the discretion of LAWA, and (b) the installation is effected in compliance with the requirements of Section 4. The Aeronautical User will not purport to license or in any other manner attempt to permit any other Person to use any telecommunications equipment or antennae at the Terminal. LAWA maintains the right to install or use telecommunications equipment or antennae on the roof or exterior of the Occupied Terminal Area and to install and attach cables, wires and conduits on, over or under the Occupied Terminal Area in connection with telecommunications equipment or antennae, or to license or otherwise permit others to do so, without compensation or a credit to the Aeronautical User.

24. *Signs and Advertising Materials*. Except as set forth in this Section 24, Aeronautical Users subject to this Tariff will not place any signs or advertising materials in any location at the Terminal without the prior consent of LAWA, which consent may be withheld in the discretion of LAWA. Any request for the approval of identification signs for the Aeronautical User's operations shall be accompanied by illustrative drawings and design dimensions together with information about the type of identification signs proposed by the Aeronautical User and the locations in which the signs are proposed to be installed. The Aeronautical User will comply with any conditions to the installation or use of signs to which LAWA may make its consent subject. The Aeronautical User will keep all ticket counter space used by the Aeronautical User and any associated ticket lifts and podiums free of all signs, advertising materials, credit card application dispensing units, posters and banners. LAWA may without notice remove any unauthorized signs or advertising materials, and may store them at the Aeronautical User's expense, and may dispose of them if they are not promptly claimed by the Aeronautical User.

after notice from LAWA.

25. *Other Aeronautical User Restrictions.*

25.1. Environmental Matters. The Aeronautical User's activities at or about the Terminal areas and the Application of all Hazardous Materials shall comply at all times with all Environmental Requirements. Except for conditions existing before the original occupancy or use of the Terminal areas by the Aeronautical User, in the case of any the spill, leak, discharge, or improper storage of any Hazardous Materials on the Occupied Terminal Area or contamination of the Occupied Terminal Area with Hazardous Materials by any Person (or by the Aeronautical User or its employees, agents, contractors, or subcontractors onto any other property at the Airport), the Aeronautical User will make or cause to be made any necessary repairs or corrective actions as well as to clean up and remove any spill, leakage, discharge or contamination, all in accordance with applicable Environmental Requirements. Prior to vacating the Terminal the Aeronautical User will remove from the Terminal areas all Hazardous Materials applied by the Aeronautical User at the Terminal areas. If the Aeronautical User installs or uses underground storage tanks, above-ground storage tanks, pipelines, or other improvements on the Terminal areas for the storage, distribution, use, treatment, or disposal of any Hazardous Materials, the Aeronautical User will, prior to vacating the Occupied Terminal Area, remove or clean up such improvements, at the election of LAWA, at the sole expense of the Aeronautical User and in compliance with all Environmental Requirements and the reasonable directions of LAWA. The Aeronautical User shall be responsible and liable for the compliance with all of the provisions of this Section 25.1 by the Aeronautical User's officers, employees, contractors, agents and invitees. The Aeronautical User will, at its expense, promptly take all actions required by any governmental agency in connection with the Aeronautical User's Application of Hazardous Materials at or about the Terminal areas, including inspection and testing, performing all cleanup, removal and remediation work required for those Hazardous Materials, complying with all closure requirements and post-closure monitoring, and filing all required reports or plans. All of the foregoing work and all Application of Hazardous Materials shall be performed in a good, safe and workmanlike manner by personnel qualified and licensed to undertake the work and in a manner that will not materially interfere with LAWA's use, operation and leasing of the Terminal or the Airport and other Persons' quiet enjoyment of their premises. The Aeronautical User will deliver to LAWA copies of all permits, manifests, closure or remedial action plans, notices, and all other documents relating to the Aeronautical User's Application of Hazardous Materials at or about the Terminal areas, before delivery to any agency, or promptly after receipt from any agency. The Aeronautical User will keep LAWA fully informed of its Application of Hazardous Materials, and, if the Aeronautical User Applies Hazardous Materials, LAWA may engage one or more consultants to review all permits, manifests, remediation plans and other documents related to the Application of the Hazardous Materials. LAWA's reasonable out-of-pocket costs of engaging the consultants will be paid by the Aeronautical User.

25.2. Security. The Aeronautical User will fully comply with all Legal Requirements relating to airfield and airport security. The Aeronautical User will maintain and keep in good repair that portion of the Airport perimeter fence, including gates and doors, that are in the Occupied Terminal Area or controlled by the Aeronautical User. The Aeronautical User will comply fully with applicable provisions of the Transportation Security Administration ("TSA") Regulations, 49 CFR, Part 1500 through 1550, as may be amended from time to time, or any

successor statute, including the establishment and implementation of procedures acceptable to LAWA to control access from the Occupied Terminal Area to air operation areas in accordance with the Airport Security Program required by 49 CFR Part 1542, as may be amended from time to time, or any successor statute. The Aeronautical User will exercise exclusive security responsibility for the Occupied Terminal Area and, if the Aeronautical User is an Airline, will also exercise security responsibility pursuant to Aeronautical User's TSA-approved Aircraft Operator Standard Security Program used in accordance with 49 CFR, Part 1544, as may be amended from time to time, or any successor statute. Without limiting the generality of the foregoing, the Aeronautical User will keep gates and doors in the Occupied Terminal Area and that permit entry to restricted areas at the Airport locked at all times when not in use or under the Aeronautical User's constant security surveillance. The Aeronautical User will report gate or door malfunctions that permit unauthorized entry into restricted areas to LAWA's operations center without delay, and the Aeronautical User will maintain the affected gate or door under constant security surveillance until repairs are affected by the Aeronautical User or LAWA and the gate or door is properly secured. The Aeronautical User will pay all civil penalties levied by the Federal Aviation Administration for violation of Federal Aviation Regulations pertaining to security gates or doors in the Occupied Terminal Area or otherwise controlled by the Aeronautical User.

25.3. Business Tax Registration. If it has not already done so, prior to using the Terminal area, the Aeronautical User will register its business with the office of the City Clerk of the City of Los Angeles and will obtain and presently holds a Business Tax Registration Certificate, or a Business Tax Exemption Number, required by the Business Tax Ordinance (Article I, Chapter 2, Sections 21.00 and following, of the Municipal Code of the City of Los Angeles). The Aeronautical User will maintain, or obtain as necessary, all certificates required of the Aeronautical User under that ordinance, and shall not allow any such certificate to be revoked or suspended while using the Terminal area.

25.4. Noise Abatement Procedures. The Aeronautical User will comply with the Department's Noise Abatement Rules and Regulations. Under the requirements of the 1993 LAX Noise Variance and in order to limit the use of auxiliary power units, the Aeronautical User will provide a sufficient number of ground power units at each gate and maintenance area used by the Aeronautical User's aircraft at the Terminal.

25.5. Nondiscrimination and Equal Employment Practices.

25.5.1. Federal Non-Discrimination Provisions. To the extent required by law, notwithstanding any other provision of this Tariff and without implying any property right in the Terminal, the Aeronautical User agrees to maintain and operate such facilities and services in compliance with all requirements imposed pursuant to 49 CFR, Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation, and as said Regulations may be amended.

25.5.2. City Non-Discrimination Provisions.

a. Non--Discrimination In Use Of Premises. There shall be no discrimination against or segregation of any person, or group of persons, on account of race,

religion, national origin, ancestry, sex, sexual orientation, age, physical handicap, marital status, domestic partner status, or medical condition in the transfer, use, occupancy, tenure, or enjoyment of the Terminal areas or any part of the Terminal areas or any operations or activities conducted on the Occupied Terminal Area or any part of the Terminal areas. Nor shall the Aeronautical User or any person claiming under or through the Aeronautical User establish or permit any such practice or practices of discrimination or segregation with reference to the selection, location, number, use or occupancy of the Aeronautical User or vendees of the Terminal areas.

b. Non-Discrimination In Employment. The Aeronautical User obligates itself not to discriminate against any employee or applicant for employment because of the employee's or applicant's race, religion, national origin, ancestry, sex, sexual orientation, age, physical handicap, marital status, domestic partner status, or medical condition. The Aeronautical User will take affirmative action to insure that applicants for employment are treated without regard to the aforementioned factors and will comply with the affirmative action requirements of the Los Angeles Administrative Code, Sections 10.8, et seq., or any successor ordinances or law concerned with discrimination.

c. Equal Employment Practices. If the total payments made to LAWA under this Tariff are \$1,000 or more, this provision shall apply. While the Aeronautical User is making payments pursuant to this Tariff, the Aeronautical User will comply with Section 10.8.3 of the Los Angeles Administrative Code ("Equal Employment Practices"), a copy of which is attached hereto for convenience as Exhibit D. By way of specification but not limitation, under Sections 10.8.3.E and 10.8.3.F of the Los Angeles Administrative Code, the failure of the Aeronautical User to comply with the Equal Employment Practices provisions of this Tariff may be deemed to be a violation of this Tariff. No such finding shall be made or penalties assessed except upon a full and fair hearing after notice and an opportunity to be heard has been given to the Aeronautical User. Upon a finding duly made that the Aeronautical User has failed to comply with the Equal Employment Practices provisions of this Tariff, said failure shall be considered a violation of this Tariff.

d. Affirmative Action Program. If the total payments to LAWA under this Tariff are \$100,000 or more, this provision shall apply. During the performance of this Tariff, the Aeronautical User will comply with Section 10.8.4 of the Los Angeles Administrative Code ("Affirmative Action Program"), a copy of which is attached hereto for convenience as Exhibit E. By way of specification but not limitation, under Sections 10.8.4.E and 10.8.4.F of the Los Angeles Administrative Code, the failure of the Aeronautical User to comply with the Affirmative Action Program provisions of this Tariff constitutes a violation of this Tariff. No such finding shall be made or penalties assessed except upon a full and fair hearing after notice and an opportunity to be heard has been given to the Aeronautical User. Upon a finding duly made that the Aeronautical User has failed to comply with the Affirmative Action Program provisions of this Tariff, said failure shall be considered a violation of this Tariff.

25.6. Taxes, Permits and Licenses. The Aeronautical User will pay any and all taxes of whatever character that may be levied or charged upon the Occupied Terminal Area, or upon the Aeronautical User's improvements, fixtures, equipment, or other property thereon or upon the Aeronautical User's use thereof. The Aeronautical User will also pay all license or permit fees

necessary or required by law or regulation for the conduct of the Aeronautical User's business or use of the Terminal areas.

25.7. Living Wage Ordinance

25.7.1. General Provisions; Living Wage Policy. This Tariff is subject to the Living Wage Ordinance ("LWO"), Section 10.37, *et seq.*, of the Los Angeles Administrative Code, a copy of which is attached hereto for convenience as Exhibit F. The LWO requires that, unless specific exemptions apply, any employees of the Aeronautical User or licensees of property of the City of Los Angeles who render services on the Occupied Terminal Areas are covered by the LWO if any of the following applies: (1) the services are rendered on the Occupied Terminal Areas at least a portion which are visited by substantial numbers of the public on a frequent basis, (2) any of the services could feasibly be performed by City of Los Angeles employees if the awarding authority had the requisite financial and staffing resources, or (3) the designated administrative agency of the City of Los Angeles has determined in writing that coverage would further the proprietary interests of the City of Los Angeles. Employees covered by the LWO are required to be paid not less than a minimum initial wage rate, as adjusted each year. The LWO also requires that employees be provided with at least 12 compensated days off per year for sick leave, vacation, or personal necessity at the employee's request, and at least ten (10) additional days per year of uncompensated time under Section 10.37.2(b). The LWO requires employers to inform employees making less than twelve dollars per hour of their possible right to the federal Earned Income Tax Credit and to make available the forms required to secure advance Earned Income Tax Credit payments from the employer under Section 10.37.4. The Aeronautical User will permit access to work sites for authorized representatives of the City of Los Angeles to review the operation, payroll, and related documents, and to provide certified copies of the relevant records upon request by the City of Los Angeles. Whether or not subject to the LWO, the Aeronautical User will not retaliate against any employee claiming non-compliance with the provisions of the LWO, and, in addition, under Section 10.37.6(c), the Aeronautical User will comply with federal law prohibiting retaliation for union organizing.

25.7.2. Living Wage Coverage Determination. An initial determination has been made that this Tariff is not exempt from coverage by the LWO. The Living Wage Coverage Determination Form reflecting that initial determination is attached to this Tariff as Exhibit G. Determinations as to whether this Tariff is covered by the LWO, or whether an employer or employee are exempt from coverage under the LWO are not final, but are subject to review and revision as additional facts are examined and other interpretations of the law are considered. In some circumstances, applications for exemption must be reviewed periodically. The City of Los Angeles will notify the Aeronautical User in writing about any redetermination by the City of Los Angeles of coverage or exemption status. To the extent the Aeronautical User claims non-coverage or exemption from the provisions of the LWO, the burden shall be on the Aeronautical User to prove the non-coverage or exemption.

25.7.3. Compliance. If the Aeronautical User is not initially exempt from the LWO, the Aeronautical User will comply with all of the provisions of the LWO, including payment to employees at the minimum wage rates, effective on the Commencement Date, and will execute the Declaration of Compliance Form attached to this Tariff as Exhibit H,

contemporaneously with the execution of this Tariff. If the Aeronautical User is initially exempt from the LWO, but later no longer qualifies for any exemption, the Aeronautical User will, at such time as the Aeronautical User is no longer exempt, comply with the provisions of the LWO and execute the then currently used Declaration of Compliance Form, or such form as the LWO requires. Under the provisions of Section 10.37.6(c) of the Los Angeles Administrative Code, violation of the LWO shall constitute a material breach of this Tariff and LAWA shall be entitled to terminate airline use of space in any Terminal at the Airport and otherwise pursue legal remedies that may be available, including those set forth in the LWO, if the City of Los Angeles determines that the Aeronautical User violated the provisions of the LWO. The procedures and time periods provided in the LWO are in lieu of the procedures and time periods provided elsewhere in this Tariff. Nothing in this Tariff shall be construed to extend the time periods or limit the remedies provided in the LWO.

25.8. Service Contractor Workers Retention Ordinance. This Tariff may be subject to the Service Contractor Worker Retention Ordinance (“SCWRO”), Section 10.36, *et seq.*, of the Los Angeles Administrative Code, a copy of which is attached for convenience as Exhibit I. If applicable, the Aeronautical User must also comply with the SCWRO which requires that, unless specific exemptions apply, all employers under contracts that are primarily for the furnishing of services to or for the City of Los Angeles and that involve an expenditure or receipt in excess of \$25,000 and a contract term of at least three months shall provide retention by a successor contractor for a 90-day transition period of the employees who have been employed for the preceding twelve 12 months or more by the terminated contractor or subcontractor, if any, as provided for in the SCWRO. Under the provisions of Section 10.36.3(c) of the Los Angeles Administrative Code, the City of Los Angeles has the authority, under appropriate circumstances, to terminate the Aeronautical User’s use of space in any Terminal at the Airport and otherwise pursue legal remedies that may be available if the City of Los Angeles determines that the Aeronautical User violated the provisions of the SCWRO.

25.9. Child Support Orders. This Tariff is subject to Section 10.10, Article I, Chapter 1, Division 10 of the Los Angeles Administrative Code related to Child Support Assignment Orders, a copy of which is attached for convenience as Exhibit J. Under this Section, the Aeronautical User (and any subcontractor of the Aeronautical User providing services to LAWA under this Tariff) will (1) fully comply with all State and Federal employment reporting requirements for the Aeronautical User or the Aeronautical User’s subcontractor’s employees applicable to Child Support Assignments Orders; (2) certify that the principal owners of the Aeronautical User and applicable subcontractors are in compliance with any Wage and Earnings Assignment Orders and Notices of Assignment applicable to them personally; (3) fully comply with all lawfully served Wage and Earnings Assignment Orders and Notices of Assignment in accordance with California Family Code Section 5230, *et seq.*; and (4) maintain compliance throughout the Aeronautical User’s use of the Occupied Terminal Area. Under Section 10.10(b) of the Los Angeles Administrative Code, failure of the Aeronautical User or an applicable subcontractor to comply with all applicable reporting requirements or to implement lawfully served Wage and Earnings Assignment Orders and Notices of Assignment or the failure of any principal owners of the Aeronautical User or applicable subcontractors to comply with any Wage and Earnings Assignment Orders and Notices of Assignment applicable to them personally shall constitute a violation of this Tariff permitting LAWA to terminate Aeronautical User’s use of space in any Terminal at the Airport where the failure shall continue for more than 90 days after

notice of the failure to the Aeronautical User by LAWA (in lieu of any time for cure provided elsewhere in this Tariff).

25.10. Visual Artists' Rights Act. The Aeronautical User will not install, or cause to be installed, any work of art subject to the Visual Artists' Rights Act of 1990 (as amended), 17 U.S.C. §106A, *et seq.*, or California Code Section 980, *et seq.*, (collectively, "VARA") on or about the Terminal areas without first obtaining a written waiver from the artist of all rights under VARA, satisfactory to LAWA and approved as to form and legality by the City Attorney. The waiver shall be in full compliance with VARA and shall name LAWA as a party for which the waiver applies. The Aeronautical User will not install, or causing to be installed, any piece of artwork covered under VARA at the Terminal areas without the prior approval and waiver of LAWA. Any work of art installed at the Terminal areas without such prior approval and waiver shall be deemed a trespass, removable by LAWA, upon three days' written notice, with all costs, expenses, and liability therefor to be borne exclusively by the Aeronautical User.

25.11. Contractor Responsibility Program. The Aeronautical User will comply with the provisions of the Contractor Responsibility Program adopted by the Board. The rules, regulations, requirements and penalties of the Contractor Responsibility Program and the Pledge of Compliance Form are attached to this Tariff as Exhibit K.

25.12. First Source Hiring Program. The Aeronautical User will comply with the provisions of the First Source Hiring Program adopted by the Board. The rules, regulations, requirements, and penalties of the First Source Hiring Program are attached to this Tariff as Exhibit L.

26. Definitions. The terms defined in this Section 26 shall have, for all purposes of this Tariff, the meanings herein specified unless unambiguously required to the contrary by their context.

"Aeronautical User" means a Person whose business is involved in aeronautical activity, other than a (i) government or political subdivision thereof or a governmental agency, or (ii) Concessionaire.

"Aeronautical User's International Joint Use Share" means, for any Terminal for any calendar month for which the Terminal Activity Threshold is satisfied during a Tariff Year, the percentage equal to zero, if the Aeronautical User has during the calendar month operated no flights arriving at the Terminal and from which passengers required clearance by Federal immigration and customs authorities, and otherwise equal to the sum of (a) the percentage reflected on the Basic Information Schedule as the "Terminal User International Factor" for the Terminal divided by the number of Terminal Users, including the Aeronautical User, operating flights arriving at the Terminal at any time during the month and from which passengers required clearance by Federal immigration and customs authorities, plus (b) the percentage reflected on the Basic Information Schedule as the "Flight International Factor" multiplied by a fraction, the numerator of which is the aggregate number of flights operated by the Aeronautical User, arriving at the Terminal during the month and from which passengers required clearance by Federal immigration and customs authorities, and the denominator of which is the aggregate number of flights operated by all of the Terminal Users (including the Aeronautical User)

arriving at the Terminal during the month, and from which passengers required clearance by Federal immigration and customs authorities, plus (c) the percentage reflected on the Basic Information Schedule as the "Passenger International Factor" multiplied by a fraction, the numerator of which is the number of the passengers using the Terminal during the month (and requiring clearance by Federal immigration and customs authorities) to deplane from any flight operated by the Aeronautical User and the denominator of which is the number of the passengers using the Terminal during the month (and requiring clearance by Federal immigration and customs authorities) to deplane from any flight operated by any of the Terminal Users, including the Aeronautical User. For any Terminal for any calendar month during a Tariff Year for which the Terminal Activity Threshold is not satisfied, the Aeronautical User's Joint Use Share shall be computed in the same manner, but with the following adjustments: (a) the number of Terminal Users operating flights arriving at the Terminal at any time during the month and from which passengers required clearance by Federal immigration and customs authorities will be deemed to be one greater than the actual number, (b) the aggregate number of flights operated by any of the Terminal Users (including the Aeronautical User) arriving at and departing from the Terminal during the month and from which passengers required clearance by Federal immigration and customs authorities will be deemed to be increased by the same percentage as the percentage increase in flights for purposes of computation required by clause (b) of the second sentence of the definition of the Aeronautical User's Joint Use Share, and (c) the number of all of the passengers using the Terminal during the month (and requiring clearance by Federal immigration and customs authorities) to enplane onto or deplane from any passenger flight operated by any of the Terminal Users, including the Aeronautical User, will be deemed to be increased by the same percentage as the percentage increase in passengers for purposes of computation required by clause (c) of the second sentence of the definition of the Aeronautical User's Joint Use Share. An estimated calculation of the Aeronautical User's International Joint Use Share as of the Commencement Date (but, for the purpose of illustration only, assuming that the Commencement Date is the first day of the calendar month) is shown on the Basic Information Schedule under the heading "Aeronautical User's International Joint Use Share". With respect to an Aeronautical User that is not an Airline, such Aeronautical User's International Joint Use Share shall be zero (0).

"Aeronautical User's Joint Use Share" means, for any Terminal for any calendar month for which the Terminal Activity Threshold is satisfied during a Tariff Year, the percentage equal to the sum of (a) the percentage reflected on the Basic Information Schedule as the "Terminal User Factor" divided by the number of Terminal Users, including the Aeronautical User, for all or any portion of the month, plus (b) the percentage reflected on the Basic Information Schedule as the "Flight Factor" multiplied by a fraction, the numerator of which is the aggregate number of flights operated by the Aeronautical User, arriving at and departing from the Terminal during the month and the denominator of which is the aggregate number of flights operated by any of the Terminal Users (including the Aeronautical User) arriving at and departing from the Terminal during the month, plus (c) the percentage reflected on the Basic Information Schedule as the "Passenger Factor" multiplied by a fraction, the numerator of which is the number of the passengers using the Terminal during the month to enplane onto or deplane from any passenger flight operated by the Aeronautical User, and the denominator of which is the number of all of the passengers using the Terminal during the month to enplane onto or deplane from any passenger flight operated by any of the Terminal Users, including the Aeronautical User. For any Terminal for any calendar month during a Tariff Year for which the Terminal Activity

Threshold is not satisfied, the Aeronautical User's Joint Use Share shall be computed in the same manner, but with the following adjustments: (a) the number of Terminal Users for all or any portion of the month will be deemed to be one greater than the actual number, (b) the aggregate number of flights operated by any of the Terminal Users (including the Aeronautical User) arriving at and departing from the Terminal during the month will be deemed to be greater than the actual number by the number of flights sufficient to carry the smallest number of additional passengers using the Terminal during the month to enplane onto or deplane from any passenger flight that would have been necessary to satisfy the Terminal Activity Threshold for the month (at an average passenger load equal to the number of all of the passengers using the Terminal during the month to enplane onto or deplane from any passenger flight operated by any of the Terminal Users, including the Aeronautical User, divided by the actual aggregate number of flights operated by any of the Terminal Users, including the Aeronautical User, arriving at and departing from the Terminal during the month), and (c) the number of all of the passengers using the Terminal during the month to enplane onto or deplane from any passenger flight operated by any of the Terminal Users, including the Aeronautical User, will be deemed to be the smallest number that would have satisfied the Terminal Activity Threshold for the month. An estimated calculation of the Aeronautical User's Joint Use Share as of the Commencement Date (but, for the purpose of illustration only, assuming that the Commencement Date is the first day of the calendar month) is shown on the Basic Information Schedule under the heading "Aeronautical User's Joint Use Share". With respect to an Aeronautical User that is not an Airline, such Aeronautical User's Joint Use Share shall be zero (0).

"Aeronautical User's Property" means all furniture, furnishings, office equipment, books, records, office supplies, computers and related equipment, audio-visual equipment, telephone systems and equipment, art work and rugs installed at or located in the Terminal areas at the expense of the Aeronautical User and removable without damage to the Terminal that cannot be readily repaired.

"Aeronautical User's Special Use Share" means, for any Terminal for any calendar month, the percentage represented by the fraction, the numerator of which is the Space Use Factor for the month and the denominator of which is the positive difference between the Terminal Measured Area for the month and the Measured Area of the Excluded Areas for the month. An estimated calculation of the Aeronautical User's Special Use Share as of the Commencement Date (but, for the purpose of illustration only, assuming that the Commencement Date is the first day of the calendar month) is shown on the Basic Information Schedule under the heading "Aeronautical User's Special Use Share".

"Aeronautical User's Use Share" means, for any Terminal for any calendar month, the percentage represented by the fraction, the numerator of which is the Space Use Factor for the Terminal for the month and the denominator of which is the Measured Area of the Terminal for the month. An estimated calculation of the Aeronautical User's Use Share as of the Commencement Date (but, for the purpose of illustration only, assuming that the Commencement Date is the first day of the calendar month) is shown on the Basic Information Schedule under the heading "Aeronautical User's Use Share".

"Affiliate" means, as to any Person, any Person or group of Persons acting in concert in respect of the Person in question that, directly or indirectly, controls or is controlled by or is

under common control with the Person in question. For the purposes of this definition, “control” (including, with correlative meanings, the terms “controlled by” and “under common control with”), as used referring to any Person or group of Persons shall mean the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of the Person or group, whether through the ownership of voting securities or by contract or otherwise.

“Airline” means an Air Carrier or Foreign Air Carrier as defined in 49 U.S.C. § 40102(a)(2) & (a)(21), respectively.

“Airline Equipment” means the personal property comprising systems, equipment, and furnishings from time to time installed in the Terminal and dedicated primarily to air passenger operations (including common use terminal equipment and systems, loading bridges, and seating), but excluding (a) fixtures (including ticket counters and baggage claim, make-up and conveyance systems), and (b) Aeronautical User’s Property.

“Airport” means Los Angeles International Airport in Los Angeles, California.

“Airport Debt” means general airport revenue bonds, general obligation bonds, passenger facility charge bonds, commercial paper, notes, bond anticipation notes, and any other forms of instruments creating an indebtedness issued, incurred, or assumed by LAWA in connection with the ownership, development, or operation of the Airport and payable in whole or in part from revenues received by LAWA from the operation of the Airport.

“Airport Debt Instrument” means any agreement, indenture, lease, or resolution that provides for the issuance, incurrence, or assumption of Airport Debt, and includes a trust indenture, installment payment agreement, issuing and paying agent agreement, loan agreement, and lease purchase agreement.

“Airport Engineer” means the Chief Airports Engineer of the Airport from time to time, as successors to that position may be designated (by whatever title).

“Airport Infrastructure Charges” means, for any calendar month, those expenses and other charges that satisfy all of the following conditions: (a) they are incurred or accrued by or on behalf of LAWA in respect of the Airport during the calendar month, (b) they consist of Coverage Expenses, Permitted Amortization, or Reserve Deposits for any Airport Infrastructure Improvement, (c) they are allocable to the Terminal as described in Section 2.8.1, and (d) they do not consist of any of the following: (1) any expense or other charge that would otherwise be included in Airport Infrastructure Charges to the extent LAWA is reimbursed therefor, net of costs of collection, by proceeds of any government grant (other than any grant from the City of Los Angeles), insurance, condemnation award, refund, credit, warranty, or otherwise, (2) any expense or other charge that is included in Terminal Expenses for the month, (3) any expense or other charge that is duplicative of an expense or other charge included in the Landing Fee (but no expense or other charge included in the Landing Fee shall be deemed duplicative of any expense or charge that would otherwise be included in Airport Infrastructure Charges to the extent that the expense or charge relates to the same Capital Improvement and is explicitly allocated in the books and records of LAWA between, among other accounts if applicable, the Landing Fee and Airport Infrastructure Charges), (4) any expense or other charge to the extent paid or required to

be paid from the proceeds of remittances of Passenger Facility Charges, or (5) any expense that is included in Terminal Capital Charges for the month. Any Reserve Withdrawals to the extent directly or indirectly allocable to the Terminal as described in Section 2.8.1, and not deducted from Terminal Expenses for the month in which the Reserve Withdrawals are made, shall be deducted from Airport Infrastructure Charges for the calendar month in which the Reserve Withdrawals are made.

