

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
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Project Title: City of Los Angeles, City of Long Beach, PortCheck LLC, and Marine Terminal Operators - First Amendment to Agreement HD 9338 for Clean Truck Fund Rate Collection Services

State Clearinghouse No.:

Project Location – Specific: Long Beach Harbor District

Project Location – City: Long Beach

Project Location – County: Los Angeles County

Description of Nature, Purpose and Beneficiaries of Project:

The Long Beach Board of Harbor Commissioners approved a first amendment to Agreement HD-9338 (Agreement) between the Port of Los Angeles (POLA), Port of Long Beach (POLB), PortCheck LLC, and certain marine terminal operators (MTOs) to extend the term of Agreement HD-9338 by five years from the original expiration date of August 19, 2024 to August 19, 2029 and increase the compensation for the extension term by \$21,068,130.00 for a maximum Agreement compensation of \$31,068,130. The fund compensation increase would accommodate for development costs, operating costs and applicable reimbursable expenses, profit, and overhead split between POLA and POLB.

Name of Public Agency Approving Project: Port of Long Beach

Name of Person or Agency Carrying out Project: Port of Long Beach, Port of Los Angeles, PortChecks LLC, Marine Terminal Operators

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:

- Statutory Exemption.

State code number: Section 15273 (Rates, Tolls, Fares, and Charges)

- Common Sense Exemption (Section 15061(b)(3))

Reasons why project is exempt:

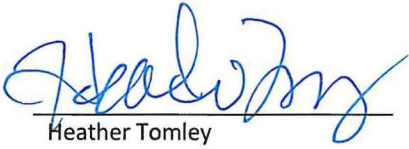
Section 15273 Rates, Tolls, Fares, and Charges: Agreement HD-9338 between POLA, POLB, Portcheck LLC, and certain marine terminal operators was originally entered into on August 20, 2021 to provide the terms and conditions under which Portcheck LLC and the marine terminal operators would collect fees associated with and administer the POLA and POLB Clean Trucks Programs for the establishment and implementation of the Clean Truck Rate Collection System, including purchases of software and hardware equipment, staff hiring, training, and collection of data. The first amendment to Agreement HD-9338 merely extends the term of the agreement five years through August 19, 2029 and increases compensation to a maximum of \$31,068,130 for development costs, operating costs, and applicable reimbursable expenses and profit and overhead, which involving the modification and restructuring of the terms and conditions under which Portcheck LLC and the marine terminal operators collect fees and administer certain aspects of the Port’s Clean Trucks Program for the purpose of meeting operating expenses, including employee wage rates and fringe benefits; purchasing or leasing supplies, equipment, or materials (State CEQA Guidelines Section 15273(a)(1)(2)(3)).

Lead Agency

Contact Person: Amy Wong **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:** 7/8/2024 **Title:** Managing Director, Planning & Environmental Affairs
Heather Tomley

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: _____