



**THE PORT
OF LOS ANGELES**

Executive Director's
Report to the
Board of Harbor Commissioners

DATE: OCTOBER 15, 2025

FROM: CARGO & INDUSTRIAL REAL ESTATE

**SUBJECT: RESOLUTION NO. _____ - APPROVAL OF JOINT
REVOCABLE PERMIT NO. 24-07 AMONG LEVEL 3
COMMUNICATIONS, LLC AND CITY OF LOS ANGELES HARBOR
DEPARTMENT AND PORT OF LONG BEACH, AS JOINT OWNERS**

SUMMARY:

Staff requests approval of Joint Revocable Permit No. 24-07 (JRP) among Level 3 Communications, LLC (Level 3), a Delaware limited liability company, the City of Los Angeles Harbor Department (Harbor Department), and the Port of Long Beach (POLB) as joint owners (collectively Ports), for installation, maintenance and operations of an underground casing, innerducts and fiber optic facilities in the San Pedro Branch of the former Union Pacific Railroad right-of-way in South Gate, California.

Under the proposed JRP, Level 3 will be allowed to use an area totaling 680 square feet within the Ports' railroad corridor for the purpose of installing, operating, and maintaining an underground fiber optic line, three innerducts and a six-inch high-density polyethylene casing. There will be no rent charged for this JRP due to its location in the public right-of-way.

This JRP requires approval from the Board of Harbor Commissioners of both Ports. The POLB Board of Harbor Commissioners approved this JRP at its meeting on September 17, 2025.

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 Classes 3(8) and 4(7) of the Los Angeles City CEQA Guidelines;
2. Approve Joint Revocable Permit No. 24-07 among Level 3 Communications, 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 Joint Revocable Permit No. 24-07; and
4. Adopt Resolution No. _____.

SUBJECT: APPROVAL OF JOINT REVOCABLE PERMIT NO. 24-07**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 contain the former Southern Pacific Railroad and Union Pacific Railroad (UPRR) 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 responsible for the management and issuance of all railroad agreements, leases, revocable permits, and licenses related to the acquired railroad right-of-way.

Level 3 proposes to install new underground fiber optic and appurtenant facilities in 680 square feet of land on jointly-owned property as part of a larger project that provides customers in the South Gate community with access to fiber optic services. See Transmittal 1 for a depiction of the location.

The location of the proposed premises covered by the JRP intersects both a street right-of-way within the City of South Gate's jurisdiction (Atlantic Avenue) and the Ports' property. As such, a JRP is needed, but no fee is charged. The JRP ensures compliance with railroad safety requirements for operating and maintaining facilities, and proper insurance and indemnity commitments from Level 3 for the benefit of the Ports.

The proposed JRP (Transmittal 2) would provide Level 3 with the necessary entitlement and allow access to properly install, operate, and maintain fiber optic facilities including innerducts and a casing within the railroad right-of-way.

Material terms of the JRP are provided below:

<u>Provisions</u>	<u>Terms Description</u>
Real Estate Entitlement	Joint Revocable Permit
Permittee	Level 3 Communications, LLC, a Delaware limited liability company
Permitted Use	Installation, operation, and maintenance of an underground six-inch casing, three innerducts, and a 72-count fiber optic cable
Term	Month-to-month
Termination	Either party may terminate with 90-days' written notice
Effective Date	The effective date is upon last execution by the Executive Director or Chief Executive Officer of the Ports

SUBJECT: APPROVAL OF JOINT REVOCABLE PERMIT NO. 24-07

Permit Area	680 square feet of land on Atlantic Avenue, South Gate (Transmittal 1)
Compensation	None
Maintenance	Permittee is responsible for maintaining the premises and all improvements, at its sole cost and expense
Insurance	Standard insurance requirements plus railroad coverage as approved by Risk Management.
Security Deposit	\$1,000.00

ENVIRONMENTAL ASSESSMENT:

The proposed action is the approval of the JRP with Level 3 for 680 square feet of land for installing, operating, and maintaining an underground fiber optic cable, which is an activity involving additions to underground utilities such as cables and conduits and the issuance of any lease, license or permit to use land involving minor alterations to the condition of the land. 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 Classes 3(8) and 4(7) of the Los Angeles City CEQA Guidelines.

FINANCIAL IMPACT:

Approval of the proposed JRP will not have a financial impact on the Harbor Department. The proposed entitlement will be issued on a rent-free basis as the premises are within a street right-of-way. Furthermore, all costs associated with installation of the fiber-optic and ancillary facilities will be borne solely by Level 3. A one-time permit processing fee in the amount of \$2,500 will be remitted by Level 3 to the Ports with each Port sharing 50 percent of the revenue.

CITY ATTORNEY:

The Office of the City Attorney has reviewed and approved Joint Revocable Permit No. 24-07 as to form and legality.

DATE: OCTOBER 15, 2025

PAGE 4 OF 4

SUBJECT: APPROVAL OF JOINT REVOCABLE PERMIT NO. 24-07

TRANSMITTALS:

1. Premises Map
2. Joint Revocable Permit No. 24-07

FIS Approval: JS
CA Approval: SO

Marisa L. Katnich

MARISA L. KATNICH
Director, Cargo & Industrial Real Estate

Dina Aryan-Zahlan for
MICHAEL DiBERNARDO
Deputy Executive Director

APPROVED:

Erica M. Calhoun for

EUGENE D. SEROKA
Executive Director

EDS:MD:MK:KH:db
Author: Keith Heeley
BL1098db Level 3 Communications_POLB