

**SAN DIEGO UNIFIED PORT DISTRICT
DEVELOPMENT SERVICES DEPARTMENT**

P.O. BOX 120488
SAN DIEGO, CA 92112-0488
(619) 686-6291

COASTAL DEVELOPMENT PERMIT

Applicant: San Diego Symphony Orchestra Association
1245 Seventh Avenue
San Diego, CA 92101

Project: Bayside Performance Park Enhancement Project

Location: Embarcadero Marina Park South, 200 Marina Park Way, San Diego, CA 92101

You are hereby granted a Coastal Development Permit. This Permit is issued in conformance with the California Coastal Act of 1976 and the Coastal Permit Regulations of the San Diego Unified Port District, as adopted by the Board of Port Commissioners on July 1, 1980, Resolution No. 80-193, and as amended on December 2, 1980, Resolution No. 80-343, and on February 14, 1984, Resolution No. 84-62, in accordance with the provisions for the issuance of an ☐ Emergency ☒ Non-Appealable ☐ Appealable Coastal Development Permit.

Date of Board Action: December 11, 2018

Board of Port Commissioners Resolution Number: 2018-XX

Date of Permit: XXXXX XX, 2019

Application Number: 2016-176

Permit Number: CDP-2019-XX

The Project, as defined below, is located within the jurisdiction of the San Diego Unified Port District (District) and in California Coastal Zone. The Project constitutes development pursuant to Coastal Act Section 30106 as it would result in the erection of structures, grading, and change in the intensity of use of land. Pursuant to the California Coastal Act, the proposed development is considered “non-appealable”. Chapter 8 of the Coastal Act regulates port development within the California Coastal Zone. Section 30715 of Chapter 8 specifies the sole categories of development that may be appealed to the Coastal Commission. The development of a performance and event venue, park enhancements, and promenades, as well as uses involving park activation and event programming, are not listed as appealable in Section 30715. The Project is also located between the sea (as defined in the Coastal Act) and the first inland continuous road

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paralleling the sea, and the Project is fully consistent with Public Resources Code Sections 30604(c), 30210-30224, and the Coastal Act public access and recreation policies referenced therein.

The Project will enhance public access and public recreation by providing a permanent cultural amenity that would attract the general public to the waterfront during performances and other events. Project programming would provide various low-cost visitor-serving opportunities to promote public access, including some combination of reduced ticket pricing, free rehearsals, community events, and public educational programs offered free of charge to the general public. The Project also includes park improvements that would benefit the general public including an expanded promenade, benches, and refurbished/replaced exercise equipment, basketball courts, gazebo, and restrooms. The Project conforms to the land use designations of "Park/Plaza," Precise Plan text in the Centre City Embarcadero Planning District, and Project list (Table 11) of the certified Port Master Plan (PMP). The Project is fully consistent with Chapter 8 of the Coastal Act and the District's certified PMP.

This Permit is limited to the development described below and set forth in material on file with the District and subject to the terms, conditions, and provisions hereinafter stated:

DEVELOPMENT

The San Diego Symphony Orchestra Association, as the Project Applicant (Applicant), proposes redevelopment of the 10.8-acre EMPS to accommodate the installation of two components: (a) "Bayside Performance Park," referring to the 160,583-square-foot (3.68-acre) performance and event venue and public park enhancements located within the northwestern portions of EMPS (site); and (b) "EMPS Enhancements," referring to the proposed public park enhancements on the remaining 310,796 square feet (7.13 acres) located within the central and southeastern portions of EMPS. The limits of the Bayside Performance Park and EMPS are depicted in Exhibit 1. (collectively, Project or project). The Project site is delineated on Precise Plan Map Figure 11 in Planning District 3 of the certified PMP. The Project is listed as Project No. 15. "Permanent Performance and Event Venue" in the PMP Project List (Table 11). The PMP land use designation is "Park/Plaza" which allows for cultural uses and other park-activating uses that are ancillary to the public uses.

The entire Project shall include the development, operation, use and maintenance of the following components/features:

Bayside Performance Park Enhancements (northwestern 3.68-acre portion)

- Permanent performance stage and acoustic shell (maximum height of 57 feet and maximum width of 119 feet) and performance back-of-house facilities, including , storage, dressing rooms, waiting room, and restrooms, two 9-foot-by-14-foot video screens located in the vicinity of the stage, six sound and light supports co-located with ancillary video screens, lighting, and a sound control booth. The stage and

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back-of-house facilities shall have a total footprint of approximately 13,015 square feet (approximately 0.29 acre) and would not be open to the general public at any time unless expressly allowed by the Applicant, in its sole discretion. The performance stage includes an acoustically-engineered shell wrapped in an architectural fabric shell. The back of the stage shell shall be comprised of a clear ethylene tetrafluoroethylene (ETFE) film, a transparent material, allowing for through visibility to the bay from the seating area and lawn.

- Synthetic turf (sand-based) lawn approximately 102,699 square feet (approximately 2.36 acres) with lighting shall be used in the sloped event seating area and adjacent pre-event space.
- The venue's event seating area shall have a maximum capacity of 10,000 attendees.
- Programming:
 - Programming that restricts the general public's use of the site free of charge, such as events involving paid admission (e.g., concerts) and/or rentals (e.g., private functions), would be limited to 15% per year (equivalent to 55 full-day or 110 half-day events based on standard District park hours). The 15% event limitation includes any associated set-up/take-down wherein the general public would be restricted from the site. For the purposes of this permit, the type of programming subject to the 15% event limitation is referred to as "event hours". Use of the site outside of the 15% event limitation, wherein the site would be used as a park open by the general public, including any programming that is otherwise free of charge to the general public and would not restrict the use of the site by the general public, is referred to as "non-event hours".
 - The site would remain open to the general public for 85% of the year (equivalent to 310 full-days or 620 half-days) for use as a park. Programming allowed within the 85% include activities that are offered free of charge to the general public such as rehearsals, community events, festivals and concerts (free to the general public), public educational programs, and other similar types of free activities. Temporary special events on the site are allowed within the 85% when authorized via a District-issued Special Event Permit (SEP). Typical SEP events include, but are not limited to, approximately 100 attendees or less, are non-exclusive to use within EMPS and/or the promenade, and involve activities such as birthday celebrations, showers, runs/walks, weddings, picnics, filming, corporate receptions, festivals, car shows, and other similar types of activities. SEP events not be counted within the 15% annual event limitation as they would not require admission for entry or constitute a rental for non-public use.

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- Seating and tables provided on the site shall be temporary/removeable and no permanent seating or tables shall be installed. Different seating configurations can be utilized based on the type and size of programming, including those involving paid admission (e.g., concerts), rentals (e.g., private function), or provided free-of-charge to the general public (e.g., rehearsals, free concerts, community events, and festivals). Seating and tables for guests viewing a performance shall be set up according to the anticipated programming capacity and/or re-arranged immediately prior to any such events and would be removed and placed within the performance stage structure for storage during extend periods of time when no events are scheduled (Note that this requirement would not apply to a small number of tables and chairs set up around the pavilions). For purposes of this permit, an “extended period of time” is considered more than 5 days where no event(s) are scheduled. All lawns, including seating and tables temporarily left in place, shall be available for use by the general public when the site is open for 85% of the year. Reporting requirements are included in Special Provision No. 19.
- Concrete steps, viewing deck, and lighting encompassing a total of approximately 5,445 square feet (approximately 0.13 acre) at the back of the performance stage (facing northwest). The steps and deck would be open to the general public as a bay viewing deck during non-event hours;
- 85-square-foot box office;
- Two pavilions for food, retail, and/or other services within an approximate 15,242-square-foot (approximate 0.35-acre) area comprised of permeable pavers, removable furniture, lighting, and a small stage, that would be open and available to the public during event and non-event hours;
- 42-inch-tall perimeter fencing between the Bayside Performance Park and public promenade, with a one-foot-wide planter area on either side of the perimeter fence and large removable/moveable sections to allow for public access throughout the Bayside Performance Park during non-event hours. Fencing may be closed during event hours at the discretion of the Applicant; however, fencing shall be promptly opened after an event and would remain open during non-event hours;
- 8-foot-tall permanent, slatted metal fencing at the northwestern back-of-stage areas with removable/moveable sections to allow for public access to the concrete steps and viewing deck during non-event hours;
- Subgrade restroom with 68 stalls (64 men’s and women’s stalls and 2 gender-neutral public restrooms located at each end of the facility, totaling 4 gender-neutral restrooms) beneath the sloped lawn. The gender-neutral restrooms shall be open to the general public during non-event hours with the remaining 64 stalls to be used by event patrons only during event hours;

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- Widening of the existing 8-foot-wide public promenade around the perimeter of the Bayside Performance Park with a 12-foot-wide promenade with benches to remain open to the general public at all times, including during all event and non-event hours, for general public access/pedestrian circulation; and
- Visual public art element illuminated with light-emitting diode (LED) lighting on the exterior acoustic shell.

EMPS Enhancements (central and southeastern 7.13-acre portion)

- Reconfiguration of the approximate 78,316 square foot (1.8 acre) existing parking lot to add four parking spaces for a total of 132 parking spaces, landscaped medians, and 228 10-foot tall solar panels in the medians (solar panel installation shall occur by January 2030);
- Replacement of the four existing basketball courts (two full-sized courts that are divided into four half-sized courts) with new basketball court materials and equipment (e.g., court surface, hoops, etc.);
- Relocation of existing fitness equipment (relocated from the northwestern portion of EMPS – Bayside Performance Park). The equipment shall be relocated near the gazebo and basketball courts. If the equipment cannot be relocated, due to age or condition as determined by the Applicant's contractor and approved by the District, new fitness equipment shall be installed of similar type and quantity;
- Refurbishment of the existing public outdoor gazebo with similar materials as existing materials. The gazebo roofing, railing, and other materials would be investigated to determine whether they can be salvaged, refurbished, and reused. If materials cannot be salvaged, refurbished, or reused, as determined by the Applicant's contractor and approved by the District, the material shall be replaced; and
- Refurbishment of the existing public restrooms with new facilities (number of stalls shall be maintained) and new materials.

Other Components

- Installation of LED lighting to illuminate portions of the promenade and main access point to aid in nighttime wayfinding and create a safe nighttime environment. Existing park lighting including lighting on Marina Park Way shall be replaced with shielded, low correlated color temperature (2,700-3,000 Kelvins) LED lighting;
- Ornamental landscaping with a majority of "very low" water use plant species and some "low" or "moderate" water use species;

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- Removal of 116 trees and replanting of 55 trees in accordance with the District's Tenant Landscaping Improvements and Maintenance Standards (Board Policy No. 713);
- Installation of wayfinding, informational, and educational signage for the general public and attendees, including identification signage for the Bayside Performance Park;
- Modular wetland/storm water treatment and drainage system throughout the Bayside Performance Park and EMPS parking lot including curb inlets, vegetated landscape strips/swales, biofilters/media filters, and modular wetland systems. The Project shall utilize the existing drainage system to the Bay and no work within the water or the water embankment shall be allowed. The existing drainage system shall be outfitted with backflow devices to prevent flooding of the site during high tide;
- Sensored, low-flow water use fixtures;
- Passive cooling techniques to control the performance stage acoustic shell and enclosed structure temperatures and minimize energy consumption by utilizing natural ventilation and wind patterns through the structures, strategically placing shading, and use of dual glazing, green roofing, light colors, and reflective coatings;
- One electric vehicle charging station that services two "park visitor only" parking stalls located on the eastern portion of the parking lot; and
- Grading in the northwestern and southeastern portions of EMPS that includes cut and fill activities with a total graded material of approximately 6,000 cubic yards. All materials shall be balanced on-site.

STANDARD PROVISIONS

1. Permittee shall adhere to the current plans for the Project as approved by the District and the Project features, described above, for the Project.
2. Permittee shall notify the District of any changes in the Project and herein described. Notification shall be in writing and be delivered promptly to the District. District approval of the Project change may be required prior to implementation of any changes.
3. Permittee and the Project shall meet all applicable codes, statutes, ordinances and regulations, and Permittee shall obtain all necessary permits from local, regional, state, and federal agencies.

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4. Permittee shall conform to, and this Permit is subject to, the permit rules and regulations of the District, including, but not limited to, the District's Coastal Development Permit Regulations.
5. Permittee shall be responsible for compliance with ADA and Title 24 specifications.
6. Permittee shall commence development within two (2) years following the date of permit issuance by the District. Construction shall be pursued in a diligent manner and completed within a reasonable period of time.
7. The Permit is in no way intended to affect the rights and obligations heretofore existing under private agreements nor to affect the existing regulations of other public bodies.
8. This Permit shall not be valid unless two copies have been returned to the Development Services Department of the District, upon which copies the Permittee has signed a statement agreeing that the Permittee will abide by the terms, conditions, limitations, and provisions of the permit.
9. The Permittee and contractor shall perform all best management practices (BMPs) during construction and maintenance operations. This includes no pollutants in the discharges to storm drains or to Pacific Ocean, to the maximum extent practicable.
10. All District tidelands are regulated under Regional Water Quality Control Board Order No. R9-2013-0001, National Pollutant Discharge Elimination System (NPDES) Permit No. CAS0109226, Waste Discharge Requirements for Discharges of Urban Runoff from the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds Within the San Diego Region (Municipal Permit). The Municipal Permit prohibits any activities that could degrade stormwater quality.

The Permittee shall ensure that post-construction / operational use of this Project site complies with the Municipal Permit and District direction related to permitted activities including the requirements found in the District's Jurisdictional Runoff Management Program (JRMP). The JRMP is available on the District website: <https://www.portofsandiego.org/environment/clean-water> or by contacting the Stormwater Department, (619) 686-6254.

11. This Project may be subject to the District post-construction BMP requirements. If so, approval of the Project by the District is necessarily conditioned upon submission by the Permittee of a specific Stormwater Quality Management Plan (SWQMP) for the Project that meets District requirements and is compliant with the District BMP Design Manual (JRMP Appendix D). The Permittee shall implement all post-construction structural and non-structural BMPs throughout the life of the Project.

The implementation and maintenance of the post-construction BMPs constitute regulatory obligations for the Permittee, and failure to comply with the Municipal Permit, the JRMP, or the District approved SWQMP, including the specific BMPs

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contained therein, may be considered a violation of the permit and a violation of District Code.

12. In the discretion of the District, prior to commencement of construction, Permittee may be required to require that their contractor(s) furnish security, naming the District as a dual obligee, in the form of a performance bond and a payment bond, each in an amount deemed appropriate by the District to guarantee payment of the subcontractors, completion of the approved work under this permit, and compliance with the conditions and limitations upon which such permit is granted. Prior to commencement of construction, Permittee may also be required by the District to furnish security in the form of a payment bond in an amount deemed appropriate by the District to guarantee payment to the contractor(s) for work performed under this permit.
13. By accepting this Permit, Permittee acknowledges and agrees (a) that the Project site may be subject to environmental conditions and hazards; (b) to assume the risks to the Permittee of injury and damage from such conditions in connection with the implementation or operations of the Project; (c) to unconditionally waive any claim of damage or liability against the District, its Board of Port Commissioners, officers, agents and employees ("District" for purposes of this condition) for injury or damage from such conditions to persons performing the development for which this permit is issued or operating on the Project site under this permit; (d) to defend, indemnify and hold harmless, and require that Permittee's contractor(s) engaged to perform the development on the Project defend, indemnify and hold harmless, the District from any claim, demand, liability, loss, action, administrative agency appeal, damage, cost, expense (including all attorneys' fees and consultant/expert fees), award, fine, penalty or judgment (collectively, Claims) arising out of, resulting from, or in any way related to the performance of the development by Permittee's contractor(s) for which this permit is issued, with the exception of any claim, action, damages, liability or costs arising or resulting from the project caused by the gross negligence or willful misconduct of the District; (e) to defend, indemnify and hold harmless the District from any Claims arising out of, resulting from, or in any way related to Permittees operation of the Project site with the exception of any claim, action, damages, liability or costs arising or resulting from the project caused by the gross negligence or willful misconduct of the District; (f) to defend, indemnify and hold harmless the District from any Claims arising out of, resulting from, or in any way related to the District's approval of the Project and the granting of this permit; and (g) that Permittee will require Permittee's contractors to name the District as an additional insured on all policies of insurance, now in existence or to be obtained by them, for the work conducted pursuant to this permit.
14. Permittee acknowledges and agrees that: (a) it is the sole and exclusive responsibility of Permittee, and not the District, to ensure that all persons and/or entities who provide any labor, services and/or equipment in connection with the project, shall comply with the requirements of California's prevailing wage laws (the "PWL"), to the extent such laws are applicable; and (b) it is the sole and exclusive

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responsibility of Permittee, and not the District, to determine whether the Project is subject to the PWL by obtaining a determination by means that do not involve the District. If the Project is determined to be subject to the PWL, Permittee shall comply with all applicable provisions of the PWL, and shall take reasonable steps to ensure that all persons and/or entities who provide any labor, services, equipment and/or materials in connection with the Project shall likewise comply with all applicable provisions of the PWL.

Permittee further acknowledges and agrees that Permittee's failure to comply with all applicable provisions of the PWL, and/or their failure to take reasonable steps to ensure that all persons and/or entities who provide any labor, services, equipment and/or materials in connection with the Project comply with all applicable provisions of the PWL, shall render Permittee, and not the District, liable for all remedies (inclusive of all applicable fines and penalties), afforded by law as a consequence of such non-compliance. Permittee expressly agrees to defend, indemnify and hold harmless the District, from any claim, demand, liability, loss, action, damage, cost, expense (including all attorneys' fees and consultant/expert fees), award, fine, penalty or judgment arising out of, resulting from, or in any way related to the PWL (collectively "PWL Claim") made against or incurred by the District in any capacity (including, without limitation, as a real party in interest), except for any PWL Claim arising out of the sole negligence or willful misconduct of the District.

15. The conditions of this Permit are independent of, and in addition to, the obligations of the Permittee under any existing lease(s), Tidelands Use and Occupancy Permit(s), or other contractual agreement(s) with the District, and are binding upon Permittee and its agents, representatives, successors and permitted assigns.

SHORT TERM CONSTRUCTION MEASURES

1. To minimize noise during construction, the Permittee will require the construction contractor to (a) restrict normal construction activities from 7:00 am to 7:00 pm; (b) keep construction equipment as far as possible from sensitive receptors; and (c) provide acoustical shielding around equipment operating at night, from 10:00 pm to 7:00 am.
2. To minimize nuisance effects from lights or glare during construction, the Permittee will require the construction contractor to shield and direct night lighting away from adjacent areas.
3. All construction equipment shall be maintained in peak condition to reduce operational emissions.
4. Diesel equipment shall use low-sulfur diesel fuel.
5. Electric equipment shall be used to the maximum extent feasible during construction.

6. The Permittee shall require the construction contractor to provide construction employees with transit and ride share information.
7. The Permittee shall ensure that any site contamination is identified and a site restoration plan, acceptable to the appropriate regulatory agencies, is prepared and implemented to reduce any existing contamination to a level that has no potential to threaten employee or human health as defined under existing regulations. If any potential exists for impacts to employee health from exposure to hazardous materials, workers shall be provided with adequate protective gear.
8. The Permittee shall require all employees that are exposed to noise levels in excess of Occupational Safety and Health Administration hearing protection thresholds, during construction or operation, to wear noise protection devices (ear plugs and covers) that are protective of individual hearing.
9. Permittee and/or contractor shall comply with State Water Resources Control Board Order No. 2009-0009-DWQ (NPDES General Permit No. CAS000002), and Waste Discharge Requirements for Discharges of Storm Water Runoff Associated with Construction Activity (commonly known as the "Construction General Permit"), as adopted, amended, and/or modified. Construction activity subject to the Construction General Permit requires development and implementation of a Storm Water Pollution Prevention Plan (SWPPP). The Permittee and/or contractor are responsible for submitting to the District a SWPPP that is compliant with the Construction General Permit and District required minimum BMPs. The District requires the use of District SWPPP templates. Once approved, the SWPPP document shall be maintained on the construction site at all times and made available for review by the District or other regulatory agencies.

The Permittee and/or contractor is responsible for ensuring that the SWPPP document is maintained on the site, implemented, and amended as required throughout construction. No discharges of any material or waste, including potable water, wash water, dust, soil, trash, and debris, may contaminate stormwater or enter the stormwater conveyance system. Any such material that inadvertently contaminates stormwater or enters the stormwater conveyance system as part of site operations shall be removed immediately. All unauthorized discharges to the stormwater conveyance system or the Bay or the ocean shall be reported immediately to the District Stormwater Department, in order to address any regulatory permit requirements regarding spill notifications.

A project's total disturbed soil area (DSA) shall not exceed 5 acres during the rainy season (October 1 - April 30) and 17 acres during the non-rainy season (May 1 - September 30). The District may temporarily increase these limits if the individual site is in compliance with applicable stormwater regulations and the site has adequate control practices implemented to prevent stormwater pollution, including an erosion control mobilization plan. The erosion control mobilization plan is subject to post-construction BMP requirements.

SPECIAL PROVISIONS

1. Permittee shall adhere strictly to with the Project Description under the above “DEVELOPMENT” section of this permit, including Programming. Permittee shall comply with the Port Master Plan and South Embarcadero Public Access Plan (Attachment, as amended).
2. Unrestricted public access through and within the Bayside Performance Park (“Premises”) shall be maintained no less than 85 percent of each year. Paid admission and rental events (“events”) within the Premises shall not exceed 15 percent per year (equivalent to 110 half-day events or 55 full-day events based on standard District Park operating hours listed in District Port Code Section 8.02(b)(7) – 2018 park hours are 6:00 a.m. to 10:30 p.m. daily with exception that, subject to the approval of the District’s Executive Director, events may extend up to one additional hour past the 10:30 p.m. closing. The 15 percent event limitation shall include and associated event set-up/take-down that results in closure of the Premises (restricted public access) for a duration longer than the half or full day(s) associated with event operation.
3. Permittee shall maintain unrestricted public access through and within the Premises during all non-event hours with exception to the stage, back-of-house facilities, box office, and two pavilions. The inaccessible areas shall not exceed a combined footprint of 15,090 square feet (0.34 acre). Public access to the bay viewing deck and steps shall be provided during non-event hours.
4. Permittee shall not prohibit public access to or along the 12-foot-wide public promenade around the perimeter of the Premises, including during all events held within the Premises and during non-event hours.
5. Permittee shall not prohibit public access to the Embarcadero Marina Park Pier, including during all events held within the Premises and during non-event hours.
6. Permittee shall not prohibit public access to any portion of EMPS outside of the Premises.
7. Permittee shall provide and make available no less than four gender-neutral restrooms within the Premises available to the general public during non-event hours.
8. Rehearsals on the Premises shall comply with the following programming requirements:
 - a. Each of the 55 full-day or 110 half-day events shall be allowed one rehearsal on the day of the event, plus up to 1.5 additional rehearsal days per event on non-event days.
 - b. Event day rehearsals shall occur within the hours of 9:00 a.m. and 4:00 p.m. and would be performed at a maximum sound board noise level limit of 99 dB(A).

