

Notice of Exemption

Appendix E

To: ☐ Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044

☒ County Clerk

County of: Los Angeles
12400 Imperial Highway, Room 2001
Norwalk, CA 90650

From: (Public Agency): _____
Los Angeles County Flood Control District
900 S. Fremont Ave, Alhambra, CA 91803
(Address)

Project Title: Southern California Edison Tigris/Nile 12 kV

Project Applicant: Los Angeles County Flood Control District

Project Location - Specific:

San Gabriel River - Parcel 371GE.1

THIS NOTICE WAS POSTED

ON September 25 2024

UNTIL October 25 2024

REGISTRAR - RECORDER/COUNTY CLERK

Project Location - City: Irwindale

Project Location - County: Los Angeles

Description of Nature, Purpose and Beneficiaries of Project:

The Los Angeles County Flood Control District is granting an easement for overhead electrical supply systems and appurtenances affecting Parcel 371GE.1 related to the San Gabriel River, in the City of Irwindale, to Southern California Edison Company (SCE). SCE requested the grant of easement to replace their overhead electrical supply systems and appurtenances in connection with their Nile/Tigris 12 kV circuit project.

Name of Public Agency Approving Project: Los Angeles County Flood Control District

Name of Person or Agency Carrying Out Project: _____

Exempt Status: (check one):

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
☒ Categorical Exemption. State type and section number: CEQA §15301(b), 15302(c) and (d), 15304, and 15305
☐ Statutory Exemptions. State code number: _____

Reasons why project is exempt:

These exemptions provide for the minor alteration of existing public facilities, including facilities of publicly-owned utilities used to provide electric power, natural gas, sewerage, or other public utility services; construction and location of limited numbers of new, small facilities or structures and installation of small new equipment and facilities including water main, sewage, electrical, gas, and other utility extensions; and minor alterations on land or in land use limitations.

Lead Agency

Contact Person: Hank Fung

Area Code/Telephone/Extension: 626-458-3936

If filed by applicant:

1. Attach certified document of exemption finding.

2. Has Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: Hank Fung Date: 9/24/2024 Title: Senior Civil Engineer

☒ Signed by Lead Agency

☐ Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code.

Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

Date Received for filing at OPR: _____



MARK PESTRELLA, Director

**COUNTY OF LOS ANGELES
DEPARTMENT OF PUBLIC WORKS**

To Enrich Lives Through Effective and Caring Service

900 SOUTH FREMONT AVENUE
ALHAMBRA, CALIFORNIA 91803-1331
Telephone (626) 458-5100
<http://dpw.lacounty.gov>

2024 201083



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Sep 25 2024

Dean C. Logan, Registrar - Recorder/County Clerk

Electronically signed by VALERIE VALADEZ

ADDRESS ALL CORRESPONDENCE TO:
P.O. BOX 1450
ALHAMBRA, CALIFORNIA 91801-1450

IN REPLY PLEASE
REFER TO FILE

September 10, 2024

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

Dear Supervisors:

ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

77 September 10, 2024

Edward Yen
EDWARD YEN
EXECUTIVE OFFICER

**WATER RESOURCES CORE SERVICE AREA
GRANT OF EASEMENT
FROM THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT
TO SOUTHERN CALIFORNIA EDISON COMPANY
SAN GABRIEL RIVER, PARCEL 371GE.1
IN THE CITY OF IRWINDALE
(SUPERVISORIAL DISTRICT 1)
(3 VOTES)**

SUBJECT

Public Works is seeking Board approval to grant an easement for overhead electrical supply systems and appurtenances affecting Parcel 371GE.1 related to the San Gabriel River, in the City of Irwindale, from the Los Angeles County Flood Control District to Southern California Edison Company.

IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY FLOOD CONTROL DISTRICT:

1. Find that the Nile/Tigris 12kv Circuit project is exempt from the California Environmental Quality Act for the reasons stated in this Board letter and in the record of the project.
2. Find that the grant of easement for overhead electrical supply systems and appurtenances affecting Parcel 371GE.1 related to the San Gabriel River, in the City of Irwindale, and the subsequent use of said easement will not interfere with the use of the affected parcel for any purposes of the Los Angeles County Flood Control District.