“Airport Infrastructure Improvement” means, as of any date for which the determination is made, any Capital Improvement placed in service before or during the calendar month that includes the date of determination (a) at any location within the Airport other than at the Terminal or other passenger terminals at the Airport, or (b) outside the Airport and intended to be used principally in connection with the operations of the Airport (including Capital Improvements intended as noise and traffic mitigation measures, and including Capital Improvements undertaken in order to satisfy a condition to the construction of other Capital Improvements within the Airport).

“Apply,” “Applied,” or “Application” mean any installation, handling, generation, storing, treatment, application, use, disposal, discharge, manufacture, refinement, presence, migration, emission, abatement, removal, transportation, or any other activity of any type in connection with or involving Hazardous Materials by the Aeronautical User or its officers, employees, contractors, assignees, agents or invitees.

“Base Charge” means the rental payable by the Aeronautical User for the use of the Terminal areas in monthly installments as provided for in Section 2.1 and 2.2.

“Basic Information Schedule” means the schedule containing certain basic information and sample calculations relating to this Tariff, and separately published by LAWA on its website or otherwise promulgated by LAWA.

“Basic Rate” means the monthly amount, expressed in U.S. dollars per square foot of Measured Area, by which the Base Charge is computed under the terms of Section 2.

“Board” means the Board of Airport Commissioners of the Department of Airports of the City of Los Angeles, California.

“Business Day” means any day excluding Saturdays, Sundays, and any other day designated as a holiday under the federal laws of the United States or under the laws of the State of California or the City of Los Angeles.

“Capital Improvement” means any improvement or item or related group of items that, in accordance with generally accepted accounting principles consistently applied, is capitalized by LAWA and costs in excess of the Capital Improvement Floor Amount.

“Capital Improvement Floor Amount” means such amount, if any, as may be adopted by LAWA in its discretion from time to time for the purposes of keeping the accounting records of the Airport, as a threshold below which the cost of items that would otherwise be treated as investment in capital improvements is instead treated as a current expense.

“City Attorney” means the Office of the City Attorney of the City of Los Angeles.

“Commencement Date” means the first date on which an Aeronautical User uses Terminal space at any Terminal at the Airport pursuant to this Tariff.

“Concessionaire” means a user of the Airport engaged in the restaurant, food service, retail and/or other concession business and includes a corporation, an association, a partnership, a limited liability company, an organization, a trust, a natural person, a government or political subdivision thereof or a governmental agency.

“Coverage Expenses” means, for any calendar month, the amounts deposited by LAWA during the calendar month to funds and accounts for debt service reserves and any debt service coverage requirements under the terms of any Airport Debt Instrument under which Airport Debt has been issued.

“CPI” means the Consumer Price Index for All Urban Consumers (CPI-U), as published from time to time by the U.S. Department of Labor, Bureau of Labor Statistics, for the Los Angeles-Riverside Orange County area, All Items (1982-84 = 100), or, if that index shall cease to be regularly published, such replacement index (adjusted for any difference in base year and absolute amount) as shall from time to time be published by the Bureau. If the U.S. Department of Labor ceases to publish such an index, LAWA will adopt in its place a comparable index published at the time of the cessation by a responsible financial periodical, if any. If there is no comparable index published by a responsible financial periodical, LAWA will adopt any other comparable index available, and make any adjustments required thereto to reflect the 1982-84 = 100 base year. In addition, if the method of calculating the consumer price index changes in any way, for the purposes of this Tariff, the CPI shall be determined without giving effect to the new methods, and the CPI shall continue to be calculated in the manner as of the Commencement Date. Any adjustments to the CPI (if it is calculated differently) shall be made by LAWA, subject to the Aeronautical User’s right to reasonably approve the adjustments.

“CPI Change” means the percentage change in the CPI when comparing (a) the CPI most recently published on the date that is four calendar months before the earlier of the dates for which the comparison is being made to (b) the CPI in effect on the date that is four calendar months before the later of the dates for which the comparison is being made.

“Debt Service” means the amounts due for repayment of principal and interest on outstanding Airport Debt, including required contributions to a sinking fund for term bonds.

“discretion” means sole and absolute discretion; any provision of this Tariff referring to the exercise by LAWA or the Aeronautical User of its discretion, whether in those words or words of similar import, shall (unless expressly subject to a different standard) permit the party exercising its discretion to do so in any manner and for any reasons it chooses, and, to the maximum extent permitted by law, the exercise of that discretion is not intended to be reviewable by any judicial or regulatory authority.

“Environmental Losses” means all costs and expenses of any kind (including remediation expenses), damages, fines and penalties incurred in connection with any violation of and compliance with Environmental Requirements and all losses of any kind attributable to the

diminution of value, loss of use or adverse effects on marketability or use of any portion of the Occupied Terminal Area, the Terminal or the Airport.

“Environmental Requirements” means all present and future governmental statutes, codes, ordinances, regulations, rules, orders, permits, licenses, approvals, authorizations and other requirements of any kind applicable to Hazardous Materials.

“Excluded Areas” means LAWA Proprietary Areas, the Retail and Concession Areas, and any other space in any Terminal that is exclusively occupied by, or explicitly held available for exclusive occupancy for users of space other than Terminal Users, as shown in the records of the office of the Airport Engineer.

“Exclusive Use Areas” means the space in any Terminal (including the Occupied Terminal Area) that is exclusively occupied by, or explicitly held for exclusive occupancy for, Terminal Users, as shown in the records on file in the office of the Airport Engineer.

“Executive Director” means the Executive Director of the Department of Airports of the City of Los Angeles, California, or his or her designee.

“Guarantor” means, if the Aeronautical User’s obligations under this Tariff have been guaranteed by any Person, the guarantor under the Guaranty.

“Guaranty” means the guaranty to and in favor of LAWA of the Aeronautical User’s obligations under this Tariff, if the Aeronautical User’s obligations under this Tariff have been guaranteed by any Person.

“Hazardous Materials” means any substance (i) that now or in the future is regulated or governed by, requires investigation or remediation under, or is defined as a hazardous waste, hazardous substance, extremely hazardous waste, hazardous material, hazardous chemical, toxic chemical, toxic substance, cancer causing substance, substance that causes reproductive harm, pollutant or contaminant under any governmental statute, code, ordinance, regulation, action, case law, rule or order, and any amendment thereto, including the Comprehensive Environmental Response Compensation and Liability Act, 42 U.S.C. §9601 *et seq.*, and the Resource Conservation and Recovery Act, 42 U.S.C. §6901 *et seq.*, (ii) that is toxic, explosive, corrosive, flammable, radioactive, carcinogenic, mutagenic, or otherwise hazardous, including aviation fuel, jet fuel, gasoline, diesel, petroleum hydrocarbons, polychlorinated biphenyls (PCBs), asbestos, radon and urea formaldehyde, (iii) the presence of which at the Terminal causes or threatens to cause a nuisance at the Terminal or adjacent property, or poses or threatens to pose a hazard to the health or safety of persons on or about the Terminal or adjacent property, or (iv) the presence of which on adjacent property could constitute a trespass by the Aeronautical User.

“herein”, “hereof”, “hereto”, “hereunder” and similar terms contained in this Tariff refer to this Tariff as a whole and not to any particular Section, paragraph or provision of this Tariff.

“including” and “include” mean including or include without limiting the generality of any description preceding that term; for the purposes of this Tariff the rule of ejusdem generis shall not be applicable to limit a general statement, followed by or referable to an enumeration of specific matters, to matters similar to the matters specifically mentioned.

“Initial Base Charge Method” means the Terminal Capital Charges Method or the Market Method, whichever has been established by the Board as the basis for the computation of Base Charge for the Valuation Cycle that includes the Commencement Date, and which is reflected on the Basic Information Schedule as the “Initial Base Charge Method”.

“Initial Valuation Date” means the date reflected on the Basic Information Schedule as the “Initial Valuation Date”, the date preceding the date of this Tariff as of which the valuation of space in the Terminal was last established (whether by appraisal or by determination of the Board).

“Insurance Requirements” means all terms of any insurance policy covering the Aeronautical User or covering or applicable to the Terminal or any part thereof, all requirements of the issuer of the policy, and all orders, rules, regulations and other requirements of the National Board of Fire Underwriters (or any other body exercising similar functions) applicable to or affecting the Terminal or any part thereof or any use or condition of the Terminal or any part thereof.

“International Joint Use Areas” means the space, if any, in any Terminal, reserved for the non-exclusive use of the Terminal Users under this Tariff, that is used for federal inspection services (including sterile corridors, customs areas, baggage service areas, customs baggage claim areas, cashier areas, interline baggage areas, immigration inspection areas, storage areas, locker areas, federal inspection service swing areas, conference room areas and registration areas), offices for federal agencies, restrooms included in or adjacent to the foregoing areas, transit lounge space and other in-transit facilities for international passengers (but excluding the Vertical Areas), as shown in the records of the office of the Airport Engineer.

“Joint Use Areas” means the space in any Terminal, held for the non-exclusive use of the Terminal Users under this Tariff and under Leases, that is used for gate areas, departure holdroom areas, ticket counter areas, baggage claim areas, baggage processing space, and similar areas used by or otherwise benefiting one or more Terminal Users for operations (but excluding the Terminal Common Areas and the Vertical Areas), as shown in the records on file in the office of the Airport Engineer.

“Landing Fee” means the landing fees and charges payable by the Aeronautical User under the terms of any operating permit issued by LAWA and held by the Aeronautical User as an Airline or as established by any resolution of the Board.

“LAWA” means the City of Los Angeles, acting by and through the Board of Airport Commissioners of its Department of Airports.

“LAWA Proprietary Areas” means the space, if any, in any Terminal that is unavailable for use by the public, Terminal Users or Concessionaires and is exclusively used for administrative or operational purposes by employees of LAWA, as shown in the records of the office of the Airport Engineer.

“Lease” means a written instrument under which a Terminal User is entitled to exclusive possession of a portion of a Terminal, or a license to use in common with other Terminal Users portions of a Terminal, or both, but does not include the possession, occupancy, or use of space

in any Terminal by reason of holding over (without the express written consent of LAWA, explicitly as to duration) after the expiration of the term specified in any instrument that would otherwise be a "Lease" for the purposes of this definition.

"Legal Requirements" means all laws, statutes, codes, acts, ordinances, charters, orders, judgments, decrees, injunctions, rules, regulations, permits, licenses, authorizations, directions and requirements of all governments, departments, commissions, boards, courts, authorities, agencies, officials and officers, foreseen or unforeseen, ordinary or extraordinary, that now or at any time hereafter may be applicable to the Aeronautical User or to any Terminal, or to the Airport or any part thereof.

"Market Method" means the method adopted for establishing the Basic Rate by reference to the fair market rental value of the Terminal areas (as determined in the discretion of LAWA), whether by reason of the Initial Base Charge Method or otherwise in accordance with Sections 2.3.2 and 2.3.3.

"Measured Area" means, when applied to any portion of the Terminal, the rentable floor area of the portion of the Terminal, as calculated from time to time by the Airport Engineer in accordance with Section 27.6.

"Occupied Terminal Area" means the space (if any) used substantially exclusively by an Aeronautical User pursuant to this Tariff, consisting of approximately the number of square feet of Measured Area reflected on the Basic Information Schedule under the heading "Occupied Terminal Area".

"Passenger Facility Charges" means passenger facility charges required to be collected by the Aeronautical User and remitted to LAWA under 14 C.F.R. Part 158 or any similar or successor Legal Requirement.

"Permitted Amortization" means, for any Qualifying Terminal Capital Improvement and for any Qualifying Airport Capital Improvement and for any calendar month, the portion of LAWA's cost of the Qualifying Terminal Capital Improvement or Qualifying Airport Capital Improvement attributable to the month, based on the method LAWA shall in its discretion from time to time adopt for purposes of keeping the accounting records of the Airport, comprising (a) the portion of LAWA's Debt Service that is specific to the Qualifying Terminal Capital Improvement or Qualifying Airport Capital Improvement and accrues or is payable during or is otherwise attributable to the month, or (b) if no such specific Debt Service exists, at such rate of principal amortization and interest as LAWA shall in its discretion determine from time to time to fairly reflect the useful life of the Qualifying Terminal Capital Improvement or Qualifying Airport Capital Improvement and LAWA's cost of funds (whether or not the funds are in fact borrowed) for acquiring or constructing the Qualifying Terminal Capital Improvement or Qualifying Airport Capital Improvement.

"Person" means a corporation, an association, a partnership, a limited liability company, an organization, a trust, a natural person, a government or political subdivision thereof or a governmental agency.

“Qualifying Airport Capital Improvement” means any Capital Improvement placed in service at the Airport (other than at any of the Terminals) or (b) outside the site of the Airport and intended to be used principally in connection with the operations of the Airport.

“Qualifying Terminal Capital Improvement” means (a) any Capital Improvement (other than Airline Equipment) placed in service at the Terminal after the Initial Valuation Date, but only for the balance of the Valuation Cycle in which the item was placed in service and any future Valuation Year for which the basis of calculating the Basic Rate is the Terminal Capital Charges Method (unless the Capital Improvement is a replacement of worn out or obsolete components or equipment with components or equipment of functionality not greater than that originally achieved by the components or equipment being replaced, in which case the Capital Improvement will be a Qualifying Terminal Capital Improvement only for any Valuation Year for which the basis of calculating the Basic Rate is the Terminal Capital Charges Method), and (b) all Airline Equipment at the Terminal.

“Reimbursement Rate” means, as of any date of determination, the annual rate of interest equal to two per cent per annum in excess of the fixed rate of interest quoted in The Bond Buyer 25 Revenue Bond Index (or, if that index is no longer published, such successor or replacement index or similar index selected by LAWA) for fixed rate bonds having a term remaining to maturity of one year (with no credit enhancement) and bearing interest that is not excluded from gross income for federal income tax purposes.

“Reserve Deposits” means, for any calendar month, the amounts deposited during the month to funds and accounts for maintenance and operation reserves and similar expense reserves under the terms of any Airport Debt Instrument.

“Reserve Withdrawals” means, for any calendar month, the amounts withdrawn during the month from funds and accounts for maintenance and operation reserves and similar expense reserves under the terms of any Airport Debt Instrument.

“Retail and Concession Areas” means the space, if any, in any Terminal (a) that is not included within LAWA Proprietary Areas or occupied by Terminal Users and that is exclusively occupied by, or explicitly held available for exclusive occupancy for, Concessionaires or (b) that is explicitly held available primarily for the joint use of Concessionaires engaged in restaurant and other food-service in the Terminal in the course of their operations and in accordance with the terms of their leases or occupancy agreements, in each case as shown in the records of the office of the Airport Engineer.

“Space Use Factor” means, for any calendar month during the Aeronautical User’s use of the Occupied Terminal Area, the sum of (a) the Measured Area of the Occupied Terminal Area during the calendar month, (b) the product of the Measured Area of the Joint Use Areas during the calendar month and the Aeronautical User’s Joint Use Share for the calendar month, and (c) the product of the Measured Area of the International Joint Use Areas during the calendar month and the Aeronautical User’s International Joint Use Share for the calendar month. The Space Use Factor shall be determined as of the first day of each calendar month, regardless of any changes in Measured Areas for the Aeronautical User during the middle of any calendar month. For the purposes of computing the Space Use Factor for the first and last months of the

Aeronautical User's use of the Occupied Terminal Area: (1) if the Commencement Date is a day other than the first day of a calendar month, the Measured Area of the Occupied Terminal Area (but not the Measured of the Joint Use Areas or the International Joint Use Areas) for the month including the Commencement Date shall be reduced in proportion to (x) the number of calendar days from and including the Commencement Date to the end of the month and (y) the number of calendar days in the month, and (2) if the Aeronautical User's use of the Terminal ends on a date other than the last day of a calendar month, the Measured Area of the Occupied Terminal Area (but not the Measured Area of the Joint Use Areas or the International Joint Use Areas) for the month shall be reduced in proportion to (x) the number of calendar days from the first day of the month to and including the last day of the Aeronautical User's use of the Terminal and (y) the number of calendar days in the month. An estimated calculation of the Space Use Factor for the month including the Commencement Date (but, for the purpose of illustration only, assuming that the Commencement Date is the first day of the calendar month) is shown on the Basic Information Schedule under the heading "Space Use Factor".

"Stipulated Rate" means the rate of interest per annum equal to the lesser of (a) 20% and (b) the maximum rate permitted by applicable law.

"Taking" means a temporary or permanent taking by a government or political subdivision thereof or by a governmental agency (or by any other Person exercising the power of condemnation or eminent domain) for public or quasi-public use of all or any part of any Terminal, or any interest therein or right accruing thereto, including, without limitation, any right of access thereto existing on the date hereof, as the result of or in lieu of or in anticipation of the exercise of the right of condemnation or eminent domain. No recapture by LAWA of any portion of the Occupied Terminal Area, or exercise by LAWA of any similar right under the terms of this Tariff, shall constitute a Taking.

"Taking Date" means, in connection with a Taking, the earlier of the date on which title vests due to the Taking and the date on which possession of the property affected by the Taking is required to be, or is, delivered to or at the direction of the condemning authority.

"Tariff" means this Tariff and the Schedules and Exhibits hereto, together with the Basic Information Schedule, as amended from time to time.

"Tariff Year" means the fiscal year of LAWA, which is currently the year beginning on July 1 and ending on the following June 30, or any other fiscal year as may from time to time be adopted by LAWA.

"Terminal" means any airline passenger terminal at the Airport, including remote holdroom facilities. When the context requires, use of the term "Terminal" may mean any terminal at the Airport.

"Terminal Activity Threshold" means, for any Terminal for any calendar month during a Tariff Year, the condition that is satisfied if the number of all of the passengers using the Terminal during the month to enplane onto or deplane from any passenger flight operated by any of the Terminal Users, including the Aeronautical User, is equal to or exceeds: (a) for the months of June, July, and August, the product of (i) 1,000, (ii) the number of gates in the Terminal

during the month, and (iii) the number of days during the month, and (b) for all other months, the product of (i) 750, (ii) the number of gates in the Terminal during the month, and (iii) the number of days during the month.

“Terminal areas” means the Occupied Terminal Area, the Joint Use Areas, and the International Joint Use Areas.

“Terminal Capital Charges” means, for any Terminal, LAWA’s cost of acquiring and constructing the assets from time to time comprising the Terminal (including the underlying land and the foundation, roof, structure, vertical and horizontal transportation systems, building systems, and all fixtures and equipment other than Airline Equipment), computed in any consistent manner selected in LAWA’s discretion, without duplication as of any date of any costs that are included as of that date in the calculation of Airport Infrastructure Charges, Terminal Expenses, or Terminal Special Expenses.

“Terminal Capital Charges Method” means the method adopted for establishing the Base Charge, as well as the charges to other Terminal Users of the Terminal, by reference to Terminal Capital Charges, whether by reason of the Initial Base Charge Method or in accordance with Sections 2.3.2 and 2.3.3.

“Terminal Common Areas” means the space in the Terminal (other than the Exclusive Use Areas, the Joint Use Areas, the International Joint Use Areas, the Retail and Concession Areas, LAWA Proprietary Areas, and the Vertical Areas) that is used for lobbies, corridors, Travelers Aid offices, restrooms, custodial facilities, utility closets, and mechanical rooms, as shown in the records of the office of the Airport Engineer.

“Terminal Expenses” means, for any Terminal, without duplication, the aggregate of those costs and expenses that are incurred or accrued by or on behalf of LAWA (whether directly or through independent contractors or otherwise) in respect of the operation, repair, maintenance, and administration of the Terminal, and of the Airport and directly or indirectly allocable to the Terminal, computed in any consistent manner selected in LAWA’s discretion, including the following:

- (a) the cost of obtaining or providing gas, oil, steam, water, sewer charges, electricity and other fuel and utilities furnished to the Terminal and utility taxes;
- (b) payments under service contracts for operating, maintaining, repairing or cleaning the Airport, the Terminal, or any portion thereof;
- (c) payments under service contracts for operating, maintaining or repairing the Airport systems or the Terminal systems;
- (d) insurance premiums, including for workers compensation, general liability, property insurance (including rent abatement and rent loss coverages), deductibles under any insurance carried for the Airport, but only to the extent paid or absorbed by LAWA;

(e) labor costs (including salaries, wages, bonuses, medical, surgical and general welfare benefits (including life insurance), pension and union and general welfare payments and other fringe benefits, severance and sick day payments and social security and payroll taxes);

(f) the cost of security services at and in connection with the Airport and its operations;

(g) the cost of maintaining, repairing and cleaning elevators and escalators, elevator cabs, moving sidewalks, roadways and other transportation systems, lobbies, sidewalks, curbs and other public areas;

(h) interior and exterior landscaping and decoration and signs;

(i) the cost of janitorial and cleaning services, window cleaning, and trash collection and removal;

(j) the cost of providing pest extermination services;

(k) rental payments made under operating leases for personal property used in the operation and maintenance of the Airport;

(l) the cost of governmental licenses and permits, or renewal thereof, necessary for the operation of the Airport;

(m) Permitted Amortization;

(n) Coverage Expenses;

(o) Reserve Deposits;

(p) accounting fees, attorneys' fees and the fees of other professionals, and related expenses and disbursements;

(q) the cost to comply with Legal Requirements at the Airport that are not Capital Improvements, including any costs or expenses for testing, survey, cleanup, removal, encapsulation or other treatment of Hazardous Materials or otherwise to comply with any environmental Legal Requirements;

(r) general overhead costs of the administration of the Airport; and

(s) all other reasonable or necessary expenses in connection with the operation and maintenance of the Airport;

but specifically excluding, without duplication, all of the following:

(1) principal of and interest on any indebtedness of LAWA, except to the extent of Coverage Expenses and Permitted Amortization for any Qualifying Terminal Capital Improvement;

(2) depreciation and amortization, except to the extent of Permitted Amortization for any Qualifying Terminal Capital Improvement;

(3) the cost of any Capital Improvements, except to the extent of Coverage Expenses and Permitted Amortization for any Qualifying Terminal Capital Improvement;

(4) any cost that would otherwise be a Terminal Expense to the extent LAWA is reimbursed therefor, net of costs of collection, by proceeds of any government grant (other than any grant from the City of Los Angeles), insurance, condemnation award, refund, credit, warranty, service contract, or otherwise;

(5) any cost or expense that is duplicative of a cost or expense included in the Landing Fee (but no cost or expense included in the Landing Fee shall be deemed duplicative of any cost or expense that would otherwise be included in Terminal Expenses to the extent that the cost or expense relates to the same aggregate cost or expense and is explicitly allocated in the books and records of LAWA between, among other accounts if applicable, the Landing Fee and Terminal Expenses);

(6) any cost or expense to the extent paid or required to be paid from the proceeds of remittances of Passenger Facility Charges;

(7) any cost or expense reimbursed or required to be reimbursed to LAWA under the provisions of Section 2.7; and

(8) any cost or expense that is incurred or accrued in connection with Airline Equipment.

Any insurance proceeds or other amounts received by LAWA in reimbursement for any item previously included as a Terminal Expense (including in a previous Tariff Year), shall be deducted from Terminal Expenses for the Tariff Year in which the proceeds are received. Any Reserve Withdrawals to the extent directly or indirectly allocable to the Terminal as described in Section 2.8.1 shall be deducted from Terminal Expenses for the calendar month in which the Reserve Withdrawals are made. Any payments received by LAWA for the use of the Terminal from itinerant and charter Airlines that are not Terminal Users shall be deducted from Terminal Expenses for the Tariff Year in which the payments are received.

“Terminal Measured Area” means, for any Terminal, the sum of all of the Measured Area in the Terminal, as calculated from time to time by the Airport Engineer in accordance with Section 27.6.

“Terminal Special Expenses” means all costs and expenses that would otherwise be Terminal Expenses, but that are incurred or accrued in connection with Airline Equipment.

“Terminal Users” means, for any Terminal on any date, all passenger Airlines and other non-governmental Persons then leasing space at the Terminal, all passenger Airlines and other non-governmental Persons using space under the Tariff, and all other passenger Airlines and other non-governmental Persons then having other contractual arrangements with LAWA for the use and occupancy of the Terminal, but excluding (a) all Concessionaires, and (b) all itinerant

and charter Airlines not leasing space at the Terminal and not signatories to a contractual arrangement with LAWA having substantially the same economic provisions with respect to charges for the use of Joint Use Areas and International Joint Use Areas as those contained in this Tariff.

“Unavoidable Delays” means delays due to strikes, acts of God, interruption of services, enemy action, terrorist acts, civil commotion, shortages of labor or supply or other similar causes beyond the reasonable control of the party whose action is required; but lack of funds shall not be deemed a cause beyond the control of the Aeronautical User.

“Valuation Cycle” means each of the successive five-year periods beginning with the Initial Valuation Date and ending on the day preceding each fifth successive anniversary of the Initial Valuation Date.

“Valuation Year” means each of the five successive one-year periods beginning with the Initial Valuation Date and ending on the day preceding each of the five successive anniversaries of the Initial Valuation Date.

“Vertical Areas” means stairs, elevator shafts, flues, pipe shafts, vertical ducts, and the like, and their enclosing walls, serving more than one floor of the Terminal, but does not include stairs, dumb-waiters, lifts, and the like, exclusively serving the Aeronautical User or any other tenant or other occupant of the Terminal occupying space on more than one floor of the Terminal.

27. Miscellaneous.

27.1. Entire Tariff. This Tariff governs the Aeronautical User’s use of any Terminal area at the Airport except pursuant to a Lease.

27.2. Rights Limited by Law. All rights, powers and remedies provided herein may be exercised only to the extent that the exercise thereof does not violate any applicable provision of law, and are intended to be limited to the extent necessary so that they will not render this Tariff invalid, illegal, unenforceable or not entitled to be recorded, registered or filed under the provisions of any applicable law. If any term of this Tariff or any application thereof shall be invalid or unenforceable, the remainder of this Tariff and any other application of the term shall not be affected.

27.3. Certain Statutes. No provision of this Tariff shall be construed to grant or authorize the granting of an exclusive right within the meaning of Section 308 of the Federal Aviation Act, 49 U.S.C. 40103(e) and 40107(a)(4) (Public Law 103-272). The Aeronautical User waives any right or benefit in any way related to the Airport or its operations to which the Aeronautical User would otherwise be entitled as a result of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 49 U.S.C. 4601, *et seq.* (Public Law 91-646), Title 1, Division 7, Chapter 16 of the California Government Code (Sections 7260, *et seq.*), or any other Legal Requirement conferring similar rights and benefits.

27.4. Approvals. Any approvals or consents required from or given by LAWA under this Tariff shall be approvals of the Department acting as LAWA, and shall not relate to,

constitute a waiver of, supersede or otherwise limit or affect the rights or prerogatives of the City of Los Angeles as a government, including the right to grant or deny any permits required for construction in the Terminal areas or maintenance of the Occupied Terminal Area and the right to enact, amend or repeal Legal Requirements, including those relating to zoning, land use, and building and safety. Any requirement in this Tariff that an approval or consent be not unreasonably withheld shall also be deemed to require that the approval or consent be not unreasonably delayed. Any other requirement in this Tariff that an approval or consent be obtained shall entitle the party whose approval or consent is required to withhold the approval or consent in its discretion. No approval or consent on behalf of LAWA will be deemed binding upon LAWA unless approved in writing as to form by the City Attorney.

27.5. Time Periods. Unless otherwise specified, any reference to “days” in this Tariff shall mean calendar days. Time of performance shall be of the essence of this Tariff, provided that whenever a day is established in this Tariff on or by which either LAWA or the Aeronautical User is required to perform any action (other than the Aeronautical User’s obligation to make any payment of money required by this Tariff), the time for performance shall be extended by the number of days (if any) during which the party whose performance is required is prevented from performing due to Unavoidable Delays.

