

APPROVED

DEC 13 2017

BOARD OF RECREATION AND PARK COMMISSIONERS NO. 17-258

BOARD REPORT

DATE December 13, 2017

C.D. 11

BOARD OF RECREATION AND PARK COMMISSIONERS

SUBJECT: DOCKWEILER STATE BEACH – APPROVAL FOR THE USE OF SUBMERGED TIDELANDS ~~AND A PORTION OF PARK PROPERTY~~ FOR A PROPOSED SUBSEA FIBER-OPTIC CABLE SYSTEMS CONNECTING THE UNITED STATES AND THE ASIA PACIFIC REGION; CONSIDERATION OF THE ENVIRONMENTAL IMPACT REPORT (EIR), FINDINGS, STATEMENT OF OVERRIDING CONSIDERATIONS AND ACCOMPANYING MITIGATION MEASURES, AND OF THE MITIGATION MONITORING AND REPORTING PLAN FOR THE LOS ANGELES TRANS-PACIFIC TELECOMMUNICATIONS CABLE HUB EIR (SCH NO. 2016101050)

AP Diaz	<u> </u>	V. Israel	<u> </u>
*R. Barajas	<u><i>R. Barajas</i></u>	S. Pifia-Cortez	<u> </u>
H. Fujita	<u> </u>	N. Williams	<u> </u>


General Manager

Approved X Disapproved Withdrawn
With Corrections

RECOMMENDATIONS

1. Grant approval for the use of the Submerged Tidelands ~~and a portion of park property~~ under the jurisdiction of the City of Los Angeles, Department of Recreation and Parks (RAP) at Dockweiler State Beach for a proposed Subsea Fiber-Optic Cable System connecting the United States and the Asia Pacific Region, also referred to as the Los Angeles Trans-Pacific Telecommunications Cable Hub;
2. Authorize the General Manager and/or his designee to negotiate and develop an Easement Agreement with Tyco Electronics Subsea Communications LLC (TE SubCom) for the use of the submerged tidelands ~~and a portion of park property~~ under the jurisdiction of RAP at Dockweiler State Beach under terms and conditions indicated in the Summary of this Report;

BOARD REPORT

PG. 2 NO. 17-258

3. Authorize the General Manager and/or his designee and the City Attorney to make any necessary changes to the Easement Agreement consistent with the terms, improvements, and uses set forth in this Report;
4. Authorize the Board President and Secretary to execute the final Easement Agreement subject to the approval of the City Attorney as to form, and the approval of the City Council by ordinance;
5. Authorize RAP's Accounting Employee to establish the appropriate account for the receipt of \$400,000.00 from TE SubCom as consideration for the execution of the Easement Agreement; and,
6. Find, pursuant to the State of California Environmental Quality Act (CEQA) Guidelines, in consideration of the whole administrative record, that the project was adequately assessed in the certified Environmental Impact Report (EIR), Findings, Statement of Overriding Considerations and accompanying mitigation measures, and of the Mitigation Monitoring and Reporting Plan for the Los Angeles Trans-Pacific Telecommunications Cable Hub EIR (SCH No. 2016101050).

SUMMARY:

For the past several months, City staff from RAP, Information Technology and the City Attorney have been meeting with representatives from Tyco Electronics Subsea Communications LLC (TE SubCom) concerning a proposal to install and operate infrastructure for subsea fiber-optic telecommunications cable systems connecting the United States (US) and the Asia Region, also referred to as the Los Angeles Trans-Pacific Telecommunications Cable Hub. The proposed Project locations are in Los Angeles, California.

The proposed landing site for the proposed hub in the US is the northeast corner of the parking lot at Dockweiler State Beach, immediately west of South Marine Avenue and west of Vista del Mar Boulevard abutting the western boundary of the Los Angeles Airport (Exhibit A-1).

A subsurface terrestrial conduit system would be constructed from the project installed underground manholes at the parking lot to an existing data center, through the public street right-of way within the limits of the City of Los Angeles and El Segundo (Exhibit A-2).