3. Approve the grant of easement for overhead electrical supply systems and appurtenances affecting Parcel 371GE.1 related to the San Gabriel River, in the City of Irwindale, from the Los Angeles County Flood Control District to Southern California Edison Company.
4. Delegate authority to the Chief Engineer of the Los Angeles County Flood Control District or his designee to execute the Easement document and authorize delivery to Southern California Edison Company.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is to find that the Nile/Tigris 12kv Circuit project is exempt from the California Environmental Quality Act (CEQA) and allow the Los Angeles County Flood Control District to grant an easement for overhead electrical supply systems and appurtenances affecting Parcel 371GE.1 related to the San Gabriel River, in the City of Irwindale, as shown on the enclosed map, to Southern California Edison Company (SCE).

SCE requested the grant of easement to replace their overhead electrical supply systems and appurtenances in connection with their Nile/Tigris 12kv Circuit project.

The recommended actions will benefit SCE and County residents by providing upgraded electrical services.

Implementation of Strategic Plan Goals

These recommendations support the County Strategic Plan: North Star 3, Realize Tomorrow's Government Today, Focus Area Goal G, Internal Controls and Processes, Strategy ii, Manage and Maximize County Assets, by providing accessible funds for the District's programs, which will help to promote fiscal responsibility.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

SCE deposited \$50,000 for the grant of easement, which represents fair market value. This amount was deposited into the Flood Control District Fund (B07, Revenue Source Code 9906-Sale of Capital Assets-Easements).

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

The proposed grant of easement is authorized by Section 2, Subsection 13, of the Los Angeles County Flood Control Act. This section provides as follows: "The Los Angeles County Flood Control District is hereby declared to be a body corporate and politic, and has all the following powers... 13. To lease, sell or dispose of any property (or any interest therein) whenever in the judgment of the board of supervisors of the property, or any interest therein or part thereof, is no longer required for the purposes of the district, or may be leased for any purpose without interfering with the use of the same for the purposes of the district..."

The grant of easement is not considered adverse to the District's purposes and will not hinder the use of the San Gabriel River for possible transportation, utility, recreational corridors, or flood control

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purposes. Moreover, the instrument reserves paramount rights to use the affected parcel for the District's purposes.

County Counsel will review and approve the Easement document as to form prior to execution and it will be recorded.

ENVIRONMENTAL DOCUMENTATION

The Nile/Tigris 12kv Circuit project is exempt from CEQA. The project authorizes a grant of easement for overhead electrical supply systems and appurtenances; therefore, it is within the class of projects that has been determined not to have a significant effect on the environment in that it meets the criteria of Sections 15301 (b), 15302 (c) and (d), 15304, and 15305 of the State CEQA Guidelines and Classes 1(e), 2(e) and (f), 4, and 5(a) of the County's Environmental Document Reporting Procedures and Guidelines, Appendix G. In addition, based on the proposed project records, it will comply with all applicable regulations; it is not in a sensitive environment; there are no cumulative impacts, unusual circumstances, damage to scenic highways, listing on hazardous waste site lists compiled pursuant to Government Code Section 65962.5; or indications that it may cause a substantial adverse change in the significance of a historical resource that would make the exemption inapplicable.

Upon the Board's approval of the recommended actions, Public Works will file a Notice of Exemption with the Registrar-Recorder/County Clerk in accordance with Section 21152 of the California Public Resources Code.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

This transaction will allow for the joint use of the District's right of way without interfering with the primary mission of the District. There will be no impact on current services or projects.

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Dean C. Logan, Registrar-Recorder/County Clerk

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The Honorable Board of Supervisors

9/10/2024

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CONCLUSION

Please return one adopted copy of this letter to Public Works, Survey/Mapping & Property Management Division.

Respectfully submitted,



MARK PESTRELLA, PE

Director

MP:GE:jh

Enclosures

c: Auditor-Controller (Accounting Division—Asset Management)
Chief Executive Office (Chia-Ann Yen)
County Counsel
Executive Office

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January 19, 2024

Los Angeles County Public Works
900 S. Freemont Avenue, 3rd Floor
Alhambra, CA 91803-1331

**Re: Southern California Edison's Operations and Maintenance Activities on the
Tigris/Nile 12 kV (PIF 027588)**

To Whom It May Concern:

Southern California Edison Company ("SCE") proposes to repair two duct banks as part of a distribution circuit upgrade project within the San Gabriel River Flood Control right of way. The proposed project is part of the SCE Tigris/Nile 12 kV circuit. The work area is located on Live Oak Road within APN 8535-011-902 in the City of Irwindale, Los Angeles County, California. To facilitate this work, SCE is requesting an easement to perform this work within the San Gabriel River Flood Control right of way, and respectfully submits this letter to provide details as to why review per the California Environmental Quality Act (Pub. Resources Code § 21000 *et seq.*, "CEQA") is not necessary to support issuance of an encroachment permit.