27.6. Measurements. For the purpose of computing the Aeronautical User’s Use Share, the Aeronautical User’s Special Use Share, the Space Use Factor, and any other similar quantity relevant to any provision of this Tariff, all measurements of (a) the Occupied Terminal Area, (b) the Joint Use Areas, (c) the International Joint Use Areas, and (d) any other relevant portion of the Terminal shall be made (except as required to the contrary by the express terms of this Tariff) under ANSI/BOMA Z65.1-1996 (“Standard for Measuring Floor Area in Office Buildings”) or any other consistent methods from time to time adopted by the Airport Engineer. Any measurements of the Measured Area of any Terminal or the Measured Area of any portion of any Terminal shall be adjusted from time to time by the Airport Engineer to take into account changes in the measurements of relevant portions of the Terminal. The Measured Area of any Terminal shall be computed by deducting from the sum of the gross measured area of each floor of the Terminal the gross measured area of the Vertical Areas of the Terminal. The Measured Area of any other portion of any Terminal shall be computed by multiplying the usable area of the portion of the Terminal for which the computation is made by a fraction, the numerator of which is the Measured Area of the Terminal and the denominator of which is the aggregate usable floor area of the Terminal (including the Exclusive Use Areas, the Joint Use Areas, the International Joint Use Areas, and the Excluded Areas), with each quantity required for the computation expressed in square feet. For the purposes of any computation of area required by this Tariff, (a) if the measurement of any area in the Terminal or of the Measured Area of the Terminal changes during any calendar month, the computation will be made based on the greatest number of square feet included in the area during the month, (b) the measurement of any area in the Terminal or of the Measured Area of the Terminal will not be affected by the temporary unavailability of floor area in the Terminal due to maintenance, repairs, and construction activity in or affecting the Terminal, and (c) additions to any area in the Terminal or of the Measured Area of the Terminal resulting from the construction of new improvements will not be included in the measurement of any area in the Terminal or of the Measured Area of the Terminal until the new improvements are placed in service. The computation by the Airport Engineer of any area required by this Tariff, and the designation by the Airport Engineer of any

area of the Terminal as Occupied Terminal Area, Joint Use Areas, International Joint Use Areas, Retail and Concession Areas, LAWA Proprietary Areas, Excluded Areas, Terminal Common Areas, Vertical Areas, or as any other category of space that may be relevant for any other purpose of this Tariff, shall be deemed conclusive absent manifest error. If at any time the Airport Engineer concludes that any computation of floor area measurement or any designation of area proves to have been incorrect, LAWA will promptly disclose the inaccuracy to each affected Aeronautical User, and LAWA and the affected Aeronautical User will promptly make such payments to the other as may be necessary to correct retroactively for the economic effect of the error.

27.7. Certain Exhibits and Deliveries. Exhibits to this Tariff consisting of provisions of ordinances and the Administrative Code of the City of Los Angeles are attached to this Tariff only as a matter of convenience. In the event of a conflict between the Exhibits to this Tariff and the official text of the ordinance or Administrative Code provision, the official text shall govern. In order to illustrate the computation of the Base Charge and other financial matters relevant to this Tariff, LAWA has delivered or may deliver to the Aeronautical User sample calculations in written or electronic form. In the event of a conflict between the sample calculations and the terms of this Tariff, the terms of this Tariff shall govern.

27.8. Other Agreements not Affected. The provisions of this Tariff shall apply only to the Occupied Terminal Area and shall not modify in any respect any of the rights or obligations of LAWA or the Aeronautical User under any other Tariff or other agreement between them. Except as expressly provided in this Tariff, no third-party is intended to be a beneficiary of the provisions of this Tariff.

27.9. Subordination to Government Agreements. The Aeronautical User's rights under this Tariff shall be subordinate to the provisions of any existing or future agreement between LAWA and the United States relating to the development, operation, or maintenance of the Airport.

27.10. Captions, etc. The captions, table of contents and cover page of this Tariff are for convenience of reference only and shall not limit or otherwise affect the meaning hereof.

27.11. Waiver of Trial by Jury. Aeronautical Users subject to this Tariff do hereby waive trial by jury in any action, proceeding or counterclaim brought by either of them against the other relating to any matters arising out of or in any way connected with this Tariff, the relationship of LAWA and the Aeronautical User, the Aeronautical User's use of the Occupied Terminal Area, or any other claims (except claims for personal injury or property damage) or any other statutory remedy.

27.12. Survival of Obligations. Unless expressly provided to the contrary, the obligations of an Aeronautical User hereunder shall survive, to the extent previously accrued, the vacation of Occupied Terminal Area by any Aeronautical User subject to this Tariff.

27.13. Governing Law. Irrespective of the place of execution or performance, this Tariff shall be governed by and construed and enforced in accordance with the laws of the State of California.

27.14. Interpretation. Any references in this Tariff to a specific Legal Requirement shall be deemed to include a reference to any similar or successor provision.

27.15. Attorneys' Fees. In any action brought by LAWA to enforce the terms of this Tariff, if LAWA substantially prevails in the action, LAWA shall be entitled to recover from the Aeronautical User LAWA's reasonable expenses of the action (including reasonable attorneys' fees).

27.16. Authority. The powers of LAWA under this Tariff, including the power to interpret and implement the provisions of this Tariff, have been delegated to and may be exercised by the Executive Director, and any notice, election, approval or consent that this Tariff by its terms requires or permits LAWA to give may be given by the Executive Director, in each case as if exercised or given by resolution or order of the Board. Without limitation of the authority of the Executive Director under any specific provision of this Tariff (after giving effect to the foregoing provisions of this Section 27.16), the Executive Director shall have the authority to both:

- (A) bind LAWA to any amendment of this Tariff having the effect of increasing or decreasing by not more than \$150,000 in any Tariff Year the amounts payable by the Aeronautical User to LAWA under this Tariff, provided however, that such authority shall not (without the prior approval or later ratification of the Board) extend to any amendment of the terms of this Tariff if the specific text of this Tariff has been presented to and approved by the City Council of the City of Los Angeles; and
- (B) in accordance with Charter Section 633, designate and assign space under this Tariff to any Aeronautical User and any schedule(s) to this Tariff for the applicable Aeronautical User (whether or not previously approved by the Board) shall be adjusted to reflect any change in the space so assigned or designated by the Executive Director for such Aeronautical User.

In taking any action under this Tariff, the Aeronautical User shall be entitled to rely on the authority of the Executive Director as specified in this Section 27.16.

SCHEDULE 1

Maintenance Schedule

	All Areas	Occupied Terminal Area	Joint Use Space	Building Exterior
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EQUIPMENT

Gate jetways, 400 Hz aircraft power, pre-conditioned air, potable water, aircraft guidance systems	LAWA	na	na	na
Bag belt systems and equipment, including operations	LAWA	na	na	na
Baggage carousels	LAWA	na	na	na
Flight information displays	By Owner	na	na	na
Ticket counters	na	Aeronautical User	LAWA	na
Signage	na	Aeronautical User	LAWA	LAWA

SYSTEMS

Fire sprinkler and fire-life-safety systems	LAWA, unless modified by Aeronautical User			
Master electrical panels and main electrical equipment	LAWA	na	na	na
Electrical equipment, sub-panels, and distribution	na	Aeronautical User	LAWA	LAWA
Light bulbs, fixtures, and components	na	Aeronautical User	LAWA	LAWA
Telephone and data lines	na	Aeronautical User	LAWA/ User	na
Telecommunications conduits serving two or more prime Aeronautical Users/prime users	LAWA	na	na	na
Plumbing systems from source to LAWA main	na	Aeronautical User	LAWA	LAWA
Main water and sewer lines	LAWA	na	na	na

	All Areas	Occupied Terminal Area	Joint Use Space	Building Exterior

SYSTEMS (cont'd)

HVAC systems connected to LAWA provided chilled/hot water	LAWA	na	na	na
HVAC stand alone systems	na	Aeronautical User	LAWA	na

PAVEMENT

Spill removal	Aeronautical User	na	na	na
Surface markings, including lead-in lines, nose wheel, aircraft safety envelope, and equipment staging	LAWA	na	na	na
Ramp paved surfaces	LAWA	na	na	na
Guardrails protecting LAWA property	LAWA	na	na	na
Ramp-side dumpster and trash removal	LAWA	na	na	na

STRUCTURAL

Building exterior and roof, incl. glass	LAWA	na	na	na
Exit doors from Occupied Terminal Area, incl. Locks	LAWA	na	na	na
Carpeted areas: interior partitions, doors, finishes, furnishings, treatments	na	Aeronautical User	LAWA	na
Hard floor areas, including public restrooms: interior partitions, doors, finishes, furnishings, treatments	na	Aeronautical User	LAWA	na

JANITORIAL

Scheduled ramp sweeping, scrubbing	LAWA	na	na	na
Carpeted areas: floors, furnishings, trash receptacles	na	Aeronautical User	LAWA	na
Hard floor areas, including public restrooms: floors,	na	Aeronautical User	LAWA	na

	All Areas	Occupied Terminal Area	Joint Use Space	Building Exterior
furnishings, trash receptacles				
High areas, including ceilings	na	Aeronautical User	LAWA	na

JANITORIAL (cont'd)

Gate jetways	LAWA	na	na	na
Apron area	LAWA	na	na	na
Restrooms on apron	na	na	LAWA	na
Gate podiums in Satellite	na	na	LAWA	na
Sidewalk around bldg on apron	LAWA	na	na	na
Breezeway	LAWA	na	na	na
ART and LANDSCAPING installed by Aeronautical User	Aeronautical User	na	na	na

SCHEDULE 4

Basic Information Schedules

Basic Information Schedule for Terminal 1

Furnished to Aeronautical Users

Basic Information Schedule for Terminal 3

Furnished to Aeronautical Users

Basic Information Schedule for Terminal 6¹

Furnished to Aeronautical Users

¹ For those air carriers and foreign air carriers without leases occupying space in Terminal 6.

Basic Information Schedule for Tom Bradley International Terminal

Furnished to Aeronautical Users

ANNEX A

International Joint Use Factors

Terminal 1

Terminal User International Factor:	10%
Flight International Factor:	0%
Passenger International Factor:	90%
	100%

Terminal 2

Terminal User International Factor:	10%
Flight International Factor:	0%
Passenger International Factor:	90%
	100%

Terminal 3

Terminal User International Factor:	10%
Flight International Factor:	0%
Passenger International Factor:	90%
	100%

Terminal 4

Terminal User International Factor:	10%
Flight International Factor:	0%
Passenger International Factor:	90%
	100%

Terminal 5

Terminal User International Factor:	10%
Flight International Factor:	0%
Passenger International Factor:	90%
	100%

Terminal 6

Terminal User International Factor:	10%
Flight International Factor:	0%
Passenger International Factor:	90%
	100%

Terminal 7

Terminal User International Factor:	10%
Flight International Factor:	0%
Passenger International Factor:	90%
	100%

Terminal 8

Terminal User International Factor:	10%
Flight International Factor:	0%
Passenger International Factor:	90%
	100%

TBIT

Terminal User International Factor:	10%
Flight International Factor:	0%
Passenger International Factor:	90%
	100%

ANNEX B

Joint Use Factors

Terminal 1

Terminal User Factor	10%
Flight Factor	55%
Passenger Factor	35%
	100%

Terminal 2

Terminal User Factor	10%
Flight Factor	55%
Passenger Factor	35%
	100%

Terminal 3

Terminal User Factor	10%
Flight Factor	55%
Passenger Factor	35%
	100%

Terminal 4

Terminal User Factor	10%
Flight Factor	55%
Passenger Factor	35%
	100%

Terminal 5

Terminal User Factor	10%
Flight Factor	55%
Passenger Factor	35%
	100%

Terminal 6

Terminal User Factor	10%
Flight Factor	55%
Passenger Factor	35%
	100%

Terminal 7

Terminal User Factor	10%
Flight Factor	55%
Passenger Factor	35%
	100%

Terminal 8

Terminal User Factor	10%
Flight Factor	55%
Passenger Factor	35%
	100%

TBIT

Terminal User Factor	10%
Flight Factor	55%
Passenger Factor	35%
	100%

EXHIBIT A

Summary of Computation and Allocation Method for Terminal Expenses

1. Description of Cost Centers. Cost centers at the Airport are those functions or physically discrete areas that are used to account for costs incurred by LAWA to own (or otherwise provide), maintain, operate, construct, develop, and administer the Airport. There are two types of cost centers used to account for costs at the Airport: (1) direct cost centers, which are each related to a defined physical area of the Airport that serves a particular function, and (2) indirect cost centers, which are related to service functions that support the direct cost centers. The following are the direct and indirect cost centers used to account for costs at the Airport:

Direct Cost Centers

Terminals - the Terminals cost center comprises the land and all passenger terminal buildings and other related and appurtenant facilities, whether owned, operated, or maintained by LAWA. Facilities include the passenger terminal buildings located in the central terminal area, passenger terminal buildings located outside the central terminal area, associated concourses, holdrooms, passenger tunnels, and all other facilities that are a part of the passenger terminal buildings.

Airfield - the Airfield cost center comprises those portions of the Airport (excluding the aircraft aprons associated with the terminal, general aviation, cargo, and aircraft maintenance facilities) providing for the landing, taking off, and taxiing of aircraft, including approach and turning zones, clear zones, navigation or other easements, runways, a fully integrated taxiway system, runway and taxiway lights, and other appurtenances related to the aeronautical use of the Airport, including any property acquired for noise mitigation purposes.

Apron - the Apron cost center comprises the land and paved areas primarily adjacent to passenger terminal buildings, but also includes remote parking areas that provide for the parking, loading, and unloading of passenger aircraft. The Apron cost center does not include aprons associated with general aviation, cargo, or aircraft maintenance facilities.

Aviation - the Aviation cost center comprises the land and facilities related to air cargo, general aviation, fixed-base operations, aircraft fueling, aircraft maintenance, in-flight catering, and other aviation-related services.

Commercial - the Commercial cost center comprises the land and facilities not located in the Terminal cost centers and that are provided for nonaeronautical commercial and industrial activities, including public automobile parking, car rental service centers, golf courses, the Theme Building, and the Proud Bird restaurant.

Indirect Cost Centers

Access – the Access cost center includes the costs of facilities and services for on-Airport and off-Airport ground access for vehicles and pedestrians, including airside and landside access, and Airport access generally. It also includes the costs of increasing, preserving, or managing the capacity of the Airport’s access facilities.

Systems – the Systems cost center includes the costs of airport systems, including electrical distribution system, gas distribution system, potable water distribution system, chilled water distribution system, storm and sanitary sewer system, and industrial waste disposal.

General Maintenance – the General Maintenance cost center includes the costs of maintenance services, facilities, and equipment that cannot be directly allocated to other cost centers.

General Administration – the General Administration cost center includes the general administrative and support costs related to providing, maintaining, operating, and administering the Airport that cannot be directly allocated to other cost centers.

2. Allocation Methods. Expenses directly attributable to the Terminal, direct expenses allocable to all terminals, and indirect Administrative and Access cost center expenses are allocated to the Terminal as follows:

(i) Wherever possible, expenses directly attributable to the Terminal are allocated to the Terminal.

(ii) Any direct expenses not directly allocated to the Terminal, and that are common to all terminals or the Terminals cost center, will be allocated to the Terminal on the following basis:

- 20 percent will be allocated equally among all of the passenger terminals at the Airport;
- 40 percent will be allocated based on the Terminal’s proportion of total passenger enplanements for the Airport; and
- 40 percent will be allocated based on the Terminal’s proportion of total Measured Area of the Terminal for all passenger terminals at the Airport.

(iii) Expenses attributable to Airport administrative divisions are allocated to the Terminals cost center based on its proportion of total direct expenses. Administrative expenses allocated to the Terminals cost center are then further allocated to the Terminal on the basis of the Terminal’s proportion of total direct expenses.

(iv) Expenses directly allocated to the Access cost center are allocated to the Terminals cost center and all other direct cost centers on the basis of the ratio of land area by cost center. Access costs allocated to the Terminals cost center are then further allocated to the Terminal on the basis of the Terminal's pro-rata share of direct expenses.

EXHIBIT B

Summary of Computation and Allocation Method for Airport Infrastructure Charges

Airport Infrastructure Charges for the indirect cost centers² are allocated to the Terminal as follows:

(i) Airport Infrastructure Charges directly attributable to the indirect cost centers are allocated to the Terminals cost center in the following order:

First allocation – Airport Infrastructure Charges directly allocated to the Systems cost center are allocated to all direct and the remaining three indirect cost centers on the basis of the ratio of land area by cost center;

Second allocation – Airport Infrastructure Charges directly allocated to the General Maintenance cost center are allocated to the Terminals cost center, all other direct cost centers, and the remaining two indirect cost centers on the basis of the ratio of maintenance salary expenses by cost center;

Third allocation – Airport Infrastructure Charges directly allocated to the General Administration cost center are allocated to the Terminals cost center, all other direct cost centers, and the remaining indirect cost center on the basis of the ratio of operating expenses by cost center; and

Fourth allocation – Airport Infrastructure Charges directly allocated to the Access cost center are allocated to the Terminals cost center and all other direct cost centers on the basis of the ratio of land area by cost center.

(ii) Airport Infrastructure Charges allocable to the Terminals cost center will be further allocated to the Terminal on the following basis:

a. 20 percent will be allocated equally among all of the passenger terminals at the Airport;

b. 40 percent will be allocated based on the Terminal's proportion of total passenger enplanements for the Airport; and

c. 40 percent will be allocated based on the Terminal's proportion of total Measured Area of the Terminal for all passenger terminals at the Airport.

² References to cost centers in this Exhibit B are used with the meanings described in Exhibit A.

EXHIBIT C

Summary of Computation and Allocation Method for Terminal Capital Charges

For any calendar month, Terminal Capital Charges comprise all capital charges directly related to the Terminal and incurred or accrued by LAWA during the month, including the following:

(i) Amounts required to be deposited to the debt service funds created under an Airport Debt Instrument in connection with the issuance of Airport Debt directly attributable to the Terminal, including any fees and amounts associated with the Airport Debt and that are directly attributable to the Terminal.

(ii) Coverage Expenses related to Airport Debt directly attributable to the Terminal.

(iii) Amortization amounts required to recover or repay costs of capital improvements directly attributable to the Terminal and not debt-financed (and the cost of which exceeds the Capital Improvement Floor Amount in any single year), in substantially equal annual installments over a fixed term selected by LAWA in its discretion and including interest at such rate as LAWA shall in its discretion determine from time to time to fairly reflect LAWA's cost of funds.

(iv) The cost of any other capital item directly attributable to the Terminal that is below the Capital Improvement Floor Amount, and therefore not amortized.

Terminal Capital Charges common to more than one passenger terminal will be allocated to the Terminal on the following basis:

- d. 20 percent will be allocated equally among the passenger terminals;
- e. 40 percent will be allocated based on the Terminal's proportion of total passenger enplanements at the passenger terminals; and
- f. 40 percent will be allocated based on the Terminal's proportion of total Measured Area of the Terminal for the passenger terminals

EXHIBIT D

Equal Employment Practices

EXHIBIT E

Affirmative Action

EXHIBIT F

Living Wage Ordinance

EXHIBIT G

Living Wage Coverage Determination

EXHIBIT H

Living Wage Ordinance Declaration of Compliance Form

EXHIBIT I

Service Contractor Worker Retention Ordinance

EXHIBIT J

Child Support Assignment Orders

EXHIBIT K

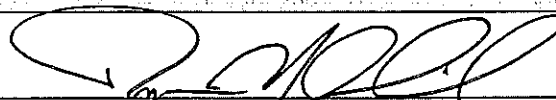
Contractor Responsibility Program

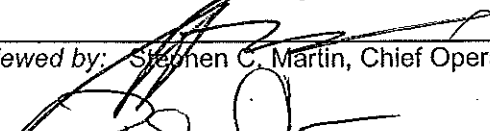
EXHIBIT L

First Source Hiring Program

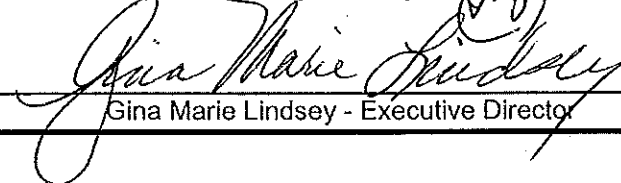


BOARD OF AIRPORT COMMISSIONERS REPORT


Approved by: Ryan P. Yakobik, Director of Capital Development & Budget


Reviewed by: Stephen C. Martin, Chief Operating Officer


City Attorney


Gina Marie Lindsey - Executive Director

Meeting Date:

September 21, 2009

CAO Review:

<input type="checkbox"/>	Completed
<input type="checkbox"/>	Pending
<input checked="" type="checkbox"/>	N/A

Date Reviewed & Reviewer Initials:

Capital Budget	N/A	---
Operating Budget	8/14/09	RW
CEQA	8/12/09	AE
Contract Services	8/17/09	TJ

SUBJECT:

BLANKET ORDER RE: TARIFF

ADOPTION of BLANKET ORDER authorizing the Executive Director or his or her designee to enter into BINDING LETTER AGREEMENTS with non-airline aeronautical users subject to the Los Angeles International Airport Passenger Terminal Tariff in TOM BRADLEY INTERNATIONAL TERMINAL at LOS ANGELES INTERNATIONAL AIRPORT regarding certain Tariff charges.

RECOMMENDATION:

Management RECOMMENDS that the Board of Airport Commissioners:

1. ADOPT the Staff Report.
2. DETERMINE that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article III, Class 1(31) of the Los Angeles City CEQA Guidelines of the Los Angeles City CEQA Guidelines.
3. ADOPTION of Blanket Order authorizing the Executive Director or his or her designee to enter into binding Letter Agreements with non-airline aeronautical users subject to the Los Angeles International Airport Passenger Terminal Tariff in Tom Bradley International Terminal at Los Angeles International Airport regarding certain Tariff charges.
4. AUTHORIZE the Executive Director, or his or her designee, to execute binding Letter Agreements regarding certain Tariff charges after approval as to form and legality by the City Attorney.

DISCUSSION:

1. Executive Summary

Staff requests that the Board of Airport Commissioners (Board) adopt a Blanket Order allowing the Executive Director to enter into binding Letter Agreements with non-airline aeronautical users subject to the Los Angeles International Airport Passenger Terminal Tariff (Tariff) in Tom Bradley International Terminal (TBIT) at Los Angeles International Airport (LAX).

Los Angeles World Airports (LAWA) is currently involved in litigation regarding rates and charges under the Tariff. LAWA has entered into a Partial Settlement Agreement (PSA) with airlines in TBIT regarding rates and charges, and offered similar terms to airlines and other aeronautical users in Terminals 1 through 8 under the terms of "Letter Agreements," separately approved by the Board.

Currently there is no authority to extend similar terms to non-airline aeronautical users of TBIT. Therefore, in conjunction with the request to expand the terms of the Tariff to non-airline aeronautical users pending the outcome of the above-mentioned litigation, staff requests that the Executive Director be authorized to enter into binding Letter Agreements that extend similar terms of the PSA and the Terminal 1 through 8 Letter Agreement, with the non-airline aeronautical users subject to the Tariff in TBIT.

2. Prior Related Actions

On January 22, 2007, Resolution No. 23198 established the Tariff at LAX to set rates, charges and regulations for all airlines occupying terminal space after January 31, 2007, except pursuant to a lease. Under the Tariff, each aeronautical user is charged for (i) Exclusive Use Area, a proportionate share of (ii) Airline Joint Use Area and (iii) International Joint Use Area and (iv) a proportionate share of the common area in the terminal; collectively referred to as "rentable space" or "measured area." The Tariff does not provide for charges based on only (i) Airline Exclusive Use Area, (ii) Airline Joint Use Area and (iii) International Joint Use Area; collectively referred to as "usable space."

In addition to the aforementioned charges, the current fiscal year budget is utilized to allocate maintenance and operations (M&O) expenses among the airlines.

On February 16, 2007, certain airlines occupying space in Terminals 1 and 3 at Los Angeles International Airport (LAX) filed an administrative complaint before the U.S. Department of Transportation (DOT) against the City and LAWA challenging, among other things, the terminal fees imposed on them under the Tariff on the basis of their (larger) "rentable space" (the case is referred to as *LAX III*). On February 23, 2007, certain airlines occupying space in TBIT at LAX filed a complaint challenging certain retroactive charges, which the DOT treated as a follow-on complaint to *LAX III*.

On or about April 30, 2007, a second set of TBIT airlines filed a second complaint with the DOT challenging the Tariff M&O charges and the "rentable space" basis for certain Tariff charges (this case is referred to as *LAX IV*, and, although stayed, is still pending).

The airlines occupying space in Terminals 1 and 3, the airlines occupying space in TBIT, and the City all filed petitions for review of the DOT Final Decision in *LAX III* in June and July of 2007. The airlines occupying space in TBIT thereafter moved to withdraw their petition for review, which motion was granted by the United States Court of Appeals for the District of Columbia Circuit on June 23, 2008. On or about July 24, 2008, LAWA and the TBIT airlines that were party to the above-mentioned litigation entered into the PSA settling, among other things, certain rates and charges pending the outcome of the *LAX III* litigation.

On October 20, 2008, the Board approved a Blanket Order authorizing the Executive Director to enter into binding Letter Agreements with airlines and other entities subject to the Tariff in Terminals 1 through 8 at LAX regarding certain Tariff Charges (Board Order No. AO-5108).

On August 7, 2009, the United States Court of Appeals for the District of Columbia Circuit issued an opinion in *LAX III* remanding certain issues, including the issue regarding the terminal fees imposed on the basis of their (larger) Measured Area, to the DOT for further consideration consistent with the opinion.

As a result of both the DOT Final Decision that was issued under *LAX III*, the PSA, and the Letter Agreement for Terminals 1 through 8, LAWA has been charging airlines subject to the Tariff in Terminals 1 through 8 and TBIT on the basis of the (smaller) "usable space" rather than the (larger) "rentable space" and calculating M&O charges based on prior fiscal year actual costs. However, if as a result of LAWA's petition for review of the DOT Final Decision in *LAX III*, a final, non-appealable decision permits LAWA to use the (larger) "rentable space" to charge terminal fees pursuant to the Tariff, LAWA has the right to charge such aeronautical users on the basis of the (larger) "rentable space".

3. Current Action

While the PSA offered similar terms for airline users operating in TBIT to those offered in Letter Agreements to all aeronautical users in Terminals 1 through 8 at LAX, the agreement did not apply to non-airline aeronautical users. The current action requests that the Board adopt a Blanket Order to authorize the Executive Director to enter into binding Letter Agreements with non-airline aeronautical users subject to the Tariff in TBIT at LAX offering similar terms to those of the PSA.

Therefore, to provide similar terms to non-airline aeronautical users subject to the Tariff at TBIT, staff requests that the Board adopt a Blanket Order allowing the Executive Director to enter into binding Letter Agreements with (i) non-airline aeronautical users subject to the Tariff in TBIT, (ii) non-airline aeronautical users subject to the Tariff requesting additional space in TBIT, and (iii) new entrant non-airline aeronautical users, in TBIT, with the following terms:

1. Tariff maintenance and operation charges ("Terminal Expenses") will be calculated based on prior fiscal year's actual costs accrued by LAWA and calculated in the same manner as set forth in the Tariff, except as modified by this provision and by provision No. 2 below. For example, for calendar year 2009 (January 1, 2009 through December 31, 2009), Terminal Expenses would be calculated based on fiscal year 2008 (July 1, 2007 to June 30, 2008) actual costs accrued by LAWA and calculated in the same manner as set forth in the Tariff, except as modified by this provision and by provision No. 2 below. This provision would be retroactive to January 1, 2008.

