# NOTICE OF EXEMPTION

**To:** County of Los Angeles
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Office of Land Use and Climate Innovation
1400 Tenth Street
Sacramento, California 95814
*Via State Clearinghouse CEQA Portal*

**From (Responsible Agency):** Port of Long Beach
Environmental Planning Division
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Long Beach, California 90802

**Responsible Agency Contact:** Jennifer Blanchard
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**Applicant (Lead Agency):** City of Long Beach
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Long Beach, CA 90802

**Lead Agency Contact:** Jane Hermsen, Manager
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**Project Title:** **Southeast Resource Recovery Facility Demolition – Harbor Development Permit No. 25-025**
**State Clearinghouse No:**
**Project Location – Specific:** 118 - 120 Pier S Avenue; Harbor Planning District 4 – Terminal Island
**Project Location – City:** Long Beach, California **Project Location – County:** Los Angeles County

**Description of Nature, Purpose and Beneficiaries of Project:**
Demolish the decommissioned and vacant waste-to-energy Southeast Resource Recovery Facility to grade, and remove all above-ground structures and underground storage tanks. No new development, operations, or new land uses are being proposed.

**Exempt Status:**

- ☐ Ministerial Exemption [Section 21080(b)(1); 15268];
- ☐ Declared Emergency (Section 21080(b)(3); 15269(a));
- ☒ Emergency Project [Section 21080(b)(4); 15269(b)(c)]
- ☐ Categorical Exemption. State type and section number:
- ☐ Statutory Exemption. State code number:
- ☒ Common Sense Exemption (Section 15061(b)(3))
- ☐ Other:

**Reasons why project is exempt:**
Section 15269(c) Emergency Project: CEQA Guidelines provides statutory exemptions that exclude emergency projects from environmental review, regardless of impacts to the environment, if they meet the definition of the statutory exemption. Emergency projects include specific actions necessary to prevent or mitigate an emergency. CEQA defines an "emergency" as a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to life, health, property, or essential public services. "Emergency" includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences as riot, accident, or sabotage.

Emergency demolition of the decommissioned and vacant waste-to-energy Southeast Resource Recovery Facility (SERRF) including removal of all above-ground structures and underground storage tanks qualifies for the emergency exemption because, despite security and monitoring efforts, the decommissioned and vacant SERRF poses an imminent danger to public health and safety if it remains in-place. Based on previous emergency situations created by other vacant city-owned buildings, the SERRF is vulnerable to intrusion, unauthorized occupancy, public health hazards such as accumulation of debris and human waste, accidental fires, arson, sabotage, and other public nuisance and criminal activity such as copper theft, which can pose serious risks of electrocution and fire. Therefore, the Project is statutorily exempt from CEQA as an emergency project under State CEQA Guidelines Section 15269(c) due to evidence that despite being locked, secured, and monitored, vacant City-owned structures are vulnerable to emergency situations such as fires, hazardous waste accumulation, theft, trespassing, sabotage and damage.

Section 15061(b)(3) "Common Sense" Exemption: The "Common Sense" exemption states that CEQA applies only to projects which have the potential for causing a significant effect on the environment. An activity is exempt from CEQA 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. Demolishing the SERRF would be less-than-significant compared to its previous operational use as a waste-to-energy incineration plant, which was subject to stringent air quality and environmental regulations. No new development, operations, or new land uses are being proposed. Therefore, there is no possibility that the proposed project would cause a significant effect on the environment, therefore the proposed project is exempt under CEQA Guidelines Section 15061(b)(3).

**Signature:** **Date:** 7/10/2025 **Title:** Director of Environmental Planning

Renee Moilanen

Authority cited: Sections 21083 and 21110, Public Resources Code.
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.