

NOTICE OF EXEMPTION

To: Office of Land Use and Climate
PO Box 3044, Room 113
Sacramento, CA 95812 – 3044
state.clearinghouse@opr.ca.gov

County Clerk
County of Los Angeles
12400 Imperial Hwy
Norwalk, CA 90650

From: Los Angeles County
Chief Executive Office
320 W. Temple Street, 7th floor
Los Angeles, CA 90012

PROJECT TITLE: Los Angeles County Purchase of Gas Company Tower and Parking Garage

PROJECT LOCATION -- Specific: 555 West 5th Street, 350 South Figueroa Street, 333 South Flower Street, Los Angeles, CA 90013

PROJECT LOCATION – City: Los Angeles

PROJECT LOCATION – County: Los Angeles

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT: On November 6, 2024, 2024, the Board of Supervisors approved and authorized the Chief Executive Officer, or her designee, to execute the Purchase and Sale Agreement for the purchase and sale agreement of the existing building known as the Gas Company Tower located at 555 West 5th Street, and affiliated parking garage airspace at the World Trade Center located at 350 and 333 South Figueroa Street, in the City Los Angeles, California 90013 and related actions. In the purchase transaction, the County acquired fee title to the Gas Company Tower subject to the terms of all existing leases of space by tenants. Under the transaction, the County will assume responsibility as owner for ongoing regular operation and maintenance of acquired properties in a manner similar to current conditions, including assumption of existing ongoing leases at the Gas Company Tower site. The County will also acquire a fee interest in the airspace parcels comprised of 1,184 parking spaces of the World Trade Center parking garage. The County will assume ongoing as-is operational and maintenance responsibilities resulting from the acquisition in a manner similar to those that have been conducted by the prior ownership. The current action does not include physical changes at the Property, to the existing buildings, or changes to the current use or operation of the Property. No changes to vehicular access/vehicle trips would occur from existing conditions, and no specific construction activities are being considered.

NAME OF PUBLIC AGENCY APPROVING PROJECT: County of Los Angeles

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT: Los Angeles County Chief Executive Office

EXEMPT STATUS:

Categorical Exemption: State CEQA Guidelines section 15301 (Class 1) Existing Facilities; State CEQA Guidelines section 15332 (Class 32) Infill Development, CEQA Guidelines Section 15332; County of Los Angeles Environmental Document Reporting Procedures and Guidelines, Appendix G, Class 1
 Statutory Exemption: State CEQA Guidelines Section 15061 Common Sense Exemption; State CEQA Guidelines Section 15183 Projects Consistent with a Community Plan or Zoning, ; California Public Resources Code section 21083.3 ; Public Resources Code section 21065; State CEQA Guidelines section 15378(b)

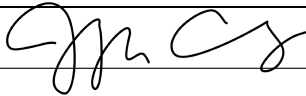
REASONS WHY PROJECT IS EXEMPT: See attachment Document entitled Exemption Under the California Environmental Quality Act Los Angeles County Purchase of Gas Company Tower and Parking Garage Airspace which is incorporated herein.

Additional Documentation pertaining to the determination under CEQA is available from the Chief Executive Office contact person identified below.

LEAD AGENCY CONTACT PERSON: Joyce Chang, Senior Manager, Asset Management Branch, Real Estate Division, County of Los Angeles, Chief Executive Office Telephone: (213) 974-3078

IF FILED BY APPLICANT: Not Applicable

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:** 11/6/2024 **Title:** Senior Manager

Signed by Lead Agency
 Signed by Applicant

Date Received for Filing at OPR: Not applicable

Los Angeles County Purchase of Gas Company Tower and Parking Garage Airspace Summary of Reasons Why Project is Exempt Attachment

Detailed documentation of each of the applicable exemptions and the inapplicability of the exceptions to the use of categorical exemptions (Section 15300.2 of the State CEQA Guidelines) is available for review at the County of Los Angeles Chief Executive Office, 320 W. Temple Street, 7th floor, Los Angeles, CA 90012. A summary of this documentation is provided below.