2. Tariff charges will be based on the (smaller) usable space, rather than the (larger) Measured Area set forth in the Tariff. This provision would be retroactive to the date of inception of the Tariff (February 1, 2007). However, should a final, non-appealable decision in *LAX III* permit LAWA to impose terminal fees pursuant to the Tariff on the basis of the (larger) Measured Area (rentable space), the counterparty to the agreement shall agree that LAWA has the right to charge such counterparty to the agreement for the difference in fees that such counterparty to the agreement has paid for its use of the terminal space on a (smaller) usable space basis versus the fees it would have paid on a (larger) Measured Area basis.
3. The initial Basic Rate (the equivalent to the base rent in a lease) in TBIT at LAX will be the terminal capital charges for space in the applicable terminal as described in the Tariff; but in any event it shall not be less than the negotiated base rate of Twenty Two Dollars and Forty-Five cents (\$22.45) in TBIT at LAX as of April 1, 2009, as adjusted on April 1 of each calendar year and which shall be the Basic Rate as of March 31 of that year, multiplied by the consumer price index published by the Bureau of Labor Statistics for "all urban consumers" for "all items" for the twelve months ending in the previous calendar year, provided that the rate does not decrease.
4. LAWA shall reserve the right to amend the Tariff at any time.
5. Either party shall have the right to terminate the agreement with a 30-day advance written notice to the other party. However, LAWA's right to charge the other party for the difference in fees that such party has paid for its use of the terminal space on a (smaller) usable space basis versus the fees it would have paid on a (larger) Measured Area basis, should a final, non-appealable decision in *LAX III* permit LAWA to impose terminal fees pursuant to the Tariff on the basis of the (larger) Measured Area (rentable space), shall survive the termination of the agreement.

Staff believes allowing the Executive Director to enter into such binding Letter Agreements with current and future non-airline entities subject to the Tariff at TBIT will ease the administrative burden in the method that LAWA is currently charging entities subject to the Tariff. Therefore, staff requests that the Board adopt a Blanket Order to authorize the Executive Director to enter into binding Letter Agreements with non-airline aeronautical users subject to the Tariff in TBIT at LAX.

4. Alternatives Considered

- ***Not Approving the Requested Blanket Order***

Not approving the requested Blanket Order to authorize the Executive Director to enter into binding Letter Agreements with non-airline aeronautical users subject to the Tariff in TBIT at LAX will increase the administrative burden that LAWA currently faces to administer billing and reconciliation for entities at TBIT subject to the Tariff. Approving the Blanket Order will allow LAWA to offer consistent terms to airlines and non-airline aeronautical users, substantially simplifying the administration of the Tariff.

FISCAL & ECONOMIC IMPACT STATEMENT:

This letter agreement impacts LAWA's revenues in three areas: the proportion of expenses paid by tenant non-airline aeronautical users, the amount of space rent charged to the within the terminals and the timing of the recovery of maintenance and operations charges incurred by LAX. The economic impacts are as follows:

This offer will provisionally lower the proportion of terminal expenses and base rent charges paid. However, in the case where a final non-appealable decision in *LAX III* permits LAWA to impose terminal fees pursuant to the Tariff on the basis of the (larger) Measured Area, LAWA has reserved the right to recover the difference in charges at that time.

STANDARD PROVISIONS:

1. Modification of a rate, fee, or tariff for the use of an existing municipal facility involving negligible or nor expansion of use is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article III Class 1, (18) (c) of the Los Angeles City CEQA Guidelines, as amended by the Los Angeles City Council on July 31, 2002.
2. The City Attorney has reviewed and approved the proposed revision of the Tariff.
3. Action taken on this item by the Board of Airport Commissioners will become final pursuant to the provisions of the Los Angeles City Charter, Section 245
4. This action is not subject to the provisions of the Service Contract Worker Retention and Living Wage Ordinances.
5. This action is not subject to the provisions of the MBE/WBE/OBE/DBE Program.
6. This action is not subject to the provisions of the Affirmative Action Program.
7. This action does not require a Business Tax Registration Certificate.
8. This action is not subject to the provisions of the Child Support Obligations Ordinance.
9. This action is not subject to the insurance requirements of the City of Los Angeles.
10. This action is not subject to the provisions of Charter Section 1022 (Use of Independent Contractors).
11. This action is not subject to the provisions of the Contractor Responsibility Program.
12. This action is not subject to the provisions of the Equal Benefits Ordinance.
13. This action is not subject to the provisions of the First Source Hiring Program.

PROPOSED LETTER AGREEMENT FOR NON-AIRLINE AERONAUTICAL USERS AT TBIT AT LAX

LETTER AGREEMENT

This Letter Agreement (“Agreement”) is made and entered into this _____ day of _____, 20____ (the “Execution Date”) by and between _____ (“Aeronautical User”) and the City of Los Angeles, acting by and through the Board of Airport Commissioners (collectively, the “City”). Aeronautical User and the City are collectively referred to as the “Parties”. Capitalized terms used herein without definition shall have the meaning given to such terms in the Los Angeles International Airport Passenger Terminal Tariff (the “Tariff”).

RECITALS

WHEREAS, the Tariff requires that each user of space under the Tariff pay base charges, maintenance and operations charges, Terminal Special Expenses and Airport Infrastructure Charges on the basis of the sum of each such user’s (i) Airline Exclusive Use Area, (ii) its Airline Joint Use Area, (iii) its International Joint Use Area and (iv) a proportionate share of the common area in the terminal ((i) – (iv) collectively defined as the “Measured Area” in the Tariff) rather than paying those charges on the basis of the sum of each airline’s (i) Airline Exclusive Use Area, (ii) its Airline Joint Use Area and (iii) its International Joint Use Area ((i) – (iii) collectively, the “Usable Area”);

WHEREAS, on February 16, 2007, certain airlines occupying space at Los Angeles International Airport (“LAX”) in Terminals 1 and 3 filed an administrative complaint before the U.S. Department of Transportation (“DOT”) against the City challenging, among other things, the terminal fees imposed on them under the Tariff on the basis of their (larger) Measured Area (the case is referred to as “LAX III”);

WHEREAS, on February 23, 2007, certain airlines occupying space at LAX in Tom Bradley International Terminal (“TBIT”) filed a complaint challenging certain retroactive rates and charges, which the DOT treated as a follow-up complaint to *LAX III*;

WHEREAS, on or about April 30, 2007, a second set of TBIT airlines filed a second complaint with the DOT challenging the Tariff maintenance and operation charges and the Measured Area basis for certain Tariff charges (this case is referred to as “LAX IV” and, although stayed, is still pending);

WHEREAS, the airlines occupying space in Terminals 1 and 3, the airlines occupying space in TBIT, and the City all filed petitions for review of the DOT Final Decision in *LAX III* in June and July of 2007;

WHEREAS, the airlines occupying space in TBIT thereafter moved to withdraw their petition for review, which motion was granted by the United States Court of Appeals for the District of Columbia Circuit on June 23, 2008;

WHEREAS, the United States Court of Appeals for the District of Columbia Circuit issued an opinion in *LAX III* remanding certain issues, including the issue regarding the terminal fees imposed on the basis of their (larger) Measured Area, to the DOT for further consideration consistent with the opinion;

WHEREAS, on or about August 8, 2008, the City and the TBIT airlines that were party to the above-mentioned litigation entered into the Partial Settlement Agreement ("PSA") settling, among other things, certain rates and charges pending the outcome of the *LAX III* litigation;

WHEREAS, the City, for administrative convenience pending the outcome of the DOT decision for *LAX III*, wishes to use similar rates and charges methodology throughout Terminals 1 through 8 and TBIT at LAX;

WHEREAS, the Board of Airport Commissioners has adopted Blanket Order No. AO-5108 on October 20, 2008, authorizing the Executive Director to enter into binding letter agreements with airlines and other entities subject to the Tariff regarding certain Tariff charges for Terminals 1 through 8 at LAX; and

WHEREAS, the Board of Airport Commissioners has adopted Blanket Order No. _____ on _____, 2009, authorizing the Executive Director to enter into binding letter agreements with non-airlines subject to the Tariff regarding certain Tariff charges for TBIT.

NOW, THEREFORE, in consideration of the promises and the mutual covenants and agreements set forth herein, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

AGREEMENT

1. Tariff Charges. From the Commencement Date through the termination of this Agreement, the Parties mutually agree as follows:

(a) Terminal Expenses. Notwithstanding any provision in the Tariff to the contrary, the Parties agree that Aeronautical User will pay the following Terminal Expenses:

(i) Terminal Expenses shall be calculated based on prior fiscal year's actual costs accrued by the City calculated in the same manner as set forth in the Tariff, except as modified by this section and by Section 1(a)(ii) below. For example, CY2009 (January 1, 2009 to December 31, 2009) Terminal Expenses will be calculated based on FY2008 (July 1, 2007 to June 30, 2008) actual costs accrued by the City.

(ii) Terminal Expenses calculated pursuant to Section 1(a)(i) above shall be based on Aeronautical User's (smaller) Usable Area, rather than the (larger) Measured Area set forth in the Tariff.

(b) Basic Rate.

(i) Notwithstanding any provision in the Tariff to the contrary, the Parties agree that Aeronautical User's Basic Rate shall be based on Aeronautical User's (smaller) Usable Area, rather than the (larger) Measured Area set forth in the Tariff.

(ii) Notwithstanding any provision in the Tariff to the contrary, Aeronautical User's Initial Basic Rate on Schedule 4 of the Tariff shall be the

terminal capital charges for space in the applicable terminal as described in the Tariff; but in no event shall the Initial Basic Rate be less than the base rate of Twenty-Two Dollars and Forty-Five Cents (\$22.45) as adjusted on April 1 of each calendar year beginning as of April 1, 2009, and which shall be the base rate as of March 31 of that year, multiplied by the consumer price index published by the Bureau of Labor Statistics for "all urban consumers" for "all items" for the 12 months ending in the previous calendar year. See <http://www.bls.gov/cpi/cpid0712.pdf> (Table Q4). For example, if the terminal capital charge rate as of January 1, 2009 is Twenty-Five Dollars (\$25) per square feet and the adjusted base rate at the time is Twenty-Two Dollars and Forty-Five Cents (\$22.45), the Initial Basic Rate will be Twenty-Five Dollars (\$25). Conversely, if the terminal capital charge rate as of January 1, 2009 is Fourteen Dollars (\$14.00) and the adjusted base rate at the time is Twenty-Two Dollars and Forty-Five Cents (\$22.45), the Initial Basic Rate will be Twenty-Two Dollars and Forty-Five Cents (\$22.45).

2. LAX III Decision. Notwithstanding any terms in this Agreement or the Tariff to the contrary, should a final, non-appealable decision from a court of competent jurisdiction determine that the City may charge fees imposed pursuant to the Tariff on a Measured Area basis, Aeronautical User agrees that the City reserves the right to charge Aeronautical User retroactively to the date of the DOT Final Decision (June 15, 2007) for the difference in fees that Aeronautical User has paid for its use of the Occupied Terminal Area on a Usable Area basis versus the fees it would have paid on a Measured Area basis. This Section 2 shall survive the termination of this Agreement.
3. Tariff Amendment. LAWA shall have the right at any time to amend the Tariff during the term of this Agreement.
4. Termination. Either party shall have the right to terminate this Agreement by giving the other party a thirty (30) day advance written notice. However, Section 2 above shall survive the termination of this Agreement.
5. Notice.

(a) Notice to the City. Written notices to the City hereunder, with a copy to the City Attorney of the City of Los Angeles, shall be given by registered or certified mail, postage prepaid, and addressed to:

Department of Airports
Properties Division
1 World Way
Post Office Box 92216
Los Angeles, CA 90009-2216

Office of City Attorney
1 World Way
Post Office Box 92216
Los Angeles, CA 90009-2216

or to such other address as the City may designate by written notice to Aeronautical User.

(b) Notice to Aeronautical User. Written notices to Aeronautical User hereunder shall be given by registered or certified mail, postage prepaid, and addressed to:

or to such other address as Aeronautical User may designate by written notice to the City.

(c) The execution of any such notice by the executive director of the City's Department of Airports (the "Executive Director") or his or her designee shall be as effective as to Aeronautical User as if it were executed by the Board of Airport Commissioners ("Board"), or by resolution or order of said Board, and Aeronautical User shall not question the authority of the Executive Director or his or her designee to execute any such notice.

(d) All such notices, except as otherwise provided herein, may either be delivered personally to the Executive Director with a copy to the Office of the City Attorney, Airport Division, in the one case, or to Aeronautical User in the other case, or may be deposited in the United States mail, properly addressed as aforesaid with postage fully prepaid by certified or registered mail, return receipt requested, and shall be effective five (5) days after deposit in the mail.

6. No Third Party Rights or Obligations. No person or entity not a party to or expressly identified as a beneficiary under this Agreement shall have any third-party beneficiary or other rights under this Agreement.

7. Applicable Law. This Agreement shall be governed by, and construed in accordance with, the laws of the State of California.

8. Venue. Any litigation concerning this Agreement may only be filed in federal court in Los Angeles County, California.

9. Binding Agreement. This Agreement shall be binding upon the Parties hereto and their respective heirs, personal representatives, successors and assigns.

10. Headings; Defined Terms. Descriptive headings are used in this Agreement for convenience only and shall not control, limit, amplify or otherwise modify or affect the terms and provisions of this Agreement or the meaning or construction of the terms and provisions of this Agreement.

11. Multiple Counterparts. This Agreement may be executed in a number of identical counterparts, each of which for all purposes is deemed an original, and all of which constitute collectively one agreement.

12. Sole Agreement. This Agreement represents the final agreement among the Parties with respect to the subject matter hereof, and may not be contradicted by evidence of prior, contemporaneous or subsequent oral agreements. There are no unwritten oral agreements among the Parties.

13. Conflicts. In the event of any conflict between the provisions of this Agreement and any provision contained in the Tariff, the provisions of this Agreement shall control.

14. Severability. If any provision of this Agreement is held invalid or unenforceable by any court of final jurisdiction, it is the intent of the parties that all provisions of this Agreement be construed to remain fully valid, enforceable and binding on the parties. Upon any determination

that any term or other provision is invalid or incapable of being enforced, the parties shall negotiate in good faith to modify this Agreement so as to effect the original intent of the parties as closely as possible in order that the transactions contemplated by this Agreement may be consummated as originally contemplated to the fullest extent possible.

[signature page follows]

IN WITNESS WHEREOF, the City has caused this Agreement to be executed on its behalf by the Executive Director of the Department of Airports, or his or her authorized signatory, and Aeronautical User has caused the same to be executed by its duly authorized officers, all as of the day and year first hereinabove written.

APPROVED AS TO FORM:
CARMEN A. TRUTANICH,
City Attorney

CITY OF LOS ANGELES

Date: _____

By _____

By: _____
Deputy/Assistant City Attorney

Executive Director
Department of Airports

ATTEST:

[Aeronautical User]

Date: _____

Date: _____

By _____

By _____

Signature

Signature

Print Name

Print Name

Print Title

Print Title



BOARD OF AIRPORT COMMISSIONERS REPORT

[Signature]
 Approved by Ron Domash, Property Manager II

[Signature]
 Reviewed by Debbie Bowers, Deputy Executive Director

[Signature]
 City Attorney

[Signature]
 Gina Marie Lindsey - Executive Director

Meeting Date:

September 21, 2009

CAO Review:

Completed
 Pending
 N/A

Date Reviewed & Reviewer Initials:

Capital Budget	n/a	jb
Operating Budget	08/14/09	rw
CEQA	08/13/09	ae
Contract Services	08/14/09	th

SUBJECT:

Request for Proposals

Approve SCOPE OF WORK, Authorize Release of REQUEST FOR PROPOSALS and Authorize Negotiation for an AGREEMENT with the Successful Proposer for the LEASE of an INDUSTRIAL BUILDING located at 39516 30th Street East at the former LA/PALMDALE REGIONAL AIRPORT (PMD); Authorize acceptance of Proposals subject to the Proposer's ability to secure a CONDITIONAL USE PERMIT and Approve a three percent (3%) REFERRAL FEE based on the total amount of the initial contract, capped at \$30,000.

RECOMMENDATION:

Management RECOMMENDS that the Board of Airport Commissioners:

1. ADOPT the Staff Report.
2. DETERMINE that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II Section 2(f) of the Los Angeles City CEQA Guidelines.
3. APPROVE the Request for Proposals for lease of industrial building located at 39516 30th Street East at the former LA/Palmdale Regional Airport.
4. ESTABLISH a minimum rental rate of \$0.20 per square foot per month (PSFPM) for the industrial building located at 39516 30th Street East at the former LA/Palmdale Regional Airport.

5. APPROVE a three (3) percent referral fee, capped at \$30,000, based on the total amount of the initial contract, payable to a procuring real estate broker upon the execution of a lease by LAWA.
6. AUTHORIZE the Executive Director to release the Request for Proposals and negotiate with the successful Proposer for lease of industrial building located at 39516 30th Street East at the former LA/Palmdale Regional Airport upon approval as to form by the City Attorney.

DISCUSSION:

1. Executive Summary

Staff requests approval to release a Request for Proposal (RFP) and to negotiate with the selected proposer for the lease of a 47,856 square foot industrial building located on a three (3) acre site at the SE corner of Avenue P and 30th Street East at the former LA/Palmdale Regional Airport (PMD). On December 17, 2007, the Board had previously approved the release of an RFP for this same building and site, but no proposals were received. Staff has proposed several modifications to the RFP to attract bids including: a lower minimum rental rate, acceptance of proposals subject to a conditional use permit, and payment of three percent (3%) referral fee to a procuring real estate broker based on the total amount of the initial contract, capped at \$30,000. Award of a lease will be subject to further action by the Board of Airport Commissioners.

2. Prior Related Actions

On November 30, 1983, the Board authorized the lease (PIA-83) of an industrial site at Palmdale International Airport with VACA Contractors, Ltd. (VACA) under Board Order No. AO-3620. The lease term commenced on March 3, 1984 and terminated on December 31, 2005. In accordance with lease provisions, VACA constructed an approximate 22,500 square-foot industrial building in 1985 that was used for manufacturing related to the B-1B bomber program. VACA subleased the facilities to Vought Corporation, a subcontractor to Rockwell and the prime developer of the B-1B bomber. After the B-1B bomber program phased-down, Vought vacated the leasehold and VACA subsequently lost the property via foreclosure. By operation of law and via foreclosure, Bank of America became the lessee, as of August 25, 1995.

Under Resolution No. 19748 dated February 4, 1997, LAWA approved a lease assignment from Bank of America to Tracor Flight Systems, Inc. (Tracor), a Delaware Corporation. Tracor, a subcontractor to McDonald Douglas, modified MD-95 aircraft wing assemblies. In 1999, Tracor added 25,356 square feet of improvements to the original structure in order to expand the assembly area. Tracor changed its name to Marconi Flight Systems on November 16, 1999 and subsequently to BAE Flight Systems, Inc. (BAE) on April 11, 2002. The property was vacated by BAE on December 31, 2005 and has been vacant since that time. Title to improvements was vested in the City upon termination of the lease.

On December 17, 2007, the Board approved release of an RFP for lease of the vacant 47,856 square foot industrial building at the southeast corner of Avenue P and 30th Street East at the former PMD under Resolution No. 23472 for a monthly rental rate of \$0.39 PSFPM. The RFP released on January 22, 2008 failed to generate proposals.

3. Current Action

The proposed action is to approve the release of the RFP and negotiate with the selected proposer for the lease of an industrial building located at 39516 30th Street East at PMD; set a minimum rental rate of \$0.20 per square foot per month (PSFPM); consider Proposals that do not meet the current use designation subject to the Proposer's ability to secure a Conditional Use Permit; and approve payment of three (3) percent referral fee capped at \$30,000, based on the total amount of the initial contract, to a procuring real estate broker upon the execution of a lease by LAWA.

The minimum rent was established from a staff survey of comparable industrial buildings in the area that range from \$0.12 PSFPM to \$0.78 PSFPM. The recommended \$0.20 PSFPM, which is at the lower end of current comparable rental rates, was determined after considering the location, narrow shape of the building, and use restrictions.

Key elements of the RFP include the following:

Demised Premises: The demised premises consists of an approximately 47,856 square foot one story industrial building on approximately three (3) acres of land located at the southeast corner of Avenue P and 30th Street East.

Authorized Uses and Conditional Use Permit: Subject is zoned M 2 1/2, Heavy Aircraft Industrial. LAWA will give special consideration to Proposals that meet the current zoning use designation. Proposals that do not meet the current zoning use designation will be accepted by LAWA with emphasis given, during the evaluation process, to the Proposers' ability to secure a Conditional Use Permit (CUP).

Term of Lease: Proposer(s) may propose a lease term of at least five (5) years and up to ten (10) years. The term of the lease will be determined by LAWA based on the proposals received, operational needs, and proposed tenant improvements. The proposed tenant improvements will be a crucial aspect in determining the acceptability of the proposed lease term.

Rental Rate (Minimum): The minimum acceptable rental rate for the subject is \$0.20 per square foot per month. The recommendation for the minimum rental rate was determined based on an analysis of the market rents of comparable industrial buildings in the area.

Rental Adjustments: Rent shall be subject to an automatic, annual rental adjustment July 1st of each year based on the Consumer Price Index (CPI).

Periodic Adjustment: Rental rates are subject to rate adjustments during the term of the lease at: 1) five-year intervals, as required by City Charter, with the next five-year adjustment to fair market value rental rates scheduled on July 1, 2015 for the 2015 to 2020 period, and 2) automatic annual adjustments tied to an index or combinations of indices to be determined by the Executive Director, as set forth in LAWA's Leasing Policy.

Termination: LAWA may terminate this lease with one year advance written notice. LAWA will reimburse tenant for the costs of approved improvements on a straight line basis for the un-amortized portion.

Required Improvements: The selected Proposer shall be required to make any and all roof repairs at the Proposer's sole cost. The selected Proposer shall, at a minimum, repair roof leaks. There is no capital investment requirement for this RFP. However, LAWA will consider proposed tenant improvements, in addition to the required roof repairs, for an extended lease term. Upon termination or expiration of this Lease, title to all additions, alterations and improvements to leasehold structures shall vest in City.

Other Provisions: Lessee accepts the premises and improvements in the "as is" condition.

It is proposed that the following specific criteria and weights will be used in the evaluation of submittals:

<u>Criteria</u>	<u>Weight</u>
Financial Proposal (Return to LAWA)	35%
Experience and Qualifications of Proposer	30%
Benefit to PMD Aviation Community and Surrounding Commercial and Residential Community	25%
Conforming Zoning Use	10%

Staff recommends that the Board approve the RFP scope of work and authorize the release of the RFP for the lease of the industrial building located at 30th Street at the former PMD.

4. Alternatives Considered

- **Limit RFP to conforming M 2 1/2, Heavy Aircraft Industrial, zoning aviation industry-related uses.** This alternative will focus on the industries that do not have to deal with zoning issues and can begin operation right away. However, limiting the use of the property increases the risk of not being able to generate proposals.
- **Not to lease or defer leasing the industrial building.** Such actions would deprive LAWA of approximately \$114,854 in annual revenue, excluding anticipated fair market value and annual rental rate adjustments. They would also deny LA/Palmdale Regional Airport community of additional constituents contributing to the local economy in terms of taxes and consumer spending. Finally, this alternative will continue to expose the property to vandalism and other damages.

FISCAL & ECONOMIC IMPACT STATEMENT:

Based on the minimum required annual rent, successful lease of the Subject will result in minimum annual revenue of approximately \$114,854 excluding anticipated fair market value and annual rental rate adjustments.

As this is an administrative action, approval of this Board Report will have no impact on LAWA's budget.

STANDARD PROVISIONS:

1. This action, as continuing administrative activity is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article II, Section 2(f) of the Los Angeles City CEQA Guidelines.
2. The lease is subject to approval as to form by the City Attorney.
3. Action taken on this item by the Board of Airport Commissioners will become final pursuant to the provisions of the Los Angeles City Charter Section 245.
4. The selected lessee will be subject to the provisions of the Living Wage Ordinance in the performance of the contract.
5. This item is statutorily exempt from the provisions of the Minority/Women Business Enterprise Program pursuant to Executive Directive 2001-26.
6. The selected lessee will be required to comply with the provisions of the Affirmative Action Program.
7. The selected lessee must provide a Business Tax Registration Certificate number prior to contract execution.
8. The selected lessee will be required to comply with the provisions of the Child Support Obligations Ordinance.
9. The selected lessee will be required to have approved insurance documents on file with Los Angeles World Airports.
10. This item is not subject to the provisions of Charter Section 1022 (Use of Independent Contractors).
11. The selected lessee will be subject to the provisions of the Contractor Responsibility Program.
12. The selected lessee will be subject to the provisions of the Equal Benefits Ordinance.
13. This item is not subject to the provisions of the First Source Hiring Program.



BOARD OF AIRPORT COMMISSIONERS REPORT

Debbie Bowers
 Approved by: Ron Domash, Property Manager II

Debbie Bowers
 Reviewed by: Debbie Bowers, Deputy Executive Director

Gina Marie Lindsey
 City Attorney
 Gina Marie Lindsey - Executive Director

<u>Meeting Date:</u>		
September 21, 2009		
<u>CAO Review:</u>	<input type="checkbox"/>	Completed
	<input type="checkbox"/>	Pending
	<input checked="" type="checkbox"/>	N/A
<u>Date Reviewed & Reviewer Initials:</u>		
Capital Budget	N/A	--
Operating Budget	7/24/09	RY
CEQA	7/23/09	AE
Contract Services	4/27/09	EW

SUBJECT:

Authority for Expenditure

Approval of an AUTHORITY FOR EXPENDITURE to pay FISCAL YEAR 2010 PROPERTY TAX BILLS for former L/PALMDALE REGIONAL AIRPORT

RECOMMENDATION:

Management RECOMMENDS that the Board of Airport Commissioners:

1. ADOPT the Staff Report.
2. DETERMINE that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II, Section 2(f) of the Los Angeles City CEQA Guidelines.
3. APPROVE the payment of annual property taxes for the current fiscal year (FY 2010) at former LA/Palmdale Regional Airport for an amount not to exceed \$832,700.
4. AUTHORIZE the Executive Director to execute Authority for Expenditure Requisition No. 10026563 in an amount not to exceed \$832,700 for payment to the Los Angeles County Tax Collector for property taxes at LA/Palmdale Regional Airport.

DISCUSSION:

1. Executive Summary

Staff requests approval by the Board of Airport Commissioners (Board) to pay up to \$832,700 in property taxes for the former LA/Palmdale Regional Airport (PMD) for the current fiscal year (FY 2010) through the Authority for Expenditure (AFE) process. The City of Los Angeles is required to pay property taxes on city-owned land and improvements located outside the city limits. The Board's approval ensures timely payment and avoidance of penalties and interest that accrue if property taxes become delinquent.

2. Prior Related Actions

Los Angeles World Airports (LAWA) property located at Palmdale is not exempt from property taxation because it is outside the boundaries of the City of Los Angeles (City). The Los Angeles County Assessor (Assessor) annually establishes the assessed value of LAWA owned parcels at the former PMD: most of the parcels are assessed by trending the prior years assessed value by a maximum of 2 percent. There are a small number of parcels recently acquired related to the PMD Master Plan that are valued by appraising the market value of the property. The assessed value is placed on Los Angeles County's Assessment Roll that is then presented to the Los Angeles County Auditor and the Treasurer/Tax Collector for bill preparation, distribution, and payment collection. The annual property taxes are due November 1st of each year and payments are deemed delinquent (subject to penalties and interest) if not paid by December 10th.

Board Resolution No. 4852 authorized the acquisition of property in Palmdale for airport purposes starting in 1966. The Board granted the Executive Director authorization to sign required documents and to complete the annual property tax payment process. Based upon findings of the City Attorney's Office, the Charter and administrative procedures require annual authorization for expenditures of funds to pay property taxes. As such, authorization to pay property taxes must be formally requested and granted annually by the Board. Since the acquisition of LA/PMD, the Board has annually granted the Executive Director authorization to sign required documents and to complete the property tax payment process.

3. Current Action

The Assessor is engaged in reappraisal and ongoing assessment processes involving properties acquired at the former PMD including acquisitions completed during the last fiscal year. Last year's total tax bill exceeded \$800,000. With the normal inflation factor of the recently acquired parcels included, the total property tax bill for LAWA in FY 2010 should be in the range of \$810,000-\$830,000. To plan for this tax liability and the possibility of retroactive past billings due to errors and/or omissions in the County billing system, LAWA staff has budgeted \$832,700 for all current and past year billings that may be submitted to LAWA in FY 2010 for property taxes at former PMD.

Expenditure of the budgeted funds, not to exceed \$832,700, will be authorized through the use of Authority for Expenditure (AFE) documents. Purchase Requisition No. 10026563 has been generated to initiate the AFE process.

Staff recommends that the BOAC approve the payment of annual property taxes at the former PMD for FY 2010 and authorize the Executive Director to execute the AFE in the amount of \$832,700.