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- c. Non-event day rehearsals shall occur within the hours of 9:00 a.m. and 4:00 p.m., shall be performed at a maximum noise level of 94 dB(A), and shall be limited to a maximum duration of 3 hours.
 - d. Non-event evening rehearsals shall occur between 7:00 p.m. and 10:00 p.m., shall be performed at a maximum sound board noise level limit of 94 dB(A), and shall be limited to no more than 30 times per year.
 - e. All rehearsals shall be free-of-charge to the general public, and public access to the Premises shall not be restricted during rehearsals.
9. Of the 55 full-day events (or 110 half-day events), the District is entitled to reserve up to five full-day (or 10 half-day) events per year as District events. Of these five reserved full days, two full-day (or four half-day) events would be reserved within the peak period and three full-day (or six half-day) events within the non-peak period. For the purpose of this permit, “peak period” is the summer months (Memorial Day weekend through Labor Day weekend) including weekdays and weekends. “Non-peak period” is the remaining months post-Labor Day weekend to pre-Memorial Day weekend.
10. During the peak period, no more than three consecutive full-day events shall occur. A minimum of one full-day will be required where the site is open to the general public immediately after the three-consecutive full-day events.
11. Up to four public events made free of charge to the general public shall be provided each year within the site. Of these four free events, a minimum of two would be required during the peak period. Note that these events shall not be counted within the 15% annual limitation as they would not require admission for entry or constitute a rental use for non-public use.
12. No more than six events of 8,000 to 10,000 seats shall occur each year. Occupancy within the Premises shall not exceed 10,000 guests per event.
13. Permittee shall expand on its current Education and Public Engagement Program by offering activities including but not limited to the following:
- a. Free public concerts and performances;
 - b. San Diego Unified School District and National City School District student workshops; Science, Technology, Engineering, Art and Mathematics (STEAM) Education Workshops;
 - c. Public music lessons;
 - d. Public movies in the park;
 - e. Lunchtime enrichment lectures;
 - f. City-wide celebrations, such as Dia de los Muertos, Veterans and Memorial Day celebrations, and diverse cultural festivals; and
 - g. Discounted ticket program for paid admission events.
14. Permittee shall provide low-cost visitor serving opportunities as part of the annual operation of the Premises, as feasible, including but not limited to reduced admission

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pricing events/activities offered free-of-charge to the general public including rehearsals, concerts, community events, and public educational programming.

15. During events, Permittee may utilize up to 56 parking spaces within EMPS. The remaining 76 parking spaces (72 existing and 4 new stalls constructed by Permittee) shall remain open for use by the general public (park and pier users) at all times. Permittee shall make the 56 parking spaces available to the general public within three hours before or after an event. No parking space may be reserved or blocked from general public use by the Permittee and/or sub-tenants on days when no events, performances, or rehearsals are occurring. Permittee shall enforce this provision through use of an attendant in place no less than three hours prior to an event and remain until 30 minutes after the event begins.
16. During non-event day rehearsals, all rehearsal staff and musicians/performers shall be required to park off-site to ensure the entire EMPS parking lot is available for use by the general public consistent with the provisions of this permit.
17. Prior to the issuance of a Certificate of Occupancy, Permittee shall submit a Public Access Plan in a form acceptable by the District demonstrating conformance to the conditions of this permit. The Plan shall depict the location of all public access improvements on the Premises and public access areas during event and non-event hours consistent with the Port Master Plan and South Embarcadero Public Access Plan. Permittee shall submit an annual update to the Plan to the District each year prior to January 1. The annual update shall demonstrate to the satisfaction of the District that adequate public access will be provided for the upcoming year.
18. Prior to the issuance of a Certificate of Occupancy, Permittee shall submit a Public Access Signage Plan in a form acceptable by the District demonstrating conformance to the public access provisions in this permit. The Plan shall depict the locations of all public access signage on EMPS, the size/dimensions of each applicable sign, and information as described below. The size of each sign and the associated sign text shall be large enough to be clearly visible and shall be placed in conspicuous locations for the general public, including at the entrance to EMPS and the box office. Collectively, at minimum signage shall provide the following information: 1) provide adequate public wayfinding through EMPS including the Bayside Performance Park; 2) describe the use of the Bayside Performance Park as a public park consistent with the provisions herein; 3) describe availability of the public promenade, benches, and other publicly accessible areas in/around the Bayside Performance Park; 4) indicate the availability of the Bayside Performance Park to the general public (including during non-event times, rehearsals, and free programming); 5) provide ongoing event scheduling times (to the best of the Permittee's knowledge) when the Bayside Performance Park would be closed in whole or in part to the general public; and 6) provide general information to the public including contact information to a representative of Permittee for any public inquiries regarding use and/or events and a website associated with the Permittee's operation at EMPS.

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19. Seating and tables provided on the site shall be temporary/removeable and no permanent seating or tables shall be installed. Different seating configurations can be utilized based on the type and size of programming, including those involving paid admission (e.g., concerts), rentals (e.g., private function), or provided free-of-charge to the general public (e.g., rehearsals, free concerts, community events, and festivals). Seating and tables for guests viewing a performance shall be set up according to the anticipated programming capacity and/or re-arranged immediately prior to any such events and would be removed and placed within the performance stage structure for storage during extend periods of time when no events are scheduled. This requirement does not apply to a small number of tables and chairs set up around the pavilions. For purposes of this Permit, an “extended period of time” is considered more than 5 days where no event(s) are scheduled. All lawns, including seating and tables temporarily left in place, shall be available for use by the general public when the site is open for 85% of the year.

During the term of this Permit, Permittee shall submit annual report(s) to the District reporting the number of non-event days the site is occupied by seats and/or tables. The report shall be submitted on January 31st for the preceding year. Starting in year seven of the Permittee’s operation of the Project, if the number of non-event days the site is occupied by seats and/or tables exceeds an average of 75 full days (based on the preceding six (6) years of reporting) and if based on a third-party report, the public is not accessing the Project site during non-event hours while the seats and tables occupy the site as a result thereof, then the District and Permittee shall discuss in good faith reducing the number of days that constitute an “extended period of time” or putting other measures in place to encourage the public to use the Project site during non-event hours; provided, however, the District may, in its sole and absolute discretion and after good faith discussions with Permittee, reduce the number of days that constitute an “extended period of time”, but in no event shall the District reduce the days to less than 3 days where no event(s) are scheduled unless agreed to by Permittee in writing. An amendment to this Permit shall not be required to reduce the number of days that constitute an “extended period of time” or to implement other measures to encourage the public to use the Project site during non-event hours.

20. Prior to the commencement of grading or construction activities, Permittee shall submit a Fencing Plan in a form acceptable by the District demonstrating conformance to the conditions of this permit, public access and visual resources.
21. Consistent with the District’s Special Event Procedures and Guidelines, any temporary special event held within EMPS (on or off the Premises) and not covered by the Real Estate Operating Agreement must obtain a District Special Event Permit.
22. Fireworks displays shall be limited to no more than 20 events per year between the months of June and September (prohibited on July 4), limited to 95 pounds or less of fireworks per event, and no more than one barge per event. Annual pounds of fireworks shall not exceed 1,498 pounds.

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23. Permittee shall install public access wayfinding and public educational signage throughout EMPS.
24. Maximum height of the stage structure shall not exceed 57 feet above finished grade.
25. Prior to the commencement of grading or construction activities on the Premises, Permittee shall replace the loss of the permanent use of existing parkland within EMPS resulting from the project on a 1:1 basis by paying to the District a financial contribution in the amount of \$256,000.00 (consistent with LUP-1 in the Mitigation Monitoring and Reporting Program described in Condition 37) in order to acquire and/or create approximately 15,090 square feet (0.35 acre) of land for recreation purposes and to improve it to improved park/plaza space consistent with the Park/Plaza designation in the Port Master Plan. The improved park/plaza space will include mostly green space with trees, pathway, ancillary components such as benches and trash cans, and limited hardscape. Priority of the expenditure shall first be toward Pepper Park for the acquisition and/or the creation of new park/plaza space adjacent to Pepper Park as part of a future expansion; and second toward the acquisition and/or the creation of new park/plaza space adjacent to another park within District Tidelands as part of a future expansion.
26. Prior to issuance of a Certificate of Occupancy, Permittee shall provide to the District a written agreement with the Special Events Unit of the San Diego Police Department that states the proposed pedestrian control plan, and the Permittee's use of security personnel to control pedestrian traffic crossings in the vicinity, is adequate to protect the public from automobile traffic.
27. Prior to issuance of a Certificate of Occupancy, Permittee shall provide to the District written agreements with off-site parking lot operators and/or shuttle operators that adequate parking and/or shuttle service is available pursuant to the provision of this permit and MM TRA-2.
28. Permittee shall provide security persons to maintain an orderly flow of pedestrian/vehicular traffic in inbound travel lane(s) until pedestrian traffic has been reduced to a level that pedestrian traffic can utilize existing sidewalk facilities. Security persons shall be in place no less than 30 minutes following each event.
29. Permittee shall provide an annual traffic/pedestrian report in an acceptable form to the District each year prior to January 1. The report shall summarize the preceding and projected event attendance figures, mitigation measures implemented/to be implemented, the traffic/pedestrian movements experiences, and any associated problems observed or encountered during the events and/or anticipated for the upcoming year, and recommendations regarding any additional measures deemed necessary for ongoing implementation.
30. Permittee shall provide an annual programming report in an acceptable form to the District each year prior to January 1. The report shall provide a complete list of all

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events held in the preceding and projected year. The report shall include but is not limited to the following: dates and times for each event; setup/takedown for each event; summary of events held; tabulation of events held in compliance with the permit requirements for use of the Premises (i.e., 15 percent of the year and programming types permitted); names of event promoters and event groups (e.g., musical group, performer, etc.), number of tickets issued/sold for each event, and dates on which the Public Art Lighting was utilized.

31. Permittee is responsible for compliance with all laws and regulations associated with the activities on or in connection with use of the Premises, and in all authorized uses thereof, including those regulating stormwater, sanitation, fireworks, and hazardous materials.
32. Lighting displays on the exterior shell shall be limited to public art displays and not used for advertisements. Lighting shall be located and projected behind material so as not result in a direct, exposed source of light to the elements.
33. The lighting design shall be modified to comply with the following requirements:
 - a. The Correlated Color Temperature (CCT) of all light sources shall be changed to 2700K to the extent possible. When not possible, light sources shall be 3000K. In no case shall white light sources have a higher CCT than 3000K unless used strictly for production lighting.
 - b. The Color Rendering Index (CRI) of all light sources shall be maximized to the extent possible. Standard low CRI (<80) lighting may be used for street and utility lighting.
 - c. Deep "snoot" shields to reduce fixture brightness shall be added to all production lighting not enclosed by the shell.
 - d. Shell backlighting shall be limited during Non-Performance and Security conditions to short wavelength (580 nm or shorter) light. Saturated colors including violet, blue, cyan, green, and their mixtures shall be allowed.
 - e. Brightness of shell backlighting shall be adjusted after installation such that the brightness (luminance) of the shell lighting shall not exceed that of 10 cd/m² during events and Art Lighting settings, 3 cd/m² during Non-Performance periods, and 0.1 cd/m² during Security periods.
 - f. External shielding shall be added to all currently-installed LED walkway and roadway luminaires where they are to remain.
 - g. Existing roadway lighting shall be replaced with 2700K or 3000K roadway lights with appropriate distribution and shielding.
34. With exception to event nights, all Non-Performance and/or Public Art lighting of the shell shall not occur past 10:30 p.m. nightly. After 10:30 p.m., shell lighting shall be solely limited to Security lighting consistent with the provisions herein.
35. Public Art lighting displayed on the shell shall not occur more than 50 percent of the nights during each avian migratory period (defined as September 1 – November 7; and March 24 – May 31).

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36. With exception to periods of time where Event Lighting is utilized, lighting displayed on the shell shall be limited to short wavelength (580 nanometers or shorter) light during each avian migratory period (defined as September 1 – November 7; and March 24 – May 31).
37. Permitted hours for box office use shall be 9:00 a.m. to 6:00 p.m. on non-event days and between 9:00 a.m. to 9:00 p.m. on event days.
38. Operation of the two pavilions may be open on non-event and event days during standard District park hours.
39. Permittee shall retain a full-time, daily security guard to monitor the Premises and surrounds. Surveillance cameras are permissible for installation within the Premises and shall be coordinated with the District's Harbor Police Department.
40. Issuance of this permit shall occur upon Permittee's payment of applicable Cost Recovery fees per Board Policy No. 106 – Cost Recovery User Fee Policy or waived.
41. Subject to an amendment to this Permit, structures within the Bayside Performance Park may incorporate future adaptive features to accommodate current and future coastal hazards. However, new shoreline armoring that is constructed for the purpose of protecting the development authorized by this permit shall not be permitted. As a condition of coastal permit approval for new development in an area subject to current or future hazards, applicants shall be required to acknowledge and agree that they have no rights under Coastal Act 30235 to shoreline armoring in the future. Additionally, should flooding occur to the point that renders the structures and/or access to the structures for essential services no longer useable and/or a threat to human life or safety, structures would be removed at the sole cost of the Bayside Performance Park permittee.

A sea level rise analysis conducted for the Bayside Performance Park identified that the development may be subject to flooding near the end of its useful life. Further, because the Bayside Performance Park is new development, shoreline protection that is constructed for the purpose of protecting it, is prohibited. However, if shoreline protection is needed to protect adjacent existing or coastal-dependent development, and such protection would incidentally protect the Bayside Performance Park, such protection may be allowed, if it is otherwise consistent with the PMP. The development related to the Bayside Performance Park must be removed or relocated in the future if: (1) any government agency with relevant authority and jurisdiction has ordered that the structures are not to be occupied, or that they be removed, due to hazards; (2) essential services to the site can no longer feasibly be maintained (e.g., utilities, roads); or (3) the development requires new and/or augmented shoreline protective devices that conflict with PMP or relevant Coastal Act policies.

42. The Contractor responsible for implementing the Port approved Stormwater Pollution Prevention Plan (SWPPP) shall develop a Rain Event Action Plan (REAP) within 48 hours prior to a rain event. The REAP shall be developed by a Qualified SWPPP Practitioner when there is a 50% chance or greater that a forecast rain event will produce precipitation, as indicated by NOAA. REAP requirements are found in Attachment D of the State Water Resources Control Board's Adopted Order 2009-0009-DWQ (As amended by 2010-0014-DWQ and 2012-0006-DWQ), also known as the California Construction General Permit.
43. The Contractor responsible for SWPPP implementation shall not use any temporary erosion control products that contain plastic netting. This would include rolled erosion control products, such as erosion control blankets, that have plastic mesh as part of the design.
44. Permittee shall comply with all applicable mitigation measures (MM) in the Mitigation Monitoring and Reporting Program requirements as described in the Bayside Performance Park Enhancement Project and Port Master Plan Amendment Final Environmental Impact Report (UPD #EIR-2016-176, SCH #2016121003, District Clerk Document No. 67698), dated January 2018, and adopted by Resolution No. 2018-019 on January 9, 2018. The applicable mitigation measures are included as Special Provisions of this permit, below.
45. Landscape Plan (MM AES-1)

Prior to the removal of any existing trees, Permittee shall prepare and submit to the District for approval a landscape plan for the project site that details landscaping to be installed immediately following construction of the project and prior to reopening of EMPS. The landscape plan shall be consistent with the District's Permittee Landscaping Improvements and Maintenance standards (BPC Policy No. 713) and the District's Landscape Development Manual Guidelines (Attachment A to BPC Policy No. 713) and shall meet the following requirements:

- a. Species name, age/size at time of planting, and proposed locations of all landscaping shall be specified in the plan;
- b. All large landscaped areas shall have a minimum of three varieties of ground cover and a minimum of 25 percent of the total planting area shall be in shrubs;
- c. Shrubs planted shall be no smaller than 5-gallon containers at the time of planting, and 25 percent of shrubs planted shall be of flowering variety;
- d. Trees shall meet the following minimum requirements:
 - i. A minimum of one medium tree and two large trees shall be planted per every 5,000 square feet within the parking area, and a minimum of one medium tree and one large tree shall be installed for every 5,000 square feet of the remaining area of EMPS;
 - ii. Medium trees are defined as 30 to 50 feet in height and large trees are defined as 50 feet or taller; and
 - iii. The minimum tree size for all trees shall be 15 gallons at the time of planting.

- e. Species shall be chosen from those listed under the Plant Palette section of the District's Landscape Development Manual Guidelines and shall be very low- to moderate water use species, with the very low-water use species used to the highest extent feasible; and
- f. No species identified on the District's invasive plant species list shall be utilized. Permittee shall receive District approval of the landscape plan prior to installation of landscaping. Landscaping within the Premises shall be maintained by the Permittee throughout the duration of the Real Estate Agreement with the District. Landscaping installed outside of the Premises within the remaining area of the EMPS shall be initially maintained by the Permittee for a period of five years, or until deemed successful by the District. Initial maintenance shall include immediate replacement of any dead or dying trees and shrubs.

46. Nesting Birds (Species Covered by MBTA/CFGC) (MM BIO-1)

If project-related construction activities are initiated or tree removal occurs within the avian nesting season (February 15 to September 15), a qualified biologist shall conduct a preconstruction nesting bird survey within suitable habitat in proximity of the project construction activities. The survey shall be conducted no more than 72 hours prior to commencement of construction or tree removal activities. The survey results will determine any necessary subsequent action, as follows:

- a. If an active nest is located, a qualified biologist will assign an appropriate no-impact buffer around the active nest. No construction activities shall occur within this buffer. The buffer distance and restrictions will depend on the bird species and site specific conditions.
- b. A qualified biologist shall monitor the nest daily until project activities are no longer occurring adjacent to the identified buffer zone around the nest or until the nest is no longer active. The qualified biologist will monitor bird behavior to verify the buffer is sufficient.
 - i. Observations made by the biologist shall be documented in a nesting bird monitoring report each day that monitoring occurs. The reports shall identify the nest location, bird species, buffer, construction activities conducted in the vicinity of the buffer, and bird behavior observed. Nesting bird monitoring reports shall be submitted to the District on a weekly basis during construction activities adjacent to the identified buffer until the nest is no longer active.
 - ii. If the monitoring biologist determines that the buffer implemented is not effective, the biologist will recommend additional measures (e.g. increased buffer width, noise or visual barriers, work intervals, halting construction activities, or allowing only specific work types). Recommendations will depend on the bird species and site-specific conditions and will be documented in the nesting bird monitoring reports.
- c. Permittee or its construction contractor shall implement the additional measures recommended by the biologist. The biologist shall confirm the

additional measures are appropriately implemented and document compliance in the nesting bird monitoring reports.

- d. District biologist shall visit the site periodically, as needed, to ensure nesting bird monitoring is being conducted according to this measure. If no active nests are found during the pre-construction nesting bird survey, construction shall be allowed to proceed. The biologist will document the findings in a nesting bird compliance memo to be submitted to the Permittee and the District .

47. Litter Deterrence Strategies (MM BIO-2)

Permittee shall install wildlife-proof waste and recycling receptacles throughout EMPS, including within the Premises, at strategic locations to deter littering. These locations shall include, but are not limited to: key EMPS access points along the public promenade; adjacent to the Embarcadero Marina Park Fishing Pier, bait shop and deli; gazebo/basketball court area; near the back-of-stage deck; at the sub-grade restrooms within the elevated event lawn; and at key access ways throughout the Premises. The wildlife-proof waste and recycling receptacles would be designed to prevent birds and other animals from removing and dispersing waste. Additionally, “no littering” signage shall be installed at strategic locations throughout EMPS and may be co-located with the waste and recycling receptacles. The locations of waste and recycling receptacles and signage shall be approved by the District prior to installation. All litter shall be removed from the Premises immediately following events. All cleanup activities, including emptying of waste and recycling receptacles for appropriate disposal, must be completed directly following events, on the same night of the event, and prior to reopening the Premises for public access.

48. Limitations on Lighting (MM BIO-3)

Permittee shall design and operate security, event, and public art lighting in accordance with the following limitations:

Security Lighting

All security lighting used throughout the project site from 10:30 p.m. to dawn shall be directed downward and/or shielded and of low intensity and shall be compliant with the City of San Diego outdoor lighting ordinance (City of San Diego Ordinance Number 20186) and with the lighting plans titled “Bayside Performance Park Enhancement Project”, dated October 1, 2018 and received by email on October 5, 2018.

Event Lighting

All event lighting used throughout the project site shall be directed downward and/or shielded and shall be compliant with the City of San Diego outdoor lighting ordinance (City of San Diego Ordinance Number 20186) and with the lighting plans titled “Bayside Performance Park Enhancement Project”, dated October 1, 2018 and received by email on October 5, 2018. The use of event lighting shall be limited to the number of Permittee performances and event rentals allowed each year (e.g., maximum of 110 nights annually). All event lighting must be shut off by 11:00p.m.

Non-Performance Lighting

All non-performance lighting used throughout the project site shall be directed downward and/or shielded and shall be compliant with the City of San Diego outdoor lighting ordinance (City of San Diego Ordinance Number 20186) and with the lighting plans titled "Bayside Performance Park Enhancement Project", dated October 1, 2018 and received by email on October 5, 2018. The use of nonperformance lighting shall be at all times between dusk and 10:30 p.m. when no events are being held. Non-performance lighting shall be less intense than event lighting, but more intense than security lighting. All non-performance lighting must be shut off by 10:30 p.m.