State CEQA Guidelines Section 15378 – Definition of a “Project”

The County action, which involves only the purchase of real property and airspace for continued operation, is consistent with CEQA Guidelines Section 15378(b)(5), as it constitutes organizational or administrative activities of governments (i.e., the County) that do not result in direct or indirect physical changes on the environment. Therefore, the County has made the determination, supported by substantial evidence as provided in this analysis, that the considered action to purchase the Gas Company Tower at 555 West 5th Street and parking garage airspace at 350 and 333 South Figueroa Street, is not a project under CEQA, pursuant to PRC 21065 and State CEQA Guidelines Section 15378(b)(5).

State CEQA Guidelines Section 15301 - Class 1 - Existing Facilities

A Class 1 exemption applies to leasing activities for existing facilities when the lease does not involve substantial modifications or expansions, as it maintains the current use and operations. Class 1(u) of the County’s CEQA Guidelines is applicable because the County’s proposed acquisition consists of the operation, maintenance, and leasing, and represents a change in the method of conveyance of an existing public facility with negligible or no expansion of use. Through the County’s proposed acquisition of the Gas Company Tower and associated airspace in the parking garage, the County would assume responsibility for regular operation and maintenance of the Property, consistent with current and prior uses. The County would assume existing leases within the Gas Company Tower in a manner consistent with historical use. No expansion of use is proposed for either structure—they would continue to operate similar to current and historic operations.

State CEQA Guidelines Section 15332 - Class 32 - Infill Development Projects

The acquisition is consistent with applicable general plan designation and zoning. The Property is within the County of Los Angeles, is less than 5 acres and is substantially surrounded by urban uses. The County’s proposed acquisition of the Property would result in no physical changes, beyond the continued operation and maintenance of the buildings consistent with prior operations, that could reasonably result in physical effects to the environment. The buildings would continue to operate consistently with current City of Los Angeles zoning and land use designations with no changes proposed. There is no habitat on the site that has value for endangered, threatened or rare species. The acquisition would not have the potential to significantly impact traffic, noise, air quality or water quality based on proposed action. The site is located in an urban area well-served by utilities and public services.

State CEQA Guidelines Section 15300.2 - Exceptions to the Use of Categorical Exemptions

None of the exceptions to exemptions, found in Section 15300.2 of the State CEQA Guidelines would apply to invalidate the categorical exemptions identified. The County has determined the following: (a) the site is not located in a sensitive environment; (b) the acquisition would not create significant cumulative impacts by contributing to impacts of successive acquisitions of the same type in the same place; (c) there is no potential for the acquisition to result in a significant effect on the environment due to unusual circumstances; (d) the acquisition would not result in damage to scenic resource; (e) the site is not included on any list compiled pursuant to Section 65962.5 of the Government Code; and (f) the acquisition does not have the potential to cause a substantial change to the significance of an historical resource.

State CEQA Guidelines Section 15061 - Review for Exemption

The activity under consideration, the County's proposed purchase of the Gas Company Tower and parking garage airspace, involve no physical changes to the environment, including but not limited to physical improvements or changes to the properties or any changes to the operational use and characteristics of the Property. The County would assume operation and maintenance of the structures consistent with current and historical uses. There are no reasonable physical changes associated with its action, and therefore there is no possibility that the purchase of the Property would result in a significant effect on the environment. Therefore, the activity is statutorily exempt from CEQA under Section 15061(b).

***State CEQA Guidelines Section 15138 - Projects Consistent with a Community Plan or Zoning;
California Public Resources Code section 21083.3***

A consistency analysis conducted with the City of Los Angeles General Plan Framework Element shows that the proposed acquisition is consistent with existing zoning, community plan, and general plan policies. There are no project-specific significant effects that are peculiar to the project or its site.

EXEMPTION UNDER THE CALIFORNIA ENVIRONMENTAL QUALITY ACT LOS ANGELES COUNTY PURCHASE OF GAS COMPANY TOWER AND PARKING GARAGE

1. CEQA EXEMPTIONS, AND OVERVIEW OF PROJECT ENVIRONMENTAL ANALYSIS

Introduction

Public Resources Code Section 21065 and State CEQA Guidelines Section 15378(b)(5) provides definition of a “project.” Activities that do not meet this definition are not subject to CEQA Review .

Pursuant to Public Resources Section 21084, the State CEQA Guidelines (Article 19, Sections 15300 to 15333) includes a list of classes of projects, which the Secretary of Resources found do not have a significant effect on the environment, and which therefore are exempt from the provisions of CEQA.

