

## **Attachment A**

**PROJECT:** Los Angeles Department of Transportation (LADOT) Washington Yard Microgrid Project

**LOCATION:** Downtown Los Angeles

**CONTACT PERSON:** Salvador Gutierrez

### **I. Project Description**

The proposed project is a Los Angeles Department of Transportation (LADOT) pilot program funded in part by the Clean Transportation Program that is administered by the California Energy Commission (CEC). The purpose of the Clean Transportation Program's Zero-Emission Transit Fleet Infrastructure Deployment is to assist transit agencies in the financing of electric vehicle (EV) charging infrastructure needed to support the large-scale conversion of transit bus fleets to zero-emission vehicles (ZEVs). The Clean Transportation Program provides State funding to support innovation and accelerate the development and deployment of advanced transportation and fuel technologies to ultimately support the state's climate change policies.

LADOT has received a tentative CEC grant award in the amount of \$6,000,000 to help fund the Los LADOT Washington Yard Microgrid Project. This project will install five (5) MegaWatt (MW) chargers, 104 charger dispensers, overhead bus charging and solar canopies, 1.54 MW of installed solar photovoltaic (PV) panels and 4.5 MWh of battery energy storage to support 104 battery-electric buses and 16 DASH fixed-route transit routes. The project will provide sustainable transportation options, electric vehicle infrastructure and transportation, and reduce air pollutant emissions.

The installation of electric vehicle supply equipment, energy storage equipment, and photovoltaic solar panels at LADOT's Washington bus yard would result in physical changes on the environment and are considered a project under the California Environmental Quality Act (CEQA).

The proposed CEC grant project will be located at 1910 and 1950 East Washington Boulevard, Los Angeles, CA 90021 (Project Area).

### **II. Project Background**

On July 22, 2020, the CEC issued a notice of funding availability for a Clean Transportation grant program to address community residents' transportation needs, reduce greenhouse gas emissions, improve air quality, expedite development of charging infrastructure for zero-emission vehicles, and petroleum reduction.<sup>1</sup>

On November 24, 2020, the Los Angeles City Council (City Council) authorized LADOT to apply for an amount up to \$6 million from the CEC Clean Transportation Program's Zero-Emission Transit Fleet Infrastructure Deployment grant funding opportunity to finance electric vehicle charging infrastructure needed to support the large-scale conversion of transit bus fleets to zero-emission vehicles. Grant funds will be invested in charging infrastructure for zero-emission transit bus fleets at the Washington bus maintenance facility to charge battery-electric buses.

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<sup>1</sup> California Energy Commission. Retrieved May 20, 2021, from

<https://www.energy.ca.gov/solicitations/2020-07/gfo-20-602-zero-emission-transit-fleet-infrastructure-deployment>

Upon acceptance and approval of the CEC grant agreement by the CEC Board, CEC staff will ask its Board to officially issue the CEC grant to LADOT.

### **III. Environmental Review**

#### **A. Basis for Statutory Exemption**

The project is exempt by statute pursuant to the California Public Resources Code Section 21080.25 (b)(6). Section (b)(6) provides exemption for projects that construct or maintain infrastructure to charge or refuel zero-emission transit buses, provided the project is carried out by a public transit agency, the Los Angeles Department of Transportation, who is subject to, and in compliance with, the [State Air Resources Board's Innovative Clean Transit regulations](#). Pursuant to Article 4.3 (commencing with Section 2023) of Chapter 1 of Division 3 of Title 13 of the California Code of Regulations the project is located on property owned by the transit agency and the transit agency owns, operates, and contracts with another entity to operate buses in California.

In addition, under the provisions of California Public Resources Code Section 21080.25 (c) (1-5) the LADOT Washington Yard Microgrid Project is exempt from this division and meets all five criteria:

- The City of Los Angeles, is the lead public agency, carrying out the project.
- The project is located in an urbanized area.
- The project meets the requirement specific to maintaining infrastructure to charge or refuel zero-emission transit buses since it is located on property owned by the transit agency (the City). Section 21080.25 (b)(6) of the Public Resource Code.
- The project will not add physical infrastructure that increases new automobile capacity on existing rights-of-way. The project will encourage more sustainable transportation options, which will reduce congestion and improve air quality.
- The project will not require the demolition of affordable housing units.