Public Art Lighting

Lighting utilized for the LED art installation shall not be projected into surrounding areas and shall be designed to minimize light trespass and sky glow to the highest extent feasible. The public art installation would not be utilized for advertising or signage purposes as it is intended to be a public art display. The District's Office of Arts and Culture shall approve of the public art design prior to its installation and display. The display shall last only for periods of approximately 5 to 10 minutes at a time, at a minimum interval of every 30 minutes, with multiple displays possible each evening. The LED art displays must end by 10:30 p.m.

49. Geotechnical and Fault Rupture Investigation (MM GEO-1)

Prior to obtaining grading and building permits, a qualified geotechnical consultant (e.g., Professional Engineer, Geotechnical Engineer, Professional Geologist, or Certified Engineering Geologist) shall conduct a formal geotechnical and fault rupture investigation in accordance with the City of San Diego's standards for geotechnical reports (City of San Diego Municipal Code Section 145.1803). All recommendations identified in the geotechnical investigation report shall be incorporated into the final project design. Evidence of incorporation of geotechnical recommendations shall be provided to the District prior to commencement of construction.

50. Subsidized Mass Transit Requirements (MM GHG-1)

Permittee shall provide subsidies for local mass transit. Prior to ticket sale for any event or set of events, Permittee shall provide transit rebates for event attendees and event employees, including but not limited to musicians, support staff, and volunteers, that arrive via transit providers with which Permittee has not entered into an agreement. Attendees may be required to present a proof of transit ridership (i.e., transit receipt, ticket, or stub) to receive the transit rebate. The amount of available transit rebate available to each attendee shall be equivalent to the cost of a Day Pass on Metropolitan Transit System busses and trolleys (\$5.00 in 2018).

Alternatively, Permittee may enter into an agreement with one or more of the following transit providers to provide transit at reduced or no fee to the event attendees and event employees, including but not limited to musicians, support staff, and volunteers:

local bus lines (local bus lines operated by San Diego Metropolitan Transit System [SDMTS]), the ferry (Fifth Avenue Ferry Landing operated by Flagship Cruises and Events), the trolley (Gaslamp Quarter Station is operated by SDMTS), and the COASTER commuter train (COASTER is operated by North County Transit District). Transit subsidies need not be separate vouchers and may be associated with event tickets. Permittee shall disclose the available subsidy to the attendee at the time of ticket purchase and shall inform attendees of the availability of the subsidy through pedestrian traffic management measures such as signs, cordons, announcements, and other measures at each event. The amount of available transit subsidy available to each attendee shall be valued at least \$5.00 (2018 price).

Enforcement

Prior to commencement of operations at on the Premises, Permittee shall submit a Transit Subsidy Plan to the District. The Transit Subsidy Plan shall demonstrate to the satisfaction of the District that transit subsidies and rebates will be provided to event attendees and event employees. The Transit Subsidy Plan shall include a copy of any agreements with transit providers, shall identify the procedure by which transit rebates will be distributed, and other relevant materials such as sample informational items for disclosing transit subsidies to attendees. Permittee shall submit an annual update to the Transit Subsidy Plan to the District each year prior to January 1. The annual update shall demonstrate to the satisfaction of the District that transit subsidies will be provided for the upcoming year. The District must be notified of all changes to transit subsidies prior to ticket sales, if possible.

51. LED Lighting (MM GHG-2)

Prior to commencement of operations, Permittee shall install light-emitting diode (LED) light bulbs in all fixtures throughout EMPS.

Enforcement

Prior to commencement of operations, Permittee shall demonstrate to the satisfaction of the District that the required light fixtures are equipped with LED light bulbs.

52. Solar Photovoltaic Panels (MM GHG-3)

Prior to January 1, 2030, Permittee shall install solar photovoltaic (PV) systems capable of a total generation equivalent to the forecasted electricity demand, 187,691 kWh per year.

Enforcement

Prior to January 1, 2030, Permittee shall demonstrate to the satisfaction of the District that the required solar PV panels have been installed and are in operation as required above.

53. High-Efficiency Water Heater (MM GHG-4)

Prior to commencement of operations at the Premises, Permittee shall install instantaneous (a.k.a. “tankless”) water heater(s) that meet U.S. EPA Energy Star criteria. Tankless water heaters shall meet all water heating demands of the proposed performance and event venue including, but not limited to, the performance back-of-house facilities and subgrade restrooms.

Enforcement

Prior to commencement of operations at the Premises, Permittee shall demonstrate to the satisfaction of the District that the required tankless water heaters have been installed and meet U.S. EPA Energy Star criteria.

54. All-Electric Landscaping Equipment (MM GHG-5)

Permittee shall require through contract specifications that all landscaping within the Premises shall be maintained using all-electric equipment.

Enforcement

Prior to January 1, 2030, Permittee shall demonstrate to the satisfaction of the District that landscaping maintenance agreements specify the use of all-electric landscaping equipment.

55. Low Flow Water Fixtures (MM GHG-6)

Prior to commencement of operations at the Premises, Permittee shall install low-flow water fixtures in the project. Low-flow water fixtures shall include toilets that use less than 1.28 gallons per flush, urinals that use less than 0.5 gallon per flush, bathroom sinks that use less than 1.5 gallons per minute, showerheads that use less than 2.0 gallons per minute, kitchen sinks that include pre-rinse spray valves, and irrigation systems that are connected to weather sensors.

Enforcement

Prior to commencement of operations at the Premises, Permittee shall demonstrate to the satisfaction of the District that the low-flow water fixtures required above have been installed.

56. Drought-Tolerant Landscaping (MM GHG-7)

Prior to the removal of any existing trees, Permittee shall prepare and submit to the District for approval a landscape plan for the project site that details landscaping to be installed immediately following construction of the project and prior to reopening of EMPS. All landscaping shall use very low- to moderate-water use species, with the very low-water use species used to the highest extent feasible. Landscaping shall comply with District’s Permittee Landscaping Improvements and Maintenance standards (BPC Policy No. 713) and the District’s Landscape Development Manual Guidelines (Appendix A to BPC Policy No. 713) and shall exclude any species on the District’s invasive plant species list.

Enforcement

Prior to commencement of operations at the Premises, Permittee shall demonstrate to the satisfaction of the District that all landscaping within the Premises consists of drought tolerant plants.

57. Increased Recycling (MM GHG-8)

Permittee shall implement a solid waste recycling program at every event. The program shall include arrangement of recycling hauling services at regular intervals, recycling collection bins adjacent to all waste collection bins, signs that encourage recycling adjacent to recycling collection bins, and diversion of all green waste generated by landscaping activities. The interval for recycling hauling services shall be weekly or more frequently if necessitated by limited recycling storage. Recycling collection bins shall be emptied by designated staff members when full; staff members shall not wait until after the conclusion of events to empty full recycle collection bins.

The solid waste recycling program shall achieve a 50 percent diversion of all solid waste generated on-site. Permittee shall expand the solid waste recycling measures to achieve this goal as necessary. Expansion may include, but is not limited to, selection of saleable items that include recycled materials or increased recycling collection bin signage.

Enforcement

Each year of operation, prior to January 31, Permittee shall submit to the District a description of the recycling program and documentation of contracted solid waste disposal and recycling services. The documentation shall include the weight (tons) or volume (cubic yards) of all solid waste collected by disposal and recycling collection services.

58. Tier IV Final CARB-Certified Construction Equipment (MM GHG-9)

All heavy-duty diesel-powered demolition, grading, and construction equipment shall be a minimum of Tier IV Final California Air Resources Board (CARB) certified.

Enforcement

Prior to issuance of grading permits, Permittee shall demonstrate to the satisfaction of the District that all contracting agreements for construction of the project require the use of Tier IV Final construction equipment.

59. Active Noise Monitoring (MM NOI-1)Requirements Prior to Project Occupancy

Prior to the use of amplified sound equipment, Permittee shall construct and maintain permanent noise monitoring stations at locations (1) in Embarcadero Marina Park South and (2) along the Coronado Bayshore Bikeway as identified in the project Noise

Technical Report, an appendix of the Bayside Performance Park Enhancement Project and Port Master Plan Amendment Final Environmental Impact Report (UPD #EIR-2016-176, SCH #2016121003, District Clerk Document No. 67698), dated January 2018, and adopted by Resolution No. 2018-019 on January 9, 2018.

Maintenance of noise monitoring shall include annual calibration of noise meters. Noise monitoring devices shall be oriented toward the proposed venue and have a clear line of sight to the proposed venue. Prior to the first use of amplified sound equipment, Permittee shall demonstrate to the satisfaction of the District that noise monitoring stations have been constructed and are functional.

Requirements During Events

Noise monitoring devices shall be active during all events that include use of amplified sound equipment including, but not limited to, Permittee performances, partnership performances, rental events, public events, rehearsals, and sound checks.

During rental events, Permittee shall either designate a staff member to perform noise monitoring or require through contract stipulations that the rental party satisfy noise monitoring requirements. Noise monitoring devices and associated software shall be capable of data logging and continuous noise level averaging over various time periods. Permittee shall designate staff member(s) to monitor noise monitoring devices during all events. The designated staff member shall possess at least a year of verifiable experience related to noise monitoring and shall be knowledgeable in the fundamentals of noise propagation and operation of noise monitoring equipment. The designated staff member(s) shall observe current noise measurement data from both monitoring stations to identify potential violations.

If measured noise levels approach levels that indicate a potential violation of the Coronado Noise Abatement and Control Regulations, Permittee shall take immediate action to reduce amplified noise levels. Immediate actions include, but are not limited to, reduced sound amplification, temporary suspension of sound amplification, transitioning to quieter portions of the performance (e.g., acoustic performance), and early termination of events where other actions fail to control noise levels. Measured noise levels at the Coronado monitoring station that would indicate a potential violation of Coronado Noise Abatement and Control Regulations are defined as 50 dB(A) Leq between 7:00 a.m. and 7:00 p.m.; 45 dB(A) Leq between 7:00 p.m. and 10:00 p.m.; and 40 dB(A) Leq between 10:00 p.m. and 7:00 a.m. These measured noise levels would reflect noise level limits at single-family residential units, which are the most stringent noise level limits from the City of Coronado Noise Abatement and Control Regulations.

Other noise sources in Coronado and on the San Diego Bay may contribute to measured noise levels at the Coronado monitoring station. Notwithstanding measured noise levels at the Coronado monitoring station, based on noise contours shown in Figure 9 of Appendix M of the aforementioned Noise Study, if noise levels at the EMPS monitoring station are below 75 dB(A) Leq between 7:00 a.m. and 7:00 p.m.; 70 dB(A)

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Leq between 7:00 p.m. and 10:00 p.m.; and 65 dB(A) Leq between 10:00 p.m. and 7:00 a.m. noise levels do not indicate a violation of Coronado Noise Abatement and Control Regulations attributable to the proposed venue.

The Coronado Noise Abatement and Control Regulations establish an hourly average noise level limit. Regardless, a potential violation may be identified before an hour has elapsed. Decibels are measured on a logarithmic scale. Thus, a doubling of sound energy would result in a 3 dB increase, a 4-fold increase in sound energy would result in a 6 dB increase, a 10-fold increase in sound energy would result in a 10 dB increase, and a 20-fold increase in sound energy would result in a 13 dB increase. Thus, temporary noise levels that indicate a potential violation of the Coronado Noise Abatement and Control Regulations shall include noise levels that are:

- 3 dB(A) above the noise level limit for a period of 30 minutes; or
- 6 dB(A) above the noise level limit for a period of 15 minutes; or
- 10 dB(A) above the noise level limit for a period of 6 minutes; or
- 13 dB(A) above the noise level limit for a period of 3 minutes.

Requirements Following Events

Permittee shall maintain an active log of noise levels throughout all events that include amplified sound and the log shall be furnished to the District on an annual basis.

Permittee shall notify the District within 24 hours of any complaint or if Permittee receives complaints or if noise levels indicate a potential violation of applicable noise level limits. If data from the noise monitoring stations indicate that the source of noise was not from the Premises, Permittee shall submit evidence to the District in writing within 7 days. The report shall identify any exceedances of noise level limits; disclose any actions taken to reduce noise levels, and evaluate the results of these actions.

If recorded noise levels indicate a potential violation, or if noise levels indicate a potential violation of Coronado Noise Abatement and Control Regulations attributable to a source other than the proposed venue, Permittee shall provide a follow-up detailed letter report assessing reduce amplified noise levels, and any other information pertinent to impacts and resolution within 30 days of the event. The letter report and follow-up detailed letter report shall be provided to District compliance monitoring staff for determining adequacy actions intended to reduce noise levels and whether additional corrective actions are necessary to prevent repeated violations.

60. Noise Complaint Hotline (MM NOI-2)

The District shall maintain a dedicated noise complaint hotline for the proposed venue. All noise complaints shall be documented. Permittee shall be notified of all noise complaints and required to take corrective action if necessary prior to the following event. The log of noise levels throughout an event that includes amplified sound shall be furnished to any Coronado resident upon request.

61. Restrict Duration of Sound Amplification on Event Days (MM NOI-3)

On the day of an event, the total use of amplified sound equipment for either *events* or *rehearsals* shall be limited to a cumulative total of 9 hours.

Requirements Following Event

Permittee shall limit sound amplification on event days to a cumulative total of 9 hours or less. Sound amplification may occur over multiple distinct intervals, as long as the sum of distinct intervals is 9 hours or less. Permittee shall maintain an active log of all events that include the use of amplified sound equipment, including a description of the interval during which amplified sound equipment was used, and the log shall be furnished to the District on an annual basis. Permittee shall notify the District within 24 hours of any complaint.

62. Restrict Duration of Sound Amplification on Non-Event Days (MM NOI-4)

On non-event days with evening rehearsals between the hours of 7:00 p.m. and 10:00 p.m., rehearsals shall be limited to 100 minutes or less.

Requirements Following Rehearsals

On non-event days with evening rehearsals between the hours of 7:00 p.m. and 10:00 p.m., Permittee shall limit the total daily duration of use of amplified sound equipment to 100 minutes or less. Permittee shall maintain an active log of all events that include the use of amplified sound equipment, including a description of the interval during which amplified sound equipment was used, and the log shall be furnished to the District on an annual basis. Permittee shall notify the District within 24 hours of any complaint.

63. Construction – Public Access and Notice During construction (MM REC-1)

Permittee shall maintain (1) public access to the Embarcadero Marina Park Pier and bait shop and deli (e.g., allowing for temporary closures only when necessary for construction activities or safety reasons); (2) a minimum of 20 dedicated parking spaces for users of the Embarcadero Marina Park Pier; and (3) a pedestrian pathway from the Embarcadero Promenade at EMPS for users arriving via foot or bicycle.

A minimum of 10 days prior to the commencement of any demolition, grading or construction activity, Permittee shall post signage containing the anticipated dates of construction at a visible location at the entrance of EMPS and shall maintain the public notice in a publicly visible location throughout the duration of construction. The notice shall include the web-address to the District's parks webpage, where users may find the locations and details of other waterfront parks within District tidelands that will be available for use during the construction period.

64. Traffic Management Plan (MM TRA-1)

Permittee shall prepare and submit to the District annual Traffic Management Plans (TMP) that describes the traffic to be generated by events and how Permittee intends to manage circulation. The TMPs shall, at a minimum, describe the following for the upcoming year:

- a. Projected event attendances and event schedule;
- b. Pedestrian/bicycle circulation within and adjacent to EMPS;
- c. Vehicular circulation into and within EMPS;
- d. Intersection traffic control and/or traffic officer requirements at the intersections of Convention Center Court/Harbor Drive, Fifth Avenue/Broadway, Fifth Avenue/G Street, Fifth Avenue/Harbor Drive, and Park Boulevard/Harbor Drive; and
- e. Event traffic signage and placement.

Permittee shall implement the approved TMP during all events held at the Premises. All traffic control and signage shall be in place during event arrival and dismissal periods and conducted in accordance with the TMP.

65. Parking Management Plan (MM TRA-2)

The annual Traffic Management Plan required by MM TRA-1 will include a Parking Management Plan that details Permittee's strategy for event parking. Permittee shall continue to implement the following parking strategies, as detailed in the Parking Plan:

- *Coordination* – Participate in the monthly Traffic Management Planning Team meetings at the Convention Center with representatives from the Convention Center, Hilton San Diego Bayfront Hotel, Padres, San Diego Police Department traffic control, and San Diego Unified Port District traffic division.
- *Traffic Personnel* – Locate staff in accordance with the 2016 Traffic Management Plan, to facilitate circulation and direct attendees to available parking locations.
- *Wayfinding Signage* – Utilize signage to direct patrons to the parking locations. Update signage directions according to forecast parking availability determined at monthly Convention Center Traffic Management Planning Team meetings.
- *Public Notification* – Notify event patrons of parking availability in advance of events and provide updates on Permittee's website.
- *Presale Parking* – Provide opportunities to purchase parking passes in advance of events.
- *Parking Agreements* – Obtain parking agreements to ensure adequate availability of parking spaces prior to events.
- *Transit and Ferry Information* – Provide transit and ferry schedule information in conjunction with venue schedule and event announcements to encourage arrival via public transit.
- *Transit and Ferry Incentives* – To promote patron and employee transit use, provide incentives such as concession vouchers with public transit pass labeled with the event date, discounted transit passes on event days, employee transit subsidies, and/or other incentive methods.

- *Port of San Diego Shuttle Program* – Participate in the District’s ongoing shuttle program.
- *Employee Off-Site Parking* – Provide off-site parking and shuttle accommodations for Permittee employees and event staff.
- *Transportation Network Companies* – Coordinate with rideshare companies (such as Lyft and Uber) to facilitate passenger drop-off and pick-up and to encourage patrons to utilize this option as a means to reduce parking demand.
- *Free Ride Everywhere Downtown* – Make event patrons aware of the “Free Ride Everywhere Downtown” (FRED) shuttle service, which provides free shuttle service within Downtown San Diego.
- *Bike Parking* – Ensure bicycle parking is available within or adjacent to the project site to encourage employees/patrons to arrive to the event via bicycle.
- *Bike Share Stations* – Coordinate with a bike share service, such as DECOBIKE San Diego, to ensure the bike station located Marina Park Way and the Embarcadero pathway has available bikes and docking stations.
- *Event Shuttle Service* – Off-site shuttle service shall be provided to transport attendees between parking locations and the Premises.
- *Event Rentals* – Require organizations renting the venue to make separate parking arrangements consistent with the size and scale of the respective event and with Permittee’s Parking Plan.

Condition Precedent to Issuance

1. Prior to issuance of this Permit, the Permittee shall execute a ground lease with the District for the development and operation of the Bayside Performance Park as described in this Permit.

Exhibits:

1. Project Location and Bayside Performance Park
2. Concept Plans

Attachments:

- A. Mitigation Monitoring and Reporting Program
- B. Precise Plan Figure 11, Planning District 3
- C. South Embarcadero Public Access Plan

COASTAL DEVELOPMENT PERMIT NO. CDP-2019-XX
Page 30 of 31

If you have any questions on this permit, please contact the Development Services Department of the San Diego Unified Port District at (619) 686-6291.

RANDA CONIGLIO
President/Chief Executive Officer

By: _____
Wileen C. Manaois
Director, Development Services

DRAFT

COASTAL DEVELOPMENT PERMIT NO. CDP-2019-XX
Page 31 of 31

I have read and understand the terms, conditions, limitations, and provisions of this Permit and agree to abide by them.