The County of Los Angeles Environmental Document Procedures and Guidelines reference the State CEQA Guidelines. In accordance with CEQA Guidelines Section 15300.4, the County of Los Angeles, adopted Environmental Document Procedures and Guidelines to specifically identify activities that the County may approve or carry out under the exempt classes. County of Los Angeles Environmental Document Reporting Procedures and Guidelines were adopted November 17, 1987.

Definition of a “Project” Under CEQA

Public Resources Code Section 21065 defines a “project” as follows:

“Project” means an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and which is any of the following:

- (a) An activity directly undertaken by any public agency.*
- (b) An activity undertaken by a person which is supported, in whole or in part, through contracts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.*
- (c) An activity that involves the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.*

CEQA Guidelines Section 15378 defines a “project” as follows:

- (a) “Project” means the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment, and that is any of the following:*
 - (1) An activity directly undertaken by any public agency including but not limited to public works construction and related activities clearing or grading of land, improvements to existing public structures, enactment and amendment of zoning ordinances, and the adoption and amendment of local General Plans or elements thereof pursuant to Government Code Sections 65100–65700.*

- (2) *An activity undertaken by a person which is supported in whole or in part through public agency contacts, grants, subsidies, loans, or other forms of assistance from one or more public agencies.*
- (3) *An activity involving the issuance to a person of a lease, permit, license, certificate, or other entitlement for use by one or more public agencies.*
- (b) *Project does not include:*
 - (1) *Proposals for legislation to be enacted by the State Legislature;*
 - (2) *Continuing administrative or maintenance activities, such as purchases for supplies, personnel-related actions, general policy and procedure making (except as they are applied to specific instances covered above);*
 - (3) *The submittal of proposals to a vote of the people of the state or of a particular community that does not involve a public agency sponsored initiative. (Stein v. City of Santa Monica (1980) 110 Cal.App.3d 458; Friends of Sierra Madre v. City of Sierra Madre (2001) 25 Cal.4th 165);*
 - (4) *The creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment;*
 - (5) *Organizational or administrative activities of governments that will not result in direct or indirect physical changes in the environment.*
- (c) *The term “project” refers to the activity which is being approved and which may be subject to several discretionary approvals by governmental agencies. The term “project” does not mean each separate governmental approval.*
- (d) *Where the Lead Agency could describe the project as either the adoption of a particular regulation under subdivision (a)(1) or as a development proposal which will be subject to several governmental approvals under subdivision (a)(2) or (a)(3), the Lead Agency shall describe the project as the development proposal for the purpose of environmental analysis. This approach will implement the Lead Agency principle as described in Article 4.*

The proposed acquisition does not meet the requirements outlined to be considered a project as defined by CEQA.

Categorical Exemptions

CEQA Guidelines Section 15301. Existing Facilities

CEQA Guidelines Section 15301, identifies the Class 1 Exemption as follows:

15301. Existing Facilities.

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, 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.

A Class 1 exemption applies to leasing activities for existing facilities when the lease does not involve substantial modifications or expansions, as it maintains the current use and operations. The Class 1(u) of the County’s CEQA Guidelines is applicable because the County’s proposed acquisition consists of the operation, maintenance, and leasing, and represents a change in the method of conveyance of an existing public facility with negligible or no expansion of use. Through the County’s proposed acquisition of the Gas Company Tower and associated airspace in the parking garage, the County would assume responsibility for regular operation and maintenance of the Property, consistent with current and prior uses. The County would assume existing leases within the Gas Company Tower in a manner consistent with

historical use. No expansion of use is proposed for either structure—they would continue to operate similar to current and historic operations. While no specific improvements have been identified with certainty at this time, minor modifications as part of regular operation and maintenance may be undertaken. However, no demolition or additions to structures are proposed. No physical changes to the environment would result from regular maintenance or operation.

State CEQA Guidelines Section 15332. Infill Exemption

CEQA Guidelines Section 15332, identifies the Class 32 Exemption as follows:

15332. In-Fill Development Projects

Class 32 consists of projects characterized as in-fill development meeting the conditions described in this section.