4. Alternatives Considered

- **Not paying or deferring payment of taxes:** Not paying these taxes would result in the Los Angeles County Tax Collector selling the tax delinquent properties to the highest bidder approximately five years after the initial delinquency. Deferring payment would result in a penalty of 10%. Neither of these alternatives is recommended.

FISCAL & ECONOMIC IMPACT STATEMENT:

Failure to pay property taxes by their due date would result in an automatic 10% penalty. Depending on the exact property tax amount billed this FY, total penalties would range from approximately \$75,000 to \$83,000.

Funds for this authority have been included in the Fiscal Year 2009-2010 Los Angeles World Airports' Operating Budget in Cost Center 1500005-PMD Project Management Team, Commitment Item 525-Property Taxes.

STANDARD PROVISIONS:

1. This action, as a continuing administrative activity is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article II, Section 2 (f) of the Los Angeles City CEQA Guidelines.
2. Actions taken on this item by the Board of Airport Commissioners will become final pursuant to the provisions of the Los Angeles City Charter, Section 245.
3. City Attorney approval as to form and legality is not required for the payment of property taxes.
4. This action is not subject to the provisions of the Service Contract Worker Retention and Living Wage Ordinances.
5. This action is not subject to the provisions of the MBE/WBE/OBE/DBE Program.
6. This action is not subject to the provisions of the Affirmative Action Program.
7. This action does not require a Business Tax Registration Certificate.
8. This action is not subject to the provisions of the Child Support Obligations Ordinance.
9. This action is not subject to the Insurance requirements of the City of Los Angeles.
10. This action is not subject to the provisions of Charter Section 1022 (Use of Independent Contractors).
11. This action is not subject to the provisions of the Contractor Responsibility Program.
12. This action is not subject to the provisions of the Equal Benefits Ordinance.
13. This action is not subject to the provisions of the First Source Hiring Program.



BOARD OF AIRPORT COMMISSIONERS REPORT

Amy Shaw
Approved by: Amy Shaw – Director, Concessions Development

Debbie Bowers
Reviewed by: Debbie Bowers – Deputy Executive Director

R.S. O'Connell
City Attorney

Gina Marie Lindsey
Gina Marie Lindsey - Executive Director

Meeting Date:

September 21, 2009

CAO Review:

<input type="checkbox"/>	Completed
<input checked="" type="checkbox"/>	Pending
<input type="checkbox"/>	N/A

Date Reviewed & Reviewer Initials:

Capital Budget	N/A	--
Operating Budget	07/02/09	RW
CEQA	07/07/09	AE
Contract Services	08/14/09	TJ

SUBJECT:

Amendment to Concession Agreement

Approval of the FOURTH AMENDMENT to CONCESSION AGREEMENT LAA-7529 between Los Angeles World Airports and HOST INTERNATIONAL, INC. to add a Capital Investment Reimbursement fee of an additional 2% of gross revenues with regards to the TOM BRADLEY INTERNATIONAL TERMINAL arrivals restaurant at Los Angeles International Airport.

RECOMMENDATION:

Management RECOMMENDS that the Board of Airport Commissioners:

1. ADOPT the Staff Report.
2. DETERMINE that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article III Class 1(18)(c) of the Los Angeles City CEQA Guidelines.
3. APPROVE the Fourth Amendment to Concession Agreement LAA-7529 between Los Angeles World Airports and Host International, Inc.
4. AUTHORIZE the Executive Director to execute the Fourth Amendment to the Concession Agreement with Host International, Inc. upon approval as to form by the City Attorney and upon approval by the Los Angeles City Council.

DISCUSSION:

1. Executive Summary

Staff is undertaking design and construction work in the Tom Bradley International Terminal (TBIT) concessions located pre-security to enhance and upgrade the appearance of the facilities to match the public area improvements. The approval of the Fourth Amendment to Concession Agreement LAA-7529 between Los Angeles World Airports (LAWA) and Host International, Inc. (Host) adds 2% of gross receipts to percentage rent for the TBIT Arrivals Café. This action allows LAWA to recoup the investment being made in the remodel of this facility.

2. Prior Related Actions

On October 25, 1995, Board Order AO-4505 approved the award of a concession agreement for Host to provide food and beverage concession services at LAX for the contract term January 3, 1996 to January 2, 2006.

On February 12, 2002, Board Order AO-4807 authorized the First Amendment to Agreement LAA-7529, extending the term by two and one half years.

On May 7, 2007, Board Order No. AO-5059 authorized the Second Amendment to the Agreement to extend the term to December 31, 2010, with a 30-day termination provision.

On January 12, 2009, Board Order No. AO-5113 authorized the Third Amendment to this Agreement extending the term of the TBIT locations to December 31, 2012.

3. Current Action

The current action requests Board approval of the Fourth Amendment which adds a Capital Investment Reimbursement fee of an additional 2% of gross revenues from the TBIT Arrivals Café to be effective from January 1, 2009 to December 31, 2012. This action allows LAWA to recover capital expenditures from the concessionaire. This fee shall remain effective during any option period, if such period is exercised.

In addition, this action requests approval to authorize Host to operate four units in TBIT as follows: Two units not to exceed 200 square feet each in the bus gate hold rooms, one unit not to exceed 200 square feet in the south concourse, and one unit not to exceed 200 square feet in the north concourse. These units will provide service as needed in areas that are busier than usual due to the closure of areas that are under construction.

4. Alternatives Considered

Take No Action: If no action is taken, LAWA would not recoup the investment being made in the refurbishment of the TBIT Arrivals Café.

FISCAL & ECONOMIC IMPACT STATEMENT:

Approval of this Concession Agreement Amendment may generate approximately \$40,000 in additional revenue to Los Angeles World Airports.

STANDARD PROVISIONS:

1. The issuance of leases, agreements, renewals and amendments or extensions thereof, granting use of existing facilities at a municipal airport involving negligible or no expansion of use is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article III, Class 1(18)(c) of the Los Angeles City CEQA Guidelines.
2. The City Attorney has approved the Fourth Amendment to Concession Agreement LAA-7529 as to form.
3. Los Angeles City Charter provision 606 is applicable to this final action.
4. Host International, Inc. will comply with the provisions of the Living Wage Ordinance.
5. Contract Services Division has reviewed this item and established a 17% Disadvantaged Business Enterprise level of participation for this project. Host International, Inc. proposed a 17% DBE level participation and has achieved 17% participation to date.
6. Host International, Inc. has a current Affirmative Action Plan on file with the Los Angeles World Airports and will comply with the provisions of the Affirmative Action Program.
7. Host International, Inc. has been assigned Business Tax Registration Certificate No. 623183-80
8. Host International, Inc. has approved insurance, in the terms and amounts required, on file with Los Angeles World Airports.
9. Host International, Inc. has submitted the Certification of Compliance with Child Support Obligations and will comply with the provisions of the Child Support Obligations Ordinance.
10. This item is not subject to the provisions of Charter Section 1022 (Use of Independent Contractors).
11. Host International, Inc. has submitted the Contractor Responsibility Program Pledge of Compliance and will comply with the provisions of the Contractor Responsibility Program.
12. Host International, Inc. must be determined by Public Works, Office of Contract Compliance, to be in full compliance with the provisions of the Equal Benefits Ordinance.
13. Host International, Inc. will be required to comply with the provisions of the First Source hiring Program for all non-trade LAX Airport jobs once the Program is formally implemented by LAWA.

ATTACHMENTS:
Sub-Contractor List



BOARD OF AIRPORT COMMISSIONERS REPORT

Cynthia Guidry
Approved by: Cynthia Guidry, Chief of Airport Planning

Michael Feldman
Reviewed by: Michael Feldman, Deputy Executive Director

[Signature]
City Attorney

Gina Marie Lindsey
Gina Marie Lindsey - Executive Director

Meeting Date:

September 21, 2009

CAO Review:

<input type="checkbox"/>	Completed
<input type="checkbox"/>	Pending
<input checked="" type="checkbox"/>	N/A

Date Reviewed & Reviewer Initials:

Capital Budget	MM/dd/YY	N/A
Operating Budget	06/24/09	RW
CEQA	06/25/09	AE
Contract Services	08/28/09	JQ

SUBJECT:

SURVEY PERMIT

Authorization for the Executive Director to Execute a revocable SURVEY PERMIT FOR LOS ANGELES INTERNATIONAL AIRPORT with CIC RESEARCH INC., for the purpose of conducting the "Survey of International Air Travelers" on behalf of the U.S. Department of Commerce, Office of Travel and Tourism at no cost to LAWA.

RECOMMENDATION:

Management RECOMMENDS that the Board of Airport Commissioners:

1. ADOPT the Staff Report.
2. DETERMINE that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article III, Class 6(2) of the Los Angeles City CEQA Guidelines.
3. AUTHORIZE the Executive Director to execute a revocable Survey Permit with CIC Research, Inc. effective through December 31, 2011 upon approval as to form by the City Attorney.

DISCUSSION:

1. Executive Summary

Staff is requesting that the Board approve a Survey Permit to allow CIC Research Inc. to survey international passengers in the departure areas at LAX. CIC Research is under contract to the U.S. Department of Commerce, Office of Travel and Tourism Industries (OTTI) to conduct the national "Survey of International Air Travelers". The survey gathers statistical data about international air travel including passenger origin and destination, travel activities and expenditures, trip purpose, satisfaction with airline and airport services, and demographic information. The data is used to assist U.S. businesses to improve their competitiveness and effectiveness in the international travel market. In exchange for granting the permit, LAWA will receive LAX related data collected as part of the survey.

2. Prior Related Actions

Board Resolutions Nos. 16994 (February 7, 1990) and 20520 (January 12, 1999) allow survey permits to be issued to Lessees, Concessionaires, Governmental Entities, airline and airport trade organizations and educational institutions wishing to conduct passenger surveys within the passenger terminals. Survey permits for periods greater than three consecutive days require BOAC approval. These resolutions do not explicitly cover permits to private companies conducting surveys on behalf of a governmental entity.

3. Current Action

The U.S. Department of Commerce, Office of Travel and Tourism Industries (OTTI) has requested a permit to conduct a continuous survey of international passengers in the departure gate areas at LAX. The agency has renewed a contract with CIC Research Inc. (CIC Research) to conduct this nationwide "Survey of International Air Travelers" on their behalf through December 31, 2011. CIC Research has been providing this service to OTTI since 1985. In the past, the survey has mainly been conducted "in-flight" with the cooperation of the international carriers; however, OTTI has now found that it is also necessary to conduct surveys in the airport hold rooms to include airlines not participating in the in-flight survey. OTTI has requested that LAWA issue a revocable permit to CIC Research to allow them access to the departure gate areas for the purposes of conducting the "Survey of International Air Travelers" through December 31, 2011.

The Survey of International Air Travelers gathers statistical data about air passengers traveling between the U.S. and overseas and Mexican markets (Canada is excluded). This program provides travel and tourism information to the travel industry, enables the Bureau of Economic Analysis (BEA) to develop Import/Export and Gross Domestic Product data for the country and serves as a cornerstone for OTTI's efforts to assist U.S. businesses to improve their competitiveness and effectiveness in the international travel market. Airports, airlines, many other government agencies and state and local tourism offices are all stakeholders in this survey.

Both Non-U.S. residents who have traveled to the U.S. and U.S. residents traveling outbound from the U.S. are surveyed. Flights departing from major U.S. international gateway airports are selected and questionnaires are distributed either in-flight or in the departure gate area. The questionnaire is available in 12 languages. An e-survey is also in limited use for passengers using internet booking engines. Information is collected on the true Origin/Destination of international passengers and the use of connecting flights, as well as trip planning, destinations visited, activities and expenditures during the visit, trip purpose, satisfaction with airline and airport

services, and demographic information for each international market. The survey is conducted monthly, and results are available on a quarterly and annual basis.

There are two BOAC resolutions on record pertaining to the conduct of surveys at LAWA airports as described in Section 2 above. Neither resolution specifically pertains to private companies working under contract to a government agency as is the case here. This action will allow CIC Research to obtain a revocable survey permit for the purposes of conducting this particular survey for the federal government and authorize the Executive Director to execute this permit.

The general provisions of the permit are as follows:

1. CIC Research will be granted a permit to survey international air passengers in the departure areas beyond the security check points in all LAX terminals serving international routes.
2. In return for the permit, CIC Research and OTTI will provide to LAWA, at no cost, data collected from the survey pertaining to LAX.

4. Alternatives Considered

Other Survey Methodologies - Up until recently, the "Survey of International Air Travelers" has been primarily conducted through the use of on-board surveys with the air carriers cooperating in distributing and collecting the survey forms while in flight. However, some key air carriers are no longer willing to devote flight crew time to distributing and collecting the questionnaire in-flight which has therefore required the OTTI and their contractor CIC Research, Inc. to seek access to the terminals in key airports nationwide in order to conduct the passenger survey and ensure that an accurate sample is collected.

Do Not Grant Permit - As a program conducted by the U.S. Department of Commerce, the survey results benefit LAWA and the air travel industry overall. No costs or risks to LAWA are associated with the administration or implementation of this program and no passenger service issues have been identified. Lack of cooperation from LAWA would result in a poorer sample from LAX compared to other airports and impact the quality of the national survey results and the utility of the survey to LAWA.

FISCAL & ECONOMIC IMPACT STATEMENT:

There is no cost to LAWA connected with the approval of this survey permit other than the administrative costs to badge two surveyors. LAWA will benefit from the use of data from the survey that might otherwise be purchased.

The recommended action requires no funding and will not have a fiscal impact on LAWA's Airport Revenue Fund or the City's General Fund.

STANDARD PROVISIONS:

1. Basic data collection, research and resource activities which do not result in disturbances to an environmental resource are exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant Article III, Class 6(2) of the Los Angeles City CEQA Guidelines, as amended by the Los Angeles City Council on July 31, 2002.
2. The City Attorney will approve the Non-Exclusive Permit as to Form.

3. Action taken on this item by the Board of Airport Commissioners will become final pursuant to the provisions of the Los Angeles City Charter Section 245.
4. CIC Research Inc. will comply with the provisions of the Living Wage Ordinance.
5. This action is not subject to the MBE/WBE/OBE/DBE Program.
6. CIC Research Inc. has submitted an Affirmative Action Plan and will comply with the provisions of the Affirmative Action Program.
7. CIC Research Inc. has been assigned Business Tax Registration Certificate No. 0000823336.
8. CIC Research Inc. has submitted the Certification of Compliance with Child Support Obligations and will comply with the provisions of the Child Support Obligations Ordinance.
9. CIC Research Inc. has approved insurance documents, in the terms and amounts required, on file with Los Angeles World Airports.
10. This action is not subject to the provisions of Charter Section 1022 (Use of Independent Contractors).
11. CIC Research Inc. has submitted the Contractor Responsibility Program Questionnaire and Pledge of Compliance and will comply with the provisions of the Contractor Responsibility Program.
12. CIC Research Inc. must be determined by the Office of Contract Compliance to be in compliance with the provisions of the Equal Benefits Ordinance prior to the execution of the Contract.
13. This action is subject to the provisions of the First Source Hiring Program.



Los Angeles World Airports

Item Number: 11/13

BOARD OF AIRPORT COMMISSIONERS REPORT

[Signature]
Approved by: Intissar Durham, Chief Airports Engineer

[Signature]
Reviewed by: Roger Johnson, Deputy Executive Director

[Signature]
City Attorney

[Signature]
Gina Marie Lindsey - Executive Director

Meeting Date:

September 21, 2009

CAO Review:

<input type="checkbox"/>	Completed
<input type="checkbox"/>	Pending
<input checked="" type="checkbox"/>	N/A

Date Reviewed & Reviewer Initials:

Capital Budget	08/24/09	DS
Operating Budget	08/31/09	N/A
CEQA	08/24/09	AE
Contract Services	08/27/09	TJ

SUBJECT:

Award of Contract

To PEÑA GRADING & DEMOLITION, INC. for the construction of the project entitled, "5200 – 5224 WEST ARBOR VITAE STREET – SITE PREPARATION" near LOS ANGELES INTERNATIONAL AIRPORT in the amount of \$291,990.00.

RECOMMENDATION:

Management RECOMMENDS that the Board of Airport Commissioners:

1. ADOPT the Staff Report.
2. DETERMINE that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article III, Class 11(8) of the Los Angeles City CEQA Guidelines.
3. APPROVE the award of a contract to Peña Grading & Demolition Inc., the lowest responsive and responsible bidder, to construct the project entitled, "5200 – 5224 West Arbor Vitae Street – Site Preparation" near Los Angeles International Airport in the amount of \$291,990, for a total authority not to exceed \$439,987.50.
4. AUTHORIZE the Executive Director to execute the contract after approval as to form by the City Attorney.

DISCUSSION:

1. Executive Summary

On January 30, 2009, the Los Angeles World Airports (LAWA) took possession of the parcels at 5200 - 5224 West Arbor Vitae Street. Located on the property are a single-story commercial building and accessory structures including light standards and sign posts. The property has been vacant since LAWA took possession and the site has become unsightly due to graffiti and vandalism. To comply with the City of Los Angeles Ordinance No. 172782, Abatement and Monitoring Program for Vacant Buildings, LAWA Construction and Maintenance Services staff has been regularly maintaining the site, boarded-up broken windows, and installed a barrier fence to eliminate squatters and vandals, however the dilapidated structures remain. Under this contract, Peña Grading & Demolition, Inc. (Peña) will remove all hazardous materials, demolish the existing structures, and restore the area by placing compacted fill and a gravel surface.

2. Prior Related Actions

On June 4, 2007, the Board of Airport Commissioners (BOAC), by Resolution No. 23316, awarded contracts to CDM, CTL Environmental, Earth Tech, Tetra Tech, and Source Group to provide Professional Environmental Technical and Expert Consulting Services for various hazardous materials surveys. AECOM/EarthTech conducted the Phase I and Limited Phase II Environmental Site Assessment for this site.

On May 18, 2009, the BOAC, by Resolution No. 23799, approved plans, specifications, and advertisement for bids for the 5200-5224 West Arbor Vitae Street – Site Preparation Project near Los Angeles International Airport.

3. Current Action

This action awards a contract to Peña for proper removal and disposal of all hazardous materials at the site; demolition work including removal of the single-story commercial building and all accessory structures, foundations/footings, light standards, metal shed, masonry wall, sign posts, and bollards; removal of site paving and selected utilities and appurtenances; and site restoration work including importing and placing fill, compaction, site grading and placement of a finished gravel surface. Erosion, noise, and dust control measures will be implemented to meet storm water quality permit and airport safety requirements.

The Request for Bids for this project was issued on June 5, 2009, and posted on the City of Los Angeles Business Assistance Virtual Network (LABAVN). A pre-bid conference and site walk were held on June 16, 2009. Eight (8) bids were received and opened on July 23, 2009. These bids will expire on October 23, 2009. Bids are as follows:

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
1. Peña Grading & Demolition, Inc.	\$291,990.00
2. Interior Demolition, Inc.	\$337,000.00
3. Calfran Engineering, Inc.	\$347,750.00
4. Progressive Land Clearing dba Thomas Demolition	\$358,312.00
5. American Wrecking, Inc.	\$365,707.00
6. Tiffany Group, Inc.	\$369,000.00

7. Miller Environmental, Inc.	\$370,160.74
8. Y & M Construction, Inc.	\$597,620.00

Contract Services Division reviewed the project and established a 6% Minority/Women Business Enterprise level of participation. Peña proposes a 10% combined M/WBE level of participation. Contract Services Division has determined that Peña has made a good faith effort to outreach to M/WBE firms.

LAWA staff provided the complete planning and engineering services for the project, provided design plans and coordinated installation of the security fencing with Construction and Maintenance staff, and prepared the bid documents incorporating the AECOM/EarthTech specialized hazardous materials demolition abatement and disposal specifications. All program management, design support during construction, construction support services, and construction administration is being performed by LAWA staff. The specialized abatement monitoring will be performed by CTL Environmental through an on-call environmental contract.

The estimated total construction cost of the project is as follows:

Construction Contract	\$291,990
Contract Contingency Amount (25%)	\$72,997.50
Project Construction Cost	\$364,987.50
Project Soft Costs:	
• City Services (General Services, Public Works, etc.)	\$35,000
• LAWA Staff (Engineering, Administration, and Inspection)	\$40,000
Total Project Soft Cost (20%)	\$75,000
Total Allocation Requested at this Time	\$439,987.50

As discussed above, the Environmental Services are being contracted under a separate authority. The table below presents the total cost to prepare the site:

AECOM/EarthTech Environmental Site Assessment and Technical Specification Preparation (Previously Approved Under DA -4203)	\$34,758.82
CTL Specification Review and Site Monitoring (Previously Approved Under DA-4202)	\$11,386
Construction and Maintenance Fence Installation	\$20,000
Peña Grading & Demolition, Inc. Construction with Contingencies	\$364,987.50
Site Preparation Hard Cost	\$431,132.32
Soft Costs:	
• Design Services, LAWA Staff	\$38,124.35
• City Services (General Services, Public Works, etc.)	\$35,000
• Construction Services, LAWA Staff	\$40,000
Total Site Preparation Soft Costs of 26%	\$113,124.35
Total Cost	\$564,256.67

Award of a construction contract to Peña Grading & Demolition, Inc., the lowest responsive and responsible bidder, and authorization for the Executive Director to execute the contract for the project entitled , "5200 – 5224 West Arbor Vitae Street – Site Preparation" near LAX are requested at this time.

4. Alternatives Considered

Defer the Project

Deferring this project would allow an unsightly condition and potential nuisance to remain and LAWA staff would need to regularly monitor and maintain the site in accordance with City Ordinance No. 172782, dated August, 1999. There are no future uses for the structure on this parcel and the continual upkeep and graffiti removal diverts LAWA Construction and Maintenance Services (CMS) resources that could be better used elsewhere.

Use Existing LAWA Staff

Staff considered using existing LAWA CMS staff to perform all construction services for this project. However, CMS does not have the management resources, staffing, and specialized expertise needed for demolition and removal of existing facilities involving the specialized handling of hazardous materials.

FISCAL AND ECONOMIC IMPACT STATEMENT:

It is requested that funds for this project be allocated from the LAX Airport Revenue Fund in the amount not-to-exceed \$439,987.50 to WBS Element 1.10.01-700 (5200-5224 Arbor Vitae St-Site Preparation) as required.

STANDARD PROVISIONS:

1. Installation, maintenance, relocation, replacement and/or removal of structures and facilities which are accessory to the use of existing airport structures, facilities or operations involving negligible or no expansion of use are exempt from the California Environmental Quality Act pursuant to Article III, Class 11(8) of the Los Angeles City CEQA Guidelines
2. This item is statutorily exempt from the provisions of the Living Wage/Service Contractor Worker Retention Ordinances.
3. Contract Services Division has reviewed this project and established the level of participation at 6% for Minority/Women Business Enterprises (MBE/WBE). Peña Grading & Demolition, Inc. proposes a 10% combined MBE/WBE level of participation. Contract Services confirms that based on the documents submitted, Peña Grading & Demolition, Inc. has made a good faith effort to outreach to MBE/WBE subcontractors.
4. Peña Grading & Demolition, Inc. has submitted an Affirmative Action Plan and will comply with the provisions of the Affirmative Action Program.
5. Peña Grading & Demolition, Inc. has been assigned Business Tax Registration Certificate # 810957-97-L-188.

6. Peña Grading & Demolition, Inc. has submitted the Certification of Compliance with Child Support Obligations and will comply with the provisions of the Child Support Obligations Ordinance.
7. Peña Grading & Demolition, Inc. will be required to have approved insurance documents, in the terms and amounts required, on file with Los Angeles World Airports prior to the issuance of a Notice to Proceed.
8. Pursuant to Charter Section 1022, it has been determined that the work specified on the proposed contract can be performed more economically or feasibly by an independent contractor than by City employees.
9. This contract will be approved as to form by the City Attorney.
10. Action taken on this item by the BOAC will become final pursuant to the provisions of the Los Angeles City Charter Section 245.
11. Peña Grading & Demolition, Inc. has submitted the Contractor Responsibility Program Questionnaire and Pledge of Compliance and will comply with the provisions of the Contractor Responsibility Program.
12. Peña Grading & Demolition, Inc. must be determined by Public Works, Office of Contract Compliance, to be in compliance with the provisions of the Equal Benefits Ordinance prior to execution of the contract.
13. Peña Grading & Demolition, Inc. will be required to comply with the provisions of the First Source Hiring Program for all non-trade LAX Airport Jobs once the Program is formally implemented by Los Angeles World Airports.

PEÑA GRADING & DEMOLITION, INC.

5200 – 5224 WEST ARBOR VITAE STREET – SITE PREPARATION
near LOS ANGELES INTERNATIONAL AIRPORT

SUBCONTRACTOR LIST

To be submitted as an attachment with the corresponding board report

SUBCONTRACTOR INFORMATION	M/W/DBE		\$ AMOUNT PROPOSED	PROPOSED PERCENTAGE OF CONTRACT	DESCRIPTION OF PROJECT SERVICES
	YES	NO			
	*PROFILE INFORMATION				
Name	Orestes Pena Trucking, Inc.	Group			
Address	11253 Vinedale Street	Ethnicity			
City/State/Zip	Sun Valley, CA 91352	Gender	\$25,024	9%	Trucking
Contact Name	Mike Hernandez 818-253-5265	NAICS			
Name	Envirocon Contracting, Inc.	Group			
Address	5940 Lakeshore Drive	Ethnicity			
City/State/Zip	Cypress, CA 90630	Gender	\$26,921	9%	Hazardous Materials Decontamination
Contact Name	Bob Colton 714-827-6200	NAICS			
Name	Triumph Geo Synthetics	Group			
Address	P. O. Box 5391	Ethnicity			
City/State/Zip	Fullerton, CA 92838	Gender	\$2,450	1%	Geofabric
Contact Name		NAICS			

***Profile Information**

Use the appropriate classification from the list below

- Group – MBE, WBE, DBE, OBE
- Ethnicity – Asian, Black, Caucasian, Hispanic, Native American
- Gender – Male, Female
- NAICS – North American Industry Classification System



BOARD OF AIRPORT COMMISSIONERS REPORT

[Signature]
 Approved by: Ralph G. Morones
 Director of Construction and Maintenance

[Signature]
 Reviewed by: David V. Shuter, Deputy Executive Director

[Signature]
 City Attorney

[Signature]
 Gina Marie Lindsey - Executive Director

Meeting Date:

SEPTEMBER 21, 2009

CAO Review:

- Completed
- Pending
- N/A

Date Reviewed & Reviewer Initials:

Capital Budget	08/14/09	JB -N/A
Operating Budget	08/14/09	RW
CEQA	08/05/09	AE
Contract Services	08/17/09	JQ

SUBJECT:

AWARD OF CONTRACT

Award of a THREE-YEAR CONTRACT to UNISERVE FACILITIES SERVICES CORPORATION, Bid No. 108-109, for RAMP SCRUBBING AND CLEANING at TERMINAL 3 for an amount not to exceed \$426,888 at LOS ANGELES INTERNATIONAL AIRPORT

RECOMMENDATION:

Management RECOMMENDS that the Board of Airport Commissioners:

1. ADOPT the Staff Report.
2. DETERMINE that this action is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article III, Class 1(3) of the Los Angeles City CEQA Guidelines.
3. FIND that this work can be performed more economically or feasibly by an independent contractor than by City employees.
4. APPROVE the award of a three-year contract to Uniserve Facilities Services Corporation, Bid No. 108-109, for ramp scrubbing and cleaning at Terminal 3 for an amount not to exceed \$426,888 at Los Angeles International Airport.
5. AUTHORIZE the Executive Director to execute the contract after approval as to form by the City Attorney.

DISCUSSION:

1. Executive Summary

Staff requests the Los Angeles World Airports (LAWA) Board of Airport Commissioners (BOAC) approve award of a three-year contract to Uniserve Facilities Services Corporation (Uniserve), for ramp scrubbing and cleaning at Terminal 3 (T3) for an amount not to exceed \$426,888 at Los Angeles International Airport (LAX).

