

**MICHAEL N. FEUER**  
CITY ATTORNEY

REPORT NO. R 18 - 0 2 6 2

AUG 1 6 2018

**REPORT RE:**

**DRAFT ORDINANCE AUTHORIZING THE LOS ANGELES DEPARTMENT OF WATER AND POWER TO GRANT AN EASEMENT TO WILLOW SPRINGS SOLAR, LLC (WILLOW SPRINGS) FOR ELECTRICITY COLLECTION AND COMMUNICATION LINES ACROSS A PORTION OF TRANSMISSION LINE RIGHT-OF-WAY NO. 31A AND 83 IN KERN COUNTY, CALIFORNIA**

The Honorable City Council  
of the City of Los Angeles  
Room 395, City Hall  
200 North Spring Street  
Los Angeles, California 90012

Honorable Members:

This Office has prepared and now transmits for your consideration the enclosed draft ordinance, approved as to form and legality. This draft ordinance would approve Resolution No. 019-018, adopted by the Board of Water and Power Commissioners on August 14, 2018, and authorize the Los Angeles Department of Water and Power (LADWP) to grant a non-exclusive easement for electricity collection and communications lines (Easement) over City of Los Angeles Transmission Line Right-of-Way No. 31A and 83 in Kern County, California, to Willow Springs. The Easement is granted in consideration for Willow Springs having disclaimed its interest in property that LADWP acquired for its Barren Ridge Renewable Transmission Project (BR RTP).

Background

The LADWP began the process of acquiring properties for the BR RTP in 2014. The BR RTP is a new 62-mile 230 kV transmission line that brings renewable wind and solar energy from the Tehachapi Mountains and Mojave Desert areas to Los Angeles. Willow Springs held certain interests in property that LADWP had to acquire for the

BRRTP. To facilitate the BRRTP property acquisitions, Willow Springs disclaimed its interest in certain parcels in consideration of LADWP recommending that the Easement be granted to allow Willow Springs to access its facilities that straddle the LADWP's transmission corridor. LADWP's Right-of-Way staff has determined that subject to the conditions set forth in the Grant of Easement Agreement, the grant of the Easement will not interfere with LADWP's operations in its transmission corridor.

On August 14, 2018, the Board of Water and Power Commissioners adopted Resolution No. 019-018 authorizing execution of the Grant of Easement Agreement, attached as Exhibit A to the draft ordinance.

#### Charter Requirements

The enclosed draft ordinance is transmitted for your approval pursuant to Charter Section 675(b)(2), after approval by the Board of Water and Power Commissioners of the Department of Water and Power.

#### CEQA Findings

The grant of the Easement has been determined to be exempt pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15305. In accordance with this section, an activity is not subject to CEQA if it consists of minor alterations in land use limitations in an area with an average slope of less than 20%, which do not result in any changes in land use or density. The granting of the Easement to Willow Springs Solar for underground transmission lines and appurtenances across LADWP's transmission corridor will not result in any changes in land use or density in an area where the average slope is than 20%; therefore, this activity is exempt under CEQA.

#### Recommendation

Based on the foregoing, it is requested that the City Council adopt the enclosed draft ordinance. A copy of the Board Resolution is included in the Council file.

#### Council Rule 38 Referral

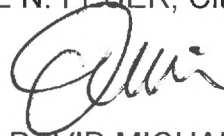
This draft ordinance has been presented to the Board of Water and Power Commissioners of the Department of Water and Power pursuant to Council Rule 38.

If you have any questions regarding this matter, please contact Deputy City Attorney Timothy J. Chung at (213) 367-4518. He or another member of this Office will be present when you consider this matter to answer questions you may have.

Sincerely,

MICHAEL N. FEUER, City Attorney

By



DAVID MICHAELSON  
Chief Assistant City Attorney

DM:TJC:pj  
Transmittal