- (a) The project is consistent with the applicable general plan designation and all applicable general plan policies as well as with applicable zoning designation and regulations.*
- (b) The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.*
- (c) The project site has no value as habitat for endangered, rare or threatened species.*
- (d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.*
- (e) The site can be adequately served by all required utilities and public services.*

As required by Government Code section 65402, notice of the proposed acquisition was submitted to the City of Los Angeles Planning Department. The City has affirmed that the proposed acquisition is in conformity with the adopted general plan or a part thereof. The zoning and land use designations allow for administrative office and parking uses, as the Gas Company Tower is currently being used now and would continue to be used after the proposed County acquisition, and would continue to be served by local utilities and public services. The Property is within the City of Los Angeles on a 3.09-acre site, in an entirely urbanized area void of habitat. There is no potential for significant effects relating to traffic, noise, air quality, or water quality. Therefore, the proposed acquisition meets these criteria set forth by Section 15332.

State CEQA Guidelines Section 15300.2 Exceptions to the Use of Categorical Exemptions

CEQA Section 15300.2 identifies the exceptions to exemptions. Categorical Exemptions do not apply where a project:

- (a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.*
- (b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.*
- (c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*

(d) Scenic Highways. 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. This does not apply to improvements which are required as mitigation by an adopted negative declaration or certified EIR.

(e) Hazardous Waste Sites. 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.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

None of the exceptions to exemptions would apply. The Property is not located in a sensitive environment. The proposed acquisition does not have the potential to result in a considerable contribution to a cumulatively significant impact. There is no potential for the proposed acquisition to result in a significant effect on the environment due to unusual circumstances. The proposed acquisition would not result in damage to scenic resources within a scenic highway. The sites are not included on any list compiled pursuant to Section 65962.5 of the Government Code. The proposed acquisition does not have the potential to cause a substantial change to the significance of a historical resource. Therefore, the proposed acquisition meets these criteria set forth by Section 15300.2.

See **Section 2** below for a detailed discussion of the exceptions to the use of categorical exemptions.

Statutory Exemptions

State CEQA Guidelines Section 15061. Review for Exemption

CEQA Section 15061 indicates:

(a) Once a lead agency has determined that an activity is a project subject to CEQA, a lead agency shall determine whether the project is exempt from CEQA.

(b) A project is exempt from CEQA if:

The activity is covered by the common sense exemption that CEQA applies only to projects which have the potential for causing a significant effect on the environment. 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, the activity is not subject to CEQA.

The activity under consideration, the County's proposed purchase of the Gas Company Tower and parking garage airspace, involve no physical changes to the environment, including but not limited to physical improvements or changes to the properties or any changes to the operational use and characteristics of the Property. The County would assume operation and maintenance of the structures consistent with current and historical uses. There are no reasonable physical changes associated with its action, and therefore there is no possibility that the purchase of the Property would result in a significant effect on the environment. Therefore, the activity is statutorily exempt from CEQA under Section 15061(b).

State CEQA Guidelines Section 15138. Projects Consistent with a Community Plan or Zoning

State CEQA Guidelines Section 15183 specifies that the examination of environmental effects shall be limited to that effects that:

(1) Are peculiar to the project or the parcel on which the project would be located,

- (2) *Were not analyzed as significant effects in a prior EIR on the zoning action, general plan, or community plan, with which the project is consistent,*
- (3) *Are potentially significant off-site impacts and cumulative impacts which were not discussed in the prior EIR prepared for the general plan, community plan or zoning action, or*
- (4) *Are previously identified significant effects which, as a result of substantial new information which was not known at the time the EIR was certified, are determined to have a more severe adverse impact than discussed in the prior EIR.*

Section 15183(c) further specifies that an impact is not peculiar to the parcel or to the project, has been addressed as a significant effect in the prior EIR, or can be substantially mitigated by the imposition of uniformly applied development policies or standards, as contemplated by subdivision (e) below, then an additional EIR need not be prepared for the project solely on the basis of that impact. Section 15183(d) also specifies that it applies only to projects which meet the following conditions:

- (1) *The project is consistent with:*
 - (A) *A community plan adopted as part of a general plan,*
 - (B) *A zoning action which zoned or designated the parcel on which the project would be located to accommodate a particular density of development, or*
 - (C) *A general plan of a local agency, and*
- (2) *An EIR was certified by the lead agency for the zoning action, the community plan, or the general plan.*

