

COUNTY CLERK'S USE

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT

NOTICE OF EXEMPTION

(Article III, Section 3, City CEQA Guidelines)

FORM RP 1-1-91

Submission of this form is optional. This form shall be filed with the County Clerk, 12400 East Imperial Highway, Norwalk, California 90650, pursuant to Public Resources Code Section 21152(b). Pursuant to Public Resources Code Section 21168(d), the filing of this notice starts a 35-day statute of limitation on Court challenges to the approval of the project. Failure to file this notice with the County Clerk results in the statute of limitation being extended to 180 days.

LEAD CITY AGENCY AND ADDRESS: City of Los Angeles Department of Recreation and Parks, 221 N. Figueroa Street, Suite 400, Los Angeles, CA 90012	COUNCIL DISTRICT: 15
PROJECT TITLE: LELAND PARK - License agreement with SP Industrial	LOG REFERENCE: BR 23-101

PROJECT LOCATION: 863 South Herbert Avenue, San Pedro, CA, 90731

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT:

The proposed Project consists of an agreement between the City of Los Angeles Department of Recreation and Parks (RAP) and a private developer to reconstruct a portion of a stormdrain on the boundary between RAP's property and the developer's property.

Beneficiaries of the project are the patrons of the park.

CONTACT PERSON: ELENA MAGGIONI	AREA CODE 213	TELEPHONE NUMBER: 482-6980	EXT.
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EXEMPT STATUS: (Check One)	CITY CEQA GUIDELINES	STATE CEQA GUIDELINES
<input type="checkbox"/> DECLARED EMERGENCY	Art. II, Sec. 2a(1)	ART. 18, Sec. 15269(a)
<input type="checkbox"/> EMERGENCY PROJECT	Art. II, Sec. 2(a)(2)(3)	ART. 18, Sec. 15269(b)(c)
<input type="checkbox"/> MINISTERIAL PROJECT	Art. II, Sec. 2b	ART. 18, Sec. 15268
<input checked="" type="checkbox"/> CATEGORICAL EXEMPTION	Art. II, Sec. 2(c) See Below	ART. 19, Sec. 15300 -15333
<input type="checkbox"/> GENERAL EXEMPTION	Art. II, Sec. 2(d)	ART. 18, Sec. 15262
<input type="checkbox"/> STATUTORY EXEMPTION	Art. II, Sec. 2(i)	ART. 18, Sec. 15282
 	(City CEQA Guidelines)	(State CEQA Guidelines)
Class 3	Art. III, Sec(s). 1(c)(5)	Art. 19, Sec(s). 15303(d)
Category 5	Art. III, Sec(s). 1(d)(2)	Art. 19, Sec(s). 15304
4	Art. III, Sec(s). 1(d)(7)	Art. 19, Sec(s). _____
4	Art. III, Sec(s). _____	Art. 19, Sec(s). _____
_____	Art. III, Sec(s). _____	Art. 19, Sec(s). _____
_____	Art. III, Sec(s). _____	Art. 19, Sec(s). _____

OTHER (See Public Resources Code Sect. 21080(b) and set forth in state & city guidelines provisions)

JUSTIFICATION FOR PROJECT EXEMPTION:

The proposed Project is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 3(5), Class 4(2) and 4(7) of City CEQA Guidelines as well as to Article 19, Sections 15303(d) and 15304 of California CEQA Guidelines. None of the limitations set forth in State CEQA Guidelines 15300.2 apply, see attached narrative.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING

SIGNATURE: ELENA MAGGIONI Environmental Supervisor		DATE: 6/1/2023
FEE \$75.00	RECEIPT NO.	REC'D. BY:
		DATE:

LELAND PARK - License agreement with SP Industrial

CATEGORICAL EXEMPTION NARRATIVE

I. PROJECT DESCRIPTION

SP Industrial, a private developer, is proposing to build a two-story self-storage building on private property, adjacent to the north side of Leland Park. During the permitting process, they anticipate the need to address the water runoff from the hillside of the park, next to the proposed retaining wall. A site assessment was conducted and found that the existing drainage channel to be in poor condition with broken segments and debris. Thus, a License Agreement between RAP and SP Industrial was drafted to ensure that SP Industrial and/or future property owners will be responsible for maintaining the drainage channel.

The scope of the proposed Project will include the following:

- Construction of a three foot wide concrete drainage channel
- Regrade of the existing slope
- Planting of vegetatio.

The project is located at 863 South Herbert Avenue, San Pedro, CA, 90731, in the San Pedro Community Planning Area (Fig.1).

II. ENVIRONMENTAL REVIEW

Basis for Categorical Exemption

The proposed Project consists of the construction of a storm drain, constructed to collect low flow or alleviate other local drainage problems, where no impact on a park is anticipated, grading on land with a slope of fifteen percent (15%) or more, and issuance, of a license or permit to use land involving minor alterations to the condition of the land.

