



NOTICE OF EXEMPTION

To: County of Los Angeles
Registrar-Recorder/Clerk
Business Filing & Registration
12400 Imperial Highway,
Room 1201
Norwalk, California 90650

From: Port of Long Beach
Environmental Planning Division
415 West Ocean Boulevard
Long Beach, California 90802

Project Title: Space Exploration Technologies Corp. 2nd Amendment to Sublease HD-9340
State Clearinghouse No.:
Project Location – Specific: 2980 Nimitz Road; Navy Mole
Long Beach Harbor Planning District 4 – Terminal Island
Project Location – City: Long Beach **Project Location – County:** Los Angeles County

Description of Nature, Purpose and Beneficiaries of Project:

The Port of Long Beach (Port) entered into the 2nd Amendment to Sublease HD-9340 with Space Exploration Technologies Corp. (SpaceX) for use of eight parcels (approximately 15.6 acres) of existing land, submerged land, pier structure, and office space located on the Navy Mole in the Port of Long Beach for berthing of ships, boats, barges, and other watercraft; recovery of spacecraft launch equipment at sea and return to premises; offloading of equipment by crane; temporary storage and removal of unexpended fuel and hazardous materials; storage of equipment in relation to its operations; and all lawful activities related and incidental thereto (Project). Under the 1990 Certified Port Master Plan Update, the SpaceX facility is a permitted 'Primary Port Facility' use within District 4 (Terminal Island) of the Long Beach Harbor District due to its dependence on access to water frontage to recover spacecraft launch equipment at sea and berth ships, boats, barges, and other watercraft related to its operations. Under the 2nd Amendment to Sublease HD-9340, the term will be extended an additional five years expiring on April 30, 2028 and include: 1) adjustment of monthly rent; 2) incorporation of Environmental Covenants; 3) termination of Area Assignments AA-21-16 and AA-24-01 upon the effective date of the 2nd Amendment; and 4) proposal of certain improvements and alterations that are subject to the approval process set forth in Sublease HD-9340, including, but not limited to, the California Environmental Quality Act (CEQA), issuance of Harbor Development Permit(s), and any necessary approval and consent by the Base Realignment and Closure Team.

Name of Public Agency Approving Project: Port of Long Beach
Name of Person or Agency Carrying out Project: Port of Long Beach and Space Exploration Technologies Corp.

Exempt Status: (check one):

- 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: State CEQA Guidelines Section 15301 Existing Facilities
- Statutory Exemption.
State code number:
- Common Sense Exemption (Section 15061(b)(3))

Reasons why project is exempt:

Section 15301 Existing Facilities (Class 1): The Class 1 Categorical Exemption consists of the operation, repair, maintenance, permitting, leasing, 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. The Project is determined to be

categorically exempt pursuant to the CEQA because the project consists of an amendment to SpaceX's Sublease HD-9340 with the Port for the continued use of the existing facility operated by SpaceX at 2980 Nimitz Road in the Port of Long Beach. Under the 2nd Amendment, the total acreage of the premises would be increased from 8.3 acres to 15.6 acres to provide adequate access to land, submerged land, and office space to conduct operations; however, there would be no change in use or intensity of the premises. The Project does not propose an expansion of use beyond that existing. The SpaceX facility is located on a portion of premises previously subleased for the operation of a spacecraft processing facility to assemble, test, and store launch vehicles and satellites, and the berthing of ships, boats, barges, and other watercraft.

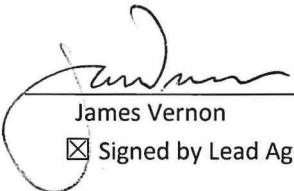
The continuation of existing operations would not create substantial, adverse changes to the environment or result in a significant cumulative impact. The incorporation of Environmental Covenants into the sublease (requirements that the tenant must comply with to reduce air emissions from operations) will further reduce the potential for significant effects associated with operation of the facility. SpaceX is required to comply with all applicable laws, ordinances, and regulations associated with activities on and in connection with the premises, including those regulating the use, storage, generation, or disposal of hazardous materials, substances, or wastes. Any future improvements to the property proposed by the tenant during the term of the sublease, would be subject to Harbor Development Permits and CEQA. The Port has determined that none of the exceptions to the exemptions in CEQA Guidelines Section 15300.2 foreclose the use of the categorical exemption CEQA Guidelines Section 15301 (Existing Facilities); therefore, the Project is exempt from CEQA, and no further environmental review is required (*World Business Academy v. California State Lands Commission* (June 13, 2018) Cal.App.5th and *Berkeley Hillside Preservation v. City of Berkeley* (March 2, 2015) 60 Cal.4th1086)).

Lead Agency

Contact Person: Alyssa Rodriguez **Area Code/Telephone/Extension:** (562) 283-7100

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature:  **Date:** 6/10/24 **Title:** Acting Director of Environmental Planning
James Vernon
 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: _____