

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: Seventh Amendment to Lease HD-4371 – Koch Carbon, LLC
Project Location – Specific: 1020 Pier F Avenue; Long Beach Harbor District 8 – Southeast Harbor
Project Location – City: Long Beach **Project Location – County:** Los Angeles County

Description of Nature, Purpose and Beneficiaries of Project:

Koch Carbon, LLC (Koch Carbon) leases approximately 291,111 square feet of land at Berths F210 and F211 on Pier F for the storage and shipping of dry bulk to facilitate waterborne receipt and/or shipment of petroleum coke and other dry bulk commodities. The Port of Long Beach (Port) Board of Harbor Commissioners approved a seventh amendment to Koch Carbon's existing Lease and Preferential Assignment Agreement HD-4371 to amend only the annual ground rent for Parcel I to \$163,703 per year and the Guaranteed Annual Minimum Tonnage of 1,091,666 metric tons. All other terms of the existing agreement will remain the same. The seventh amendment to HD-4371 represents the final option for the renewal term starting January 1, 2023 through and including December 31, 2027.

Name of Public Agency Approving Project: Port of Long Beach
Name of Person or Agency Carrying out Project: Port of Long Beach and Koch Carbon, LLC

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: 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 merely consists of a seventh amendment to existing Lease and Preferential Assignment Agreement HD-4371 establishing the annual ground rent of \$163,704 per year and Guaranteed Annual Minimum Tonnage of 1,091,666 metric tons per year starting January 1, 2023 through December 31, 2027 for the continued use of the existing facility operated by Koch Carbon at Berths F210 and F211 on Pier F in the Port of Long Beach. All other terms of the Lease and Preferential Assignment Agreement will remain the same. The Koch Carbon facility is located in an area in the Port characterized by similar primary and ancillary Port-related facilities and operations, including the storage, handling, and shipping of dry bulk, liquid bulk, and containerized cargo. Under the existing Lease and Preferential Assignment Agreement HD-4371 originally entered into in January 1988, the Koch Carbon facility is a permitted 'Primary Port Facility' use within District 8 (Southeast Harbor) of the Long Beach Harbor District due to its dependency on access to water frontage to shipload/unload dry bulk cargo in accordance with the certified Port Master Plan.

The Project does not propose or authorize any specific new development, construction, or expansion of use beyond that existing. The continuation of existing operations would not create substantial new development, construction or expansion of use beyond that existing, nor create substantial, adverse changes to the environment or result in a significant cumulative impact.


Koch Carbon is required to comply with all applicable laws, ordinances, and regulations associated with activities on and in connection with the premises, including those regulating stormwater, hazardous materials, and air quality. Any future development projects, should any be proposed by the tenant during the term of the lease, would be subject to CEQA and review, as applicable. The Port has determined that none of the exceptions to the exemptions in the California Environmental Quality Act (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: Allyson Teramoto **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:** 8/26/24 **Title:** Director of Environmental Planning

Renee Moilanen

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: _____