In compliance with subdivision (d)(2)(A), LADOT, as the lead agency, shall certify that the project will be completed by a skilled and trained workforce. LADOT shall enter into a contract to use a skilled and trained workforce. In accordance with [Chapter 2.9 \(commencing with Section 2600\) of Part 1 of Division 2 of the Public Contract Code](#), the City of Los Angeles shall include in all bid documents and construction contracts a notice that the project is subject to the skilled and trained workforce requirement. Furthermore, a commitment that a skilled and trained workforce will be used to complete the project shall be made in an enforceable agreement between the City and contractors and contractors will submit a report demonstrating compliance on a monthly basis while the project or contract is being performed.

#### **B. Basis for Ministerial Exemption**

The installation of charging vehicle infrastructure and a microgrid are exempt from the City of Los Angeles CEQA Guidelines under Article II Exemptions for ministerial projects. The project is exempt as a ministerial project under Article II of the City CEQA Guidelines since the project merely involves (1) issuance of building permits, (5) approval and installation of individual utility service connections and disconnections, (6) Class "A" and excavation permits issued by the Department of Public Works that do

not involve areas of archaeological consequence as officially designated by federal, State or local government action.

### **C. Basis for Categorical Exemption**

While the project is exempt by statute, there are several categories under which the project is also exempt from CEQA. The proposed project is exempt pursuant to the City of Los Angeles CEQA Guidelines under Article III Categorical Exemptions. The project consists of minor alteration of existing facilities and mechanical equipment involving negligible expansion of the facility beyond the existing bus maintenance facility. Installation of the fast charging system includes installation of conduit, wiring, electrical connections and mounting equipment. Minor trenching of approximately 1,600 linear feet is required to bring power to the charging system. The project will not impact adjacent residential homes, traffic or right of way, or noise because the project is upgrading an existing transportation maintenance facility that is located in an industrial area zoned for industrial uses. The reconstruction and conversion of any small structures for this project will not impact any scenic resources. Therefore, the project is exempt from the provisions of CEQA. The project is exempt under Article III, Section 1, Class 1 Category 1, Class 1 Category 32, Class 3 Category 4, and Class 4 Category 12 of the City CEQA Guidelines and Class 1, Section 15301, Class 3, Section 15303 and Class 4, Section 15304 of the State CEQA Guidelines.

#### **Consideration of Potential Exceptions to use of a Categorical Exemption**

The following narrative substantiates through facts why these exceptions do not apply.

The State CEQA Guidelines (CCR Sec 15300.2) limit the use of categorical exemptions in the following circumstances:

##### **1. Location**

Classes 3, 4, 5, 6 and 11 are qualified by consideration of where the proposed project is to be located. A project that is ordinarily insignificant in its impact on the environment may be significant in a sensitive environment and may not be used where the project may impact on an environmental resource of hazardous or critical concern as designated, precisely mapped, and officially adopted pursuant to law be federal, state, or local agencies.

Projects that are exempted under Class 1 categories (existing facility) are not subject to the location exception.

The project requires minor alterations to the land and is eligible for a Class 4 exemption and therefore is potentially subject to the location exception. However, the project activity that involves installing of the charging infrastructure will occur on an existing transportation maintenance facility that is located in an industrial area zoned for industrial uses. The project is not located in a sensitive environment and will not lead to an impact of an environmental resource of hazardous or critical concern as designated, precisely mapped, and officially adopted pursuant to law be federal, state, or local agencies

##### **2. Cumulative Impact**

Section 15300.2 (b) of the CEQA Guidelines states that all categorical exemptions are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant. All project work would be limited to installing electric fast chargers and battery storage, including minor trenching, and upgrading the existing bus facility with solar canopies and PV panels would not result in

impacts that would be considered cumulatively significant. The project construction impacts, such as noise and air quality, would occur for a short period of time and would also not be considered cumulatively significant. Therefore, this exception does not apply here because the project does not contribute incrementally to any impact that would be added to impacts of other projects that are ongoing or planned within the Project Area that could be considered a cumulatively considerable impact.

### **3. Significant Effect**

Section 15300.2 (c) states this exception applies when there is a reasonable possibility that a project will have a significant effect on the environment due to unusual circumstances. In this case, there are no unusual circumstances relative to the proposed project that would cause this exception to apply. There is no evidence to indicate that this project could have a significant impact on the environment. The following areas are presented where this type of unusual circumstance may typically be found.

#### **Aesthetics**

This exception applies when a project may cause a substantial adverse change in the significance of a visual resource. As described in Section I, Project Description, physical elements of the proposed project include the installation of electric vehicle supply equipment, energy storage equipment and photovoltaic (PV) solar panels at the existing Washington bus facility. The project includes minor alterations of an existing bus facility which is located in an urbanized area where land use designation is heavy industrial. Neighboring parcels of land consist of one to two story industrial buildings used for warehouses, distribution, manufacturing and transportation facilities and there are no conflicts with the applicable zoning and other regulations governing scenic quality. The project will not affect any visual resources, such as protected trees or historic resources. Therefore, the project would not degrade or be expected to change any visual resource significantly.