2. Prior Related Action

On September 18, 2006, the BOAC approved a three-year contract with Uniserve (Resolution No. 23093, DA-4136) to provide ramp scrubbing and cleaning services at T3 at LAX for an amount not to exceed \$485,108.70. This contract is due to expire on October 18, 2009.

3. Current Action

LAWA is responsible for the maintenance and cleaning of thirteen (13) aircraft gate positions at LAX T3. The proposed contract will provide aircraft apron/ramp sweeping and scrubbing, parking stall sweeping and scrubbing, and equipment area scrubbing at T3 and adjacent areas. These services are performed by personnel using specialized pavement cleaning equipment.

Ramp sweeping and scrubbing must be performed on a scheduled basis to remove grease, oil, dirt, and debris. This service is necessary to eliminate slip and fall hazards to ground operations personnel, remove foreign objects which may damage aircraft, and maintain adequate pavement surface traction for aircraft towing and pushback operations.

This cleaning activity is required in accordance with the LAX Certification Manual approved by the Federal Aviation Administration. In addition, ramp sweeping and scrubbing is a key component for preventing contaminants from being washed into the drainage system in compliance with LAWA's Storm Water Pollution Prevention Program. All wastewater produced as a result of ramp scrubbing is removed from the ramp surfaces by the specialized equipment. The wastewater is disposed of in an approved clarifier that removes any contaminants before the water flows into the sewer system.

Advertisements for Requests for Bids were made available through the City of Los Angeles Internet site and in local newspapers. In addition, notifications were sent to vendors through the City of Los Angeles' Business Assistance Virtual Network. Three (3) vendors responded as follows:

**RAMP SCRUBBING AND CLEANING FOR TERMINAL 3 AT LAX
BID NO. 108-109**

VENDOR	BID PRICE	DISCOUNT	TOTAL PRICE (no tax involved)
Uniserve Facilities Services	\$426,888	(\$0)	\$426,888
Western States Maintenance	\$572,796	(\$2,864.16)	\$569,931.84
Folly Interbiz	\$1,149,120	(\$0)	\$1,149,120

The low bid submitted by Uniserve Facilities Services is based on the average number of cleanings required at T3 and is consistent with LAWA's estimates for this project. It is therefore recommended that the Board of Airport Commissioners (BOAC) approve the award of contract to Uniserve Facilities Services, Bid No. 108-109, for ramp scrubbing and cleaning for T3 at LAX.

Historically, LAWA has received very few bids for aircraft apron/ramp sweeping and scrubbing services contracts, and on occasion has only received one bid. In order to enter into the airport

apron/ramp cleaning business, firms must make significant capital investments in specialized ramp cleaning machines and equipment and have facilities located on or close to the airport in order to respond to the required seven days per week, 24 hours per day service requirements.

Uniserve Facilities Services has submitted a MBE/WBE/DBE/OBE Subcontractor Participation Report (see attached) whereby Lee's Maintenance Services, Inc., a Minority Business Enterprise, will perform 15% of the total amount of the contract, providing labor to sweep and remove trash.

4. Alternatives Considered

- **Use existing personnel**

LAWA has neither the staffing levels nor the specialized equipment necessary to provide these services.

- **Defer this item**

Deferring this item would lead to a build-up of excessive grease, oil, dirt, and debris on aircraft parking gates. This build-up would adversely impact aircraft operations and can pose a safety hazard. Excessive debris can contribute to Foreign Object Debris hazards that may damage aircraft.

FISCAL & ECONOMIC IMPACT STATEMENT:

Uniserve Facilities Services submitted a bid with the lowest overall bid price. It is therefore recommended that the BOAC approve the award of contract for Bid No.108-109 to Uniserve Facilities Services for ramp scrubbing and cleaning for T3 at LAX.

Funds for this contract are currently available in the Fiscal Year 2009-10 Los Angeles World Airports Operating Budget in LAX Cost Center 1150042 – Field Division Manager Office-Construction and Maintenance Division – LAX, Commitment Item 522, Materials and Supplies. Funds for subsequent years will be requested as part of the annual budget process.

STANDARD PROVISIONS:

1. Operation, repair, maintenance or minor alteration of aircraft parking areas is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article III, Class 1(3) of the Los Angeles City CEQA Guidelines.
2. Actions taken on this item by the Board of Airport Commissioners will become final pursuant to the provisions of the Los Angeles City Charter, Section 245.
3. City Attorney will approve this contract amendment as to form.
4. UNISERVE FACILITIES SERVICES CORPORATION will comply with the provisions of the Living Wage Ordinance.
5. Contract Services reviewed this item and established a 15% Minority/Women Business Enterprise level for this project. UNISERVE FACILITIES SERVICES CORPORATION proposes 15% combined M/WBE levels of participation. Contract Services confirms that based on documents submitted, UNISERVE FACILITIES SERVICES CORPORATION has made a good faith effort to outreach to MBE/WBE/OBE subcontractors.
6. UNISERVE FACILITIES SERVICES CORPORATION has submitted an Affirmative Action Plan and will comply with the provisions of the Affirmative Action Program.

7. UNISERVE FACILITIES SERVICES CORPORATION has been assigned Business Tax Registration Certificate No. 946073-15.
8. UNISERVE FACILITIES SERVICES CORPORATION has submitted the Certification of Compliance with Child Support Obligations and will comply with the provisions of the Child Support Obligations Ordinance.
9. UNISERVE FACILITIES SERVICES CORPORATION will have approved insurance documents, in the terms and amounts required, on file with the Los Angeles World Airports prior to the issuance of a Notice to Proceed.
10. 1022 determination completed by HR Division Pursuant to Charter Section 1022, it has been determined that the work specified on the proposed contract can be performed more feasibly or economically by an Independent Contractor than by City employees
11. UNISERVE FACILITIES SERVICES CORPORATION has submitted the Contractor Responsibility Program Questionnaire and Pledge of Compliance and will comply with the provisions of the Contractor Responsibility Program.
12. UNISERVE FACILITIES SERVICES CORPORATION must be determined by Public Works, Office of Contract Compliance, to be in compliance with the provisions of the Equal Benefits Ordinance prior to execution of contract.
13. UNISERVE FACILITIES SERVICES CORPORATION will be required to comply with the provisions of the First Source Hiring Program for all non-trade LAX Airport jobs once the Program is formally implemented by LAWA.

Attachment - MBE/WBE/DBE/OBE Subcontractor Participation Report



Los Angeles World Airports

MBE/WBE/DBE/OBE
SUBCONTRACTOR PARTICIPATION REPORT

100 247 42

Prime Contractor UNISERVE Facilities Services Corp.
 Address 550 South Hope St Ste T200
 City/State/Zip Los Angeles, CA 90074
 Contact Name and Phone # Anthony Santana 213.533.1000
 Forward Invoices: Monthly X Quarterly _____ Other _____ (Choose One)

Project Title ramp scrubbing & sweeping T3
 Bid/Proposal Amount \$426,888.00 Bid # 108-109
 Profile Information: (Circle One) Group X WBE WBB DBE OBE Gender: Male Female MBE
 (Circle One) Ethnicity: Asian Black Caucasian Hispanic Native American Asian
 NAICS # 561720 (North American Industry Classification System)

Listing of L.A.W.A. approved subcontractors		Profile Information	Description of work to be performed	\$ Amount proposed	Percentage of Total
Name, Address, Phone and Contact of proposed MBE/WBE/DBE subcontractor					
Lee's Maintenance Services Inc 14740 Keswick St VanNuys, CA 91405 John Ward 818.988.6644 State License # _____ Email: _____	<i>CCA</i>	Group <u>MBE</u> Ethnicity <u>B</u> Gender <u>Male</u> NAICS <u>561720</u>	labor to sweep, remove trash, boxes, cans, FOD Subcontractor starting date: M/W/DBE Certification Expires _____	\$64,033.20	15%
State License # _____ Email: _____		Group _____ Ethnicity _____ Gender _____ NAICS _____	Subcontractor starting date: M/W/DBE Certification Expires _____		
State License # _____ Email: _____		Group _____ Ethnicity _____ Gender _____ NAICS _____	Subcontractor starting date: M/W/DBE Certification Expires _____		
State License # _____ Email: _____		Group _____ Ethnicity _____ Gender _____ NAICS _____	Subcontractor starting date: M/W/DBE Certification Expires _____		
State License # _____ Email: _____		Group _____ Ethnicity _____ Gender _____ NAICS _____	Subcontractor starting date: M/W/DBE Certification Expires _____		

**MBE/WBE/DBE/OBE
SUBCONTRACTOR PARTICIPATION REPORT**

Name, Address, Phone and Contact of proposed OBE subcontractor	Profile Information	Description of work to be performed	\$ Amount proposed	Percentage of Total
State License # _____ Email: _____	OBE			
State License # _____ Email: _____	OBE	Subcontractor starting date: _____		
State License # _____ Email: _____	OBE	Subcontractor starting date: _____		
State License # _____ Email: _____	OBE	Subcontractor starting date: _____		
State License # _____ Email: _____	OBE	Subcontractor starting date: _____		

I certify under the penalty of perjury that the information contained on this form is true and correct and that the firms listed are the subcontractors/subcontractors that will be utilized if this contract is awarded to the above prime. I agree to comply with the Good Faith Effort provisions for substitutions and I further understand and agree that any and all changes or substitutions must be authorized by LAWA Procurement Services prior to their implementation.

Participation Level Set by LAWA Participation Levels Proposed by Prime

Total MBE 15 % \$ 64,033.20 15 %
 Total WBE _____ % \$ _____ _____ %
 Total DBE _____ % \$ _____ _____ %
 Total OBE _____ % \$ _____ _____ %
 Grand Total 15 %

Good Faith Effort reviewed by _____ Date _____ Date sent to Compliance Unit _____
 Procurement Services Contract Number _____ Contract No. _____ Division _____

Signature _____
 Date 5/27/09
 Name (Please Print) David Varnado Marketing Manager 213.533.1000 x117
 Title _____ Phone _____

FOR IMPORTANT INFORMATION SEE THE ATTACHED INSTRUCTIONS, CALL THE CONTRACT COMPLIANCE UNIT (310) 417-0408. TO OBTAIN A COPY OF THE INSTRUCTIONS IF THEY ARE NOT ATTACHED.



BOARD OF AIRPORT COMMISSIONERS REPORT

Approved by: Ralph G. Morones
Director of Construction and Maintenance

Reviewed by: David V. Shuter, Deputy Executive Director

City Attorney

Gina Marie Lindsey - Executive Director

Meeting Date:

SEPTEMBER 21, 2009

CAO Review:

- Completed
- Pending
- N/A

Date Reviewed & Reviewer Initials:

Budget	08/04/09	RW
CEQA	08/12/09	AE
Contract Services	08/06/09	TJ

SUBJECT:

Award of Contract

Authorization to award a one-year contract, with two one-year renewal options to be executed by the Executive Director, to MAXIM CRANE WORKS, LP for SUPPLY AND DELIVERY OF CRANE RENTAL AND SERVICE for an amount not-to-exceed \$150,000 annually at LOS ANGELES INTERNATIONAL AIRPORT.

RECOMMENDATION:

Management RECOMMENDS that the Board of Airport Commissioners:

1. ADOPT the Staff Report.
2. DETERMINE that this action is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article III, Class 1(4) of the Los Angeles City CEQA Guidelines.
3. FIND that this work can be performed more economically or feasibly by an independent contractor than by City employees.
4. APPROVE the award a one-year contract, with two one-year renewal options to be executed by the Executive Director, to Maxim Crane Works, LP for supply and delivery of crane rental and service for an amount not-to-exceed \$150,000 annually at Los Angeles International Airport.
5. AUTHORIZE the Executive Director to execute the contract with Maxim Crane Works, LP after approval as to form by the City Attorney.

DISCUSSION:

1. Executive Summary

Staff requests the Los Angeles World Airports (LAWA) Board of Airport Commissioners (BOAC) approve award of a one-year contract, with two one-year renewal options to be executed by the Executive Director, to Maxim Crane Works, LP (Maxim) for supply and delivery of crane rental and service for an amount not-to-exceed \$150,000 annually at Los Angeles International Airport (LAX).

2. Prior Related Action

A one-year contract, Outline Agreement (OA) No. 4600005406, for crane rental equipment and services with Maxim Crane Works commenced on July 20, 2009 and will terminate on July 19, 2010 per Bid No. 108-004. Subject to BOAC approval, a contract for one-year with two one-year options will be established, at which time the OA No. 4600005406 will be terminated. The combined term of the two contracts, with options, will not exceed three years and will terminate on July 19, 2012.

3. Current Action

Staff is requesting establishment of a one-year contract, with two one-year options to be executed by the Executive Director, with Maxim for the purpose of delivery and supply of crane rentals, and for crane operation costs. Crane rental and services are needed for various projects at LAX. Cranes are used to transport equipment onto rooftops and other locations difficult to access such as electrical vaults and sub-grade maintenance spaces.

Operation of these cranes requires Certificate of Crane Operators (CCO) Certification.

LAWA posted a Request for Bid (RFB) for public review on the City of Los Angeles website www.labavn.org and received five responses to Bid No. 108-004. However, bids from Able Crane Service and Bragg Crane were incomplete. Also, a bid received from Crane Rental Service was deemed non-responsive because they changed the term. Two responsive bids were received from Maxim Crane Works, LP and Mr. Crane Inc. as follows:

Vendor	Total Cost
Maxim Crane Works, LP	\$141,357.20
Mr. Crane Inc.	\$184,435.92

These costs were listed for bid comparison purposes only and were based on various sizes of cranes and equipment commonly used at LAX. There may be additional charges required; however, they were not considered as part of the bid comparison. Based on staff's bid evaluation, Maxim was determined to be the lowest responsible bidder. Maxim's bid is consistent with staff's estimate for delivery and supply of crane rentals and services at LAX.

4. Alternatives Considered

▪ **Use existing personnel**

Staff considered using existing CMS personnel and/or personnel from other City of Los Angeles Departments, to perform the crane services. Operation of these cranes requires Certificate of Crane Operators (CCO) Certification. Based on the Charter Section 1022 determination, there are no City classifications that require CCO Certification and would be qualified to perform this work.

▪ **Defer this item**

Various Construction and Maintenance sections such as the Air Conditioning, Plumbing, and Electrical would not be able to complete assigned tasks and projects if this item were deferred.

FISCAL & ECONOMIC IMPACT STATEMENT:

Establishing a contract with Maxim, the lowest responsible bidder to Bid Number 108-004, will enable LAWA to receive crane rental and crane services at LAX from a reliable source at a competitive cost. Maxim's bid is consistent with staff's estimate for delivery and supply of crane rentals and services at LAX.

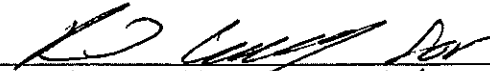
Funds for the first year of this contract are available in the Fiscal Year 2009-10 Los Angeles World Airports Operating Budget in LAX Cost Center 1150065-Building Division-Air & Heating Shop, Commitment Item 522 – Materials and Supplies. Funds for subsequent years will be requested as part of the annual budget process.

STANDARD PROVISIONS:

1. Restoration or rehabilitation of deteriorated or damaged structures, facilities or mechanical equipment and systems to meet current standards of public health, safety and environmental protection is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article III, Class 1(4) of the Los Angeles City CEQA Guidelines.
2. Actions taken on this item by the Board of Airport Commissioners will become final pursuant to the provisions of the Los Angeles City Charter, Section 245.
3. City Attorney will approve this contract as to form.
4. Maxim Crane Works, LP will comply with the provisions of the Living Wage Ordinance.
5. This item is not subject to the provisions of the Minority/Women Business Enterprise Program pursuant to Executive Directive No. 2001-26.
6. Maxim Crane Works, LP has submitted an Affirmative Action Plan and will comply with the provisions of the Affirmative Action Program.
7. Maxim Crane Works, LP has been assigned Business Tax Registration Certificate No. 052635-300019.
8. Maxim Crane Works, LP has submitted the Certification of Compliance with Child Support Obligations and will comply with the provisions of the Child Support Obligations Ordinance.
9. Maxim Crane Works, LP has approved insurance documents, in the terms and amounts required, on file with the Los Angeles World Airports.
10. This item is not subject to the provisions of Charter Section 1022 (Use of Independent Contractors).
11. Maxim Crane Works, LP has submitted the Contractor Responsibility Program Questionnaire and Pledge of Compliance and will comply with the provisions of the Contractor Responsibility Program.
12. Maxim Crane Works, LP must be determined by Public Works, Office of Contract Compliance, to be in compliance with the provisions of the Equal Benefits Ordinance prior to execution of Contract.
13. Maxim Crane Works, LP will be required to comply with the provisions of the First Source Hiring Program for all non-trade LAX Airport jobs once the Program is formally implemented by LAWA.



BOARD OF AIRPORT COMMISSIONERS REPORT


 Approved by: Ralph G. Morones
 Director of Construction and Maintenance


 Reviewed by: David V. Shuter, Deputy Executive Director


 City Attorney


 Gina Marie Lindsey - Executive Director

Meeting Date:
SEPTEMBER 21, 2009

CAO Review: Completed
 Pending
 N/A

Date Reviewed & Reviewer Initials:

Capital Budget	08/21/09	N/A
Operating Budget	08/21/09	RW
CEQA	08/24/09	AE
Contract Services	08/26/09	TH

SUBJECT:

CONTRACT AWARD

Award a one-year contract, with two one-year renewal options to be executed by the Executive Director, to ONESOURCE DISTRIBUTORS, LLC for AIRFIELD LIGHTING CONTROL MONITORING SYSTEM MAINTENANCE, REPAIR AND TECHNICAL SUPPORT at LOS ANGELES INTERNATIONAL AIRPORT for an amount not-to-exceed \$148,920 annually.

RECOMMENDATION:

Management RECOMMENDS that the Board of Airport Commissioners:

1. ADOPT the Staff Report.
2. DETERMINE that this action is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article III, Class 11(8) of the Los Angeles City CEQA Guidelines.
3. APPROVE the award of a one-year contract, with two one-year renewal options to be executed by the Executive Director, to OneSource Distributors, LLC for airfield lighting control monitoring system maintenance, repair and technical support at Los Angeles International Airport for an amount not-to-exceed \$148,920 annually.
4. AUTHORIZE the Executive Director to execute the contract after approval as to form by the City Attorney.

DISCUSSION:

1. Executive Summary

Staff requests the Los Angeles World Airports (LAWA) Board of Airport Commissioners (BOAC) to authorize the Executive Director to award a one-year contract, with two one-year renewal options to be executed by the Executive Director, to OneSource Distributors, LLC for airfield lighting control monitoring system (ALCMS) maintenance, repair and technical support for an annual not-to-exceed amount of \$148,920 at Los Angeles International Airport (LAX). The two one-year renewal options will be exercised at the discretion of the Executive Director. The requested contract will enable LAWA to maintain and repair the system used to control and monitor all airfield navigational aids, which includes all airfield lighting and signage, as well as monitor the condition of the lighting circuits. The monitoring system readout stations are located in the CMS Electric Shop, and in Vaults 1, 2, and 3 on the airfield.

2. Prior Related Action

The maintenance of the ACLMS commenced in 1999 with Transtech Airport Solutions for system maintenance. The proprietary nature of the system's parts and software precluded LAWA employees from performing the maintenance or repair work. The service provider, Crouse-Hinds, is certified and authorized to work on this system by the manufacturer. The Information Technology (IT) Group was also unable to provide support or maintenance services. The system is used to monitor airfield lighting circuits and related control systems. There is also a diagnostics feature that allows Airfield Electricians to receive daily status reports relating to the overall working conditions of the lights. The last contract with Transtech Airport Solutions originated on July 01, 2008, Outline Agreement (OA) No. 4600005075. This OA terminated on April 16, 2009.

Transtech was purchased and dissolved by Cooper Crouse-Hinds. A subsequent bid for system maintenance, Bid No. 108-066 received March 26, 2009, resulted in Cooper Crouse-Hinds being the only responding bidder. This vendor took exception to the City's Hold Harmless and Default by Supplier clauses. As a result, they were considered non-responsive and a re-bid was conducted.

3. Current Action

LAWA seeks to establish a contract for ACLMS maintenance, repair and technical support at LAX. LAWA posted a Request For Bid (RFB) for public review on the City of Los Angeles website www.labavn.org on June 18, 2009. LAWA received one response to Bid Number 108-135. The proprietary nature of the system (Cooper Crouse-Hinds parts and software) limited the number of available bidders. A bid was received from OneSource Distributors, LLC, a major distributor of Cooper Crouse-Hinds parts, and was determined to be responsive, providing the following costs:

<u>Vendor</u>	<u>Price</u>
OneSource Distributors, LLC.	\$12,410.00 (monthly)

4. Alternatives Considered

▪ **Defer or eliminate this contract**

Staff considered deferring or eliminating this contract. However, to do so would eliminate staff's ability to meet the monthly maintenance schedule as required by the Federal Aviation Administration (FAA). System failure would result in the air traffic controller's loss of control over all navigational lighting and signage on the airfield at LAX. Repair calls would be unresponsive in meeting operational requirements, and the costs would be higher, utilizing this purchasing method.

- **Use existing personnel**

The proprietary nature of the system precludes LAWA employees from performing the maintenance or repair work. This software is very technical in nature; staff does not have the necessary knowledge or training.

FISCAL & ECONOMIC IMPACT STATEMENT:

Establishing a contract with OneSource Distributors, LLC, the responsive bidder to Bid Number 108-135, will enable LAWA to procure monthly services for airfield lighting control monitoring system maintenance, repair and technical support from a reliable source at guaranteed costs. The need to control costs has been clearly demonstrated with monthly service costs increasing by 250% over a 2-year timeframe, from approximately \$5,500.00/month to \$12,400.00 month.

Funds for this contract are included in the Fiscal Year 2009-10 Los Angeles World Airports Operating Budget in LAX Cost Center 1150042, Construction and Maintenance Field Division, Commitment Item 522–Materials and Supplies. Funding for subsequent years will be requested as part of the annual budget process.

STANDARD PROVISIONS:

1. The operation, repair or maintenance of airfield lighting control monitoring systems is exempt from the requirements of the California Environmental Quality Act (CEQA) as provided by Article III, Class 1(3) of the Los Angeles City CEQA Guidelines.
2. Actions taken on this item by the Board of Airport Commissioners will become final pursuant to the provisions of the Los Angeles City Charter, Section 245.
3. City Attorney will approve this contract amendment as to form.
4. OneSource Distributors, LLC will comply with the provisions of the Living Wage Ordinance.
5. Contract Services has reviewed this item (File #10024359). No specific Minority/Women Business Enterprise levels of participation were set for this project, as no subcontracting opportunities were identified.
6. OneSource Distributors, LLC has submitted an Affirmative Action Plan and will comply with the provisions of the Affirmative Action Program.
7. OneSource Distributors, LLC has been assigned Business Tax Registration Certificate No. 305678-78.
8. OneSource Distributors, LLC has submitted the Certification of Compliance with Child Support Obligations and will comply with the provisions of the Child Support Obligations Ordinance.
9. OneSource Distributors, LLC will have approved insurance documents in the terms and amounts required on file with the City of Los Angeles prior to the issuance of a Notice to Proceed.
10. Pursuant to Charter Section 1022, it has been determined that the work specified on the proposed contract can be performed more feasibly or economically by an Independent Contractor than by City employees.
11. OneSource Distributors, LLC has submitted the Contractor Responsibility Program Questionnaire and Pledge of Compliance and will comply with the provisions of the Contractor Responsibility Program.

12. OneSource Distributors, LLC has been determined by Public Works, Office of Contract Compliance to be in full compliance with and will comply with the provisions of the Equal Benefits Ordinance.
13. OneSource Distributors, LLC will be required to comply with the provisions of the First Source Hiring Program for all non-trade LAX Airport Jobs once the Program is formally implemented by LAWA.



BOARD OF AIRPORT COMMISSIONERS REPORT

Approved by: Deputy Executive Director, James T. Butts, Jr.

Reviewed by: Steve Martin, Chief Operating Officer

City Attorney

Gina Marie Lindsey - Executive Director

<u>Meeting Date:</u>		
September 21, 2009		
<u>CAO Review:</u>	<input type="checkbox"/>	Completed
	<input type="checkbox"/>	Pending
	<input type="checkbox"/>	N/A
<u>Date Reviewed & Reviewer Initials:</u>		
Capital Budget	08/18/09	N/A
Operating Budget	06/10/09	KC
CEQA	05/26/09	AE
Contract Services	06/01/09	TVJ

SUBJECT:

Award of Contract

Authorization to JOIN THE THREE-YEAR LOS ANGELES CITY CONTRACT No. 57889 with GALLS, INC. for an amount not to exceed \$375,000 for POLICE EQUIPMENT AND SUPPLIES for LOS ANGELES INTERNATIONAL AIRPORT, Airport Police Division, \$55,500 for LOS ANGELES/ONTARIO Law Enforcement, and \$7,500 for VAN NUYS Airport Law Enforcement.

RECOMMENDATION:

Management RECOMMENDS that the Board of Airport Commissioners:

1. ADOPT the Staff Report.
2. DETERMINE that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II, Section 2f, of the Los Angeles City CEQA Guidelines.
3. FIND that this item is not subject to the provisions of Charter Section 1022 (use of Independent Contractors.)
4. APPROVE award of contract to join the City of Los Angeles Contract No. 57889 with Galls, Inc. to provide police equipment and supplies for sworn and security staff at all Los Angeles World Airports. The term of this contract shall be for three years, contingent upon the City renewing each of its one (1) year options until the final option expiration date in May 2012, for an amount

not to exceed \$375,000 for Airport Police Division, \$55,500 for LA/ONT Law Enforcement, and \$7,500 for Van Nuys Airport Law Enforcement.

5. AUTHORIZE the Executive Director to establish the contract by joining the City of Los Angeles Contract after review and upon approval as to form by the City Attorney.

DISCUSSION:

1. Executive Summary

Staff requests to join City of Los Angeles Contract No. 57889 with Galls, Inc. for an amount not to exceed for \$375,000 for Airport Police Division, \$55,500 for LA/ONT Law Enforcement, and \$7,500 for Van Nuys Airport Law Enforcement to purchase equipment and supplies for sworn officers and security staff at LAX, LA/ONT and Van Nuys Airports. This action is to take advantage of the procurement authority already granted by the City in its contract with Galls, Inc.

2. Prior Related Actions

In June 2002 the City of Los Angeles entered into Contract No. 57889 with Galls, Inc. The term was set from June 1, 2002 to May 31, 2009 with a not-to exceed value of \$30,000,000. Through the City Purchasing Agent on April 23, 2009, the City exercised Contract Renewal Option Number one (1) in accordance with the contract terms. The contract will now expire on May 31, 2010, with two (2) one (1) year options to renew.

3. Current Action

Prior police equipment and supply purchases were made by the Airport Police from a variety of specialized law enforcement equipment and supply vendors. The purchases were made to equip new police and security officers (e.g. weapon belts, various holsters and equipment holders, batons, pepper-spray, flashlights, etc.) as well as, replace existing equipment items that are subject to a normal replacement program (e.g. body armor).

Although this practice met the operational needs of the organization, it was not as cost effective or efficient as centralizing the procurement authority under one vendor whose pricing structure was negotiated by the City as a master contract available to all departments.

The term of the LAWA contract will be for three years, in agreement with the City's right to exercise three (3) one (1) year renewal options. Through City Contract 57889 Amendment 27, the first year option is fully executed and approved for the period June 1, 2009 through May 31, 2010. The second two years shall be contingent upon the City renewing each of its two remaining options, through the final option termination date of May 31, 2012. The amount of LAWA's contract shall not exceed \$375,000 for Airport Police; \$55,500 for LA/ONT Law Enforcement; and \$7,500 for Van Nuys Airport Law Enforcement. Staff verifies that Galls, Inc. carries a very comprehensive inventory and is a reliable supplier in meeting the diverse needs of police and security operations nation-wide.

The Airport Police Division requests that the BOAC authorize the Executive Director to join City of Los Angeles Contract No. 57889 with Galls, Inc. to provide police equipment and supplies for sworn and security staff at LAX, LA/ONT and Van Nuys airports.

