

COUNTY CLERK'S USE

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
ROOM 395, CITY HALL
LOS ANGELES, CALIFORNIA 90012
CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF EXEMPTION
(Articles II and III – City CEQA Guidelines)

CITY CLERK'S USE

Submission of this form is optional. The form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, California, 90650, pursuant to Public Resources Code Section 21152(b). Pursuant to Public Resources Code Section 21167(d), the filing of this notice starts a 35-day statute of limitations on court challenges to the approval of the project.

LEAD CITY AGENCY AND ADDRESS: City of Los Angeles c/o Bureau of Engineering 1149 S. Broadway, MS 939 Los Angeles, CA 90015	COUNCIL DISTRICT 5
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PROJECT TITLE: The Boring Company Proof of Concept Tunnel Project LA	LOG REFERENCE
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PROJECT LOCATION: This project proposes constructing a 2.7-mile tunnel underneath an area in Los Angeles zoned for light industrial use. The tunnel begins with the entry/exit point at 2352-6 Sepulveda Boulevard, north of West Pico Boulevard and south of Mississippi Avenue, in the West Los Angeles Community Plan area. The tunnel transitions under Sepulveda in the Palms-Mar Vista-Del Rey Community Plan area, runs southward and ends (without surfacing) in the vicinity of the intersection of Sepulveda and Washington Boulevard, in Culver City.

T.G.632-C6, 632-C7, 672-D1, 672-E2 ,672-E3

NAME OF PERSON OR AGENCY CARRYING OUT PROJECT IF OTHER THAN LEAD AGENCY:
The Boring Company

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT: The proposed project involves development of a subterranean tunnel that would provide proof of concept for a zero-emissions, high-speed, underground, alternative means of transit for personal vehicles and/or single-rider use extending for approximately 2.7 miles under the Los Angeles area, roughly equivalent to 4.85 acres. This tunnel would be used solely for construction logistics verification, system testing, safety testing, operating procedure verification, and line-switching demonstrations. This project could potentially benefit community members by facilitating development of low emission transit options. A total of approximately 80,000 cubic yards of soil would be exported from the project site. On April X, 2018, the City Council determined that the project was exempt from CEQA and approved the excavation permit.

CONTACT PERSON Dr. Jan Green Rebstock **TELEPHONE NUMBER** 213-485-5761

EXEMPT STATUS: (Check One)	<u>CITY CEQA GUIDELINES</u>	<u>STATE CEQA GUIDELINES</u>
<input type="checkbox"/> MINISTERIAL	Art. II, Sec. 2.b	Sec. 15268
<input type="checkbox"/> DECLARED EMERGENCY	Art. II, Sec. 2.a(1)	Sec. 15269(a)
<input type="checkbox"/> EMERGENCY PROJECT	Art. II, Sec. 2.a(2)	Sec. 15269(b)(c)
<input type="checkbox"/> GENERAL EXEMPTION	Art. II, Sec. 1	Sec. 15061(b)(3)
<input checked="" type="checkbox"/> CATEGORICAL EXEMPTION*	Art. III, Sec. 1 Class_32_ Cat. ____	Sec. 15332
<input type="checkbox"/> STATUTORY*	Art. _____	Sec. _____

* See Public Resources Code Sec. 21080 and set forth state and city guidelines provisions.

JUSTIFICATION FOR PROJECT EXEMPTION: This project falls under Class 32 (In-Fill Development Projects) under State CEQA guidelines 15332 (see attached narrative). None of the limitations set forth in State CEQA Guidelines 15300.2 apply (see attached narrative).

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING

SIGNATURE: Maria Martin	TITLE: Environmental Affairs Officer BOE Environmental Management Group	DATE:
FEE: \$75.00 _____	RECEIPT NO.	REC'D BY
		DATE

CATEGORICAL EXEMPTION NARRATIVE

I. PROJECT DESCRIPTION (Continued) The Project would provide proof of concept for a zero-emissions, high-speed, underground, alternative means of transit for personal vehicles and/or single-rider use zero-emissions faster transit alternative for personal vehicles and/or pedestrian use in the I-405 area, below grade. The total acreage utilized for the Project would be less than 5 acres (approximately 4.85 acres). Construction is anticipated to take nine months to complete, assuming 14-20 hours of construction for six days per week, excluding Sundays. Approximately 80,000 cubic yards of soil would be excavated and hauled to an approved disposal facility in Irwindale, Azusa, or Simi Valley, California. Construction activities would comply with the City's noise ordinance and all applicable permits. Site preparation activities include demolition of an existing minor structure and removal of fencing and signage. The Project would not be open to the public, rather it would validate alternative, zero emissions transit infrastructure technology. In the event that the proof of concept validates the concept and future facilities are pursued, future environmental review would be required.

III. ENVIRONMENTAL REVIEW

Basis for Categorical Exemption

Class 32 Infill (CEQA Guidelines §15332) consists of projects characterized as in-fill development meeting the five conditions addressed in the following text:

- 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.*

The Project is entirely consistent with the existing zoning, general plan and all other applicable land use regulations and would not require any planning approvals. The entry/exit area is zoned M2 Light Industrial Zone, which allows for uses including industrial, commercial and associated infrastructure such as parking, hauling/distribution/transportation, or similar as allowed under M2, or M1, MR2, CM, or C2 as fore-referenced in those zones as permitted uses. Existing uses consist of commercial firewood sales and metal workshop. The entry/exit point has a General Plan land use designation of Light Industrial within the West Los Angeles Traffic Improvement and Mitigation Specific Plan Area. The tunnel itself would be within public right of way associated with existing urban infrastructure.