It is categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Article III, Section 1, Class 3(5), Class 4(2) and 4(7) of City CEQA Guidelines as well as to Article 19, Sections 15303(d) and 15304 of California CEQA Guidelines.

Consideration of Potential Exceptions to Use of a Categorical Exemption

The State CEQA Guidelines (CCR Sec 15300.2) limit the use of categorical exemptions in the following circumstances:

1. Location. Exemption Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may be significant in a particularly sensitive environment. Therefore, these classes are considered to apply to all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

The proposed project falls under Class 3 and 4, and could potentially constitute an exception to CEQA exemptions. According to the parcel profile report retrieved April 21, 2023 this area does not reside in a liquefaction zone, nor not within a coastal, methane, or historic zone, therefore the project does not impact on a recognized environmental resource of hazardous or critical concern, and this exception has no application here.

2. Cumulative Impact. This exception applies when, although a particular project may not have a significant impact, the cumulative impact of successive projects of the same type in the same place, over time is significant.

The proposed project consists of a license agreement to repair and use a stormdrain in an existing park. No other known projects would involve cumulatively significant impacts, and no future projects would result from the proposed project. Therefore, this exception has no application here.

3. Significant Effect. This exception applies when, although the project may otherwise be exempt, there is a reasonable possibility that the project will have a significant effect due to unusual circumstances.

RAP is not aware of any unusual circumstances associated with this project. Therefore, this exception has no application here.

4. Scenic Highway. A categorical exemption shall not be used for a project that may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.

The proposed project is not within sight of any state designated scenic highway, nor of any other historic and scenic resource. Therefore, this exception has no application here.

5. Hazardous Waste Site. This exception applies when a project is located on a site listed as a hazardous waste site under Government Code Section 65962.5.

As of 6/1/2023, the State Department of Toxic Substances Control (Envirostor at www.envirostor.dtsc.ca.gov) and the State Water Resources Control Board (Geotracker at <https://Geotracker.waterboards.ca.gov>) have not listed any site within the project area but have listed RB Case #: 907310589 within 1000 feet from the project site. The case is a leaking underground tank, assessed by the Regional Water Resources Board and closed in 2013 that does interfere with the proposed Project Therefore, this exception has no application here.

6. Historical Resources. This exception applies when a project may cause a substantial adverse change in the significance of a historical resource.

The proposed project area is not located in proximity of known historical, paleontological or archeological resources. The excavation required for the proposed Project will occur in already disturbed areas, and this office does not anticipate the disruption of archaeological or paleontological resources.

However, in case historical artifacts are encountered, City Engineer Standard Specifications, Section 6-3.2, (Greenbook, 2012) states: "If discovery is made of items of archaeological or paleontological interest, the Contractor shall immediately cease excavation in the area of discovery and shall not continue until ordered by the Engineer." Therefore, during activities in which there will be ground disturbances (i.e., digging, drilling, etc.) if any evidence of archaeological, cultural, or paleontological resources are found, all work within the vicinity of the find shall stop until a qualified archaeologist can assess the finds and make recommendations. No excavation of any finds should be attempted by Project personnel unless directed by a qualified archaeologist. Construction activities may continue in other areas. If the discovery proves significant under CEQA (Section 15064.5f; Public Resources Code or PRC 21082), additional work such as testing or data recovery may be warranted.

The discovery of human remains is always a possibility during ground disturbances; State

of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Los Angeles County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. The Los Angeles County Coroner must be notified of the find immediately. If the human remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, which will determine and notify a Most Likely Descendent (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

Therefore, this exception has no application here.

Figure 1. Project Location



List of References

California Regional Water Quality Control Board. *GeoTracker*. Retrieved, April 21, 2023, from [https:// geotracker.waterboards.ca.gov](https://geotracker.waterboards.ca.gov).

City of Los Angeles Department of City Planning Parcel Profile Report. Retrieved on April 21, 2023, from NavigateLA <http://boemaps.eng.ci.la.ca.us/navigate/la/>

City of Los Angeles Department of Public Works Bureau of Engineering. *NavigateLA*. Retrieved on April 21, 2023, 2022 from <http://boemaps.eng.ci.la.ca.us/navigate/la/>

City of Los Angeles Environmental Quality Act Guidelines.

Health and Safety Code Section 7050.5

Los Angeles Municipal Code.

Public Resources Code Section 5097.98

Standard Specifications for Public Works Construction. Greenbook, 2012 edition.

State CEQA Guidelines.

State Department of Toxic Substances Control. *EnviroStor*. Retrieved April 21, 2023, from www.envirostor.dtsc.ca.gov

State Department of Transportation. *California Scenic Highway Mapping System.*, from <https://dot.ca.gov/programs/design/lap-landscape-architecture-and-community-livability/lap-liv-i-scenic-highways>