4. Alternatives Considered

- Conduct a LAWA Bid

An alternative to the recommended action to join the City Contract would be for LAWA to conduct a formal bid for a new contract. That action would require expending additional City resources in staff time and efforts, and cause a delay of several months in obtaining the prerequisite purchase authorization. Additionally, staff has been advised by Galls, Inc. that LAWA could expect to pay up to fifteen (15) percent more for the same items purchased through a stand-alone contract, as economies-of-scale would be lost.

FISCAL & ECONOMIC IMPACT STATEMENT:

The total cost for equipment and supplies to be used by Airport Police and Security officers over three years is **\$438,000**. There are no other costs associated with this contract, and no revenues to be gained by joining with this contract. The cost associated with this action can be recovered through direct airline Rates and Charges. By joining in the City's contract, LAWA can realize savings in the costs to purchase safety equipment and supplies for use by security personnel at all LAWA operated airports.

Funds for this contract have been included in the Fiscal Year 2009-2010 Los Angeles World Airports Operating Budget under Commitment Item 522 – Materials & Supplies, in the following cost centers: 1160011 LAX Airport Police, 1300035 Ontario Law Enforcement, and 1400008 Van Nuys Law Enforcement. Funds for the subsequent fiscal years will be requested as part of the annual budget process.

STANDARD PROVISIONS:


1. Galls, Inc. is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article II, Section 2f of the Los Angeles City CEQA Guidelines, as amended by the Los Angeles City Council on July 31, 2002.
2. The City Attorney will approve contract as to form.
3. Action taken on this item by the Board of Airport Commissioners will become final pursuant to the provisions of the Los Angeles City Charter Section 245.
4. Galls, Inc. will comply with the Living Wage Ordinance.
5. This item is not subject to the provisions of the Minority/Women Business Enterprise Program pursuant to Executive Directive 2001-26.
6. Galls, Inc. has submitted an Affirmative Action Plan and will comply with the provisions of the Affirmative Action Program.
7. Galls, Inc. has been assigned Business Tax Registration Certificate No. 0000-706886.

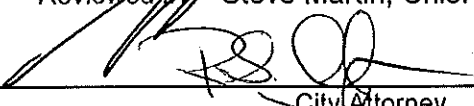
8. Galls, Inc. has submitted the Certification of Compliance with Child Support Obligations and will comply with the provisions of the Child Support Obligations Ordinance.
9. This item is not subject to the insurance requirements of the Los Angeles World Airports.
10. This item is not subject to the provisions of Charter Section 1022 (Use of Independent Contractors).
11. Galls, Inc. has submitted the Contractor Responsibility Ordinance Pledge of Compliance.
12. This item is not subject to the Equal Benefits Ordinance.
13. This item is not subject to the First Source Hiring Program.




BOARD OF AIRPORT COMMISSIONERS REPORT


Approved by: Deputy Executive Director, James T. Butts, Jr.


Reviewed by: Steve Martin, Chief Operating Officer


City Attorney


Gina Marie Lindsey - Executive Director

Meeting Date:

September 21, 2009

CAO Review:

<input type="checkbox"/>	Completed
<input type="checkbox"/>	Pending
<input type="checkbox"/>	N/A

Date Reviewed & Reviewer Initials:

Capital Budget	08/18/09	N/A
Operating Budget	06/10/09	KC
CEQA	05/26/09	AE
Contract Services	06/01/09	TVJ

SUBJECT:

Award of Contract

Authorization to join the THREE-YEAR LOS ANGELES CITY CONTRACT No. 57892 with GALLS, INC. for amounts not-to-exceed \$300,000 for POLICE UNIFORMS AND ACCESSORIES for LOS ANGELES INTERNATIONAL AIRPORT, Airport Police Division, \$48,000 for LOS ANGELES/ONTARIO Law Enforcement, \$45,000 for LOS ANGELES/ONTARIO Crash & Rescue, and \$7,500 for VAN NUYS Airport Law Enforcement.

RECOMMENDATION:

Management RECOMMENDS that the Board of Airport Commissioners:

1. ADOPT the Staff Report.
2. DETERMINE that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II, Section 2f, of the Los Angeles City CEQA Guidelines.
3. FIND that this item is not subject to the provisions of Charter Section 1022 (use of Independent Contractors.)
4. APPROVE award of contract to join the City of Los Angeles Contract No. 57892 with Galls, Inc. to provide police uniforms and accessories for sworn and security staff at all Los Angeles World Airports. The term of this contract shall be for three years, contingent upon the City renewing its

one (1) year option each year until expiration in May 2012, in amounts not-to-exceed \$300,000 for Airport Police Division, \$48,000 for LA/ONT Law Enforcement, \$45,000 for LA/ONT Crash & Rescue, and \$7,500 for Van Nuys Airport Law Enforcement.

5. AUTHORIZE the Executive Director to establish the contract to join the City of Los Angeles Contract after review and upon approval as to form by the City Attorney.

DISCUSSION:

1. Executive Summary

Staff requests to join City of Los Angeles Contract No. 57892 with Galls, Inc. for amounts not to exceed \$300,000 for Airport Police Division, \$48,000 for LA/ONT Law Enforcement, \$45,000 for LA/ONT Crash & Rescue, and \$7,500 for Van Nuys Airport Law Enforcement to provide uniforms and accessories for sworn and security staff at LAX, LA/ONT and Van Nuys Airports. This action is to take advantage of the procurement authority already granted by the City in its contract with Galls, Inc.

2. Prior Related Actions

Prior uniform purchases made by the Airport Police were made from a variety of police and security uniform and accessory vendors. Although this practice met the operational needs of the organization, it was not as cost effective or efficient as centralizing the procurement authority under one vendor whose pricing structure was negotiated by the City as a master contract available to all departments.

In June 2002 the City of Los Angeles entered into Contract No. 57892 with Galls, Inc. The term was set from June 1, 2002 to May 31, 2009 with a not-to exceed value of \$15,000,000. Through the City Purchasing Agent on April 23, 2009, the City exercised Contract Renewal Option Number one (1) in accordance with the contract terms. The contract will now expire on May 31, 2010, with two (2) additional one (1) year options to renew.

3. Current Action

The term of the LAWA contract will be for three years, in agreement with the City's right to exercise three (3) one (1) year options. Through City Contract 57892 Amendment 47, the first year option is fully executed and approved for the period June 1, 2009 through May 31, 2010. The second two years of LAWA's contract shall be contingent upon the City renewing each of its two remaining options through the final option termination date of May 31, 2012. The amount of LAWA's contract shall not exceed \$300,000 for Airport Police; \$48,000 for LA/ONT Law Enforcement; \$45,000 for LA/ONT Fire & Rescue; and \$7,500 for Van Nuys Airport Law Enforcement. Staff verifies that Galls, Inc. carries a very comprehensive inventory and is a reliable supplier in meeting the diverse needs of police and security operations nation-wide.

The Airport Police Division requests that the BOAC authorize the Executive Director to join City of Los Angeles Contract No. 57892 with Galls, Inc. to provide uniforms and accessories for sworn and security staff at LAX, LA/ONT and Van Nuys airports.

4. Alternatives Considered

- Conduct a LAWA Bid

An alternative to the recommended action to join the City Contract would be for LAWA to conduct a formal bid for a new contract. That action would require expending additional City resources in staff time and efforts, and cause a delay of several months in obtaining the prerequisite purchase authorization. Additionally, staff has been advised by Galls, Inc. that LAWA could expect to pay up to fifteen (15) percent more for the same items purchased through a stand-alone contract, as economies-of-scale would be lost.

FISCAL & ECONOMIC IMPACT STATEMENT:

The total cost for equipment and supplies to be used by airport Police, Crash and Rescue and Security officers over three years is \$400,500. There are no other costs associated with this contract, and no revenues to be gained by joining with this contract. The cost associated with this action can be recovered through direct airline Rates and Charges. By joining in the City's contract, LAWA can realize savings in the cost of uniforms and accessories needed for sworn and non-sworn safety officers at all LAWA operated airports.

Funds for this contract have been included in the Fiscal Year 2009-2010 Los Angeles World Airports Operating Budget under Commitment Item 522-Materials & Supplies, in the following cost centers: 1160011 LAX Airport Police, 1300035 Ontario Law Enforcement, 1300034 Ontario Crash, Fire & Rescue, and 1400008 Van Nuys Law Enforcement. Funds for the subsequent fiscal years will be requested as part of the annual budget process.

STANDARD PROVISIONS:

1. Galls, Inc. is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article II, Section 2f of the Los Angeles City CEQA Guidelines, as amended by the Los Angeles City Council on July 31, 2002.
2. The City Attorney will approve contract as to form.
3. Action taken on this item by the Board of Airport Commissioners will become final pursuant to the provisions of the Los Angeles City Charter Section 245.
4. Galls, Inc. will comply with the Living Wage Ordinance.
5. This item is not subject to the provisions of the Minority/Women Business Enterprise Program pursuant to Executive Directive 2001-26.
6. Galls, Inc. has submitted an Affirmative Action Plan and will comply with the provisions of the Affirmative Action Program.
7. Galls, Inc. has been assigned Business Tax Registration Certificate No. 0000-706886.
8. Galls, Inc. has submitted the Certification of Compliance with Child Support Obligations and will comply with the provisions of the Child Support Obligations Ordinance.

9. This item is not subject to the insurance requirements of the Los Angeles World Airports.
10. This item is not subject to the provisions of Charter Section 1022 (Use of Independent Contractors).
11. Galls, Inc. has submitted the Contractor Responsibility Ordinance Pledge of Compliance.
12. This item is not subject to the Equal Benefits Ordinance.
13. This item is not subject to the First Source Hiring Program.



BOARD OF AIRPORT COMMISSIONERS REPORT

Paula Adams

Approved by: Paula Adams, Personnel Director

Samson Mengistu

Reviewed by: Samson Mengistu, Deputy Executive Director

[Signature]

City Attorney

[Initials]

Gina Marie Lindsey

Gina Marie Lindsey - Executive Director

Meeting Date:

September 21, 2009

CAO Review:

<input type="checkbox"/>	Completed
<input type="checkbox"/>	Pending
<input type="checkbox"/>	N/A

Date Reviewed & Reviewer Initials:

Capital Budget	08/21/09	N/A
Operating Budget	08/21/09	RW
CEQA	08/19/09	AE
Contract Services	08/26/09	TJ

SUBJECT:

Approval to Reject All Proposals and Join City Contract:

APPROVAL to reject all proposals received as a result of the Request for Proposals for Vanpool Vehicle Leasing and Services. Further request approval to join CITY OF LOS ANGELES Contract No. 59009 with ENTERPRISE RENT A CAR COMPANY OF LOS ANGELES dba ENTERPRISE RIDESHARE for Vanpool Leasing and Services at LOS ANGELES WORLD AIRPORTS for a period of three (3) years and for an amount not-to-exceed \$1,927,800.

RECOMMENDATION:

Management RECOMMENDS that the Board of Airport Commissioners:

1. ADOPT the Staff Report.
2. DETERMINE that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article II, Section 2(f) of the Los Angeles City CEQA Guidelines.
3. APPROVE the rejection of all Proposals submitted in response to Request for Proposals for Vanpool Vehicle Leasing and Services.
4. FURTHER APPROVE the request to join CITY OF LOS ANGELES Contract No. 59009 with Enterprise Rideshare for Vanpool Leasing and Services for a period of three (3) years and an amount not to exceed \$1,927,800.

5. AUTHORIZE the Executive Director to execute the contract with Enterprise Rideshare upon approval as to form by the City Attorney.

DISCUSSION:

1. Executive Summary

LAWA released a Request for Proposals (RFP) for Vanpool Vehicle Leasing and Services on September 5, 2008. Subsequently, action on the LAWA RFP for a three-year contract was deferred pending the outcome of the City's Request for Bids (RFB) process for a five-year contract for like services. The City's process was completed in early June 2009, with the award of contract to Enterprise Rideshare, effective July 1, 2009. In the interim, the proposal submitted by VPSI, Inc. off of the LAWA RFP has expired.

Therefore, this reports requests authorization for the rejection of all proposals submitted per LAWA's Request for Proposals for Vanpool Vehicle Leasing and Services and further requests approval to join the City of Los Angeles Contract No. 59009 with Enterprise Rideshare for Vanpool Leasing and Services for a period of three (3) years and an amount not-to-exceed \$1,927,800.

2. Prior Related Actions

In 1988, in response to the Federal Clean Air Act, the South Coast Air Quality Management District (SCAQMD) initiated rideshare regulations that required LAWA to survey its employees' commute modes, calculate corresponding vehicle emissions, and report these statistics annually. SCAQMD standards require employers with more than 250 employees to reduce roughly one third of employees' weekly vehicle commute trips through ridesharing (bus, train, vanpool, carpool, biking, walking, or telecommuting) and compressed work schedules. In 1990, to more effectively address SCAQMD goals LAWA purchased three (3) minivans to assist employees to commute to and from work in higher-occupancy vehicles, thereby reducing peak-hour traffic congestion and improving air quality in the South Coast Air Basin.

On June 23, 1994, Board Resolution No. 18787 authorized the LAWA Rideshare Unit to join City of Los Angeles Contract No. 54365 with VPSI, Inc. for the lease of vanpool vehicles for use in LAWA's Rideshare Program. By December 1997, the program had grown to include 46 vans in its vanpool fleet. LAWA joined consecutive Contracts 54365, 55859, and 57327 between the City and VPSI, Inc.

LAWA's Vanpool Fleet has now grown to sixty-three (63) vans, with fifty-two (52) vehicles operating at LAX, ten (10) operating at ONT and one (1) operating at Van Nuys Airport (VNY). These vans can accommodate over 500 LAWA employees. The vanpool seats at LAX are over 96% full and ridership is steadily increasing.

Per BOAC Resolution No. 23691, dated December 15, 2008, LAWA will continue to provide each of these vanpool program participants a \$60 per rider per month subsidy to help offset the price of the fare.

Because of the growth of LAWA's Vanpool Program and our facilities' unique needs, staff requested BOAC approval to release a Request for Proposals (RFP), to establish a new contract,

separate from the City of Los Angeles. The BOAC approved this request and the RFP was released on September 5, 2008. The proposed contract with the selected vendor was scheduled for BOAC consideration on October 20, 2008, but was deferred pending the outcome of a new City of Los Angeles Request for Bids for like services. Staff wanted to ensure that LAWA could take advantage of the process that would yield the overall best pricing, ensuring the viability of the program and leaving room for future growth.

On June 22, 2009, the BOAC approved a 6-month extension to an existing contract with VPSI, Inc., ensuring continued services levels until a final award was made by the City of Los Angeles.

In late June 2009, The City of Los Angeles awarded a five-year contract to Enterprise Rideshare for Vanpool Leasing and Services effective July 1, 2009.

3. Current Action

Staff requests approval for the rejection of all proposals submitted per LAWA's Request for Proposals for Vanpool Vehicle Leasing and Services and further requests approval to joining the City of Los Angeles Contract No. 59009 with Enterprise Rideshare for Vanpool Leasing and Services for a period of three (3) years and an amount not-to-exceed \$1,927,800.

4. Alternatives Considered

In making this recommendation, staff did consider issuing a new Request for Bids. A new Request for Bids, however, would not guarantee that LAWA would get a price lower than what the City of Los Angeles, with much larger fleet, has obtained. Furthermore, Enterprise Rideshare has provided a greater incentive for LAWA to join the City contract by waiving the State sales/use tax of 9.75%. In fact, reducing LAWA's costs in comparison to the City's cost by 9.75%.

FISCAL & ECONOMIC IMPACT STATEMENT:

The current LAWA monthly lease rate is \$800 per month per vehicle at an annual cost of \$604,800. This lease rate has been in effect for ten years. The new City contract with Enterprise Rideshare which was established through a competitive bid process has a monthly lease rate per vehicle of \$850, plus State sales/use tax of 9.75%. Enterprise Rideshare has waived the State sale/use tax for LAWA. This translates to \$187,960 in savings for LAWA over three years. Thus, the annual cost for the lease of the vans is \$642,600 (\$850 X 63) for a total not-to-exceed amount \$1,927,800 for the three-year contract period. In comparison with the cost proposal submitted by VPSI, Inc. (\$1023, plus tax) in response to the LAWA RFP this represents a \$633,110 savings over three years. (VPSI, Inc. has subsequently offered to match the rate proposed by Enterprise Rideshare.) Should LAWA not order any new model vans after its receipt of the new 2010 models, then the \$850 monthly van lease rate offered by Enterprise Rideshare will remain in effect throughout the term of the contract. At this time, due to budgetary constraints, LAWA has no plans to order any new vehicles once the initial new 2010 models are received.

In FY 2007-2008 the cost to LAWA for the employee vanpool program (van leasing, fuel costs, subsidies, minus fares collected) was approximately \$647,000 for 415 participants. With the vanpool fare increase approved by the BOAC in December 2008 and the lower than projected monthly lease rate offered by Enterprise Rideshare the projected cost to LAWA is approximately \$416,000 per year.

Funding for this item is currently available in the FY 2009-2010 Los Angeles World Airports Operating Budget in Cost Centers 1230023 – Human Resources Services and 1300046 – ONT Rideshare Program, Commitment Item 525 - Other Operating Expenses. Funding for subsequent years will be requested as part of the annual budget process.

STANDARD PROVISIONS:

1. This action, as a continuing administrative activity, is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article II, Section 2(f) of the Los Angeles City CEQA Guidelines, as amended by the Los Angeles City Council on July 31, 2002.
2. The City Attorney will approve contract as to form.
3. Action taken on this item by the Board of Airport Commissioners will become final pursuant to the provisions of the Los Angeles City Charter Section 245.
4. Enterprise Rideshare is subject to the provisions of the Living Wage and/or Service Contractor Worker Retention Ordinances under City Contract No. 59009.
5. Contract Services has reviewed this item. No specific Minority/Women Business Enterprise levels of participation have been set for this project, as no subcontracting opportunities have been identified.
6. Enterprise Rideshare is subject to the provisions of the Child Support Obligations Ordinance under City Contract No. 59009.
7. Enterprise Rideshare is subject to the provisions of the Affirmative Action Program under City Contract No. 59009.
8. Enterprise Rideshare must have a Business Tax Registration Certificate on file with Los Angeles World Airports, prior to the issuance of a Notice to Proceed.
9. Enterprise Rideshare must have approved insurance, in the terms and amounts required, on file with Los Angeles World Airports prior to the issuance of a Notice to Proceed.
10. This item is not subject to the provisions of Charter Section 1022 (Use of Independent Contractors).
11. Enterprise Rideshare is subject to the provisions of the Contractor Responsibility Ordinance under City Contract No. 59009.
12. Enterprise Rideshare is subject to the provisions of the Equal Benefits Ordinance under City Contract No. 59009.
13. Enterprise Rideshare will be required to comply with the provisions of the First Source Hiring Program for all non-trade LAX Airport jobs once the Program is formally implemented by LAWA.



Los Angeles World Airports

18

BOARD OF AIRPORT COMMISSIONERS REPORT

Approved by: N/A

Reviewed by: N/A

City Attorney

Gina Marie Lindsey - Executive Director

Meeting Date:

September 21, 2009

CAO Review:

<input type="checkbox"/>	Completed
<input type="checkbox"/>	Pending
<input checked="" type="checkbox"/>	N/A

Date Reviewed & Reviewer Initials:

Capital Budget	08/12/09	N/A
Operating Budget	08/12/09	DS
CEQA	08/12/09	AE
Contract Services	08/12/09	TJ

SUBJECT:

Award of Contract:

Approval of Contract with LIEBERT CASSIDY & WHITMORE, LLP for representation of Los Angeles World Airports (LAWA) in a new lawsuit alleging donning and doffing violations under the Fair Labor Standards Act (FLSA) against the Airport Police Division (APD), styled *McClain, et al. vs. City of Los Angeles, et al.*, US District Court – Central District of California, Case No. CV-09-3752 GAF (JWJx), filed June 24, 2009.

RECOMMENDATION:

Management RECOMMENDS that the Board of Airport Commissioners:

1. ADOPT the Staff Report.
2. DETERMINE that this action is exempt from the California Environmental Quality Act pursuant to Article II, Section 2 (f) of the Los Angeles City CEQA Guidelines as amended by the City Council on July 31, 2002.
3. APPROVE the Contract with Liebert Cassidy & Whitmore for legal representation in the FLSA litigation initiated against the City of Los Angeles, Department of Airports, as well as related legal advice and counsel, in an amount not to exceed \$225,000 for the term of the contract, without further authorization from the Board.

4. FIND that this work can be performed more economically or feasibly by an independent contractor than by City employees.
5. FURTHER FIND that this Contract is exempt from the Contractor Responsibility Program, pursuant to the LAWA CRP Policy Section 4 (a) (9).
6. AUTHORIZE the Executive Director to execute the Contract with LIEBERT, CASSIDY, & WHITMORE, LLP upon approval as to form by the City Attorney.

DISCUSSION:

1. Executive Summary:

The Office of the Los Angeles City Attorney (City Attorney) seeks approval from this Board to award a three-year contract and authorize the Executive Director to execute a contract with the law firm of Liebert Cassidy & Whitmore, LLP (LCW). LCW has been representing the Los Angeles Police Department (LAPD) in several companion lawsuits alleging violations of the FLSA for failing to compensate various classes of sworn police officers for the time required for donning and doffing police uniforms, safety equipment, and protective gear. These cases have been consolidated under the lead case, *Nolan, et al. v. City of Los Angeles, et al.*, US District Court – Central District of California, Case No. CV 03-02190 GAF (AJWx).

On June 25, 2009, LAWA was served with a new lawsuit, similarly alleging FLSA donning and doffing violations by the Airport Police Division (“APD”). The Department seeks to retain LCW to represent and defend its interests in this specialized litigation, due to its familiarity with the City and its specialized knowledge and expertise in defending police agencies in FLSA multi-plaintiff and class actions.

2. Prior Related Actions:

There are no prior related actions.

3. Current Action:

LCW will provide legal representation to the Department and defend LAWA in the newly filed litigation, alleging FLSA violations for failing to compensate Airport Police Officers for donning and doffing of police uniforms, safety equipment, and protective gear, styled *McClain, et al. vs. City of Los Angeles, et al.*, US District Court – Central District of California, Case No. CV-09-3752 GAF (JWJx), filed June 24, 2009.

Because the LAPD already has been utilizing LCW to defend its interests in nearly identical litigation, LAWA is recommending utilizing LCW for similar services in order to take advantage of the extensive work that LCW has already performed for the City, to prevent duplicative work, and to take advantage of the knowledge and familiarity with City processes that LCW has gained during the course of representing LAPD. As such, LAWA recommends a stream-lined retention process based on the contract already in existence with LCW.

The scope of representation is intended to include an immediate review of and response to the federal complaint, an investigation of Airport Police’s current FLSA scheduling system and compensation practices, negotiating a possible settlement of any overtime or FLSA claims, possible mediation or arbitration, and other general litigation activities such as electronic document management, pleadings, discovery, law and motion, and trial advocacy. It is vital to have expert legal representation that can assess the potential for liability and potential damages quickly, provide

recommendations on limiting damages, and aggressively represent LAWA's interest in litigation. Litigation in this area of the law is highly technical, document intensive, and may involve up to 350 individual plaintiffs seeking compensation.

Among other things, the selection of LCW is based on the firm's substantial experience in public employment law, and in particular defense of FLSA lawsuits, including several filed against LAPD. Hence, the City Attorney and LAWA respectfully request the Board to authorize the Executive Director to execute a contract with the LCW for a term not to exceed three (3) years and for compensation amount not to exceed \$225,000, without further authorization by the Board. The law firm's fees will be paid on an hourly basis for services, based on the following projected hourly rates: Partner Hourly Rate \$250; Associate Hourly Rate \$190; and Paralegal Hourly Rate \$95. The firm has provided a projected pre-trial litigation budget.

3. Alternatives Considered

Currently, there is insufficient in-house City Attorney staff and expertise to handle complex, multi-plaintiff or class action litigation, involving the technical legal issues of whether donning and doffing of police uniforms, safety equipment, and protective gear is compensable under the FLSA. Moreover, in representing the LAPD in similar lawsuits, LCW has gained specific expertise and knowledge, unique to the City of Los Angeles, in defending against FLSA donning and doffing allegations.

LCW has submitted a detailed pre-trial litigation budget and it is anticipated that this matter would be fully resolved within the terms of the contract. However, if this matter were to proceed to a full trial or extend over a three year time frame, then LAWA would return to the Board with requests for additional funds as necessary.

4. Economics and Cost Implications

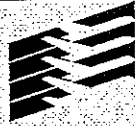
The Contract will be for a term of three (3) years, for a maximum compensation level that will not exceed \$225,000, without further authorization from the Board. As required by the scope of work, the City Attorney will return to the BOAC for any necessary adjustments to the contract amount.

FISCAL & ECONOMIC IMPACT STATEMENT:

Funds for the requested Contract are available in the Fiscal Year 2009-2010 Los Angeles World Airports Operating Budget on Cost Center 1110004 – Legal Services Division, Commitment Item 520150 – Contractual Services. Funds for subsequent periods will be requested as part of the annual budget process. There are no future maintenance or operational costs associated with this requested Contract, and it is not a revenue-generating Contract.

STANDARD PROVISIONS:

1. This action, as a continuing administrative activity, is exempt from the requirements of the California Environmental Quality Act (CEQA) as provided by Article II, Section 2(f) of the Los Angeles CEQA Guidelines.
2. This Contract will be reviewed and approved by the City Attorney as to form.
3. This Contract shall become final pursuant to the provisions of Los Angeles City Charter Sections 275 and 245.
4. Liebert Cassidy & Whitmore will comply with the provisions of the Living Wage Ordinance.
5. This item is not subject to the provisions of the Minority/Women Business Enterprise Program pursuant to Executive Directive 2001-26.
6. Liebert Cassidy & Whitmore has submitted an Affirmative Action Plan and will comply with the provisions of the Affirmative Action Program.
7. Liebert Cassidy & Whitmore has been assigned Business Tax Registration Certificate No. 112161-35.
8. Liebert Cassidy & Whitmore has submitted the Certification of Compliance with Child Support Obligations and will comply with the provisions of the Child Support Obligations Ordinance.
9. Liebert Cassidy & Whitmore will have approved insurance documents, in the terms and amounts required, on file with the Los Angeles World Airports, prior to the issuance of a Notice to Proceed.
10. Pursuant to Charter Section 1022 it has been determined that the work specified in these contracts can be performed more feasibly or economically by an Independent Contractor than by City employees.
11. Liebert Cassidy & Whitmore is exempt from the provisions of the Contractor Responsibility Program, Section 4,(a)(9) where the necessary services are available from a single source.
12. Liebert Cassidy & Whitmore has been determined by the Office of Contract Compliance to be in compliance with the provisions of the Equal Benefits Ordinance.
13. Liebert Cassidy & Whitmore may be required to comply with the provisions of the First Source Hiring Program once the program is formally implemented by LAWA.



BOARD OF AIRPORT COMMISSIONERS REPORT

Michael P Biagi

Approved by: Michael P. Biagi, Chief, Landside Operations

Jacqueline A Yaft

Reviewed by: Jacqueline A. Yaft, Deputy Executive Director

[Signature]

City Attorney

Gina Marie Lindsey

Gina Marie Lindsey - Executive Director

Meeting Date:

September 21, 2009

CAO Review:

<input type="checkbox"/>	Completed
<input type="checkbox"/>	Pending
<input checked="" type="checkbox"/>	N/A

Date Reviewed & Reviewer Initials:

Budget	6.04.09	RW
CEQA	6.01.09	AE
Contract Services	6.15.09	TJ

SUBJECT:

Request for Proposals

RELEASE OF REQUEST FOR PROPOSALS to operate and manage the COURTESY SHUTTLE SERVICE at LOS ANGELES INTERNATIONAL AIRPORT.

RECOMMENDATION:

Management RECOMMENDS that the Board of Airport Commissioners:

1. ADOPT the Staff Report.
2. DETERMINE that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article III, Class 1(18)(c) of the Los Angeles City CEQA Guidelines.
3. FIND that this work can be performed more economically or feasibly by an independent contractor than by City employees.
4. APPROVE the release of a Request for Proposals to operate and manage the courtesy shuttle service at Los Angeles International Airport.
5. AUTHORIZE the Executive Director to advertise and release a Request for Proposals for the operation and management of the Courtesy Shuttle Service at Los Angeles International Airport, and negotiate a contract for subsequent Board of Airport Commissioners' approval.

