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October 25, 2018

Honorable City Council
City of Los Angeles
c/o City Clerk
Room 395, City Hall
Los Angeles, California 90012

**ORDINANCE AUTHORIZING GRANT OF EASEMENTS TO
LOS ANGELES COUNTY SANITATION DISTRICT NO. 2
COUNCIL FILE NO. 17-0760, COUNCIL DISTRICT 15**

On June 30, 2017, the City Council adopted a Motion directing the Department of Recreation and Parks (RAP) with the assistance of the City Attorney's Office to negotiate the grant of three (3) permanent and one (1) temporary easements (Easements) to the Los Angeles County Sanitation District (LACSD). To provide legal authority for these grant of Easements, the City Attorney's Office prepared and RAP now transmits for your consideration the enclosed draft ordinance, approved as to form and legality.

BACKGROUND

LACSD requires these easements for its seven-mile-long, \$700 million effluent tunnel project transporting wastewater from LACSD's pollution control plant in the City of Carson to its ocean discharge facility in the tidelands off Royal Palms Beach in San Pedro (LACSD Project). To build this Project, LACSD requires: (1) a permanent, exclusive subsurface tunnel easement which runs under a portion of RAP's Ken Malloy Harbor Regional Park in Harbor City, (2) a temporary, exclusive construction easement to facilitate monitoring and maintenance of tunnel boring equipment at two locations of said Ken Malloy Harbor Regional Park, (3) a permanent, exclusive subsurface tunnel easement which runs under a portion of RAP's White Point Nature Preserve and Education Center in San Pedro, and (4) a permanent, exclusive subsurface ocean outfall easement which runs through a RAP tidelands property off Royal Palms Beach in San Pedro.

LACSD offers a total purchase price of \$244,000 for the permanent easements and \$3,000 for the temporary easement.



COUNCIL RULE 38 REFERRAL

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to RAP with a request that comments be presented directly to City Council or its Committees when this matter is considered. RAP has no further comments.

CALIFORNIA ENVIRONMENTAL QUALITY ACT

If the City Council wishes to adopt the ordinance authorizing grant of these easements to LACSD (and execution of the related easement agreements), it must first comply with the California Environmental Quality Act (CEQA). Council may comply with CEQA in connection with the grant of these Easements by making the CEQA findings set forth under RECOMMENDATIONS below:

The Final Environmental Impact Report (FEIR) for the LACSD Project (SCH No. 2008101074) was certified by the Sanitation District No.2's Board of Directors on November 28, 2012. A Notice of Determination (NOD) was filed with the Los Angeles County Clerk on November 30, 2012. The construction activities associated with the tunnel and the safe havens within Harbor Park and White Point Park fall within the project scope of work analyzed and the mitigation measures included in the Final EIR for the project. Thus, no further CEQA documentation is required for the subject actions before the City Council.

RECOMMENDATIONS

If the City Council wishes to approve the proposed grant of the Easements to LACSD, it should:

1. Concur with the CEQA findings for the Clearwater Program Environmental Impact Report/Environment Impact Statement certified on November 28, 2012 by the Board of Directors of District No. 2 of LACSD; and
2. Approve the attached draft ordinance authorizing grant of the Easements to LACSD.



MICHAEL A. SHULL
General Manager