

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: 7th Amendment to Lease HD-6406
Project Applicant: Ultramar, Inc.
Project Location – Specific: 1090 Pier G Avenue; Long Beach Harbor District 8 – Southeast Harbor
Project Location – City: Long Beach, California **Project Location – County:** Los Angeles County

Description of Nature, Purpose and Beneficiaries of Project:

The Real Estate Division will request the Board of Harbor Commissioners' approval to enter into a 7th amendment to Lease HD-6406 with Ultramar, Inc. (Ultramar) for use of approximately 121,099 sq. ft. of land and the bulk storage structure located at 1090 Pier G Avenue in the Port of Long Beach for the operation of a handling and storage facility for petroleum coke.

Under the 1990 Certified Port Master Plan Update, the Ultramar 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. Lease HD-6406 was originally entered into in December 2000, amended in May 2003, June 2004, May 2007, July 2008, March 2012 and February 2016. Under the 7th Amendment to Lease HD-6406, the term of the lease will be extended an additional five years with an additional 5-year option resulting in an expiration date of December 31, 2030. The Amendment will also update to the Environmental Covenants and lease language for Appraisal Reporting, Rent Arbitration, Consumer Price Index (CPI), and City Charter language.

Name of Public Agency Approving Project: Port of Long Beach
Name of Person or Agency Carrying out Project: Ultramar, Inc.

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): This exemption "consists of the operation, repair maintenance, permitting, leasing, licensing...of existing public or private structures, facilities, mechanical equipment, or topographical features involving negligible or no expansion of existing or former use". The proposed Project is determined to be categorically exempt pursuant to the California Environmental Quality Act (CEQA) because the project consists of an amendment to Lease HD-6406 for the continued use of an existing facility operated by Ultramar at 1090 Pier G Avenue in the Port of Long Beach. The Ultramar

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.

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, adverse changes to the environment or result in a significant cumulative impact. Ultramar 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 and hazardous materials. The incorporation of Environmental Covenants into the restated and amended lease (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. 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 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: Jennifer Blanchard

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:** 1/27/25 **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: _____