DISCUSSION:

1. Executive Summary

The courtesy shuttle service at Los Angeles Airport (the "LAX Shuttle Service") has been in operation for over 30 years and provides free 24-hour service connecting the airline terminals, remote public and employee parking lots and the Metro Green Line Aviation Station with the Central Terminal Area ("CTA"). Last year, the LAX Shuttle Service transported over 12 million passengers. Los Angeles World Airports ("LAWA") provides a fleet of sixty-one (61) alternative fuel buses and our current operator, Servisair, provides the bus drivers and maintenance services. The operation and maintenance of the LAX Shuttle has been contracted out since the inception of the LAX Shuttle Service. The 5-year operating agreement with Servisair, DA-3904, was set to expire on March 31, 2009 and was amended to extend the term of the contract to March 31, 2010.

Staff requests approval to advertise and release a Request for Proposals ("RFP") to operate the LAX Shuttle Service. The proposed contract to be awarded to the winning proposer will be for a term of three (3) years. In the event the operator fails to abide by the terms of the agreement, LAWA may give the operator written notice to correct the defect or default and if the same is not corrected within ten (10) days LAWA may terminate the agreement.

2. Prior Related Actions

On June 23, 2003, Board Resolution No.22071 authorized the release of an RFP to operate the LAX Shuttle Service for the period from April 1, 2004 to March 31, 2009. The RFP was advertised in 15 publications including the website of the City of Los Angeles. Sixteen (16) different companies requested and received copies of the RFP and twelve (12) companies were represented at the mandatory pre-proposal meeting held on July 8, 2003. Landside Operations received proposals from Servisair and Coach USA in response to the LAX Shuttle Service RFP.

On March 1, 2004, pursuant to Board Resolution No. 22302, the Board of Airport Commissioners ("BOAC") approved the award of a five (5) year operating agreement (DA-3904) to Servisair for operation of the LAX Shuttle Service that commenced April 1, 2004 and expired on March 31, 2009.

On February 9, 2009, pursuant to Board Resolution No. 23720, the BOAC approved the amendment to DA-3904 extending the term of the operating agreement with Servisair to March 31, 2010.

3. Current Action

Staff is requesting approval to advertise and release the RFP for courtesy shuttle service to replace the current operating agreement set to expire on March 31, 2010.

The RFP includes, but is not limited to, the following key elements:

- Term of the operating agreement is for three (3) years, with no renewal options.
- The contract includes language that allows LAWA to terminate the agreement in the event the operator fails to abide by the terms of the contract. In this case, LAWA may give the operator written notice to correct the defect or default and if the same is not corrected within ten (10) days LAWA may terminate the agreement.

- The selected proposer will be responsible for operating, maintaining, and managing shuttle service to transport air passengers and employees between the terminals, parking lots, the Metro Green Line, and other service areas that may be designated by LAWA.
- The contract includes a provision that allows LAWA to modify the service hours and routes to meet the demands of air passengers and employees.
- The following requirements have been added to the RFP minimum performance criteria to improve the overall quality of service delivery and effectiveness of the LAX Shuttle Service:
 - Bus Dispatcher: The operator will be required to have a bus dispatcher responsible for the safe, efficient, and timely delivery of ground transportation services by coordinating vehicles, drivers and other staff by actively monitoring the vehicles' GPS tracking system.
 - Computerized Diagnostic System: The operator will be required to provide a computerized diagnostic system that provides a more productive and effective method of identifying and resolving maintenance problems associated with the LAX Shuttle Service bus fleet, which is expected to reduce maintenance labor costs.
 - Americans with Disabilities Act (ADA) Training: The operating agreement will require that all of its bus drivers receive training which shall include (i) wheelchair lift operation training, (ii) training regarding the seating and/or securing of passengers with disabilities; (iii) disability sensitivity training and (iv) simulated operational scenarios for transporting passengers with disabilities.
- The operating agreement provides a detailed procedure on wheelchair lift checks and reporting.
- Payments to the operator will be based upon an hourly rate for operation of the shuttle service and an hourly rate for maintenance and repair services. Operator will be paid separately for parts and any work that is subcontracted, and shall be provided fuel.
- The operator shall be assessed monetary penalties for substandard performance.

The RFP package will include a proposed form operating agreement outlining specific terms (that may be adjusted by LAWA) regarding equipment, routes, training, maintenance and repair of buses, fueling and compensation.

The overall selection process includes the evaluation of written proposals and individual company interviews, utilizing the following weighted criteria:

Rating Categories:

- | | |
|--|------------|
| 1. Proposed Hourly Rate: | 45% |
| 2. Experience and Qualifications: | 15% |
| <ul style="list-style-type: none"> • Demonstrated success, skill and experience in managing airport terminal and parking lot shuttles, passenger stage, charter or school bus operations • Management Qualifications and Related Experience • Radio and Dispatch Systems/Services | |

3. Management/Staffing Plan:	15%
<ul style="list-style-type: none"> • Methods and Procedures • Customer Service Plan • Employee Training Plan (including ADA training) • Staffing and Organization Chart • Vehicle Maintenance Plan • Environmental Sustainability 	
4. Customer Service Record:	10%
<ul style="list-style-type: none"> • Service Record at Existing Operations • Letters of Reference • Background Check 	
5. Transition Plan:	5%
<ul style="list-style-type: none"> • Schedule for Proposed Changes • Contingency Planning 	
6. Proposer Interview:	10%
7. Financial Capability:	<u>Pass/Fail</u>
Total Maximum Points:	100

If negotiations with the highest ranked proposer do not result in a contract that staff is able to recommend to the BOAC, negotiations will continue with the next highest ranking proposer until a contract recommendation is made to the BOAC.

4. Alternatives Considered

Not approve the release of the RFP – This option would mean that the current operating agreement would expire on March 31, 2010 and place the Airport in a position of not being able to provide critical customer service.

Hire City Employees to Perform This Service – A cost/benefit analysis was performed comparing the cost of contract workers to City employees in comparable job classifications (bus operators, supervisors and mechanics). This analysis revealed that the cost of City employees would be approximately 40% higher than contract employees based on what LAWA is currently paying for the service.

FISCAL AND ECONOMIC IMPACT STATEMENT:

Approval to release this RFP is an administrative action and will have no significant fiscal impact on the Los Angeles World Airports Operating Budget.

Subsequent action will be required by BOAC to approve the operating agreement with the successful proposer. Funds for the operating agreement have been requested in the Fiscal Year 2009-2010 Los Angeles World Airports Operating Budget in LAX Cost Center 1160006 – Landside Operations Division Chief's Office, Commitment Item 520 – Contractual Services. Funding for subsequent years will be requested as part of the annual budget process.

STANDARD PROVISIONS:


1. Issuance of agreements, amendments and extensions thereof or other entitlements granting use of an existing facility at a municipal airport involving no expansion of use are exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant Article III, Class 1(18)(c) of the Los Angeles City CEQA Guidelines.
2. The selected proposer will be subject to the provisions of the Service Contractor Worker Retention and/or Living Wage Ordinance in the performance of the contract.
3. Contract Services reviewed this item and established a 20% combined Minority/Women Business Enterprise (M/WBE) level for this project.
4. The selected proposer will be required to comply with the provisions of the Affirmative Action Program.
5. The selected proposer must provide a Business Tax Registration Certificate number prior to contract execution.
6. The selected proposer will be required to comply with the provisions of the Child Support Obligations Ordinance.
7. The selected proposer will be required to have approved insurance documents on file with Los Angeles World Airports.
8. Pursuant to Charter Section 1022, it has been determined the work specified on this contract can be performed more economically and feasibly by an independent Contractor than by City employees.
9. The operating agreement will be reviewed and approved as to form by the City Attorney.
10. Action taken on this item by the Board of Airport Commissioners will become final pursuant to the provisions of the Los Angeles City Charter Section 245.
11. The selected proposer will be subject to the provisions of the Contractor Responsibility Program.
12. The selected proposer will be subjected to the provisions of the Equal Benefits Ordinance.
13. The selected proposer will be required to comply with the provisions of the First Source Hiring Program for all non-trade LAX Airport jobs once the Program is formally implemented by LAWA.




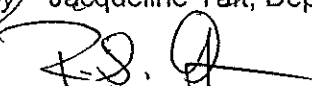
Los Angeles World Airports

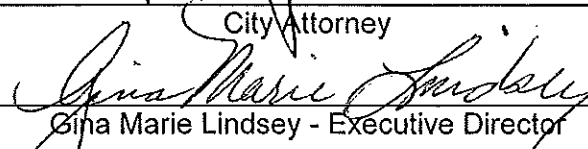
Item 20

BOARD OF AIRPORT COMMISSIONERS REPORT


 Approved by: Jess L. Romo, Airport Manager


 Reviewed by: Jacqueline Yaff, Deputy Executive Director


 City Attorney


 Gina Marie Lindsey - Executive Director

<u>Meeting Date:</u>		
September 21, 2009		
<u>CAO Review:</u>	<input checked="" type="checkbox"/>	Completed
	<input type="checkbox"/>	Pending
	<input type="checkbox"/>	N/A
<u>Date Reviewed & Reviewer Initials:</u>		
Budget	03/15/09	RW
CEQA	03/11/09	AE
Contract Services	03/27/09	EW

SUBJECT:

Approval to award a 10-year Concession Agreement with one, five-year renewal option with Clean Energy Fuels Corp., a Delaware Corporation and Clean Energy, a California Corporation, to construct, operate, and maintain an on-airport Compressed Natural Gas (CNG) fueling station at LA/Ontario International Airport (ONT).

RECOMMENDATION:

Management RECOMMENDS that the Board of Airport Commissioners:

1. ADOPT the Staff Report.
2. DETERMINE that this action is exempt from the California Environmental Quality Act (CEQA) pursuant to Article III Class 1(18)(c) of the Los Angeles City CEQA Guidelines.
3. APPROVE the Award of a 10-year Concession Agreement with one five-year renewal option to be exercised as detailed in the staff report, with Clean Energy Fuels Corp., a Delaware Corporation and Clean Energy, a California Corporation.
4. AUTHORIZE the Executive Director to execute the Concession Agreement with Clean Energy Fuels Corp., a Delaware Corporation and Clean Energy, a California Corporation, after approval as to form by the City Attorney and upon approval by the Los Angeles City Council.

DISCUSSION:

1. Executive Summary

This action requests approval from the Board of Airport Commissioners (BOAC) to award a 10-year Concession Agreement with one five-year renewal option to Clean Energy Fuels Corp., a Delaware Corporation and Clean Energy, a California Corporation (collectively referred to as "CE" in this report). In response to a Request for Proposals (RFP) issued in September 2006 to build a turnkey Compressed Natural Gas (CNG) fueling station at ONT, CE was the only respondent to the RFP. The project's key objectives include the development, operation and maintenance of an on-airport station at no cost to Los Angeles World Airports (LAWA). The proposed agreement achieves this goal and provides several financial benefits to LAWA: projected revenue of at least \$16,000 in rent and royalties over the first 10 years of the agreement; annual increases to land rent and royalties from third party fuel sales that are expected to grow; and preferential pricing for LAWA's CNG fleet and ONT's future Courtesy Shuttle Bus fleet projected to save over \$180,000 in the first year of the fueling program and more than \$1,800,000 over a 10-year period. The new station will comply with the mayoral directive to implement "green" initiatives at all City of Los Angeles departments and facilities, including its airports.

2. Prior Related Actions

On August 21, 2006, the BOAC authorized (under Resolution 23081) release of an RFP to solicit proposals from a number of qualified firms to develop, construct, operate and maintain a CNG station at ONT for the airport's CNG fleet, third party commercial vehicles, and private vehicles – at no cost to LAWA. In addition, the RFP required financial incentives and benefits to LAWA including preferential fuel pricing for LAWA fleet and revenue to LAWA to operate a fueling station on airport property.

The RFP was released on August 28, 2006 and was followed by a pre-proposal conference on October 14, 2006. The project was thoroughly covered and included a site walk-through at the site options. Several potential proposers attended the conference; however, CE was the only company to submit a proposal by the October 31, 2006 deadline.

On August 17, 2009, this item was presented to the BOAC and was deferred for further discussion regarding the royalty amount stated in the proposal. The BOAC requested edification on the financial aspects of the proposal and assurance that it was the most advantageous for LAWA. Staff revisited the issue with the proposer to discuss options. The gas gallon equivalent royalty amount originally offered by the proposer was increased from \$0.025 to \$0.05. Significant costs savings for fuel purchases were also discussed and agreed to by both parties. The specific cost savings amounts are detailed in this report.

3. Current Action

This project is critical to the development of a reliable and readily available station on the airport considering the very limited CNG fueling station resources within the vicinity of ONT. There are only two stations within five miles of ONT that support – when fully operational and available – a substantial fleet of CNG vehicles including those owned and operated by the City of Ontario, County of San Bernardino, surrounding public school districts, ONT, third party commercial operators, and the general public. Under these conditions, the two stations will not cost-effectively and reasonably meet ONT's needs in the near and long term. An on-airport station that is fully operational and available 24 hours a day will support this anticipated demand.

Currently, LAWA has 48 CNG-powered vehicles in its ONT fleet. This represents approximately 25 percent of the total airport CNG fleet. ONT's annual consumption of CNG is 24,000 gas gallon equivalents (GGE) and will increase in the future as ONT continues to add CNG-powered vehicles to its fleet. In addition to the LAWA fleet, third party commercial operators such as shared ride vans and taxicabs are obligated to convert their fleets to CNG as part of contractual arrangements with LAWA.

CNG consumption will also significantly increase when 17 new passenger courtesy shuttle buses, currently in the RFP process, begin operating at ONT. ONT issued an RFP in March 2009 for its passenger courtesy shuttle buses requiring the fleet to be CNG-powered. Three proposers submitted for the project. When operational, the new ground transportation program will require a fueling location immediately adjacent to the terminals in order for the buses to re-fuel near their operational routes. The buses will transport passengers between the public parking lots, consolidated rental car facility, and terminals. Therefore, the program is significant in terms of miles driven on an annual basis.

LAWA staff from a broad cross section of divisions participated in the RFP evaluation process. Panelist included staff members with engineering, construction & maintenance, environmental, and facilities planning backgrounds. Each evaluator reviewed the submittal and then the panel convened to discuss the submitted proposal and to prepare for an in-person interview with the proposer.

On February 7, 2007, the LAWA panelists conducted an interview with CE. During the interview, several items were covered including design and construction phasing, environmental considerations, operational and maintenance issues, and financial considerations. The panel unanimously agreed that CE's proposal was comprehensive and met LAWA's requirements. The panel concluded that CE was highly qualified to develop, construct and operate a CNG fueling station at ONT in accordance with requirements of the RFP.

The RFP specifically identified the following five criteria to be rated as part of the submittal. The criteria were based upon a standard 100-point scale. These criteria were considered both as part of the individual rater's review and in-person interview with CE.

1. Financial Proposal	30 points
2. Experience and Qualifications	25 points
3. Proposed Development Plan	25 points
4. Benefit to ONT, the Public and the Aviation Community	10 points
5. Benefit to Surrounding Commercial and Residential Community	10 points

Clean Energy Fuels Corp., previously known as ENRG until being renamed in 2002, was formed as a result of the merger of two large, longstanding companies - Pickens Fuel Corp. and e-Fuels. With initial CNG stations in Arizona and California, Clean Energy Fuels Corp. has grown to develop and operate over 170 natural gas stations across North America with 19 of these operating at airports. Clean Energy Fuels Corp., a Delaware Corporation is the publicly traded entity and Clean Energy, a California Corporation, is the operating arm of the parent company and a wholly owned subsidiary of Clean Energy Fuels Corp. Both entities will be signatory to the Concession Agreement.

Southern California public-access and adjacent CNG stations operated by CE include Burbank, Long Beach, Los Angeles International, Palm Springs, Orange County/John Wayne, and San

Diego. If approved, this project would result in the first on-airport CNG station in the LAWA system to serve LAWA fleet, ONT's passenger courtesy shuttle buses, third party commercial operators, and private vehicles. The CE turnkey retailing and marketing approach is expected to increase CNG volume at ONT through preferential fuel pricing for LAWA vehicles, CE's ability to obtain vehicle grant funding for fleet operators, financing options, and LAWA's implementation of CNG policies to support increased use of alternative fuels.

CE's proposal complies with the RFP's requirement for a turnkey facility and requires CE to perform all necessary design/engineering, construction, and operations/maintenance of the CNG station. This includes but is not limited to securing all environmental and building and planning approvals from the Cities of Los Angeles and Ontario. Key elements of the agreement are outlined in the summary below.

<u>Item</u>	<u>Provision</u>
Proposed Term	10 years with one (1) five-year option, subject to early termination after the 10-year period (initial term) by either party at least six months before the end of the initial term.
Payments to LAWA	\$746.10 per quarter, which is standard land rent subject to annual adjustment based on CPI. A royalty of \$0.05 per gas gallon equivalent (GGE) for CNG sold to third parties at the station. Royalties are to be paid on a quarterly basis and are expected to increase revenue to LAWA as policies requiring commercial vehicles to convert to CNG are implemented.
Preferential Pricing	<p>The preferential pricing for LAWA fleet will result in an estimated cost savings of over \$180,000 in the first year and more than \$1,800,000 over a 10-year period, based on current savings of \$1.00 per GGE.</p> <p>Additional savings to LAWA are expected at \$165,000 annually as existing gasoline and diesel vehicles are eventually replaced with CNG vehicles.</p>
Initial Capital Investment	\$1,500,000 for design and construction of the facility, including equipment required for the operation – all incurred by CE.

CE anticipates a construction period of approximately 32 weeks (approximately seven and a half months) from the time final construction approval is issued by LAWA and upon issuance of related building permits by the City of Ontario, which is the local municipal authority with oversight of this aspect of the project. In addition to the initial capital investment, CE expects to spend an additional amount of \$400,000 to \$500,000 in on-going operating and maintenance expenses as the various station equipment and components run through their various life cycles.

It is important to note that this project was initiated in August 2006 and encountered unforeseen challenges and delay in February 2007. First, the site initially proposed by CE faced unanticipated issues with respect to design and off-site improvement requirements when the City of Ontario imposed a fully improved cul-de-sac adjacent to the proposed station. This was an unexpected development that would nearly double development costs. After several months of negotiations, the requirement was not waived based upon the City insisting on a fully dedicated and improved secondary ingress/egress point that extended beyond the site to support future

development to adjacent parcels. In October 2008, after evaluating alternatives, the parties identified an acceptable, alternate site.

With additional time required to collaborate with the City of Ontario Planning Department on architectural design changes, CE finalized its design plans in early 2009. Additional time was also needed to reach an agreement on specific contract provisions of the agreement. Since this was the first time LAWA pursued an agreement for an on-site, point-of-sale CNG, the project was closely monitored to ensure compliance and that all LAWA contract requirements were met.

In its proposal, CE committed to a 17.7% Minority/Women Business Enterprise level of participation for this project. Contract Services Division (CSD) has confirmed that per documents submitted, CE made a good faith effort to outreach to MBE/WBE/OBE subcontractors. The proposed amount exceeds the level of 15% set by LAWA CSD.

Staff requests that the BOAC approve the award of a 10-year Concession Agreement with one five-year renewal option to be exercised as detailed in the staff report, with Clean Energy Fuels Corp., a Delaware Corporation and Clean Energy, a California Corporation. Staff further requests the BOAC to authorize the Executive Director to execute the Concession Agreement with Clean Energy Fuels Corp., after approval as to form by the City Attorney and upon approval by the Los Angeles City Council.

4. Alternatives Considered

No action and/or re-issue RFP:

No action or re-issuing the RFP will further delay LAWA from generating new revenue, saving significantly on fuel costs, and moving toward complying with the mayoral and BOAC directive to implement "green" initiatives. In addition, further delay limits CNG resources for existing and expected ONT fleet needs.

The passenger courtesy shuttle bus RFP, currently being prepared for interviews with potential operators, must also be re-issued since the unavailability of a north side CNG station in advance of the CNG-powered buses will prevent an operationally feasible ground transportation program at ONT.

Lastly, further procedural delays will continue to compound potential significant savings to ONT considering its current financial status. Currently, ONT pays full price for CNG at the stations located off the airport.

5. Fiscal and Economic Impact

Approval of the Concession Agreement with CE will generate approximately \$160,000 of revenue over the first ten years, not including annual increases to rent and projected increases in fuels sales, which will significantly increase royalty payments. CE estimates that 260,000 GGEs will be used in the first year and is expected to grow to 700,000 GGEs by the 10th year. While there will be growth, estimating it accurately under the current economic conditions is speculative. Therefore, the estimates are conservative and do not reflect changes in the market and/or other "green" programs that incentivize or require alternative fuel use.

Preferential pricing for LAWA fleet will result in an estimated cost savings of over \$180,000 in the first year and more than \$1,800,000 over a 10-year period, based on current savings of \$1.00 per

GGE. Additional savings to LAWA are expected at \$165,000 annually as existing gasoline and diesel vehicles are eventually replaced with CNG vehicles.

CE will cover 100 percent of development costs estimated at \$1,500,000. CE will also cover all operations and maintenance costs of the station.

STANDARD PROVISIONS:

1. The issuance of leases and renewals, amendment or extensions thereof, granting use of an existing facility at a municipal airport involving negligible or no expansion of use is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article III Class 1(18)(c) of the Los Angeles City CEQA Guidelines. The City of Ontario approved the project determining it will not have a significant environmental effect on February 25, 2009.
2. The concession agreement is subject to approval as to form by the City Attorney.
3. Action on this item by the Board of Airport Commissioners will become final pursuant to the provisions of the Los Angeles City Charter, Section 606.
4. Clean Energy will comply with the provisions of the Living Wage Ordinance.
5. Contract Services Division reviewed this item and established a 15% Minority/Women Business Enterprise level of participation for this project. Clean Energy proposes 17.7% combined M/W/DBE level of participation for the project. Contract Services confirms that based on documents submitted, Clean Energy has made a good faith effort to outreach to MBE/WBE/OBE subcontractors.
6. Clean Energy has submitted an Affirmative Action Plan and will comply with the provisions of the Affirmative Action Program.
7. Clean Energy has been assigned Business Tax Registration Certificate number 751740.
8. Clean Energy has submitted the Certification of Compliance with Child Support Obligations and will comply with the provisions of the Child Support Obligations Ordinance.
9. Clean Energy has approved insurance documents, in the terms and amounts required, on file with the Los Angeles World Airports.
10. This item is not subject to the provisions of Charter Section 1022 (Use independent Contractors).
11. Clean Energy has submitted the Contractor Responsibility Program Questionnaire and Pledge of Compliance and will comply with the provisions of the Contractor Responsibility Program.
12. Clean Energy has been determined by Public Works, Office of Contract Compliance, to be in full compliance with the provisions of the Equal Benefits Ordinance.
13. This item is not subject to the provisions of the First Source Hiring Program.



Los Angeles World Airports

MBE, WBE/DBE/OBE
SUBCONTRACTOR PARTICIPATION REPORT

Prime Contractor: Clean Energy
 Address: 3300 Old Ranch Parkway, Suite 200
 City/State/Zip: Seal Beach, CA 90740
 Contact Name and Phone #: Sean Winer (562) 593-2804
 Forward Invoices: Monthly Quarterly Other (Choose One)

Project Title: Turnkey "Rabbit-Across" CWS Station at Ontario Airport
 Bid/Proposal Amount: \$1.3 million
 Bid #: _____
 Profile Information: (Circle One) Group: MBE WBE DBE OBE Gender: Male Female
 (Circle One) Ethnicity: Asian, Black, Caucasian Hispanic, Native American
 NAICS # 221210 (North American Industry Classification System)

Name, Address, Phone and Contact of proposed MBE/WBE/DBE subcontractor	Profile Information	Description of work to be performed	\$ Amount proposed	Percentage of Total
Sun Engineering 5405 Garden Grove, Ste. 300 Westminster, CA 92683 State License # <u>ME 22246</u> Email: <u>kernadley@sunengr.com</u>	Group: <u>MBE</u> Ethnicity: <u>A</u> Gender: <u>M</u> NAICS: <u>541330</u>	Sun Engineering will assist in the overall engineering, design and site layout of the CWS station. Subcontractor starting date: 1/2007 M/W/DBE Certification Expires 5/1/07	\$30,000	Phase One 30% of \$100,000
Weaver Electric, Inc. 4810 E. La Palma Ave. Anaheim, CA 92807 State License # <u>555518</u> Email: <u>dweaver@weaverinc.net</u>	Group: <u>DBE</u> Ethnicity: <u>E</u> Gender: <u>F</u> NAICS: <u>338210</u>	Weaver Inc. will perform electrical, mechanical and civil construction work. Subcontractor starting date: 4/2007 M/W/DBE Certification Expires 5/21/07	\$200,000	Phase Three 29% of \$700,000
No subcontractors needed. Clean Energy has its own operations and maintenance team.	Group: _____ Ethnicity: _____ Gender: _____ NAICS: _____	Subcontractor starting date: _____ M/W/DBE Certification Expires _____	0/M	
State License # _____ Email: _____	Group: _____ Ethnicity: _____ Gender: _____ NAICS: _____	Subcontractor starting date: _____ M/W/DBE Certification Expires _____		
State License # _____ Email: _____	Group: _____ Ethnicity: _____ Gender: _____ NAICS: _____	Subcontractor starting date: _____ M/W/DBE Certification Expires _____		

**MBE, WBE/DBE/OBE
SUBCONTRACTOR PARTICIPATION REPORT**

Name, Address, Phone and Contact of proposed OBE subcontractor	Profile Information	Description of work to be performed	\$ Amount proposed	Percentage of Total
State License # _____ Email: _____	OBE	Subcontractor starting date: _____		
State License # _____ Email: _____	OBE	Subcontractor starting date: _____		
State License # _____ Email: _____	OBE	Subcontractor starting date: _____		

I certify under the penalty of perjury that the information contained on this form is true and correct and that the firms listed are the subcontractors/subcontractors that will be utilized if this contract is awarded to the above prime. I agree to comply with the Good Faith Effort provisions for substitutions and I further understand and agree that any and all changes or substitutions must be authorized by LAWA Procurement Services prior to their implementation.

Signature: Sam White Date: 11/30/06

Name (Please Print): Account Managers Title: _____ Phone: (562) 993-2804

Participation Level Set by LAWA Participation Levels Proposed by Prime

Total MBE _____ % \$ _____ %
 Total WBE _____ % \$ _____ %
 Total DBE _____ % \$ _____ %
 Total OBE _____ % \$ _____ %
 Grand Total _____ %

Good Faith Effort reviewed by _____ Date _____ Date sent to Compliance Unit _____
 Procurement Services Control Number _____ Contract No. _____ Division _____

ITEM NO. 26



*Los Angeles
World Airports*

RESOLUTION NO. _____

WHEREAS, ratification of travel authority for Commissioners Alan Rothenberg and Valeria Velasco to meet with NASA headquarters at Moffett Field / San Jose to review the simulation models of LAX's North Airfield. NASA is preparing a simulation of the North Airfield as part of the NORSAC study relative to identifying safety issues; and

WHEREAS, LAWA will pay for the airfare and the reasonable travel expenses incurred to be reimbursed by LAWA; and

WHEREAS, this action, as a continuing administrative activity, is exempt from the requirements of the California Environmental Quality Act (CEQA) pursuant to Article II Section 2 (f) of the Los Angeles City CEQA Guidelines, as amended by the City Council on July 31, 2002; and

WHEREAS, actions taken on this item by the Board of Airport Commissioners will become final pursuant to the provisions of the Los Angeles City Charter Section 245;

NOW, THEREFORE, BE IT RESOLVED that the Board of Airport Commissioners determined that this action is exempt from CEQA requirements, ratified the travel request for Commissioners Alan Rothenberg and Valeria Velasco to travel to San Jose, CA on August 20, 2009.

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