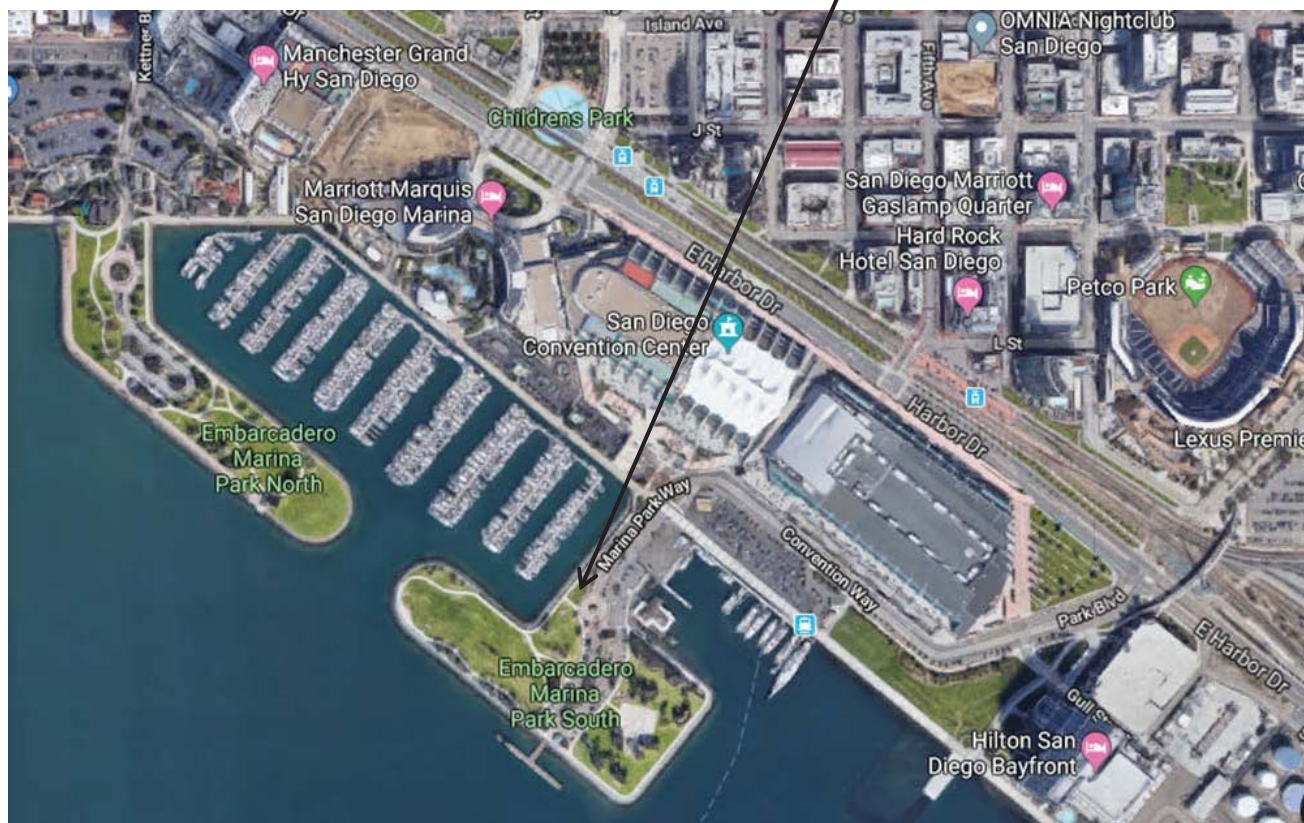
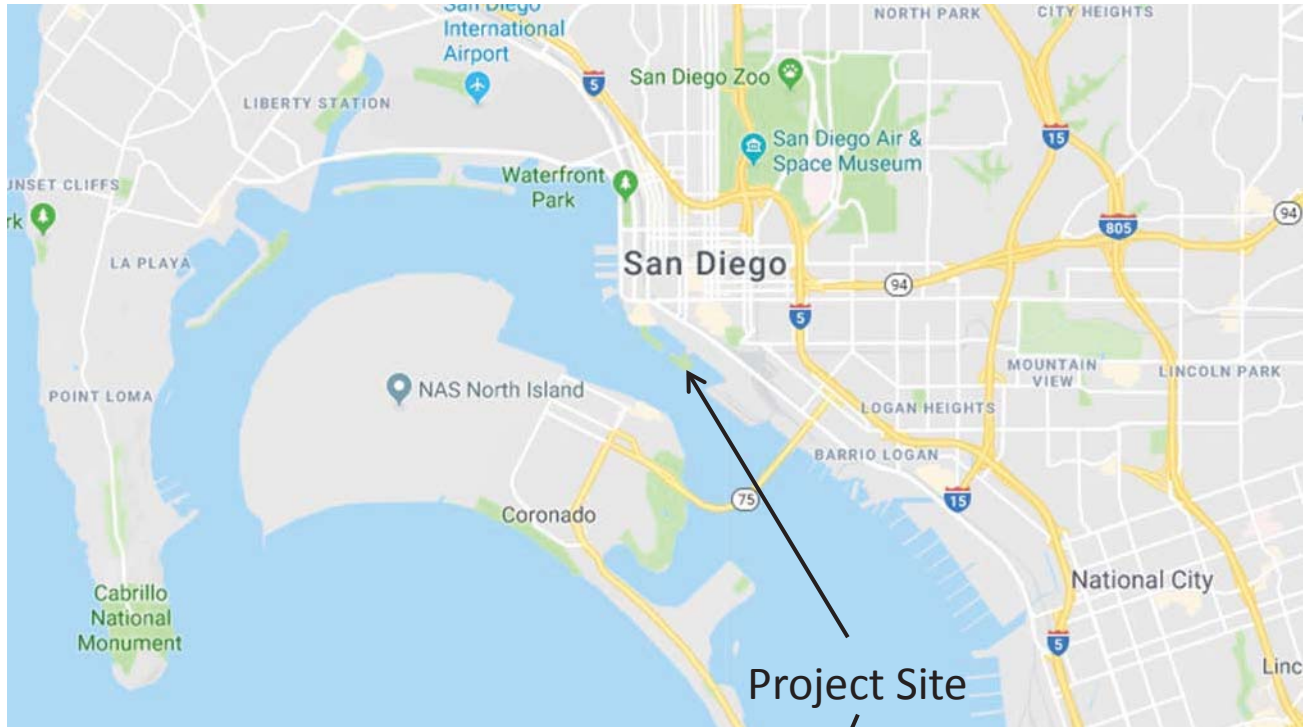
Signature of Permittee

Martha Gilmer

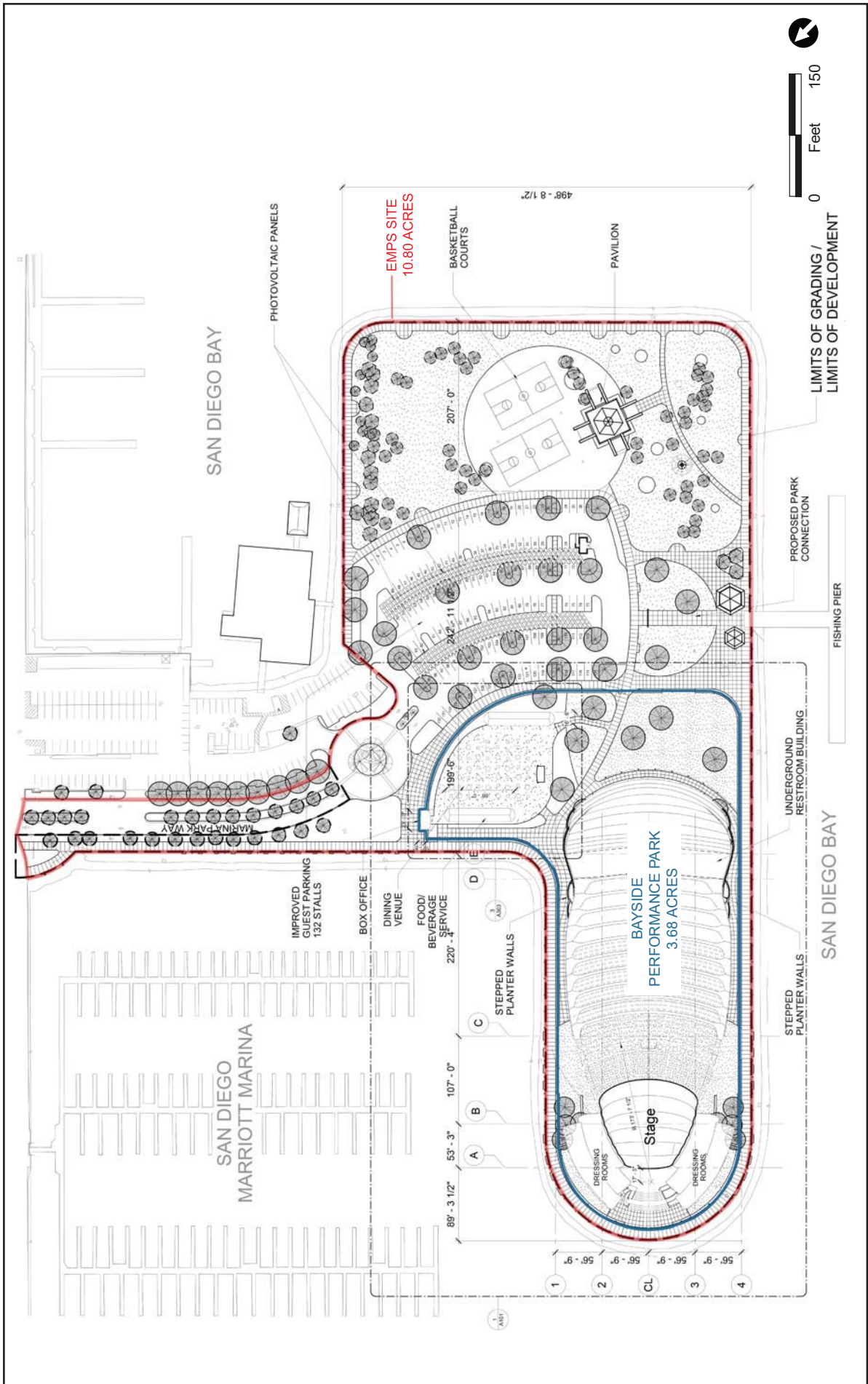
CEO, San Diego Symphony Orchestra Association

Date

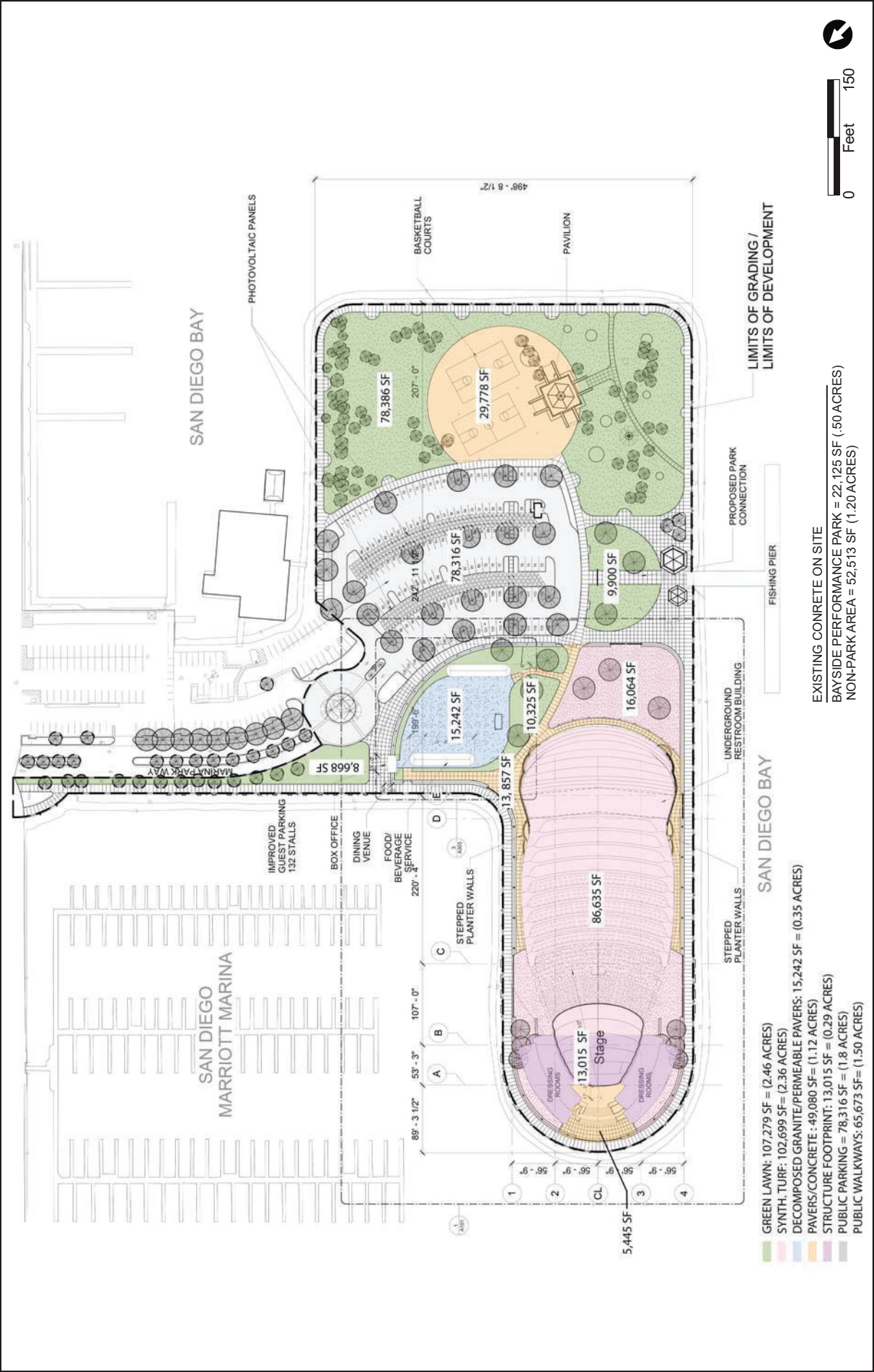
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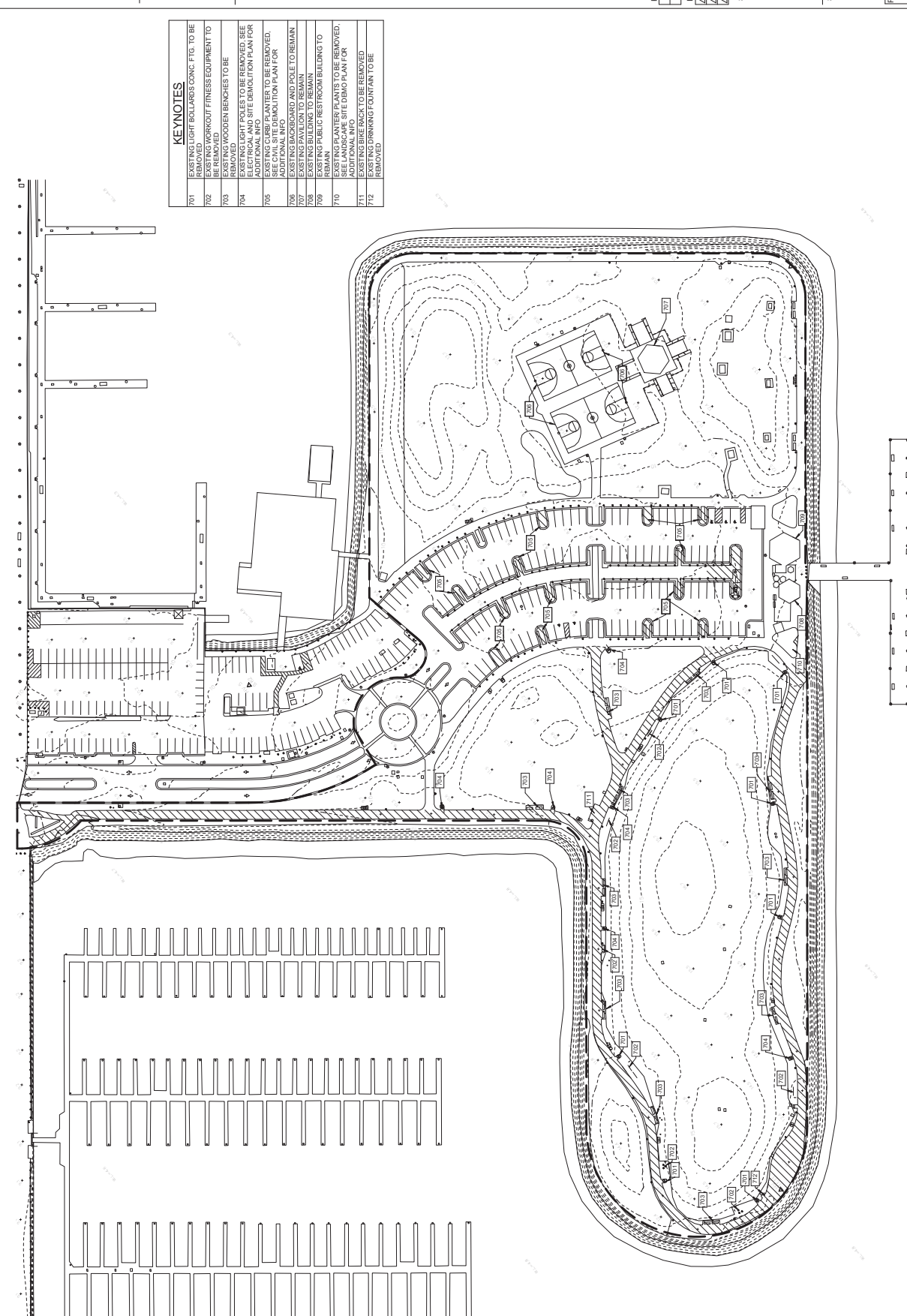


Map Source: Tucker Sadler



Map Source: Tucker Sadler





KEYNOTES	
701	EXISTING LIGHT BOLLARDS CONC. FTG. TO BE REMOVED
702	EXISTING WORKOUT FITNESS EQUIPMENT TO BE REMOVED
703	EXISTING WOODEN BENCHES TO BE REMOVED
704	EXISTING LIGHT POLES TO BE REMOVED SEE ADDITIONAL INFO SITE DEMOLITION PLAN FOR ADDITIONAL INFO
705	EXISTING CURB/PLANTER TO BE REMOVED, SEE DEMOLITION PLAN FOR ADDITIONAL INFO
706	EXISTING BACKBOARD AND POLE TO REMAIN
707	EXISTING PAVILION TO REMAIN
708	EXISTING PUBLIC REST ROOM BUILDING TO REMAIN
709	EXISTING EXISTING PLANTS TO BE REMOVED, SEE LANDSCAPE SITE DEMO PLAN FOR ADDITIONAL INFO
710	EXISTING BINE BACK TO BE REMOVED
711	EXISTING PARKING CURB/VAULT TO BE REMOVED
712	EXISTING PARKING CURB/VAULT TO BE REMOVED

LEGEND	
	INDICATES EXISTING CONCRETE PAVEMENT TO BE REMOVED
	INDICATES EXISTING



EXISTING/DEMOLITION SITE PLAN
1" = 50'-0"



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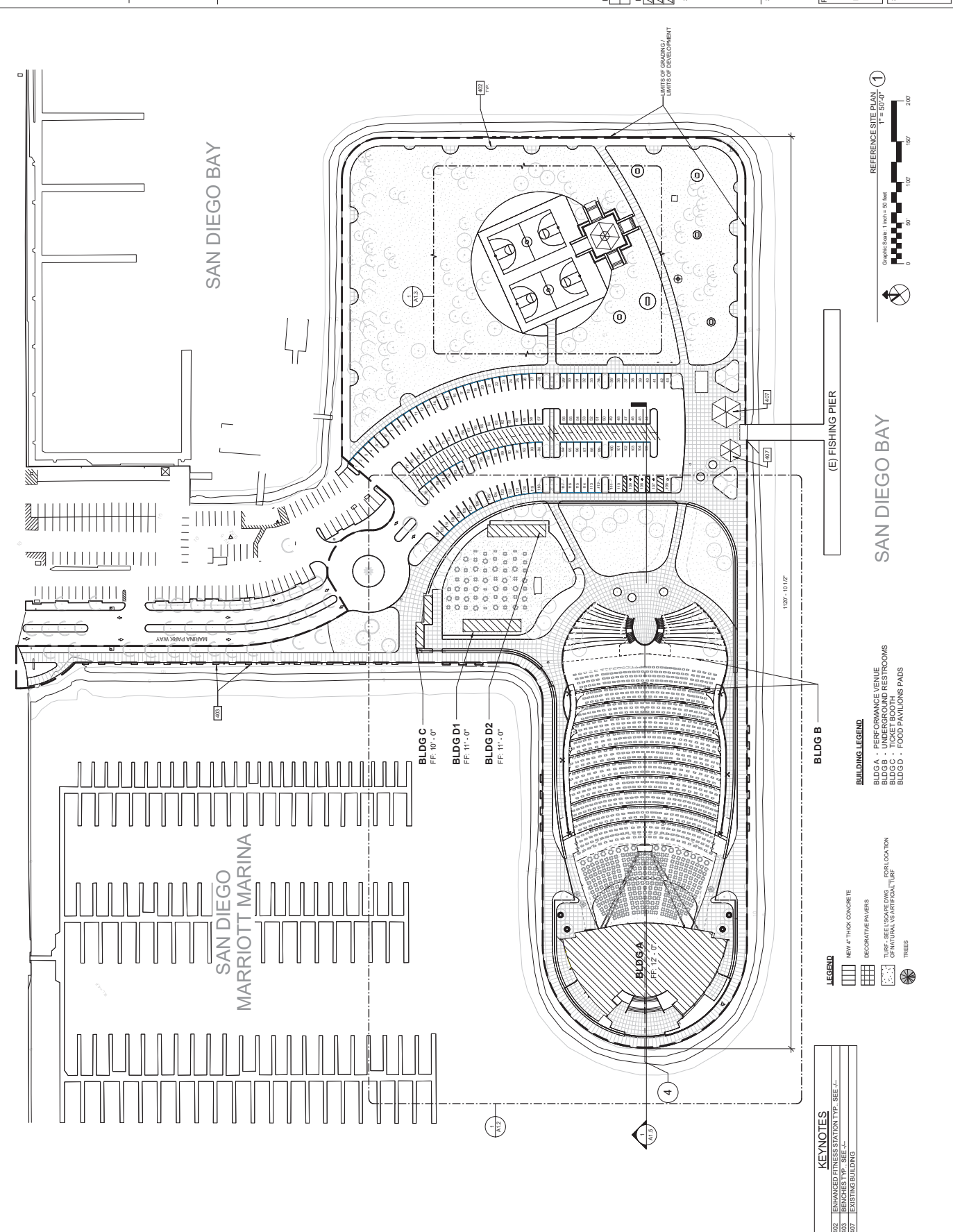
SAN DIEGO SYMPHONY
San Diego Symphony
Embarcadero Marina Park South
San Diego, CA 92101

**BAYSIDE PERFORMANCE PARK
ENHANCEMENT PROJECT**

PREV. SUBMITTAL	PROJ. #
ISSUED REVISIONS	DATE
100% DD	03/27/18
100% DD	03/27/18
100% DD	03/27/18

STAMP:

SHEET TITLE:	
EXISTING/DEMOLITION SITE PLAN	
PROJECT NUMBER	21081.00
DRAWING NUMBER	SV
DATE	02/05/18
CHECKED BY	AC
SCALE	AS INDICATED
DRAWING NUMBER	A1.0





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San Diego Symphony
Embarcadero Marina Park South
San Diego, CA 92101