CEQA Non-Applicability

We have determined that the subject project is exempt from CEQA in general, and that it qualifies for several Categorical Exemptions. Therefore, SCE finds that review per CEQA is not necessary for the issuance of the requested encroachment permit, as follows:

As codified in CEQA and its implementing guidelines (14 CCR § 15000 *et seq.*, "CEQA Guidelines"), CEQA does not apply to "ministerial" projects proposed to be carried out or approved by public agencies (Pub. Resources Code § 21080(b)(1); 14 CCR §§ 15002(i)(1),(2); 15268(a); 15300.1(a)). Ministerial decisions are defined as those which generally involve only the use of fixed standards or objective measurements, where public officials cannot use personal, subjective judgment in deciding whether or how the project should be carried out (14 CCR § 15369). We propose that LA County Public Works review of our request for an easement to perform this electrical-utility pole work is ministerial by definition and is not subject to CEQA review.

The subject project qualifies for CEQA exemption as it involves the repair and maintenance of an existing electric utility and requires very minor alteration of topographical features adjacent to existing electric utility facilities, with no expansion of the existing use of that infrastructure (14 CCR § 15301(b),(f)). Project work specifically includes minor excavation and backfilling, and no tree removal is contemplated. In addition, based on current site conditions and a review of the existing environment, including wetlands, archaeological, and biological conditions at the project site, that no significant effects on the environment could reasonably be expected. Project scope for the pole work (as outlined above in the project description section) will be short-term in duration, and areas of temporary impacts to the project area will be returned to their pre-project condition immediately following cessation of work.

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15061. Review For Exemption

(b) A project is exempt from CEQA if:

...

(2) The project is exempt pursuant to a categorical exemption (see Article 19, commencing with Section 15300) and the application of that categorical exemption is not barred by one of the exceptions set forth in Section 15300.2.

(3) The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA.

As such, this project qualifies for an exemption according to 15300.2 (Exemptions) as it would not contribute to a cumulatively significant impact (part b), it does not have a reasonable possibility of a significant effect on the environment (part c), would not result in damage to a scenic highway (part d), will not be located on a site which is included on a hazardous waste site (part e), and would not cause a substantial adverse change in the significance of a historical resource (part f).

In addition, to the extent that any discretionary approval triggering CEQA review were required to support pole work, we find that such an approval would also be categorically exempt from CEQA review. We have determined that the project would qualify for the following categorical exemptions identified in the CEQA Guidelines, as follows:

15301. EXISTING FACILITIES

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. Examples include but are not limited to:

(b) Existing facilities of both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage, or other public utility services;

15302. REPLACEMENT OR RECONSTRUCTION

Class 2 consists of replacement or reconstruction of existing structures and facilities where the new structure will be located on the same site as the structure replaced and will have substantially the same purpose and capacity as the structure replaced, including but not limited to:

(c) Replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity.

(d) Conversion of overhead electric utility distribution system facilities to underground including connection to existing overhead electric utility distribution lines where the surface is restored to the condition existing prior to the undergrounding.

15304. MINOR ALTERATIONS TO LAND

Class 4 consists of minor public or private alterations in the condition of land, water, and/or vegetation which do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes. Examples include, but are not limited to:

(f) Minor trenching and backfilling where the surface is restored;

(g) Maintenance dredging where the spoil is deposited in a spoil area authorized by all applicable state and federal regulatory agencies;

Note: Authority cited: Section 21083, Public Resources Code; Reference: Section 21084, Public Resources Code.

SCE respectfully requests LA County Public Works review of the subject project in support of an easement based on our findings that the project is exempt from CEQA. Please feel free to contact me with any questions at 626-460-9207 or email at sara.bholat@sce.com.

Sincerely,



Sara Bholat, Environmental Senior Advisor
Environmental Department
Southern California Edison

