



Executive Director's
Report to the
Board of Harbor Commissioners

DATE: OCTOBER 1, 2024

FROM: CARGO & INDUSTRIAL REAL ESTATE

SUBJECT: RESOLUTION NO. _____ - APPROVAL OF SUPPLEMENT NO. 1 TO MASTER JOINT REVOCABLE PERMIT NO. 19-15 AMONG CROWN CASTLE FIBER LLC AND CITY OF LOS ANGELES HARBOR DEPARTMENT AND PORT OF LONG BEACH, AS JOINT OWNERS

SUMMARY:

Staff requests approval of Supplement No. 1 (Supplement) (i.e. amendment) to Master Joint Revocable Permit No. 19-15 (MJRP) among Crown Castle Fiber LLC (Crown Castle), the City of Los Angeles Harbor Department (Harbor Department), and the Port of Long Beach (POLB), (collectively Ports), as joint owners, for the maintenance and operation of an aerial fiber optic communications line located at the northwest corner of Alameda St. and Anaheim St. in Wilmington.

Under the proposed Supplement, Crown Castle will be allowed to use an additional area totaling 395 square feet across the Ports' railroad corridor for the purpose of installing, operating, and maintaining an aerial fiber optic line. If approved, there will be no additional rent collected as the additional premises associated with this action is within the public street-right-of-way on Anaheim St. in Wilmington, California.

This Supplement requires approval from the Board of Harbor Commissioners of both Ports. The Port of Long Beach's Board of Harbor Commissioners approved this Supplement at its meeting held on September 23, 2024.

RECOMMENDATION:

It is recommended that the Board of Harbor Commissioners (Board):

1. Find that the Director of Environmental Management has determined that the proposed action is categorically exempt from the requirements of the California Environmental Quality Act (CEQA) under Section 15301(a) and 15301(b) of the State CEQA Guidelines;
2. Approve Supplement No. 1 to Master Joint Revocable Permit No. 19-15 among the Crown Castle Fiber LLC and the City of Los Angeles Harbor Department and Port of Long Beach, as joint owners;
3. Authorize the Executive Director to execute and the Board Secretary to attest to Supplement No. 1 to Master Joint Revocable Permit No. 19-15; and
4. Adopt Resolution No. _____.

SUBJECT: APPROVAL OF SUPPLEMENT NO. 1 TO MASTER JOINT REVOCABLE PERMIT NO. 19-15 WITH CROWN CASTLE FIBER LLC

DISCUSSION:

Background - On December 22, 1994, the Harbor Department and POLB jointly purchased rail properties as part of the Alameda Corridor Transportation Authority (ACTA) construction project. The properties are the former Southern Pacific Railroad San Pedro Branch and Union Pacific Railroad San Pedro Branch rights-of-way within the County of Los Angeles and are held by the Ports as tenants-in-common, with each holding an undivided 50 percent interest in the properties. In addition, the Ports became successors-in-interest to all existing and new railroad agreements, leases, and licenses related to the acquired railroad right-of-way.

The MJRP currently covers 24 parcels consisting of the following: seven underground fiber optic lines and 18 aerial fiber optic facilities (one parcel consisting of both an underground and aerial line) located in various jurisdictions across the 21-mile joint-port railroad corridor spanning from Wilmington to East Los Angeles. The proposed Supplement will add one overhead fiber optic line 79 feet in length across the Ports' right-of-way within a public street right-of-way bridge suspended above the Ports' railroad property (Transmittals 1 and 2).

Proposed Supplement - Provided below are the material terms of the Supplement (Transmittal 3):

<u>Provisions</u>	<u>Description</u>
Permitted Use	The maintenance and operation of one overhead fiber optic facility.
Term	Month-to-month
Termination	Subject to termination by either party with 60 days' written notice.
Premises	The additional premises is comprised of one facility totaling approximately 395 square feet, as depicted on Transmittal 2.
Compensation	None, as the fiber optic facility is located within a public street right-of-way situated above the Ports' railroad property. When street rights-of-way are conveyed to municipalities, it includes the right to install utilities servicing the wider community at no charge. Therefore, no rent is due.
Adjustments	Not applicable
Security Deposit	Not applicable
Maintenance and Restoration	Crown Castle Fiber LLC, at its sole cost, will keep and maintain the permit areas and facilities and restore the premises.
Insurance	All standard insurance requirements apply, as approved by the Risk Management Division.

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ENVIRONMENTAL ASSESSMENT:

The proposed action is approval of the Supplement to the MJRP with Crown Castle, which is an activity involving the operation, permitting, 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 including exterior alterations involving electrical conveyances and existing facilities of investor and publicly owned utilities to provide public utility services. Therefore, the Director of Environmental Management has determined that the proposed action is categorically exempt from the requirements of CEQA in accordance with Section 15301(a) and 15301(b) of the State CEQA Guidelines.

FINANCIAL IMPACT:

Approval of the proposed Supplement will allow Crown Castle to use an additional area totaling 395 square feet across the Ports' railroad corridor for the purpose of installing, operating, and maintaining an aerial fiber optic line. The proposed additional permit area will be entitled on a rent-free basis as the premises is within a street right-of-way. Crown Castle will continue to be financially responsible for \$16,211.55 in annual compensation associated with the MJRP, subject to annual adjustment based on the year-over-year change in Consumer Price Index.

All costs associated with installation of the aerial fiber optic facility will be borne solely by Crown Castle.

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CITY ATTORNEY:

The Office of the City Attorney has reviewed and approved the Supplement as to form and legality.

TRANSMITTALS:

1. Site Map
2. Premises Map
3. Supplement No. 1 to MJRP 19-15

FIS Approval: 
CA Approval: 

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Director, Cargo & Industrial Real Estate

Michael DiBernardo
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Deputy Executive Director

APPROVED:

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