BOARD REPORT

PG. 3 NO. 17-258

four (4)

The project includes the installation of ~~XXXXX~~ subsea cables within the submerged tidelands and a terrestrial conduit system at the parking lot at Dockweiler State Beach. With the exception of a small portion at the corner of Vista Del Mar and Imperial, RAP does not own Dockweiler State Beach (Exhibit A-3). However, the ownership of the submerged tidelands along the coastline within the City of Los Angeles limits were granted to the City by the California State Land Commission in 1929. The City Council subsequently conferred jurisdiction over the submerged tidelands to RAP by ordinance (Los Angeles Municipal Code Section 63.01).

At this time, the negotiating parties have come to an understanding on the terms and conditions for a possible easement agreement that would allow TE SubCom to install and operate the proposed project. These terms and conditions are reflected on the attached Term Sheet (Exhibit B).

With the Board's approval of the proposed project and the terms indicated in the term sheet, RAP staff with the assistance of staff from the Information Technology Agency and the Office of City Attorney shall finalize the Easement Agreement which will be forwarded to the City Council for approval.

ENVIRONMENTAL IMPACT REPORT (CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA))

RAP staff has determined that the actions before the Board are part of a larger project, adequately assessed in a previously certified EIR, along with Findings and Statement of Overriding Considerations, and a Mitigation Monitoring and Reporting Plan, for the Los Angeles Trans-Pacific Telecommunications Cable Hub EIR (SCH No. 2016101050).

On November 3, 2017, the Los Angeles City Council certified the EIR for the proposed Trans-Pacific Telecommunications Cable Hub and approved the Findings and Statement of Overriding Considerations and the Monitoring and Reporting Program. A Notice of Determination (NOD) was filed with the Los Angeles County Clerk on November 3, 2017. Staff recommends that the Board concur with the City Council's determination. No further CEQA documentation is required for the subject actions before the Board.

FISCAL IMPACT STATEMENT

There is no negative impact to RAP's General Fund related to the approval of the proposed Los Angeles Trans-Pacific Telecommunications Cable Hub project and the related Easement Agreement. There will be a net gain of \$400,000.00.