The proposed acquisition has been determined to be consistent with the City of Los Angeles General Plan Framework Element and certified Environmental Impact Report (EIR). The County's contemplated purchase of the Gas Company Tower and affiliated parking garage airspace, assumption of existing tenant leases, and operation and maintenance of the properties, would result in no changes to the existing density established by existing zoning and General Plan policies, as analyzed in the Citywide General Plan Framework EIR. The existing uses are compatible with zoning and land use, and there would be no physical changes to the existing development onsite, or changes to the operational characteristics of the Property. Therefore, the proposed acquisition is consistent with the development density established by existing zoning, community plan, and general plan policies for which an EIR was certified.

2. INAPPLICABILITY OF EXCEPTIONS TO EXEMPTIONS (SECTION 15300.2)

As discussed in detail below, the proposed acquisition would not trigger any of the exceptions to exemptions identified in CEQA Section 15300.2 that would make use of a Categorical Exemption inapplicable.

Location-Sensitive Environment (Section 15300.2(a))

This exception applies to Classes 3, 4, 5, 6, and 11, which are not applicable to the County's proposed acquisition. In addition, the Property is not located in a sensitive environment. This exception does not apply because the Property, along with the surrounding areas, are already fully developed and situated within a densely populated urban environment.

Cumulative Impacts (Section 15300.2(b))

The County's action constitutes purchase, assuming of existing leases, and continuance of regular operation and maintenance associated with the Gas Company Tower, and purchase of airspace at the existing parking garage. There would be no physical changes to the environment associated with these actions. As a result of the nature of the Property and proposed acquisition, there is no potential to result in significant environmental impacts with respect to any environmental issue area that would contribute to a cumulative impact. Therefore, there would be no direct, indirect, or cumulative impacts to the environment. Additionally, there are no known proposals for future projects to occur on or adjacent to the Property. Thus, it is not considered reasonably foreseeable for cumulative impacts to occur.

Significant Effect Due to Unusual Circumstances (Section 15300.2(c))

There is no reasonable possibility that the County's action would result in significant effects to the environment due to unusual circumstances. No physical changes that would constitute a significant effect on the environment are associated with the County's purchase and operation and maintenance of the buildings. The Property would continue to be operated as-is with respect to ongoing operation and maintenance per existing conditions and therefore the proposed acquisition would not result in any new effects and would not involve unusual circumstances. None of the following issue areas would be significantly impacted or even impacted by the proposed acquisition: aesthetics, agricultural or forestry resources, air quality, biological resources, cultural resources, geology/soils, greenhouse gas emissions, hazards/hazardous materials, hydrology/water quality, land use, mineral resources, noise, population/housing, public services, recreation, transportation/traffic, tribal cultural resources, or utilities/service systems, or wildfire and therefore would not have the potential to result in a considerable contribution to these impacts.

Scenic Highways and Scenic Resources (Section 15300.2(d))

The Arroyo Seco Historic Scenic Byway (I-110) is a designated scenic highway located approximately 0.4 miles and 0.15 miles northwest of the Gas Company Tower and World Trade Center Parking Garage, respectively. The buildings may be partially visible from certain points along this segment. However, no physical alterations are proposed that would affect the scenic designations or properties, which are of the urbanized downtown skyline. Operation and maintenance activities would not result in significant alterations that would affect the viewsheds from the scenic corridor.

Hazardous Waste Sites (Section 15300.2(e))

A Phase I Environmental Site Assessment (ESA) in September 2024 for the Property and determined that it is not located on any hazardous waste lists compiled pursuant to Section 65962.5 of the Government Code. Furthermore, database searches on Envirostor, Geotracker, CalRecycle, EnviroMapper, and CalEPA in October 2024 confirmed that no hazardous waste sites are located within the Property. The Property is not identified on the Cortese List. Therefore, this exemption is not applicable to the proposed acquisition.

Historical Resources (Section 15300.2(f))

The Gas Company Tower was built in 1992 and does not qualify as a historic resource. The parking garage was built in 1974 and is considered of historic age; however, it is not identified as a historical resource in the City of Los Angeles Database . Additionally, no physical changes to these structures, or any ground-disturbing activities, are proposed. There is no potential for the County's action to result in a substantial adverse change to a historical resource. Therefore, this exception is not applicable.