BAYSIDE PERFORMANCE PARK ENHANCEMENT PROJECT

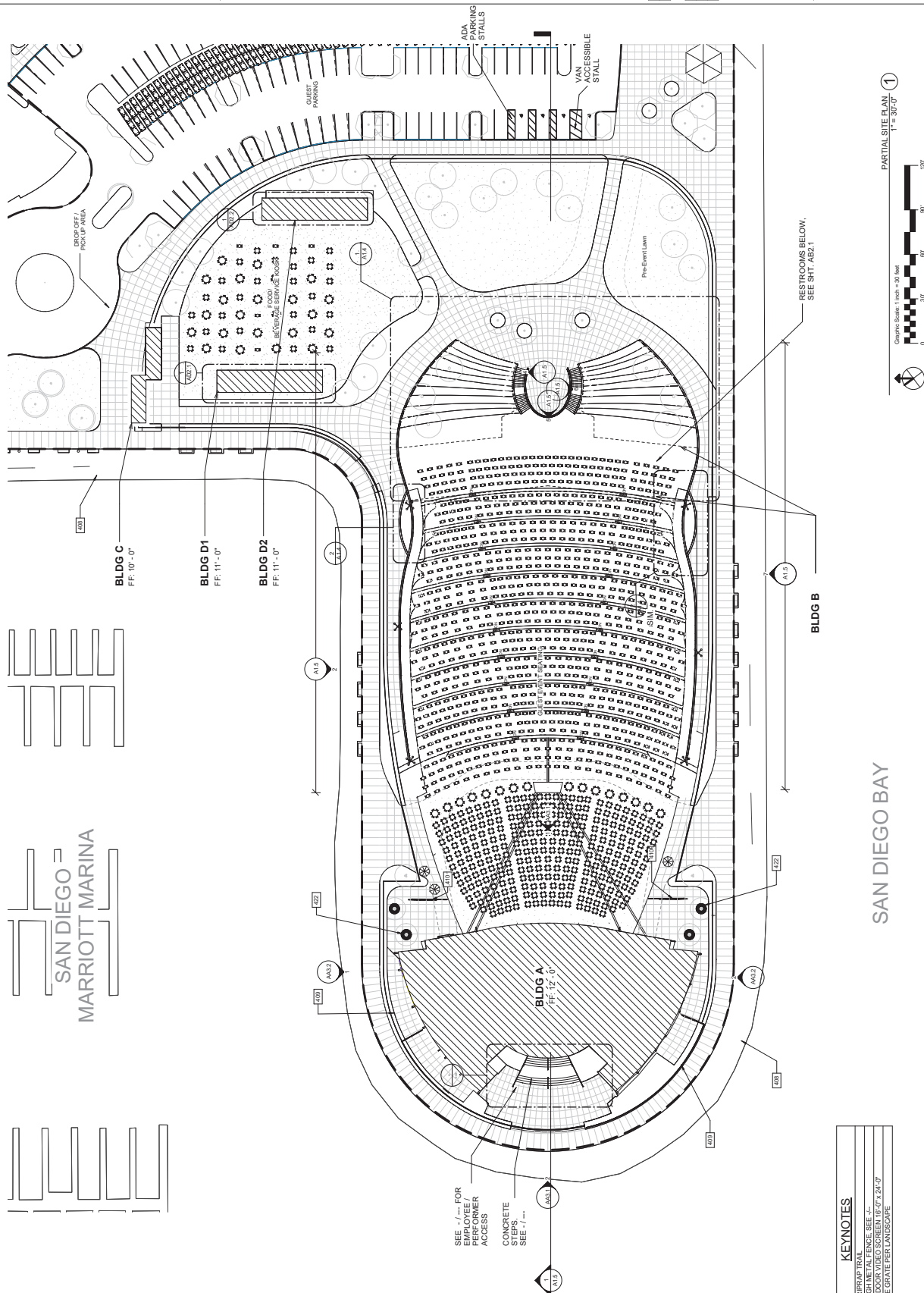
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		A 100% DD	03/27/18
		A	
		A	

STAMP:

SHEET TITLE:

PARTIAL SITE PLAN

PROJECT NUMBER	DRAWING
21081.00	SV
DATE	CHECKED BY
02/05/18	GM
SCALE	DRAWING NUMBER
AS INDICATED	A1.2



KEYNOTES

- | KEYNOTES | |
|----------|---|
| 108 | (E) RIPRAP TRAIL |
| 109 | 8' HIGH METAL FENCE, SEE ϕ_{fence} |
| 110 | OUTDOOR VIDEO SCREEN 16'-0" x 24'-0" |
| 122 | TREE GRATE PER LANDSCAPE |

SAN DIEGO BAY

①
PARTIAL SITE PLAN
1" = 30'-0"



37 of 87



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San Diego Symphony
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San Diego, CA 92101

BAYSIDE PERFORMANCE PARK ENHANCEMENT PROJECT

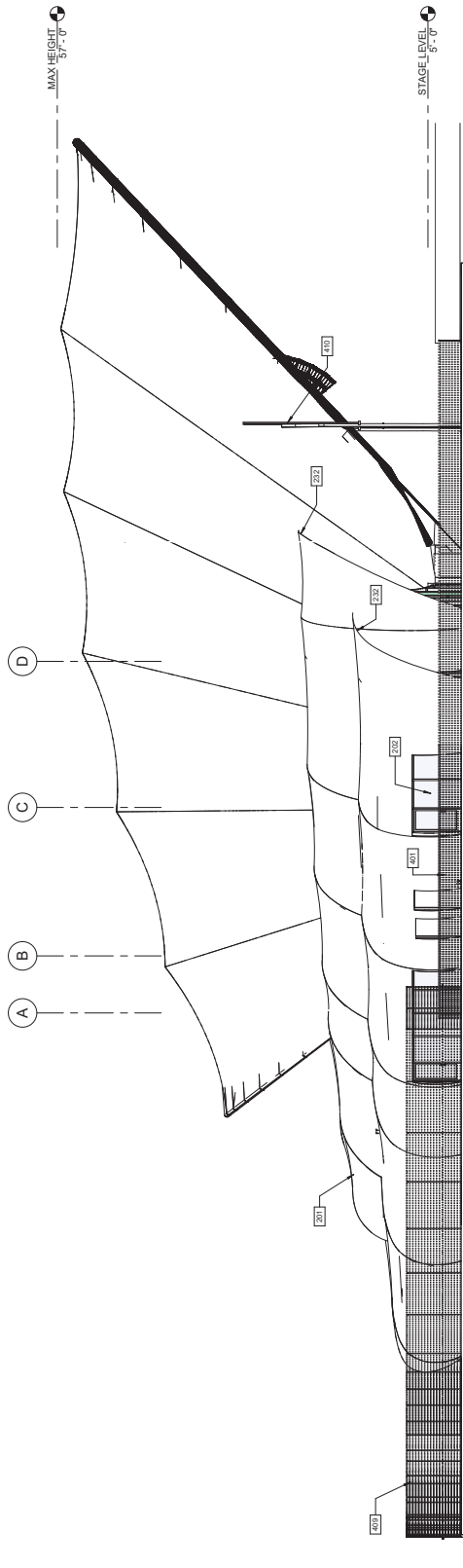
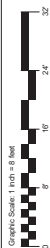
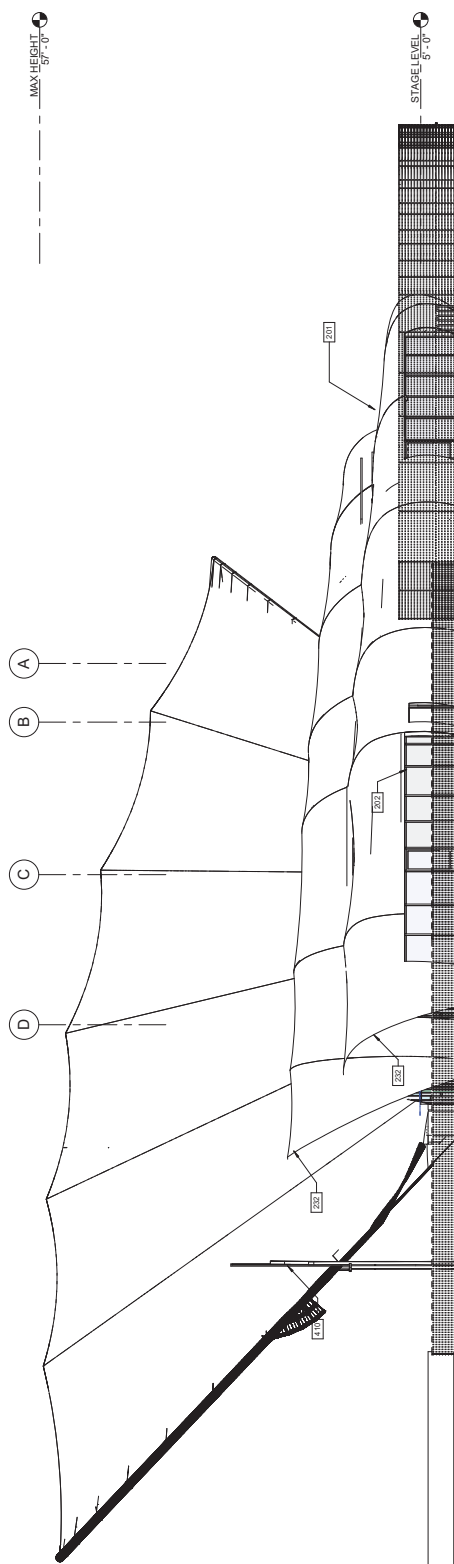
PREV. SUBMITTAL	PROJ. #

ISSUED/ REVISIONS	DATE
100% DD	03/27/18

SHEET TITLE:

BUILDING A ELEVATIONS

PROJECT NUMBER 21081.00	DRAWING NUMBER AA3.2
DATE 02/05/18	SCALE AS INDICATED
DRAWING TITLE BA 38 of 8 CHECKED BY SV	



KEYNOTES

201	PRE-STRESSED FABRIC SKIN SHELL ON STRUCTURAL TRUSS SYSTEM
202	ALUMINUM CURTAINWALL SYSTEM
232	KNUFE EDGE LIP
401	42" HIGH FENCE. SEE 4-
409	8" HIGH METAL FENCE. SEE 4-
410	OUTDOOR VIDEO SCREEN 16'-0" x 24'-0"

MITIGATION MONITORING AND REPORTING PROGRAM									
Bayside Performance Park Enhancement Project and Port Master Plan Amendment									
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Completed		Comments
			Pre-Const	During Const	Post-Const		Initials	Date	
Aesthetics and Visual Resources MM AES-1	<p><u>Landscape Plan:</u> Prior to the removal of any existing trees, the applicant shall prepare and submit to the District for approval a landscape plan for the project site that details landscaping to be installed immediately following construction of the project and prior to reopening of EMPS. The landscape plan shall be consistent with the District's Tenant Landscaping Improvements and Maintenance standards (BPC Policy No. 713) and the District's Landscape Development Manual Guidelines (Attachment A to BPC Policy No. 713) and shall meet the following requirements:</p> <ul style="list-style-type: none"> Species name, age/size at time of planting, and proposed locations of all landscaping shall be specified in the plan; All large landscaped areas shall have a minimum of three varieties of ground cover and a minimum of 25 percent of the total planting area shall be in shrubs; Shrubs planted shall be no smaller than 5-gallon containers at the time of planting, and 25 percent of shrubs planted shall be of flowering variety; 	Port of San Diego	X			Port of San Diego			

MITIGATION MONITORING AND REPORTING PROGRAM Bayside Performance Park Enhancement Project and Port Master Plan Amendment							
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Comments
			Pre-Const	During Const	Post-Const		
	<ul style="list-style-type: none"> Trees shall meet the following minimum requirements: <ul style="list-style-type: none"> A minimum of one medium tree and two large trees shall be planted per every 5,000 square feet within the parking area, and a minimum of one medium tree and one large tree shall be installed for every 5,000 square feet of the remaining area of EMPS; Medium trees are defined as 30 to 50 feet in height and large trees are defined as 50 feet or taller; and The minimum tree size for all trees shall be 15 gallons at the time of planting; Species shall be chosen from those listed under the Plant Palette section of the District's Landscape Development Manual Guidelines and shall be very low- to moderate-water use species, with the very low-water use species used to the highest extent feasible; and No species identified on the District's invasive plant species list shall be utilized. 						

MITIGATION MONITORING AND REPORTING PROGRAM Bayside Performance Park Enhancement Project and Port Master Plan Amendment							
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Completed
			Pre-Const	During Const	Post-Const		Initials Date
	The applicant shall receive District approval of the landscape plan prior to installation of landscaping. Landscaping within the Bayside Performance Park shall be maintained by the applicant throughout the duration of the Real Estate Agreement with the District. Landscaping installed outside of the Bayside Performance Park within the remaining area of the Embarcadero Marina Park South shall be initially maintained by the applicant for a period of five years, or until deemed successful by the District. Initial maintenance shall include immediate replacement of any dead or dying trees and shrubs.						

MITIGATION MONITORING AND REPORTING PROGRAM									
Bayside Performance Park Enhancement Project and Port Master Plan Amendment									
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Completed		Comments
			Pre-Const	During Const	Post-Const		Initials	Date	
Biological Resources									
MM BIO-1	<u>Nesting Birds (Species Covered by MBTA/CFGC):</u> If project-related construction activities are initiated or tree removal occurs within the avian nesting season (February 15 to September 15), a qualified biologist shall conduct a pre-construction nesting bird survey within suitable habitat in proximity of the project construction activities. The survey shall be conducted no more than 72 hours prior to commencement of construction or tree removal activities. The survey results will determine any necessary subsequent action, as follows: 1. If an active nest is located, a qualified biologist will assign an appropriate no-impact buffer around the active nest. No construction activities shall occur within this buffer. The buffer distance and restrictions will depend on the bird species and site-specific conditions.	Port of San Diego	X	X		Port of San Diego, Qualified Biologist, Symphony and/or its Construction Contractor			

MITIGATION MONITORING AND REPORTING PROGRAM Bayside Performance Park Enhancement Project and Port Master Plan Amendment							
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Comments
			Pre-Const	During Const	Post-Const		
	a. A qualified biologist shall monitor the nest daily until project activities are no longer occurring adjacent to the identified buffer zone around the nest or until the nest is no longer active. The qualified biologist will monitor bird behavior to verify the buffer is sufficient. b. Observations made by the biologist shall be documented in a nesting bird monitoring report each day that monitoring occurs. The reports shall identify the nest location, bird species, buffer, construction activities conducted in the vicinity of the buffer, and bird behavior observed. Nesting bird monitoring reports shall be submitted to the District on a weekly basis during construction activities adjacent to the identified buffer until the nest is no longer active. c. If the monitoring biologist determines that the buffer implemented is not effective, the biologist will recommend additional measures (e.g.,						

MITIGATION MONITORING AND REPORTING PROGRAM Bayside Performance Park Enhancement Project and Port Master Plan Amendment							
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Comments
			Pre-Const	During Const	Post-Const		
	<p>increased buffer width, noise or visual barriers, work intervals, halting construction activities, or allowing only specific work types). Recommendations will depend on the bird species and site-specific conditions and will be documented in the nesting bird monitoring reports.</p> <p>d. The Symphony or its construction contractor shall implement the additional measures recommended by the biologist. The biologist shall confirm the additional measures are appropriately implemented and document compliance in the nesting bird monitoring reports.</p> <p>e. A District biologist shall visit the site periodically, as needed, to ensure nesting bird monitoring is being conducted according to this measure.</p> <p>2. If no active nests are found during the pre-construction nesting bird survey, construction shall be allowed to proceed. The biologist will document the findings in a nesting bird compliance memo to be submitted to the Symphony and the District.</p>						

MITIGATION MONITORING AND REPORTING PROGRAM							
Bayside Performance Park Enhancement Project and Port Master Plan Amendment							
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Comments
			Pre-Const	During Const	Post-Const		
MM BIO-2	<p>Litter Deterrence Strategies: The applicant shall install wildlife-proof waste and recycling receptacles throughout EMPS, including within the Bayside Performance Park, at strategic locations to deter littering. These locations shall include, but are not limited to: key EMPS access points along the public promenade; adjacent to the Embarcadero Marina Park Fishing Pier/ bait shop and deli; gazebo/basketball court area; near the back-of-stage deck; at the sub-grade restrooms within the elevated event lawn; and at key access ways throughout the Bayside Performance Park. The wildlife-proof waste and recycling receptacles would be designed to prevent birds and other animals from removing and dispersing waste. Additionally, “no littering” signage shall be installed at strategic locations throughout EMPS and may be co-located with the waste and recycling receptacles. The locations of waste and recycling receptacles and signage shall be approved by the District prior to installation.</p> <p>All litter shall be removed from the Bayside Performance Park immediately following events. All cleanup activities, including emptying of waste and recycling receptacles for appropriate disposal, must be completed directly following events, on the same</p>	Port of San Diego			X	Symphony	

MITIGATION MONITORING AND REPORTING PROGRAM							
Bayside Performance Park Enhancement Project and Port Master Plan Amendment							
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Comments
			Pre-Const	During Const	Post-Const		
	day/night of the event, and prior to reopening the Bayside Performance Park for public access.						
MM BIO-3	<p><u>Limitations on Lighting:</u> The project applicant shall design and operate security, event, and public art lighting in accordance with the following limitations:</p> <p>Security Lighting</p> <p>All security lighting used throughout the project site from 11:00 p.m. to dawn shall be directed downward and/or shielded and of low intensity and shall be compliant with the City of San Diego outdoor lighting ordinance (City of San Diego Ordinance Number 20186).</p> <p>Event Lighting</p> <p>All event lighting used throughout the project site shall be directed downward and/or shielded and shall be compliant with the City of San Diego outdoor lighting ordinance (City of San Diego Ordinance Number 20186). The use of event lighting shall be limited to the number of Symphony performances and event rentals allowed each year (e.g., maximum of 110 nights annually). During the peak periods of avian migration (late March through May and September through early November), all event lighting must be shut off by 11:00 p.m.</p>	Port of San Diego			X	Symphony	

MITIGATION MONITORING AND REPORTING PROGRAM Bayside Performance Park Enhancement Project and Port Master Plan Amendment							
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Completed
			Pre-Const	During Const	Post-Const		Initials Date
	Non-Performance Lighting All non-performance lighting used throughout the project site shall be directed downward and/or shielded and shall be compliant with the City of San Diego outdoor lighting ordinance (City of San Diego Ordinance Number 20186). The use of non-performance lighting shall be at all times between dusk and 11:00 p.m. when no events are being held. Non-performance lighting shall be less intense than event lighting, but more intense than security lighting. During the peak periods of avian migration (late March through May and September through early November), all event lighting other than security lighting must be shut off by 11:00 p.m.						
	Public Art Lighting Lighting utilized for the LED art installation shall not be projected into surrounding areas and shall be designed to minimize light trespass and sky glow to the highest extent feasible. The public art installation would not be utilized for advertising or signage purposes as it is intended to be a public art display. The District's Office of Arts and Culture shall approve of the public art design prior to its installation and display. The display shall						

MITIGATION MONITORING AND REPORTING PROGRAM							
Bayside Performance Park Enhancement Project and Port Master Plan Amendment							
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Completed	
			Pre-Const	During Const	Post-Const	Responsible Party	Initials Date Comments
	last only for periods of approximately 5 to 10 minutes at a time, at a minimum interval of every 30 minutes, with multiple displays possible each evening. During the peak periods of avian migration (late March through May and September through early November), the LED art displays must end by 11:00 p.m.						
Geology and Soils							
MM GEO-1	Geotechnical and Fault Rupture Investigation: Prior to obtaining grading and building permits, a qualified geotechnical consultant (e.g., Professional Engineer, Geotechnical Engineer, Professional Geologist, or Certified Engineering Geologist) shall conduct a formal geotechnical and fault rupture investigation in accordance with the City of San Diego's standards for geotechnical reports (City of San Diego Municipal Code Section 145.1803). All recommendations identified in the geotechnical investigation report shall be incorporated into the final project design. Evidence of incorporation of geotechnical recommendations shall be provided to the District prior to commencement of construction.	Port of San Diego	X			Port of San Diego, Qualified Geotechnical Consultant	

MITIGATION MONITORING AND REPORTING PROGRAM									
Bayside Performance Park Enhancement Project and Port Master Plan Amendment									
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Completed		Comments
			Pre-Const	During Const	Post-Const		Initials	Date	
Greenhouse Gas Emissions									
MM GHG-1	<i>Subsidized Mass Transit Requirements on Applicant</i> The applicant shall provide subsidies for local mass transit. Prior to ticket sale for any event or set of events, the applicant shall provide transit rebates for event attendees and event employees, including but not limited to musicians, support staff, and volunteers, that arrive via transit providers with which the applicant has not entered into an agreement. Attendees may be required to present a proof of transit ridership (i.e., transit receipt, ticket, or stub) to receive the transit rebate. The amount of available transit rebate available to each attendee shall be equivalent to the cost of a Day Pass on Metropolitan Transit System busses and trolleys (currently \$5.00). Alternatively, the applicant may enter into an agreement with one or more of the following transit providers to provide transit at reduced or no fee to the event attendees and event employees, including but not limited to musicians, support staff, and volunteers: local bus lines (local bus lines operated by San Diego Metropolitan Transit System [SDMTS]), the ferry (Fifth	Port of San Diego			X	Symphony			

MITIGATION MONITORING AND REPORTING PROGRAM Bayside Performance Park Enhancement Project and Port Master Plan Amendment							
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Comments
			Pre-Const	During Const	Post-Const		
	<p>Avenue Ferry Landing operated by Flagship Cruises and Events), the trolley (Gaslamp Quarter Station is operated by SDMTS), and the COASTER commuter train (COASTER is operated by North County Transit District). Transit subsidies need not be separate vouchers and may be associated with event tickets.</p> <p>The applicant shall disclose the available subsidy to the attendee at the time of ticket purchase and shall inform attendees of the availability of the subsidy through pedestrian traffic management measures such as signs, cordons, announcements, and other measures at each event. The amount of available transit subsidy available to each attendee shall be valued at least \$5.00.</p> <p>Enforcement</p> <p>Prior to commencement of operations at the project, the applicant shall submit a Transit Subsidy Plan to the District. The Transit Subsidy Plan shall demonstrate to the satisfaction of the District that transit subsidies and rebates will be provided to event attendees and event employees. The Transit Subsidy Plan shall include a copy of any agreements with transit providers, shall identify the procedure by which transit rebates will be distributed, and other relevant materials such as sample</p>						

MITIGATION MONITORING AND REPORTING PROGRAM Bayside Performance Park Enhancement Project and Port Master Plan Amendment								
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Completed	
			Pre-Const	During Const	Post-Const		Initials	Date
	informational items for disclosing transit subsidies to attendees. The applicant shall submit an annual update to the Transit Subsidy Plan to the District each year prior to January 1. The annual update shall demonstrate to the satisfaction of the District that transit subsidies will be provided for the upcoming year. The District must be notified of all changes to transit subsidies prior to ticket sales, if possible.							
MM GHG-2	LED Lighting: Requirements on Applicant Prior to commencement of operations, the project applicant shall install light-emitting diode (LED) light bulbs in all fixtures throughout EMPS. Enforcement Prior to commencement of operations, the applicant shall demonstrate to the satisfaction of the District that the required light fixtures are equipped with LED light bulbs.	Port of San Diego			X	Symphony		