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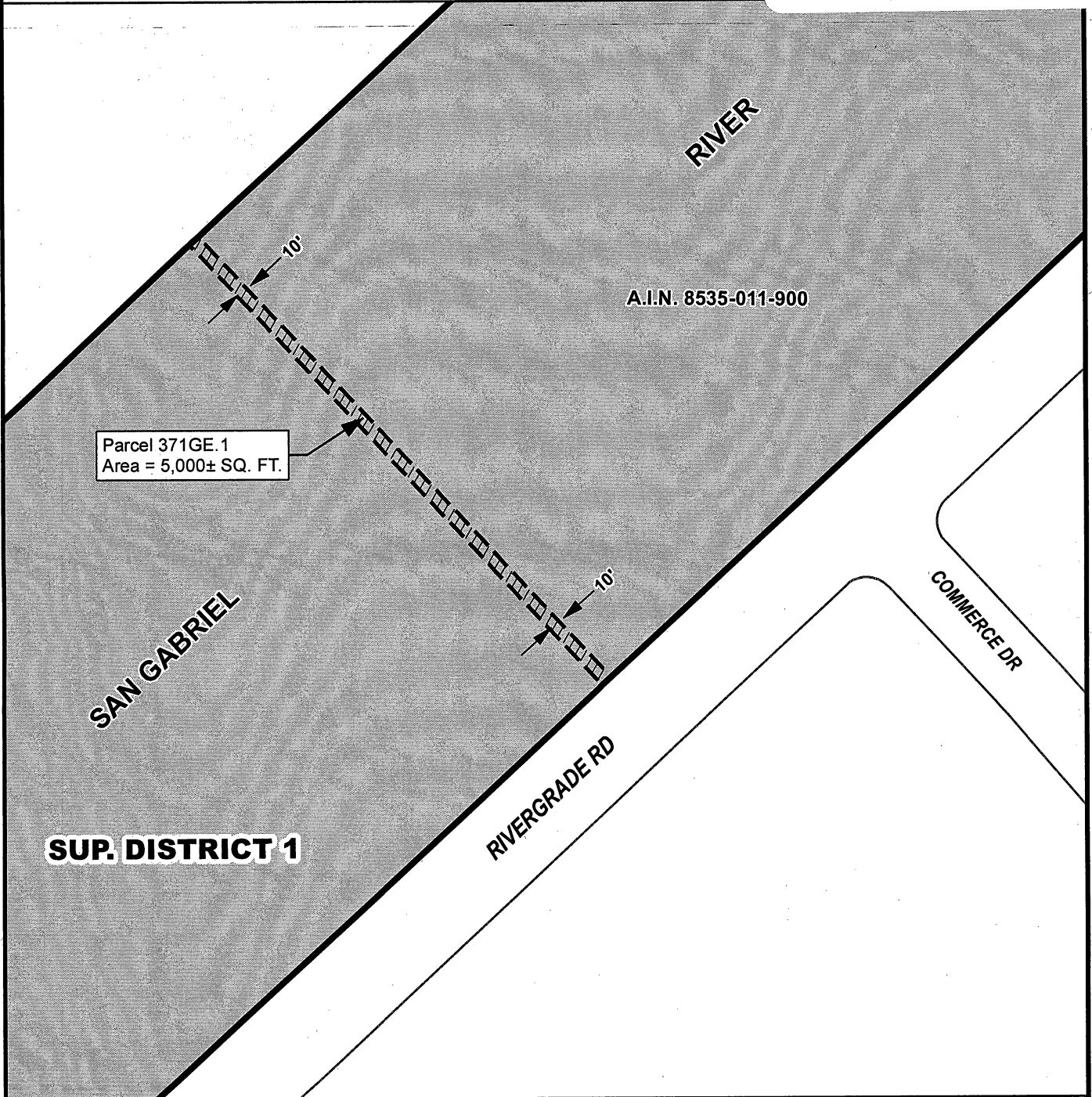


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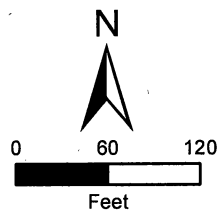
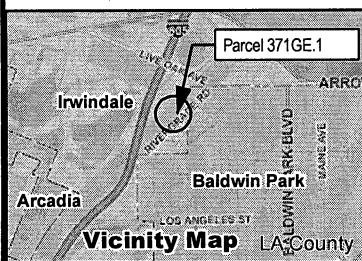
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SAN GABRIEL RIVER CITY OF IRWINDALE



PW Public Works
LOS ANGELES COUNTY



Legend:



Easement to the Southern California
Edison Company
Parcel 371GE.1

Dean C. Logan
Los Angeles County Registrar / Recorder
12400 Imperial Highway, Norwalk, CA
(800)201-8999

BUSINESS FILINGS REGISTRATION

NORWALK DEPARTMENT HEADQUARTER

Cashier: V. VALADEZ



202409250470007

Wednesday, September 25, 2024 3:35 PM

5021A
COUNTY OF LA - PUBLIC WORKS (FLOO...

Item(s)

Fee	Qty	Total
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NoE - County Posting Fee	1	\$75.00
2024201083		

Total		\$75.00
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Total Documents:	1
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Customer payment(s):

Billing	\$75.00
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