BOARD REPORT

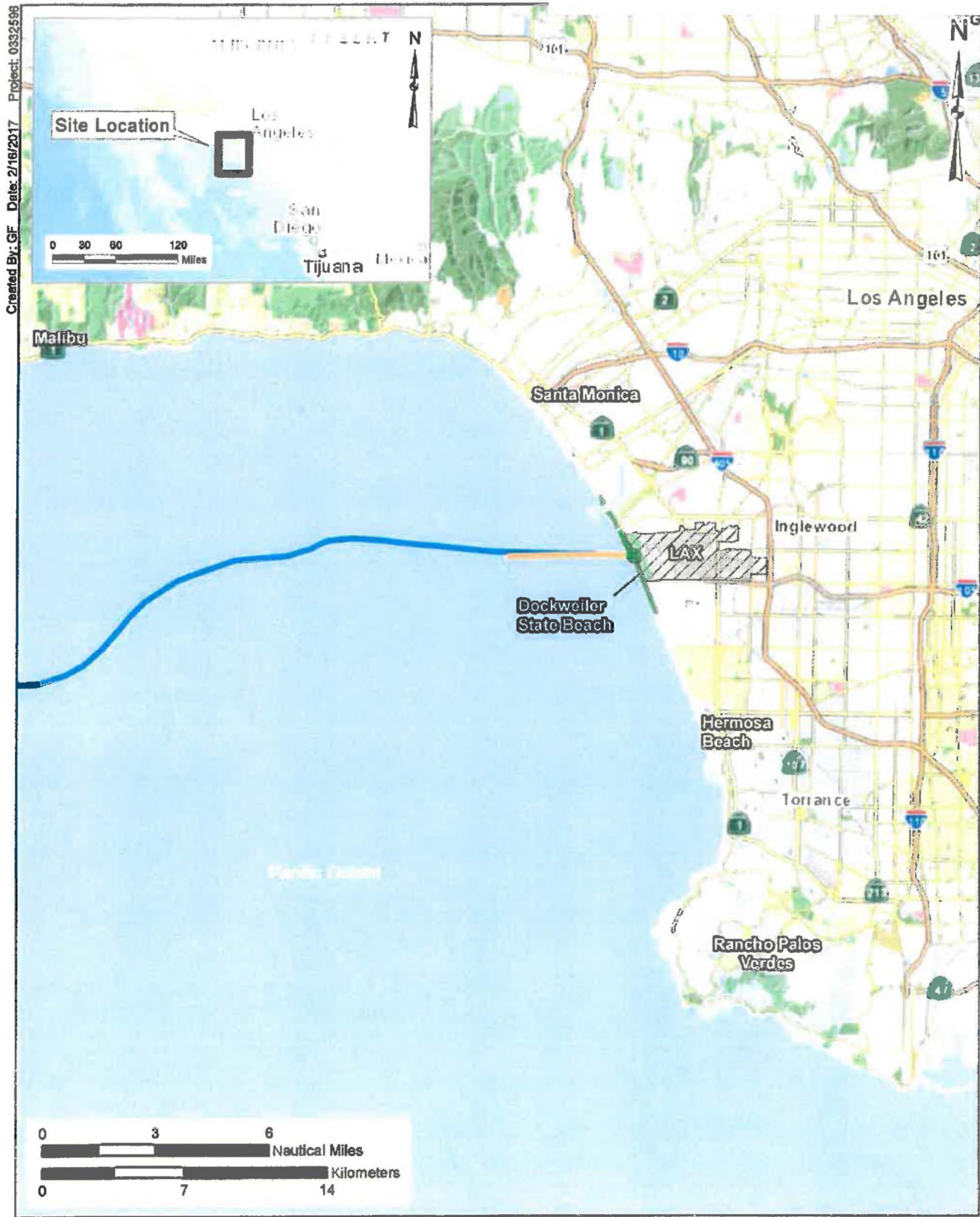
PG. 4 NO. 17-258

This Report has been prepared by Cid Macaraeg, Sr. Management Analyst II, Planning, Maintenance and Construction Branch.

List of Attachments

- Exhibit A-1
- Exhibit A-2
- Exhibit A-3
- Exhibit B

Exhibit A-1



Created By: GF Date: 2/16/2017 Project: 0392598

Legend

- PLCN Cable Route
- Trans-Pacific Cable Segment
- Cable Landing Site



Environmental Resources Management
www.erm.com

Figure 2-1
Location Map
Los Angeles Trans-Pacific Telecommunications Cable Hub



Exhibit A-2

Legend

- | | |
|---------------------------------------|---------------------|
| Terrestrial Conduit Route | Cable Landing Site |
| Construction Method (Proposed) | Equinix Data Center |
| Trenching | |
| Horizontal Directional Drill | |

Figure 2-2
Terrestrial Conduit Route
Los Angeles Trans-Pacific
Telecommunications Cable Hub