MITIGATION MONITORING AND REPORTING PROGRAM								
Bayside Performance Park Enhancement Project and Port Master Plan Amendment								
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Completed	
			Pre-Const	During Const	Post-Const		Initials	Date
MM GHG-3	<u>Solar Photovoltaic Panels:</u> Requirements on Applicant Prior to January 1, 2030, the project applicant shall install solar photovoltaic (PV) systems capable of a total generation equivalent to the forecasted electricity demand, 187,691 kWh per year. Enforcement Prior to January 1, 2030, the applicant shall demonstrate to the satisfaction of the District that the required solar PV panels have been installed and are in operation as required above.	Port of San Diego			X	Symphony		

MITIGATION MONITORING AND REPORTING PROGRAM								
Bayside Performance Park Enhancement Project and Port Master Plan Amendment								
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Completed	
			Pre-Const	During Const	Post-Const		Initials	Date
MM GHG-4	<p><u>High-Efficiency Water Heater Requirements on Applicant</u></p> <p>Prior to commencement of operations at the project, the project applicant shall install instantaneous (a.k.a. “tankless”) water heater(s) that meet U.S. EPA Energy Star criteria. Tankless water heaters shall meet all water heating demands of the proposed performance and event venue including, but not limited to, the performance back-of-house facilities and subgrade restrooms.</p> <p>Enforcement</p> <p>Prior to commencement of operations at the project, the applicant shall demonstrate to the satisfaction of the District that the required tankless water heaters have been installed and meet U.S. EPA Energy Star criteria.</p>	Port of San Diego		X		Symphony		
MM GHG-5	<p><u>All-Electric Landscaping Equipment Requirements on Applicant</u></p> <p>The project applicant shall require through contract specifications that all landscaping within the Bayside Performance Park shall be maintained using all-electric equipment.</p> <p>Enforcement</p> <p>Prior to January 1, 2030, the applicant shall demonstrate to the satisfaction of the District that landscaping maintenance agreements specify the use of all-electric landscaping equipment.</p>	Port of San Diego			X	Symphony		

MITIGATION MONITORING AND REPORTING PROGRAM Bayside Performance Park Enhancement Project and Port Master Plan Amendment							
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Comments
			Pre-Const	During Const	Post-Const		
MM GHG-6	<p><u>Low Flow Water Fixtures</u></p> <p>Requirements on Applicant</p> <p>Prior to commencement of operations at the project, the project applicant shall install low-flow water fixtures in the project. Low-flow water fixtures shall include toilets that use less than 1.28 gallons per flush, urinals that use less than 0.5 gallon per flush, bathroom sinks that use less than 1.5 gallons per minute, showerheads that use less than 2.0 gallons per minute, kitchen sinks that include pre-rinse spray valves, and irrigation systems that are connected to weather sensors.</p> <p>Enforcement</p> <p>Prior to commencement of operations at the project, the applicant shall demonstrate to the satisfaction of the District that the low-flow water fixtures required above have been installed.</p>	Port of San Diego		X		Symphony	

MITIGATION MONITORING AND REPORTING PROGRAM Bayside Performance Park Enhancement Project and Port Master Plan Amendment							
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Comments
			Pre-Const	During Const	Post-Const		
MM GHG-7	<p><u>Drought-Tolerant Landscaping Requirements on Applicant</u></p> <p>Prior to the removal of any existing trees, the applicant shall prepare and submit to the District for approval a landscape plan for the project site that details landscaping to be installed immediately following construction of the project and prior to reopening of EMPS. All landscaping shall use very low- to moderate-water use species, with the very low-water use species used to the highest extent feasible. Landscaping shall comply with District's Tenant Landscaping Improvements and Maintenance standards (BPC Policy No. 713) and the District's Landscape Development Manual Guidelines (Appendix A to BPC Policy No. 713) and shall exclude any species on the District's invasive plant species list.</p> <p>Enforcement</p> <p>Prior to commencement of operations at the project, the applicant shall demonstrate to the satisfaction of the District that all landscaping within the Bayside Performance Park consists of drought-tolerant plants.</p>	Port of San Diego	X			Symphony	

MITIGATION MONITORING AND REPORTING PROGRAM Bayside Performance Park Enhancement Project and Port Master Plan Amendment								
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Completed	
			Pre-Const	During Const	Post-Const		Initials	Date
	Enforcement Each year of operation, prior to January 31, the applicant shall submit to the District a description of the recycling program and documentation of contracted solid waste disposal and recycling services. The documentation shall include the weight (tons) or volume (cubic yards) of all solid waste collected by disposal and recycling collection services.							
MM GHG-9	<u>Tier IV Final CARB-Certified Construction Equipment</u> Requirements on Applicant All heavy-duty diesel-powered demolition, grading, and construction equipment shall be a minimum of Tier IV Final CARB-certified. Enforcement Prior to issuance of grading permits, the applicant shall demonstrate to the satisfaction of the District that all contracting agreements for construction of the project require the use of Tier IV Final construction equipment.	Port of San Diego	X			Symphony		

MITIGATION MONITORING AND REPORTING PROGRAM									
Bayside Performance Park Enhancement Project and Port Master Plan Amendment									
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Completed		Comments
			Pre-Const	During Const	Post-Const		Initials	Date	
Land Use and Planning									
MM LUP-1	<u>Off-Site Public Park Space</u> The applicant shall replace the loss of the permanent use of existing parkland within the EMPS resulting from the project on a 1:1 basis by paying to the District a financial contribution to acquire, create, or improve approximately 15,090 square feet (0.35 acre) of land at or adjacent to Pepper Park in the National City Bayfront for recreational purposes consistent with the Park/Plaza designation in the Port Master Plan. The financial contribution shall be in an amount equal to the cost of converting approximately 15,090 square feet (0.35 acre) of unimproved space into improved park/plaza space. The applicant shall pay the financial contribution prior to the commencement of grading or construction activities on the project site. Priority of the expenditure of the contribution shall first be toward the acquisition and/or the creation of new park/plaza space adjacent to Pepper Park as part of a future expansion; and second toward improvements at Pepper Park.	Port of San Diego	X			Symphony			

MITIGATION MONITORING AND REPORTING PROGRAM									
Bayside Performance Park Enhancement Project and Port Master Plan Amendment									
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Completed		Comments
			Pre-Const	During Const	Post-Const		Initials	Date	
Noise									
MM NOI-1	<p><u>Active Noise Monitoring Requirements Prior to Project Occupancy</u></p> <p>Prior to the use of amplified sound equipment, the applicant shall construct and maintain permanent noise monitoring stations at locations (1) in Embarcadero Marina Park South and (2) along the Coronado Bayshore Bikeway as identified in the project Noise Technical Report. Maintenance of noise monitoring shall include annual calibration of noise meters. Noise monitoring devices shall be oriented toward the proposed venue and have a clear line of sight to the proposed venue. Prior to the first use of amplified sound equipment, the applicant shall demonstrate to the satisfaction of the District that noise monitoring stations have been constructed and are functional.</p> <p>Requirements During Events</p> <p>Noise monitoring devices shall be active during all events that include use of amplified sound equipment including, but not limited to, Symphony performances, partnership performances, rental events, public events, rehearsals, and sound checks.</p>	Port of San Diego			X	Symphony			

MITIGATION MONITORING AND REPORTING PROGRAM Bayside Performance Park Enhancement Project and Port Master Plan Amendment							
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Completed
			Pre-Const	During Const	Post-Const		Initials Date
	<p>During rental events the applicant shall either designate a staff member to perform noise monitoring or require through contract stipulations that the rental party satisfy noise monitoring requirements. Noise monitoring devices and associated software shall be capable of data logging and continuous noise level averaging over various time periods. The applicant shall designate staff member(s) to monitor noise monitoring devices during all events. The designated staff member shall possess at least a year of verifiable experience related to noise monitoring and shall be knowledgeable in the fundamentals of noise propagation and operation of noise monitoring equipment. The designated staff member(s) shall observe current noise measurement data from both monitoring stations to identify potential violations.</p> <p>If measured noise levels approach levels that indicate a potential violation of the Coronado Noise Abatement and Control Regulations, the applicant shall take immediate action to reduce amplified noise levels. Immediate actions include, but are not limited to, reduced sound amplification, temporary suspension of sound amplification, transitioning to quieter portions of the performance (e.g., acoustic</p>						

MITIGATION MONITORING AND REPORTING PROGRAM Bayside Performance Park Enhancement Project and Port Master Plan Amendment							
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Completed
			Pre-Const	During Const	Post-Const		Initials Date
	<p>performance), and early termination of events where other actions fail to control noise levels. Measured noise levels at the Coronado monitoring station that would indicate a potential violation of Coronado Noise Abatement and Control Regulations are defined as 50 dB(A) L_{eq} between 7:00 a.m. and 7:00 p.m.; 45 dB(A) L_{eq} between 7:00 p.m. and 10:00 p.m.; and 40 dB(A) L_{eq} between 10:00 p.m. and 7:00 a.m. These measured noise levels would reflect noise level limits at single-family residential units, which are the most stringent noise level limits from the City of Coronado Noise Abatement and Control Regulations.</p> <p>Other noise sources in Coronado and on the San Diego Bay may contribute to measured noise levels at the Coronado monitoring station. Notwithstanding measured noise levels at the Coronado monitoring station, based on noise contours shown in Figure 9 of Appendix M if noise levels at the EMPS monitoring station are below 75 dB(A) L_{eq} between 7:00 a.m. and 7:00 p.m.; 70 dB(A) L_{eq} between 7:00 p.m. and 10:00 p.m.; and 65 dB(A) L_{eq} between 10:00 p.m. and 7:00 a.m. noise levels do not indicate a violation of Coronado Noise Abatement and Control Regulations attributable to the proposed venue.</p>						

MITIGATION MONITORING AND REPORTING PROGRAM Bayside Performance Park Enhancement Project and Port Master Plan Amendment							
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Comments
			Pre-Const	During Const	Post-Const		
	<p>The Coronado Noise Abatement and Control Regulations establish an hourly average noise level limit. Regardless, a potential violation may be identified before an hour has elapsed. As discussed in Section 4.8.2.1, decibels are measured on a logarithmic scale. Thus, a doubling of sound energy would result in a 3 dB increase, a 4-fold increase in sound energy would result in a 6 dB increase, a 10-fold increase in sound energy would result in a 10 dB increase, and a 20-fold increase in sound energy would result in a 13 dB increase. Thus, temporary noise levels that indicate a potential violation of the Coronado Noise Abatement and Control Regulations shall include noise levels that are:</p> <p>3 dB(A) above the noise level limit for a period of 30 minutes; or</p> <p>6 dB(A) above the noise level limit for a period of 15 minutes; or</p> <p>10 dB(A) above the noise level limit for a period of 6 minutes; or</p> <p>13 dB(A) above the noise level limit for a period of 3 minutes.</p>						

MITIGATION MONITORING AND REPORTING PROGRAM							
Bayside Performance Park Enhancement Project and Port Master Plan Amendment							
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Completed	
			Pre-Const	During Const	Post-Const	Responsible Party	Initials
	<p>Requirements Following Events</p> <p>The applicant shall maintain an active log of noise levels throughout all events that include amplified sound and the log shall be furnished to the District on an annual basis.</p> <p>The applicant shall notify the District within 24 hours of any complaint or if the applicant receives complaints or if noise levels indicate a potential violation of applicable noise level limits. If data from the noise monitoring stations indicate that the source of noise was not the Bayside Performance Park, the applicant shall submit evidence to the District in writing within 7 days. The report shall identify any exceedances of noise level limits; disclose any actions taken to reduce noise levels, and evaluate the results of these actions.</p> <p>If recorded noise levels indicate a potential violation, or if noise levels indicate a potential violation of Coronado Noise Abatement and Control Regulations attributable to a source other than the proposed venue, the applicant shall provide a follow-up detailed letter report assessing</p>						

MITIGATION MONITORING AND REPORTING PROGRAM Bayside Performance Park Enhancement Project and Port Master Plan Amendment								
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Completed	
			Pre-Const	During Const	Post-Const		Initials	Date
	the recorded noise levels, actions taken to reduce amplified noise levels, and any other information pertinent to impacts and resolution within 30 days of the event. The letter report and follow-up detailed letter report shall be provided to District compliance monitoring staff for determining adequacy actions intended to reduce noise levels and whether additional corrective actions are necessary to prevent repeated violations.							
MM NOI-2	<u>Noise Complaint Hotline Requirements</u> The District shall maintain a dedicated noise complaint hotline for the proposed venue. All noise complaints shall be documented. The Symphony shall be notified of all noise complaints and required to take corrective action if necessary prior to the following event. The log of noise levels throughout an event that includes amplified sound shall be furnished to any Coronado resident upon request.	Port of San Diego			X	Symphony		

MITIGATION MONITORING AND REPORTING PROGRAM							
Bayside Performance Park Enhancement Project and Port Master Plan Amendment							
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Completed	
			Pre-Const	During Const	Post-Const	Responsible Party	Initials Date Comments
MM NOI-3	<p><u>Restrict Duration of Sound Amplification on Event Days</u> On the day of an event, the total use of amplified sound equipment for either events or rehearsals shall be limited to a cumulative total of 9 hours.</p> <p>Requirements Following Events The applicant shall limit sound amplification on event days to a cumulative total of 9 hours or less. Sound amplification may occur over multiple distinct intervals, as long as the sum of distinct intervals is 9 hours or less. The applicant shall maintain an active log of all events that include the use of amplified sound equipment, including a description of the interval during which amplified sound equipment was used, and the log shall be furnished to the District on an annual basis. The applicant shall notify the District within 24 hours of any complaint.</p>	Port of San Diego			X	Symphony	

MITIGATION MONITORING AND REPORTING PROGRAM							
Bayside Performance Park Enhancement Project and Port Master Plan Amendment							
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Completed	
			Pre-Const	During Const	Post-Const	Responsible Party	Initials Date Comments
MM NOI-4	<p><u>Restrict Duration of Sound Amplification on Non-Event Days</u></p> <p>On non-event days with evening rehearsals between the hours of 7:00 p.m. and 10:00 p.m., rehearsals shall be limited to 100 minutes or less.</p> <p>Requirements Following Rehearsals</p> <p>On non-event days with evening rehearsals between the hours of 7:00 p.m. and 10:00 p.m., the applicant shall limit the total daily duration of use of amplified sound equipment to 100 minutes or less. The applicant shall maintain an active log of all events that include the use of amplified sound equipment, including a description of the interval during which amplified sound equipment was used, and the log shall be furnished to the District on an annual basis. The applicant shall notify the District within 24 hours of any complaint.</p>	Port of San Diego			X	Symphony	

MITIGATION MONITORING AND REPORTING PROGRAM									
Bayside Performance Park Enhancement Project and Port Master Plan Amendment									
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Completed		Comments
			Pre-Const	During Const	Post-Const		Initials	Date	
Recreation									
MM REC-1	<u>Construction – Public Access and Notice</u> During construction, the project proponent shall maintain (1) public access to the Embarcadero Marina Park Pier and bait shop and deli (e.g., allowing for temporary closures only when necessary for construction activities or safety reasons); (2) a minimum of 20 dedicated parking spaces for users of the Embarcadero Marina Park Pier; and (3) a pedestrian pathway from the Embarcadero Promenade at EMPS for users arriving via foot or bicycle. A minimum of 10 days prior to the commencement of any demolition, grading or construction activity, the project proponent shall post signage containing the anticipated dates of construction at a visible location at the entrance of EMPS and shall maintain the public notice in a publicly visible location throughout the duration of construction. The notice shall include the web-address to the District’s parks webpage, where users may find the locations and details of other waterfront parks within District tidelands that will be available for use during the construction period.	Port of San Diego		X		Symphony			

MITIGATION MONITORING AND REPORTING PROGRAM									
Bayside Performance Park Enhancement Project and Port Master Plan Amendment									
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Completed		Comments
			Pre-Const	During Const	Post-Const		Initials	Date	
MM TRA-1	<p><u>Traffic Management Plan</u></p> <p>The Symphony shall prepare and submit to the District annual TMPs that describe the traffic to be generated by events and how the Symphony intends to manage circulation. The TMPs shall, at a minimum, describe the following for the upcoming year:</p> <ul style="list-style-type: none"> • Projected event attendances and event schedule; • Pedestrian/bicycle circulation within and adjacent to EMPS; • Vehicular circulation into and within EMPS; • Intersection traffic control and/or traffic officer requirements at the intersections of Convention Center Court/Harbor Drive, Fifth Avenue/G Avenue/Broadway, Fifth Avenue/G Street, Fifth Avenue/Harbor Drive, and Park Boulevard/Harbor Drive; and • Event traffic signage and placement. 	Port of San Diego			X	Symphony			

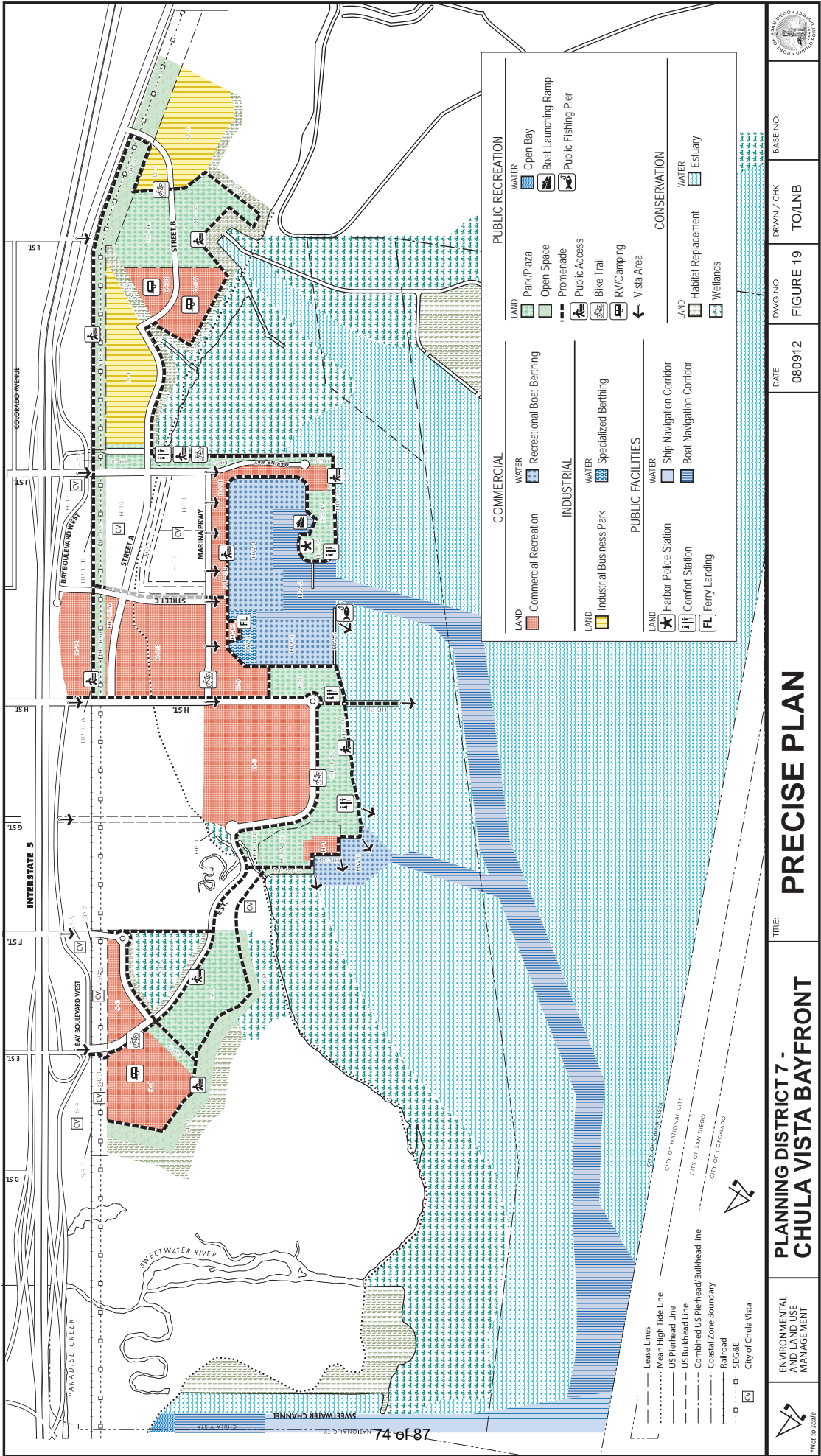
MITIGATION MONITORING AND REPORTING PROGRAM								
Bayside Performance Park Enhancement Project and Port Master Plan Amendment								
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Completed	
			Pre-Const	During Const	Post-Const		Initials	Date
	The Symphony shall implement the approved TMP during all events held at the Bayside Performance Park. All traffic control and signage shall be in place during event arrival and dismissal periods and conducted in accordance with the TMP.							
MM TRA-2	<p>Parking Management Plan</p> <p>The annual Traffic Management Plan required by MM TRA-1 will include a Parking Management Plan that details the Symphony's strategy for event parking. The Symphony shall continue to implement the following parking strategies, as detailed in the Parking Plan:</p> <ul style="list-style-type: none"> <i>Coordination</i> – Participate in the monthly Traffic Management Planning Team meetings at the Convention Center with representatives from the Convention Center, Hilton San Diego Bayfront Hotel, Padres, San Diego Police Department traffic control, and San Diego Unified Port District traffic division. 	Port of San Diego			X	Symphony		

MITIGATION MONITORING AND REPORTING PROGRAM Bayside Performance Park Enhancement Project and Port Master Plan Amendment							
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Comments
			Pre-Const	During Const	Post-Const		
	<ul style="list-style-type: none"> <i>Traffic Personnel</i> – Locate staff in accordance with the 2016 Traffic Management Plan, to facilitate circulation and direct attendees to available parking locations. <i>Wayfinding Signage</i> – Utilize signage to direct patrons to the parking locations. Update signage directions according to forecast parking availability determined at monthly Convention Center Traffic Management Planning Team meetings. <i>Public Notification</i> – Notify event patrons of parking availability in advance of events and provide updates on the Symphony website. <i>Presale Parking</i> – Provide opportunities to purchase parking passes in advance of events. <i>Parking Agreements</i> – Obtain parking agreements to ensure adequate availability of parking spaces prior to events. <i>Transit and Ferry Information</i> – Provide transit and ferry schedule information in conjunction with venue schedule and event announcements to encourage arrival via public transit. 						

