



**THE PORT  
OF LOS ANGELES**  
Executive Director's  
Report to the  
Board of Harbor Commissioners

**DATE: FEBRUARY 5, 2019**

**FROM: WATERFRONT & COMMERCIAL REAL ESTATE**

**SUBJECT: RESOLUTION NO. \_\_\_\_\_ - APPROVE LICENSE AGREEMENT WITH LOS ANGELES DEPARTMENT OF WATER & POWER**

**SUMMARY:**

Staff requests approval of a License Agreement (License) with the Los Angeles Department of Water & Power (LADWP). The License will allow the City of Los Angeles Harbor Department (Harbor Department) to enter LADWP property to collect samples from existing monitoring wells as a part of a larger groundwater monitoring program at a site that was previously known as the Roehl Project Site located off of Harry Bridges Boulevard in Wilmington, CA. The Harbor Department conducts routine groundwater monitoring at this site in accordance with requirements from the Corrective Action Consent Agreement (CACA) with the Department of Toxic Substances Control (DTSC). The License is a no-fee agreement and has a term of five (5) years. As the License is being offered rent-free over its term, the Harbor Department's financial obligations will not be impacted by approval of the proposed License.

**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 Article III Class 1(14) of the Los Angeles City CEQA Guidelines;
2. Find that it is in the best interest of the City of Los Angeles Harbor Department to enter into a no-fee License Agreement with Los Angeles Department of Water & Power to obtain access to LADWP property for purposes of groundwater monitoring;
3. Approve the License Agreement with the Los Angeles Department of Water & Power;

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4. Authorize the Executive Director to execute and the Board Secretary to attest to the License Agreement; and
5. Adopt Resolution No. \_\_\_\_\_

**DISCUSSION:**

Background: The subject project site (Site) encompasses the parcel formerly occupied by the Roehl Disposal Corporation (Roehl) as well as the surrounding properties that were affected by contaminant releases from the Roehl operations. The contaminant migration through the soil, soil gas, and groundwater has affected properties to the north (extending to Harry Bridges Boulevard), west (to the adjacent LADWP site), east (beneath the adjacent West Marine Ave), and south (extending down to A Street).

Roehl conducted dry cleaning solvent recycling operations at the Site from 1983 to 1990 under a permit by the State of California. The Harbor Department purchased the property in 1985 and entered into a lease agreement with Roehl to allow them to continue operations at the Site until 1990. The soil and groundwater at the Site has been impacted with chlorinated solvents from prior activities at the Roehl Project Site. The Harbor Department is currently conducting assessment and remediation work at the Site under a CACA with the DTSC, with the goal of obtaining site closure in compliance with the Resource Conservation and Recovery Act.

The Harbor Department also conducts routine groundwater monitoring at in-site and off-site wells, in accordance with the requirements of the CACA. The monitoring and sampling of the groundwater wells that are located at the Roehl Site and surrounding properties will be required indefinitely and are expected to continue for several years following soil remediation. Several off-site monitoring wells are located on the LADWP property and a previous access agreement that was maintained between the Harbor Department and LADWP that allowed the Harbor Department access to the property has since expired. Sampling of the monitoring wells is required as part of the groundwater monitoring program for the site.

Staff recommends Board approval of the License Agreement (Transmittal 1) based on the following terms:

Term: Five years.

Premises: LADWP property located at the southeast corner of Harry Bridges Boulevard and N. Fries Avenue in Wilmington, CA.

Use: Allows the Harbor Department access to LADWP property to conduct groundwater monitoring.

Compensation: This is a no-rent License Agreement.

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**ENVIRONMENTAL ASSESSMENT:**

The proposed action is the approval of a License Agreement with LADWP for a term of five years, which is an activity involving the issuance, renewal, or amendment of any lease, license, or permit to use an existing structure or facility involving negligible or no expansion of use. Therefore, the Director of Environmental Management has determined that the proposed action is categorically exempt from the requirements of CEQA in accordance with Article III Class 1(14) of the Los Angeles City CEQA Guidelines.

**FINANCIAL IMPACT:**

The proposed License will allow the Harbor Department to access LADWP property comprising a portion of the Roehl Project Site in order to conduct groundwater monitoring in accordance with the CACA. Although the proposed License is being provided rent-free, the Harbor Department will continue to be financially responsible for ongoing groundwater monitoring costs associated with the Roehl Project Site which are estimated to be approximately \$70,000 per year.

**CITY ATTORNEY:**

The License Agreement has been approved as to form and legality by the Office of the City Attorney.


**TRANSMITTAL:**

1. License Agreement with LADWP

  
MICHAEL J. GALVIN  
Director of Waterfront & Commercial Real Estate

FIS Approval:   
CA Approval:   
  
MICHAEL DiBERNARDO  
Deputy Executive Director

APPROVED:

  
EUGENE D. SEROKA  
Executive Director

ES:MD:MG:HP:jg  
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BL775jg LADWP License Agreement