#### **Noise**

The construction work shall be performed in accordance with Ordinance No. 144.331, "Noise Regulation" in Chapter XI of the Los Angeles Municipal Code of March 1982. As such, this exception does not apply.

The project would include five 1.5 MW chargers which may result in intermittent stationary noise when the cooling fans are running. The project location is an existing industrial use in an area where there are no sensitive receptors nearby. The closest sensitive receptor is Synergy Kinetic Academy located at 1420 East Adams Boulevard, Los Angeles, California 90011, and is 3,105 feet from the project property. None of the stationary noise sources would result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies.

#### **Biological Resources**

The proposed project does not involve the loss or alteration to any biological resources. It does not include the removal of existing trees. As such, this exception does not apply.

#### **Traffic/Transportation**

The project will result in providing electric vehicle infrastructure for the City's bus fleet, which supports reducing vehicle miles traveled and air pollutant emissions. Given the nature of the project, less vehicles are expected to travel due to an increase in transportation efficiency of the City's neighborhood circulator system known as the DASH. Therefore, impacts to transportation in the Project Area are not anticipated.

#### **4. Scenic Highway**

A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. All project work would be limited to on site improvements to the maintenance facility which is not a scenic resource and would not impact a resource along a scenic highway. The project does not include the removal of existing trees and would not impact any aesthetic, biological, or historic resources, and therefore this exception does not apply.

#### **5. Hazardous Waste Sites**

This exception applies when a project is located on a site listed as a hazardous waste site under Government Code Section 65962.5. LADOT conducted a search of the Department of Toxic Substances Control (DTSC) data management system (<http://www.envirostor.dtsc.ca.gov>) to identify sites in the project area that may indicate potential toxic exposure, which include sites under evaluation or active clean-up. The DTSC data management system did not include any toxic activity on the property where the work will be performed at the Washington bus maintenance facility.

Section 15300.2 (e) states a categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code. According to the Department of Toxic Substance Control (DTSC's) Brownfields and Environmental Restoration Program EnviroStor database<sup>2</sup>, there are no Hazardous Waste and Substances Sites regulated by DTSC in the project area where the Washington maintenance facility is located. All project work includes the installation of fast charging systems for electric buses, installation of solar panels, and a microgrid for energy storage, and would not involve hazardous waste sites.

#### **6. Historical Resources**

Section 15300.2 (e) states that a categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource. A search of the City's Declared Monuments confirmed that the Washington maintenance facility location is not located on or nearby historic-cultural monuments.

The project includes minor trenching that is governed by the ministerial permitting process. The depth excavation is not anticipated to exceed the depth of previously disturbed soil. In case of any historical artifacts being encountered, City Engineer Standard Specifications, Section 6-3.2, (Greenbook, 2012) states: "If discovery is made of items of archaeological or paleontological interest, the Contractor shall immediately cease excavation in the area of discovery and shall not continue until ordered by the Engineer." Therefore, during activities in which there will be ground disturbances (i.e., digging, drilling, etc.) if any evidence of archaeological, cultural, or paleontological resources are found, all work within

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<sup>2</sup> California Department of Toxic Substance Control, EnviroStor Hazardous Waste and Substance Site List.  
<https://www.envirostor.dtsc.ca.gov/public/> Accessed May 8, 2021

the vicinity of the find shall stop until a qualified archaeologist can assess the finds and make recommendations. No excavation of any finds should be attempted by project personnel unless directed by a qualified archaeologist. Construction activities may continue in other areas. If the discovery proves significant under CEQA (Section 15064.5f; Public Resources Code or PRC 21082), additional work such as testing or data recovery may be warranted.

The discovery of human remains is always a possibility during ground disturbances; State of California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Los Angeles County Coroner has made a determination of origin and disposition pursuant to PRC Section 5097.98. The Los Angeles County Coroner must be notified of the find immediately. If the human remains are determined to be prehistoric, the Coroner will notify the Native American Heritage Commission, which will determine and notify a Most Likely Descendent (MLD). The MLD shall complete the inspection of the site within 48 hours of notification and may recommend scientific removal and nondestructive analysis of human remains and items associated with Native American burials.

In case of unforeseen discovery of cultural resources, measures are in place to manage unanticipated cultural resource finds or discovery of human remains. Therefore, no substantial adverse impact to cultural resources is anticipated.