MITIGATION MONITORING AND REPORTING PROGRAM Bayside Performance Park Enhancement Project and Port Master Plan Amendment								
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Completed	
			Pre-Const	During Const	Post-Const		Initials	Date
	<ul style="list-style-type: none"> <i>Transit and Ferry Incentives</i> – To promote patron and employee transit use, provide incentives such as concession vouchers with public transit pass labeled with the event date, discounted transit passes on event days, employee transit subsidies, and/or other incentive methods. <i>Port of San Diego Shuttle Program</i> – Participate in the District's on-going shuttle program. <i>Employee Off-Site Parking</i> – Provide off-site parking and shuttle accommodations for Symphony employees and event staff. <i>Transportation Network Companies</i> – Coordinate with rideshare companies (such as Lyft and Uber) to facilitate passenger drop-off and pick-up and to encourage patrons to utilize this option as a means to reduce parking demand. <i>Free Ride Everywhere Downtown</i> – Make event patrons aware of the “Free Ride Everywhere Downtown” (FRED) shuttle service, which provides free shuttle service within Downtown San Diego. 							

MITIGATION MONITORING AND REPORTING PROGRAM Bayside Performance Park Enhancement Project and Port Master Plan Amendment								
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Completed	
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	<ul style="list-style-type: none"> <i>Bike Parking</i> – Ensure bicycle parking is available within or adjacent to the project site to encourage employees/patrons to arrive to the event via bicycle. <i>Bike Share Stations</i> – Coordinate with a bike share service, such as DECOBIKE San Diego, to ensure the bike station located Marina Park Way and the Embarcadero pathway has available bikes and docking stations. <i>Event Shuttle Service</i> – Off-site shuttle service shall be provided to transport attendees between parking locations and Bayside Performance Park. <i>Event Rentals</i> – Require organizations renting the venue to make separate parking arrangements consistent with the size and scale of the respective event and with the Symphony's Parking Plan. 							

MITIGATION MONITORING AND REPORTING PROGRAM									
Bayside Performance Park Enhancement Project and Port Master Plan Amendment									
Mitigation Measure No.	Measure	Person(s) to Verify	Timing of Verification			Responsible Party	Completed		Comments
			Pre-Const	During Const	Post-Const		Initials	Date	
Cumulative	(Transportation, Circulation, and Traffic)								
MM CUM-1	<u>Traffic Management Plan Addition</u> The Traffic Management Plan (TMP) required of the project by MM TRA-1 will also include traffic control and traffic officer requirements at the intersection of First Avenue/Beech Street. As specified in MM TRA-1, the TMP, including traffic control requirements therein, shall be implemented during all events held at the Bayside Performance Park.	Port of San Diego			X	Symphony			



AMENDED SOUTH EMBARCADERO PUBLIC ACCESS PROGRAM
SOUTH EMBARCADERO PUBLIC ACCESS PROGRAM

**SOUTH EMBARCADERO
PUBLIC ACCESS PROGRAM**

SAN DIEGO UNIFIED PORT DISTRICT
REAL ESTATE DEVELOPMENT-DEVELOPMENT SERVICES
3165 PACIFIC HIGHWAY
SAN DIEGO, CALIFORNIA 92101-1128
(619) 686-6291

MAY 26, 1998
Amended MARCH 2017 (includes Marriott, Convention Center Expansion and Bayside
Performance Park Enhancements)
Revised 3/01/2017; Draft Amendments 10/18/2018 & 10/25/2018

SOUTH EMBARCADERO PUBLIC ACCESS PROGRAM

- Contents:
1. South Embarcadero Public Access Program, as amended ~~November 2012~~ ~~March 2017~~ October 2018
 2. Planning District 3 – Table A – Access and Recreation Components
 3. South Embarcadero Public Access Map
 4. Marriott Marina Terrace Activation
 5. Bayside Performance Park Enhancements Public Access Map

1. South Embarcadero Public Access Program

The South Embarcadero Public Access Program defines and implements an extensive multi-modal pedestrian, bicyclist, mass-transit and automobile-based system to provide a variety of free and low-cost San Diego Bay waterfront public recreational opportunities for a broad range of individuals and families who reside in the region, as well as visitors. Access facilities will be constructed and maintained to be accessible to persons with disabilities.

The Embarcadero Promenade, which extends along 4,600 linear feet of San Diego Bay in Planning Subareas 34 (Tuna Harbor), 35 (Marina Zone), and 36 (Convention Way Basin), offers an unparalleled pedestrian California urban waterfront experience, including a commercial and naval harbor, working fisheries, two publicly accessible piers, three shoreline public parks, recreational boating and ferry/water taxi facilities, and many water-related commercial recreational enterprises. The 70,000 SF Promenade also serves to provide convenient non-automotive pedestrian linkages between and among the San Diego Convention Center, hotels, and other commercial recreation uses in the Planning Area. As a result of improvements made through the South Embarcadero Redevelopment Program (SERP) I Port Master Plan Amendment, the Promenade alone can readily accommodate 10,000 persons at one time, or 30-50,000 persons per day.

Along the inland boundaries of the Planning Area, Harbor Drive roughly parallels the Promenade and provides a diversified multi-modal corridor. In response to increasing public interest, a substantially enlarged and landscaped 10-foot wide urban sidewalk, as well as designated driveway crossings and a unified multi-language directional signage program, will be incorporated along the west side of Harbor Drive.

The Old Police Headquarters (OPH) 1.0-acre open space Urban Plaza, pedestrian linkages around and through the OPH, and activating uses along the west side of Kettner Blvd, along with the existing 0.7-acre open space plaza adjacent to the Hyatt tower, will connect Harbor Drive, between California Street and Kettner Blvd, with existing Embarcadero Marina Park North. The open space areas will create visual and physical linkages from the OPH to the 3.5-acre waterfront park across Pacific Highway, as well as link to enhanced pedestrian connections to and along the Embarcadero through Seaport Village and along Kettner Blvd. These parks will be improved with environmentally sustainable features to enhance family recreation opportunities, and other recreational and access support facilities, such as lighting, paths, fitness course, signs, restrooms, water, telephones, tables, seating, and trash disposal.

DRAFT 10/18/2018; 10/25/2018 (Revised DRAFT)**SOUTH EMBARCADERO PUBLIC ACCESS PROGRAM**

The proposed Phase III Expansion to the Convention Center will include an approximately 5.0-acre rooftop park/plaza, approximately 50-100 feet above grade. The rooftop park/plaza will be accessible from at least six access points, including: the grand stairs and funicular at Harbor Drive, the grand stairs and elevator at the southwest corner of the rooftop park/plaza, elevators at the south midpoint of the rooftop park/plaza, the landscaped inclined walkway, and the elevator along Park Boulevard, as well as one access point from within the Convention Center. The rooftop park/plaza will include a mix of hardscape and landscape, including lawns, grasses, wildflowers, shrubs, trees, wetland plants; and pavilions and formal and non-formal gardens with lighted paths and fixed and movable furnishings. Observation vistas will be placed at opportune locations throughout the rooftop park/plaza to provide views to the Bay and uplands skyline. Support facilities such as restrooms and power and water service will also be provided.

Eleven public accessways 15 to 60 (minimum) feet wide, and comprising a total of 8,000 lineal feet, will directly connect the Harbor Drive walkway in the Planning Area with the Embarcadero Promenade: (1) on the north side of Tuna Harbor, (2) on the breakwater-pier on the south side of Tuna Harbor; (3) along the foot of Pacific Highway, (4) along the foot of California Street and south through the rehabilitated OPH building; (5) along the west side of Kettner Blvd, (6) along Pier Walk, from Market Street at Harbor to the Tuna Harbor Pier (7) along Market Plaza to the Embarcadero at Seaport Village East (8) along Marina Walk between the existing Marriott and Hyatt hotels; (9) through the canyon path between the Marriott Hotel and the existing Convention Center; (10) in the Skyward elevated access between Harbor Drive and Embarcadero Marina Park South at the junction of the existing and expanded convention center elements; and (11) from Park Boulevard Plaza along Park Boulevard to the waterfront. These connecting accessways are united with existing upland (City) sidewalks at Pacific Highway, California Street, Kettner Blvd, Market Street, Front Street-Childrens' Park-First Street, Fifth Avenue, and Park Boulevard (former Eighth Avenue). The connecting accessways on Port lands are, or will be, improved with a variety of access support and safety components as shown in Table A (page 4). No existing accessway will be reduced in size or functional capacity. Pedicab service, including designated holding areas, will be provided in conjunction with all public access, public recreational, and commercial recreational facilities, including the Convention Center, consistent with the capacity of existing and proposed accessways, and with pedestrian safety.

As redevelopment within the South Embarcadero occurs, additional opportunities to maximize and enhance public access will be incorporated. The Marriott hotel's reconstruction of its Marriott Hall ballroom and meeting facility will enable construction of Marina Walk, a joint, cohesive public accessway spanning both the Marriott and Hyatt leaseholds (#8 above). Public views and public pedestrian connectivity to the Bay will be significantly improved through relocation of the large cooling towers, removal of tall landscaping and underutilized surface parking, and leveling of the existing grade. Approximately one half of the Marina Walk length will be a total of 50 feet wide and will contain a 40-foot-wide public pedestrian access corridor and a 10-foot-wide landscape buffer to help screen the adjacent Hyatt parking structure. The 40-foot-wide public access corridor will include a 33.5-foot-wide dedicated pedestrian walkway, a 2-foot width for intermittent benches and lighting, and a 4.5-foot-wide landscape buffer with low-level, drought-resistant shrubs and groundcover that shall not exceed 3 feet in height. Adjacent to the existing approximately 10-foot-wide mechanical equipment enclosure on the

SOUTH EMBARCADERO PUBLIC ACCESS PROGRAM

Hyatt leasehold, the public access corridor may narrow to approximately 32 feet wide to allow for construction of a low-scale retaining wall and vine plantings to screen the enclosure. Marina Walk will contain amenities such as decorative paving, signage, public art features, low-level lighting, bicycle racks, benches, trash receptacles, a wheelchair accessible ramp, and restrooms open to the public during daylight hours. Marina Walk will widen to 80 feet as it approaches the Embarcadero promenade, and will widen to 145 feet at the Harbor Drive gateway to Marina Walk. At the project level, minor adjustments and revisions to the corridor, parking areas, and driveway may be made to increase the width of the walkway and improve connectivity between Marina Walk, Marina Terrace, and the Embarcadero promenade. Adjacent to this gateway, removal of the existing parking booths/gates and substantial narrowing of the entry drive (from 78 feet to 40 feet in width) will create a more inviting entrance and will encourage a more pedestrian-oriented environment. The Harbor Drive gateway area will be kept clear of physical barriers, signage, or visual obstructions that would discourage public use of Marina Walk. As part of the Marina Walk construction, the existing solid southeast façade of Sally’s restaurant on the Hyatt leasehold will be partially replaced with windows, which will also improve public physical and visual access towards the Bay.

Visibility of Marina Walk will be improved through architectural treatment and orientation of the buildings on either side of the public accessway. The aesthetics and visual accessibility of the area will be enhanced through the use of contemporary, transparent architectural features and siting of the new Marriott Hall building, which will be reoriented such that its public side faces Harbor Drive. The maximum height of the new Marriott Hall shall not exceed 68 feet, including rooftop equipment and parapet wall, and the distance between the new Marriott Hall building and Hyatt parking structure shall be a minimum of 120.5 feet.

To further enhance and activate public access in the South Embarcadero, the Marriott proposes Marina Terrace, a 25,000-square-foot paved, flexible outdoor space at the bayward terminus of Marina Walk, adjacent to the Embarcadero promenade, to be accessible for use by the public as an open gathering and activity space when not in use for outdoor hotel events. During the times when Marina Terrace will be publicly accessible, approximately 85% of the year, the Marriott will provide and/or facilitate the provision of public pedestrian-activating amenities on Marina Terrace such as seasonal events/festivals, temporary visitor-serving retail such as food carts and food vendors, and placement of movable modular street furniture for public use on Marina Terrace. This modular furniture will include public benches, chairs, tables, and outside shade structures. At a minimum, the Marriott will ensure that permanent public seating is provided along the bayward perimeter of Marina Terrace. Six-foot-wide paved pedestrian accessways through the existing landscape buffer will ensure vertical pedestrian linkages between Marina Terrace and the Embarcadero promenade. Public pedestrian use of the Marina Terrace space will be further encouraged with consistent paving and low-level vegetation to help attract visitors along Marina Walk and the Embarcadero Promenade. To encourage interaction between the public spaces on Marina Terrace, Marina Walk, and the Embarcadero Promenade, the Marriott will promote and inform the public about various activities and pedestrian-serving amenities available at Marina Terrace through use of interchangeable signage and other methods of advertisement. In addition, Marriott will provide fixed picnic-type tables between Marina Terrace and the Embarcadero promenade on a permanent basis. See “Marriott Marina Terrace Activation” graphic for a potential concept of how Marina Terrace and the Embarcadero promenade can be activated through Marriott’s placement of permanent tables and seating and

SOUTH EMBARCADERO PUBLIC ACCESS PROGRAM

provision/facilitation of movable modular furniture and retail carts on Marina Terrace. The 35-space parking lot between Marina Walk and Marina Terrace shall be signed and designated for marina use (30 spaces) and public use (5 spaces).

Marriott's proposed improvements trigger its mandatory participation in the Port District's implementation of the permanent bayside shuttle system, discussed below. The bayside shuttle system will be operational prior to the opening of the Marriott Hall expansion, and Marriott's participation in the shuttle system will be a condition precedent to issuance of a certificate of occupancy for the proposed Marriott Hall expansion. To mitigate any potential parking shortfall that may result from the Marriott project, the Marriott is required to implement the parking management strategies as discussed in the South Embarcadero Parking Management and Monitoring Program (PMMP), as amended, which is incorporated by reference in the Port Master Plan.

The South Embarcadero Planning Area and immediately adjacent areas are presently served by publicly accessible automobile parking spaces, bicycle parking spaces, and three trolley and three bus stops. These spaces and transit stops will be maintained, although some may be relocated. To facilitate additional public recreational waterfront access opportunities, the Plan Amendment also provides for an additional water taxi landing at Tuna Harbor Pier (consistent with continued commercial fishing uses), additional automobile, new bicycle parking spaces and lanes, and three new bus stops along Harbor Drive (implementation of which will be in coordination with San Diego Transit). Throughout the South Embarcadero (G Street mole to the Hilton Bayfront Hotel), commercial development is also required to participate in and contribute a fair share to the Port District's implementation of a permanent bayside shuttle system that would serve and connect tideland uses along the waterfront, such as the Convention Center Hotel Public Parking Facility, hotels, Seaport Village, and other waterfront destinations. Although outside the South Embarcadero, the bayside shuttle should also provide service to the San Diego Aircraft Carrier Museum (USS Midway). In addition, this bayside shuttle system should include linkages to public roadside shuttle systems serving downtown San Diego, the airport, and MTS transportation hubs. Port District implementation of the bayside shuttle system is intended to serve visitors as part of an integrated waterfront access and parking program that the Port District shall pursue in conjunction with the City of San Diego, CCDC and MTS. The Port District will fund the bayside shuttle system at its cost and may seek cost recovery and financial participation consistent with its policies and practices and applicable laws. Cost recovery and financial participation may include: collection of fares, grants, advertising, voluntary tenant participation, mandatory tenant participation at the time of issuance of coastal development permits for Port District tenant projects within the South Embarcadero, and other sources as may be identified by the Port District. If rider fares are collected, fares will be kept at a low cost as compared to comparable transportation services within the region. The District will prepare a bayside shuttle system program and operational plan prior to the shuttle system commencing operations. Operation of the bayside shuttle system will occur as described in the Port Master Plan.

The unified public access directional and information signage program, as well as the environmental education signage program, are proposed to be expanded throughout the Planning Area, and to be augmented by works of public art. Substantial environmental education displays of San Diego's on-shore and off-shore coastal geology will be incorporated into the design of

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public access ways.

As part of the redevelopment of South Embarcadero, the pier adjacent to the Hilton San Diego Bayfront will be publically accessible 85 percent of the year. Perimeter railings and seating will be extended onto the public access pier, which will also be made ADA accessible. Completion of the improvements to the public access pier will be complete prior to the issuance of the Certificate of Occupancy for the Hilton San Diego Bayfront Expansion.

Any construction activities in the South Embarcadero shall minimize impacts to public access, including access to public spaces such as parks and promenades.

The Bayside Performance Park Project, which is sited within approximately one-third of Embarcadero Marina Park South (EMPS), will enhance and activate public access in the South Embarcadero and further increase accessibility in EMPS by upgrading and modernizing public amenities and public access features. The project's proposed improvements include the construction of a permanent performance stage and ancillary amenities that will enhance cultural use of the park and improve a community gathering space. The Bayside Performance Park project also will create a more enjoyable park experience by enhancing public access. The existing 8-foot-wide promenade around the perimeter of the Bayside Performance Park area (on the northwestern portion of EMPS) will be widened and replaced with a 12-foot-wide promenade to remain open to the general public at all times during regular park hours (open daily from 6:00 a.m. to 10:30 p.m.), and would remain open to the general public during all events held at the Bayside Performance Park. Public access wayfinding signage and public educational signage consistent with the unified public access directional and information and environmental education signage programs will be installed throughout EMPS. Light-emitting diode (LED) lighting will be installed to illuminate portions of the promenade and main access points, aid in night-time wayfinding, and create a safe environment for nighttime use of the park. All park amenities, with the exception of the performance stage, back-of-house facilities, and ancillary structures totaling approximately 15,090 square feet (0.35 acre), will be open to the general public when events are not being held. The promenade—both around the Bayside Performance Park and throughout the rest of EMPS—and fishing pier will remain open to the general public at all times during regular park hours and would remain open to the general public during all events held at the Bayside Performance Park. The promenade (including benches)¹ will continue to provide unlimited public access along the waterfront. Within the Bayside Performance Park, a public viewing deck and steps will be constructed on the backside (north) of the performance stage and would be accessible via the promenade. The viewing deck will remain open to the general public during certain events held at the Bayside Performance Park, depending on the programming and event type. All associated fencing shall be located within the Premises, landward of the public promenade. Perimeter fencing shall include large removable/moveable sections to provide sufficient public access into the Premises during non-event hours. Removeable/moveable fencing shall be promptly opened after an event and shall remain open when no events are scheduled within the premises.

The Bayside Performance Park would be open to the general public for 85 percent of the year. Paid-admission performances and rental events at the Bayside Performance Park would be

¹ Additional language inserted 10/25/2018

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limited to a maximum of 15 percent of the year (equivalent to 110 half-day events or 55 full-day events). While access within the Bayside Performance Park will be exclusive to event patrons during event hours, the entire promenade and other portions of EMPS will remain open to the general public during regular park hours.

The proposed Bayside Performance Park improvements also include enhanced recreational and support facilities, such as: 1) Replacement of the basketball courts with new basketball court materials and equipment; 2) Relocation of the existing fitness equipment with replacement, as necessary, new equipment and relocation to the southeastern portion of the park; 3) Refurbishment of the existing public outdoor gazebo with similar materials as existing; and 4) Refurbishment of the existing public restrooms on the southwestern portion of the park with new facilities and new materials that complement the materials of the other facilities. There will also be four new restroom facilities constructed on the northern portion of the park that will be open to the general public during all regular park hours.²

Finally, signage will be installed in conspicuous locations including at the entrance to EMPS and the Bayside Performance Park box office to ensure that the public is aware that the event venue is open to the public outside of the allowable events. Specifically, the signage: will provide adequate public wayfinding through EMPS including the Bayside Performance Park; describe the use of the Bayside Performance Park as a public park consistent with the approved project; describe availability of the public promenade, benches, and other publicly accessible areas in and around the Bayside Performance Park; indicate the availability of the Bayside Performance Park to the general public, including during non-event times, rehearsals, and free programming; provide ongoing event schedule and times when the Bayside Performance Park would be closed in whole or in part to the general public; and provide general information to the public, including contact information of a representative of the Symphony for any public inquiries regarding use and/or events, and a website for the Bayside Performance Park.³

² Additional language inserted 3/1/2017

³ Additional language inserted 10/18/2018

SOUTH EMBARCADERO PUBLIC ACCESS PROGRAM

TABLE A - PLANNING DISTRICT 3, ACCESS AND RECREATION COMPONENTS

NAME	LOCATION	MAP REF. NO.	SIZE/PARKING	USE TYPES	FACILITIES
A. Promenade	Embarcadero	1	4600 LF	P,B,Rb,Ed,A:ha	VP,p,t,w,l,tl,b,tb,s
			70000 SF		
Segment 1	Laurel Broadway	2	5200 LF	P,B,Rb, Ed, A:ha	VP,p,l
			72800 SF		
Segment 2	Broadway Com	3	950 LF	P,B,Rb,Ed,A:ha	p,l
			3800 SF		
Segment 3	Tuna Harbor	4	800 LF	P,B,Rb,Ed,A:ha	VP,p,l
			11200 SF		
			200/85 Spaces		
Segment 4	Seaport Village	5	1100 LF	P,B,Rb,Ed,A:ha	VP,p,t,w,l,tl,b,tb,s
			15400 SF		
Segment 5	N Emb Mar Park	6	1600 LF	P,B,B/Ap,Rb:ha	VP,p,t,w,l,tl,b,tb,s
			22400 SF		
Segment 6	Kettner Blvd	7	1600 LF	P,B,Rb:ha	p,,w,l,tl,b,tb,s
	(includes 0.7 acre Hyatt Plaza)		32000 SF		
Segment 7	Hyatt Hotel 1/2	8	600 LF	P,B,Rb,Ed,A:ha	VP,p,t,w,l,tl,b,tb,s
			48,000 SF		
			100 Spaces		
Segment 8	Marriott	9	600 LF	P,B,Rb,Ed,A:ha	p,t,w,l,tl,b,tb,s
			18000 SF		
Segment 9	S Emb Mar Park	10	4075 LF	P,B,B/Ap,Rb:ha	VP,p,t,w,l,tl,b,tb,s
			44500 SF		
			132 Spaces		
Segment 10	Conv Cntr/Exp	11	3350 LF	P,B,Rb,Ed,A:ha	VP,p,t,w,l,tl,b,tb,s
			37500 SF		
Segment 11	5th Ave Landing	12	1200 LF		
			7200 SF		
Segment 12	Campbell	13	700 LF		
			4200 SF		
B. Tuna Harbor	Harbor Drive	14	800 LF	P,B,Rb,Ed,A:ha	VP,p,t,w,l,tl,b,tb,s
			45000 SF		
			200/85		
C. Urban Plaza	South of side of Harbor Dr; North side of OPH	15		Plza,P,A:ha	p,t,w,l,tl,b,tb,s
			1 Acre		
D. Waterfront Park	S of Harbor Dr	16	See Seg. 3	Prk,P,Pg,B/Ap,A:ha	P,T,W,L,TL,B,TB,S
			3.5 Acres		
E. Pier Walk	W of Market St	17	1250 LF	P:ha	VP,p,t,w,l,tl,b,tb,s
			50000 SF		
F. Tuna Hrb Pier	W of Pier Walk	18	400LF	P,CF,WT:ha	VP,p,tl,s
			10000 SF		
G. N Emb Mar Pk	S of Central Pk	19	See Seg. 5	Prk, P,Pg,B/Ap,A:ha	VP,p,t,w,l,tl,b,tb,s
			10.7 Acres		
			87 Spaces		

Legend:

A=(public) Art	B=Bikepath	B/Ap=Bike/Auto parking	CF=Commercial Fishing
Ed=Environ. Education	P=Pedestrian walkway	Pg=Playground	PLZA=Plaza
PRK=Park	Rb=Roller Blade Accessible	SA=Shaded Area Available	SF=Sport Fishing
VP=View Point	ha=handicapped accessible	l=lighting	p=path s=sign
sp=parking spaces	t=toilet facility	tb=table/benches	tl=telephone
w=water available			

NOTE: The data in this table is indicative rather than definitive (i.e., the numbers are approximations).