- b) *The proposed development occurs within city limits on a project site of no more than five acres substantially surrounded by urban uses.*

The proposed Project site is an urban infill site, substantially surrounded by commercial and residential uses. The total surface and subsurface land utilized for the proposed Project would be less than 5 acres (approximately 4.85 acres), including the above-ground entry/exit point location and the entire length of the subterranean tunnel (0.265 acre entry/exit point site + 4.58 acres [2.7-mile x 14-foot diameter] tunnel = ~4.85 acres). The above-ground shaft development would occupy approximately 0.08 acres, with total area utilized for staging and support operations totaling less than 0.3 acres of disturbance. The total length of the tunnel would be approximately 2.7 miles. The entry/exit point site on which development would occur is in a highly urbanized area, as noted in areas determined by the City to be infill areas and, consequently, transit priority areas and/or transit orientated community. The Project site has surrounding land uses that are a mix of developments including commercial (shoe store, mattress store, animal medical foundation, golf store, lighting store, jewelry store, hair salon, restaurant) and high-density residential as well as infrastructure consisting of surface streets and parking. All existing uses in the vicinity of the Project are urban in nature, including existing commercial facilities at the entry/exit site, and infrastructure such as roads, pipelines, engineered drainage channels and foundation pilings for freeways along the tunnel alignment; there are no non-urban uses in the Project vicinity. The understood intent of the infill exemption is to promote urban infill and mixed-use developments of a limited size from

which impacts to traffic, air quality, noise, etc. would not be significant. Construction of the proposed Project would result in less than significant impacts. Specifically, the proposed Project would not result in significant impacts to traffic, noise, air quality, or water quality (see analysis in attached Initial Study). Transit through the tunnel itself, for testing only, would be via zero-emissions electric skates and would result in less than significant impacts.

c) The project site has no value as habitat for endangered, rare or threatened species.

The TBM launch site for the Project (entry/exit point) is paved and in commercial use areas without vegetative cover or other potential conditions suitable for biological resources. See Section IV of the attached Initial Study for additional documentation.

d) Approval of the project would not result in any significant effects relating to traffic, noise, air quality, or water quality.

See response to 'b.' above. Construction activities would result in less than significant impacts, and specifically would not result in significant impacts related to traffic, noise, air quality, or water quality (see attached Initial Study). Transit through the tunnel itself, for testing only, would be via zero-emissions electric skates and would result in less than significant impacts.

e) The site can be adequately served by all required utilities and public services.

The Project can be adequately served by all required utilities because of the urban location and limited facilities necessary. The TBM would draw an expected 3,800 kva; the entry/exit point is served by LADWP 34.5-volt power line.

In summary, Class 32 is intended to allow for infill projects that are consistent with the local General Plan and Zoning requirements. This class is not intended for projects that would result in any significant environmental impacts related to traffic, noise, air quality, or water quality. It may apply to residential, commercial, and/or mixed-use projects. As demonstrated in the text above and supporting Initial Study, the Project would result in less than significant environmental impacts and would occupy and disturb only very small parcels in a dense urban area requiring no change to land use zoning or designations. A copy of the Initial Study can be found here: http://eng.lacity.org/boring_company.

Consideration of Potential Exceptions to use of a Categorical Exemption

The State CEQA Guidelines (CCR Sec 15300.2) limit the use of categorical exemptions in the following circumstances:

1. Location. Exemption 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 be significant in a particularly sensitive environment. Therefore, these classes are considered to apply in all instances except where the project may impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies. The project is exempt under Class 32 Infill, therefore, this exception has no application here.

2. Cumulative Impact. The Project would not occur at the same time or in the same place as similar projects including current and proposed tunneling projects (e.g. Metro, The Boring Company Hawthorne Tunnel), public works projects, and pending/approved haul routes, in a way that would contribute to cumulative impacts, as discussed in the Initial Study. In the event that the proof of concept validates the concept and further similar, though public, facilities are pursued, future environmental review would be undertaken to address those pursuits.

3. Significant Effect. This exception applies when, although the project may otherwise be exempt, there

is a reasonable possibility that the project will have a significant effect due to unusual circumstances. The project type is usual for a dense urban area whereby infrastructure components are developed below ground. For example, in the Los Angeles area the LA Metro has multiple subterranean tunnels for rail infrastructure, the most recent of which have been constructed in a similar manner and to similar design standards as the proposed project. Other examples include the Venice Dual Force Main and other City sewer projects, water and gas pipelines projects, and subterranean parking structures. Furthermore, the proposed project would be predominantly within the public right of way, typical of many subterranean infrastructure developments.

4. Scenic Highway. 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. The Project site is not within a scenic highway and would not affect scenic resources as the facilities would be located between 30 and 70 feet below ground surface.

5. Hazardous Waste Site. This exception applies when a project is located on a site listed as a hazardous waste site under Government Code Section 65962.5. A review of public and private environmental records indicates that although several such sites exist within the vicinity of the alignment, the Project would avoid any such sites. (See Initial Study §VIII; Appendix G).

6. Historical Resources. This exception applies when a project may cause a substantial adverse change in the significance of a historical resource. (See Initial Study §V and Appendix B Cultural Resources Memorandum).