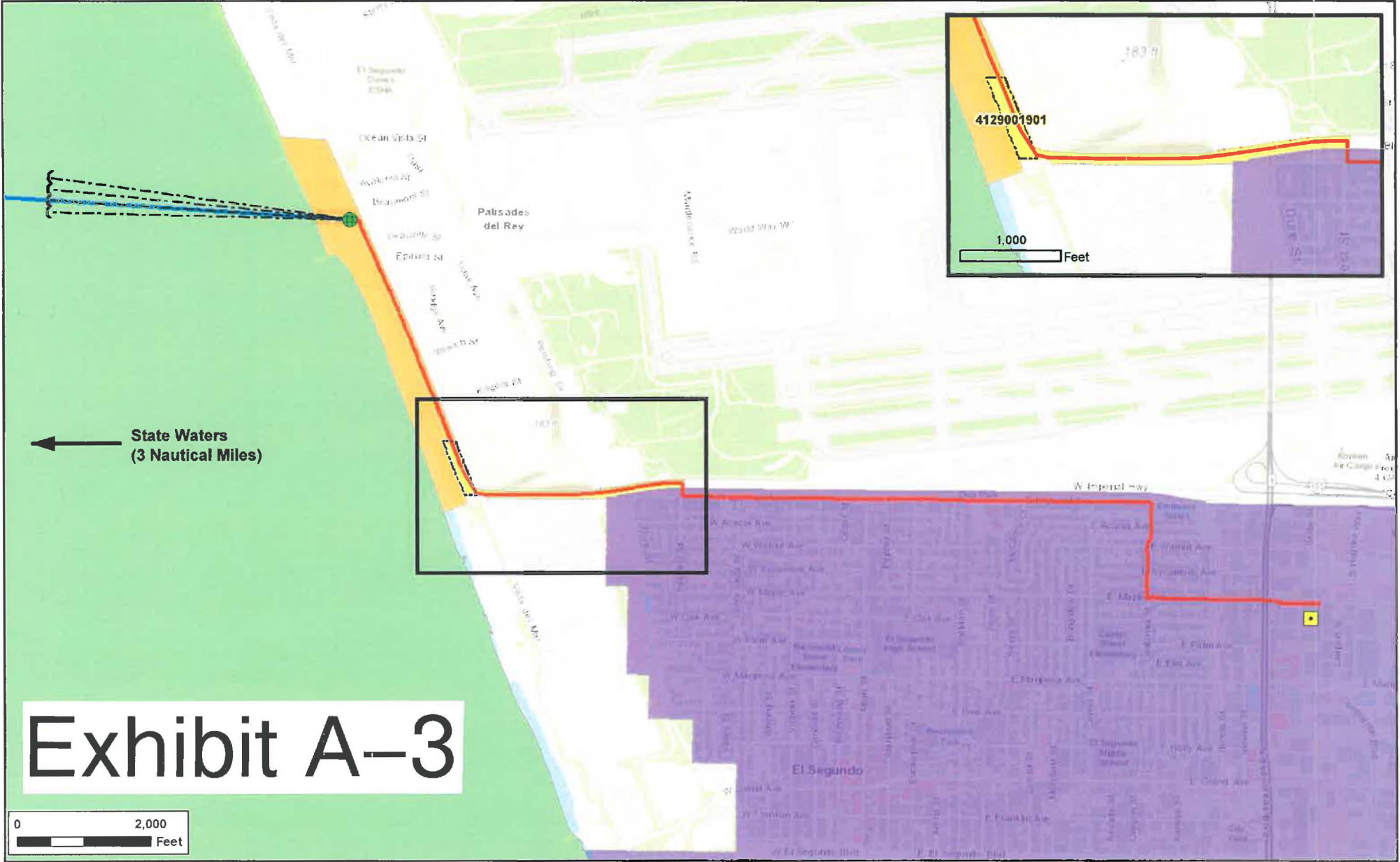


Exhibit A-3

Legend

- Cable Landing Site
- Terrestrial Conduit Route
- Parcel Boundary
- PLCN Cable Route
- Marine Bore Pipe
- City of LA Information Technology Agency (ITA) Franchise Agreement
- El Segundo Easement Agreement
- LA County Licensing Agreement
- Submerged Lands Easement-City of LA Recreation and Parks

Entitlement Jurisdictions
 Los Angeles Trans-Pacific
 Telecommunications Cable Hub

Environmental Resources
 Management
 www.erm.com **ERM**

Exhibit A-3

Exhibit B

TE SubCom: Los Angeles Trans-Pacific Telecommunications Cable Hub Term Sheet for Submerged and Tidelands

- **Easement Description:** Use of submerged and tidelands owned by the City of Los Angeles and controlled by its Department of Recreation and Parks for four fiber optic cable systems that include the following:
 - Four bore pipes with a cumulative length of 15,829.2 linear feet, as more particularly identified in Exhibit A. Each bore pipe is 5 inches in diameter with a 6 ¾ inch collar at each connection point (every 20 feet).
 - Four separate fiber optic cables, including casings, entering the boundary of the City's submerged lands and pulled through each of the four bore pipes. The first cable, known known as the Pacific Light Cable Network, extends 15,528.63 feet from the bore pipe exit to the boundary of the City's submerged lands, and is more particularly identified in Exhibit B. The fiber optic cable is 49 millimeters in diameter. Descriptions of each of the three additional cables will be provided to the Department of Recreation and Parks as they are developed and will become part of the easement area.
- **Consideration:** A one-time, lump sum payment of \$400,000 to be paid within 60 days of the easement agreement's effective date. This payment is inclusive of any extensions of the easement term.
- **Term:** 21-year term, plus an additional 10-year option subject to the Board of Recreation and Park Commissioners and City Council approval.
- **Other Terms:** Construction may not begin until the Coastal Commission approves the project's coastal development permit.