SOUTH EMBARCADERO PUBLIC ACCESS PROGRAM

TABLE A - PLANNING DISTRICT 3, ACCESS AND RECREATION COMPONENTS

NAME	LOCATION	MAP REF. NO.	SIZE/PARKING	USE TYPES	FACILITIES
H. Pacific Hwy.	S of Harbor Dr.	20	650 LF	P,B:ha	p,s,
			65000 SF		
I. Kettner Blvd.	S. of Harbor Dr.	21	900 x 2 LF	P,B:ha	p,s
			54000 SF		
			35 Spaces		
J. California	S. of Harbor Dr.	22	650 LF	P,B,A:ha	p,s
			32500 SF		
K. Harbor Dr.	Plaza Pk to 8 th Ave.	23	4000 LF	P,B:ha	p,s
			40000 SF		
			18 Spaces		
L. Marina Walk	S. of Harbor Dr.	24	600 LF	Plz,P,B:ha	p,s
			36000 SF		
M. Access Cyn.	S. of Harbor Dr.	25	750 LF	P,A,Ed:ha	p,s,Ed
			7500 LF		
N. Skywalk	At CC/CCE	26	800 LF	P,Ed,A:ha	VP,p,s,l,b,tb
			16000 SF		
O. S Emb Mar Pk	S of Conv Cntr.	27	See Seg. 9	Prk,P,Pg,B/Ap,A:ha	VP,p,t,w,l,tl,b,tb,s
			12 Acres	SF	
P. Park Blvd Plaza	Harbor at Park	28	See Seg. 10	Plz,P,B/Ap,A:ha	p,s,t,w,l,tl,b,tb
			30000 SF		
Q. Transit Stops	BusStp @ Waterfront Pk	30	Bus turnout	P,B,Ed:ha	p,s
	BusStp @ Conv.	32	Bus turnout	P,B,Ed:ha	p,s
	BusStp @ 8 th Ave.	33	Bus turnout	P,B,Ed:ha	p,s
	Trolley S @ Mkt.	34	NS/East Line	P,B,Ed:ha	p,s
	Trolley S @ 1 st	35	NS/East Line	P,B,Ed:ha	p,s
	Trolley S @ 5 th	36	NS/East Line	P,B,Ed:ha	p,s
R. Public Parking	Pacific Hwy.	37	40Spaces	B/Ap:ha	p,s
	SPV Main Lot	38	453 Spaces (493 w/ valet)	B/Ap:ha	p,s
	Waterfront Park/Pier Walk Bldg	39	172Spaces	B/Ap:ha	p,s
	Hyatt 2	40	100 Spaces	B/Ap:ha	p,s
	SPV East	41	124 Spaces (204 w/ valet)	B/Ap:ha	p,s
	Marriott	42	5 Spaces	B/Ap:ha	p,s
	Conv.Cntr.	43		B/Ap:ha	p,s
S. S Emb MarFP	S Emb Mar Pk	45	132 Spaces	P,SF,B:ha	VP,p,w,l,b,tb,s
T. Village Wlks	SPV (1978)	46		P,Plz,A,Ed:ha	l,p,Rb,SA,s,sp,t,tb,tl w
U. Conv Cntr Rftp	Rooftop of Conv Ctr Phase III Exp	47	5 Acres	PRK, P, ha, PLZA	VP, w, t, SA, l, tb

Legend:

A=(public) Art	B=Bikepath	B/Ap=Bike/Auto parking	CF=Commercial Fishing
Ed=Environ. Education	P=Pedestrian walkway	Pg=Playground	PLZA=Plaza
PRK=Park	Rb=Roller Blade Accessible	SA=Shaded Area Available	SF=Sport Fishing
VP=View Point	ha=handicapped accessible	l=lighting	p=path s=sign
sp=parking spaces	t=toilet facility	tb=table/benches	tl=telephone
w=water available			

NOTE: The data in this table is indicative rather than definitive (i.e., the numbers are approximations).

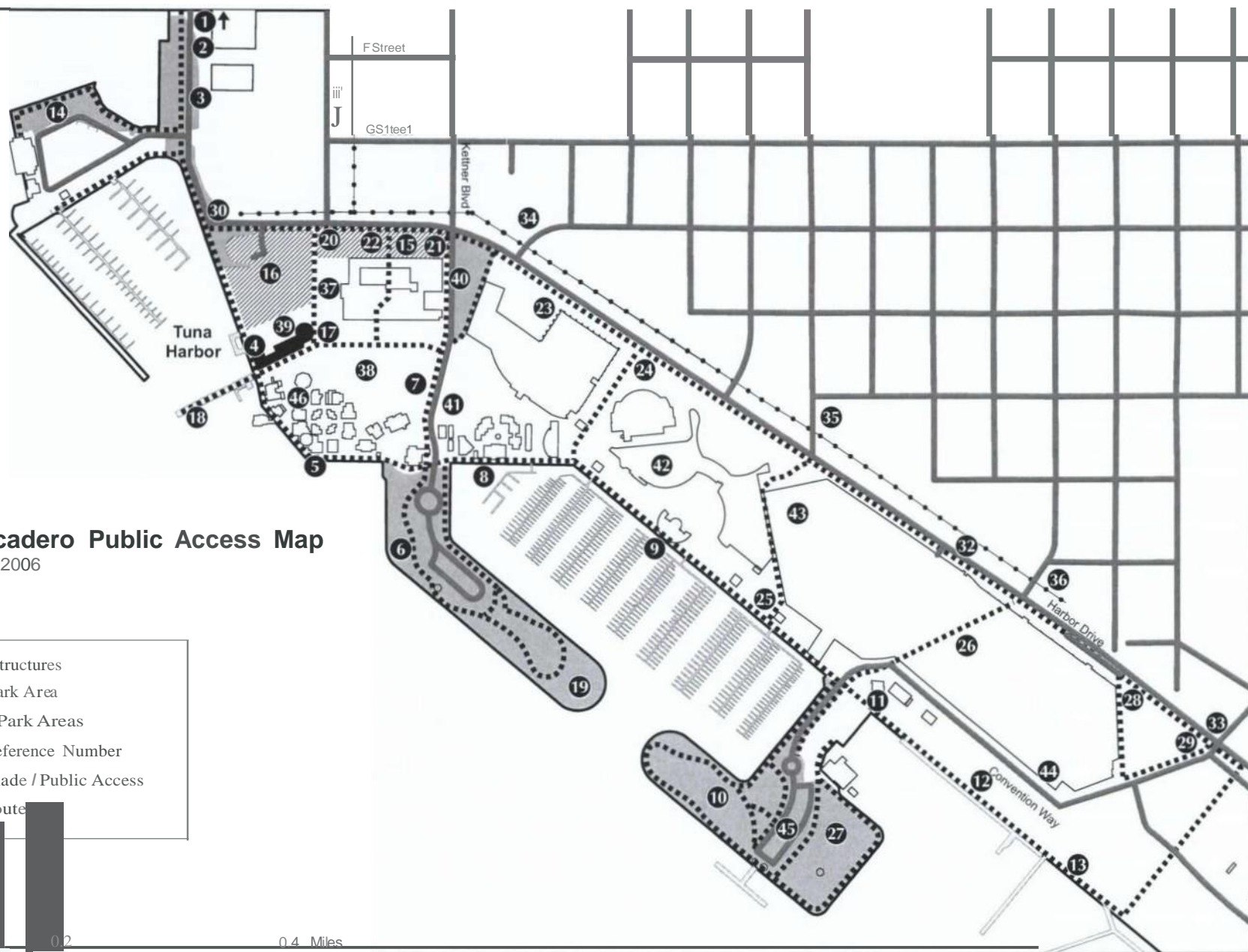
N
A

South Embarcadero Public Access Map Amended February 2006

LEGEND:

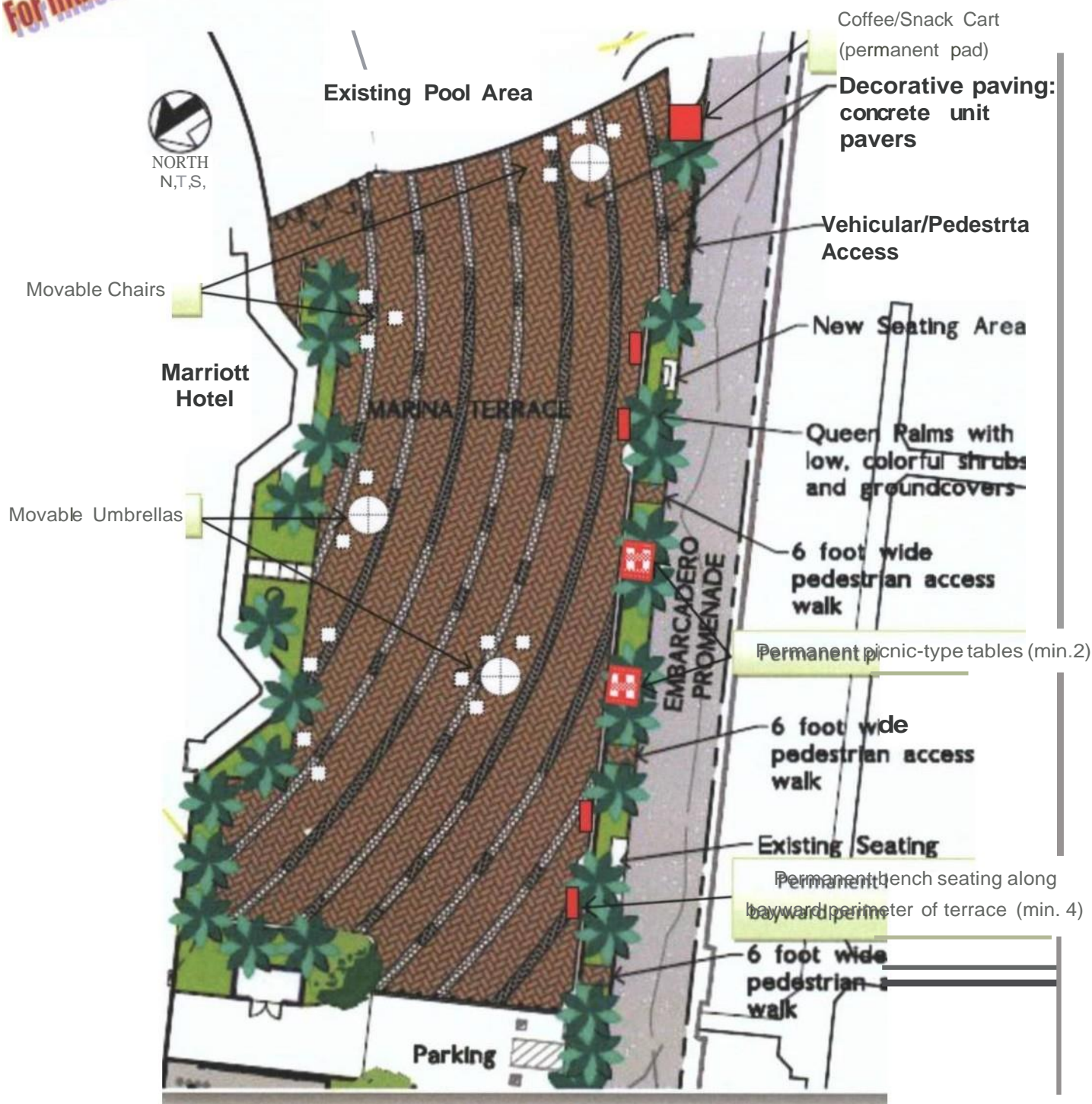
- New Structures
- New Park Area
- O Existing Park Areas
- G Map Reference Number
- ... Promenade / Public Access
- Bike Route

0 0.1 0.2 0.4 Miles



For Illustrative Purposes Only

Marriott Marina Terrace Activation



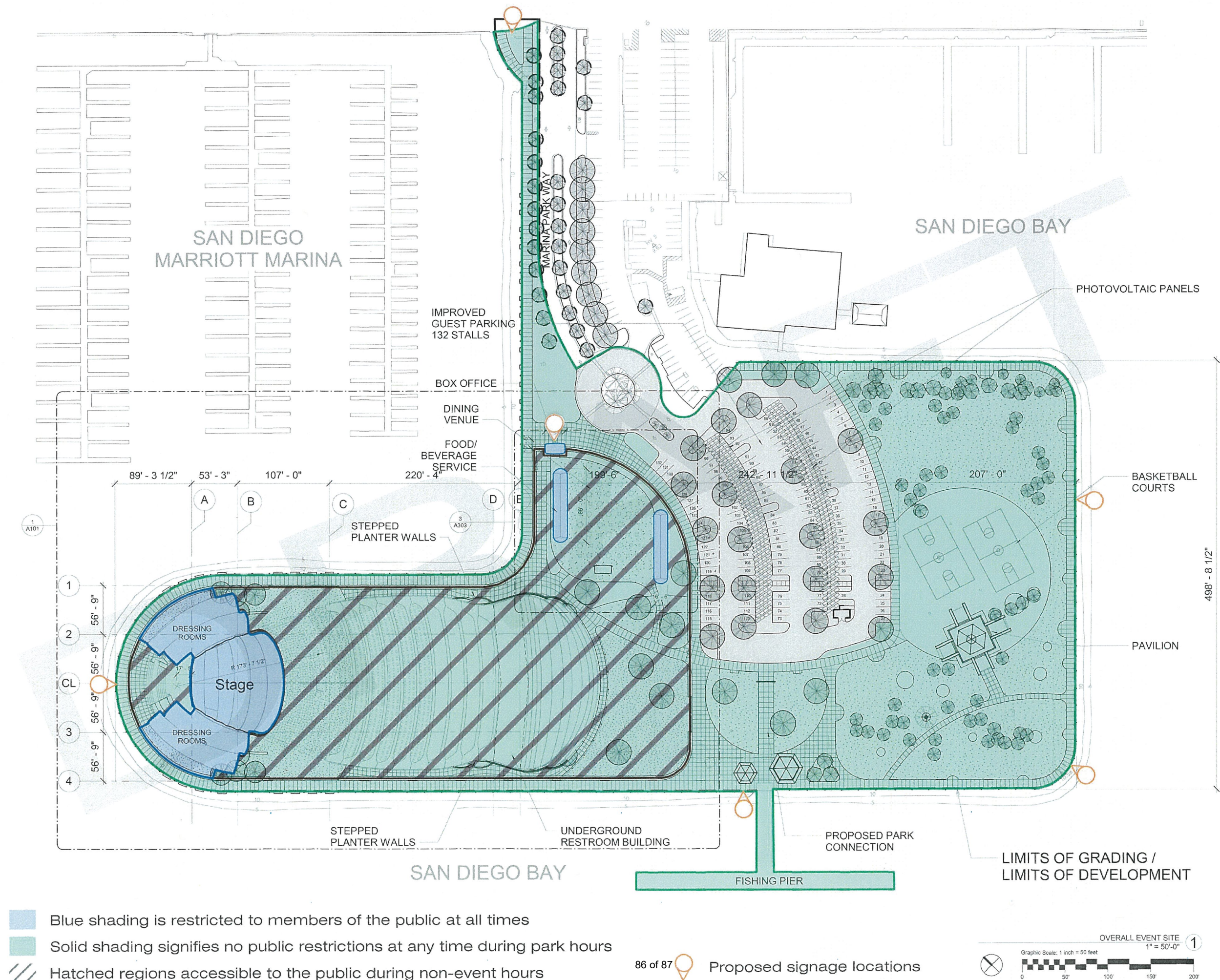
Movable modular furniture, including chairs and umbrellas, will be placed within the Marina Terrace area on a variable basis (amount and location dependant on day of week and weather conditions). A minimum of two (2) fixed picnic-type tables and four (4) fixed benches will be provided along the bayward perimeter of the terrace on a permanent basis. A pad will be established adjacent to the Embarcadero Promenade for placement of a temporary cart.

11/8/12

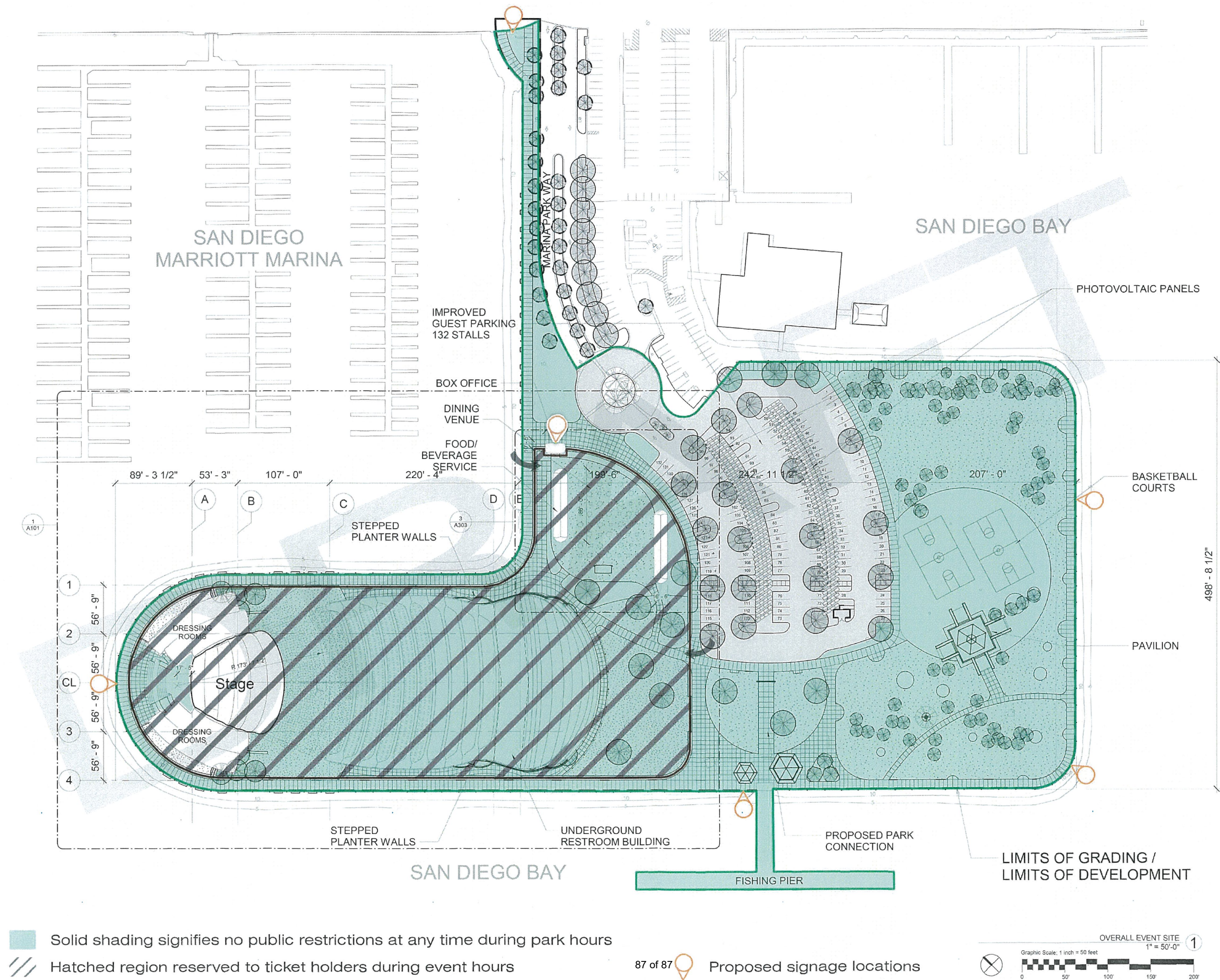
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BAYSIDE PERFORMANCE PARK
ENHANCEMENT PROJECT

SHEET TITLE: OVERALL SITE	
PROJECT NUMBER: 21081.00	DRAWING NUMBER: A100
DATE: 08/12/15	
SCALE AS INDICATED	

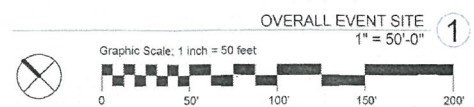


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■ Solid shading signifies no public restrictions at any time during park hours
▨ Hatched region reserved to ticket holders during event hours

87 of 87 Proposed signage locations



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TUCKER SADLER

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SAN DIEGO SYMPHONY

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Embarcadero Marina Park South
San Diego, Ca 92101
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**BAYSIDE PERFORMANCE PARK
ENHANCEMENT PROJECT**

SHEET TITLE:
OVERALL SITE

PROJECT NUMBER:
21081.00

DATE:
08/12/15

SCALE:
AS INDICATED

DRAWING NUMBER:
A100

10/31/2016 4:10:10 PM