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October 7, 2022

The Honorable Nury Martinez
President
Los Angeles City Council

c/o Holly L. Wolcott
City Clerk
City Hall Room 360

SAFE PARKING - 5455 W. 111TH STREET (C.F. 20-0841) CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) NOTICE OF EXEMPTION (NOE)

Dear President Martinez and Honorable Members:

The attached environmental documentation is being transmitted for City Council's consideration related to the funding allocation for the Safe Parking at 5455 West 11th Street, in Council District 11.

RECOMMENDATION

Staff recommends that Council determine the Safe Parking project at 5455 West 111th Street, which allows for the funding for the use of property, subject to the Board of Airport Commissioners approval, as a temporary intervention, is statutorily exempt from California Environmental Quality Act under Public Resources Code Section 21080(b)(4), as a specific action necessary to prevent or mitigate an emergency as also reflected in CEQA Guideline Section 15269(c). Please refer to the attached NOE.

Honorable Nury Martinez
October 7, 2022
Page 2 of 2

If you have any questions, please contact Maria Martin at Maria.Martin@lacity.org or (213) 485-5753.

Sincerely,



Jose Fuentes

for
Ted Allen, PE
City Engineer

Attachment

TA/JF/mem:ab

Box\EXE_Ready for Signature\TSA\Outbox\Archived\2022\TRANSMITTAL_CF20-0841_CEQA_NOE_LAX_Safe_Parking_10-7-22.pdf

cc: Deborah Weintraub, Bureau of Engineering
Jose Fuentes, Bureau of Engineering
Marina Quinones, Bureau of Engineering
Maria Martin, Bureau of Engineering

CITY OF LOS ANGELES
 DEPARTMENT OF PUBLIC WORKS
 BUREAU OF ENGINEERING
 1149 S. BROADWAY, 7th FLOOR
 LOS ANGELES, CALIFORNIA 90015
 CALIFORNIA ENVIRONMENTAL QUALITY ACT
 NOTICE OF EXEMPTION
 (Articles II and III - City CEQA Guidelines)

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 (BOE) 1149 S. Broadway, MS 939 Los Angeles, CA 90015	COUNCIL DISTRICT 11
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PROJECT TITLE: 5455 W 111th Street Safe Parking (LAX)	LOG REFERENCE C.F. 20-0841
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PROJECT LOCATION: 5455 W. 111th Street, Los Angeles, in the Los Angeles International Airport (LAX) Community Plan Area of the City of Los Angeles (City), Los Angeles County. See Figure 1: Project Location.

DESCRIPTION OF NATURE, PURPOSE, AND BENEFICIARIES OF PROJECT: The 5455 W. 111th Street Safe Parking (LAX) project (Project) consists of funding, contingent upon the Board of Airport Commission (BOAC) and Los Angeles Homeless Services Authority (LAHSA) approval, for a pilot project to provide a safe parking intervention with up to 50 emergency safe parking spaces. The site is City-owned and will be leased for the pilot project for up to one year. Currently, the site is primarily paved with asphalt and used as a surface parking lot, Los Angeles International Airport (LAX) Economy Lot E. Project beneficiaries include the local community. (Please see the attached narrative for more details.)

On _____, 2022, the City Council determined the Project was exempt under the California Environmental Quality Act (CEQA) and approved the Project.

CONTACT PERSON Maria Martin (Maria.Martin@lacity.org)	TELEPHONE NUMBER (213) 485-5753
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EXEMPT STATUS:	<u>CITY CEQA GUIDELINES</u>	<u>STATE CEQA GUIDELINES</u>	<u>CA PUBLIC RESOURCE CODE</u>
<input checked="" type="checkbox"/> STATUTORY		15269(c)	21080(b)(4)

JUSTIFICATION FOR PROJECT EXEMPTION: This Project is statutorily exempt from CEQA under Public Resources Code, Section 21080(b)(4), as a specific action necessary to prevent or mitigate an emergency, and as reflected in CEQA Guidelines, Section 15269(c); (see attached narrative).

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT OF EXEMPTION FINDING

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

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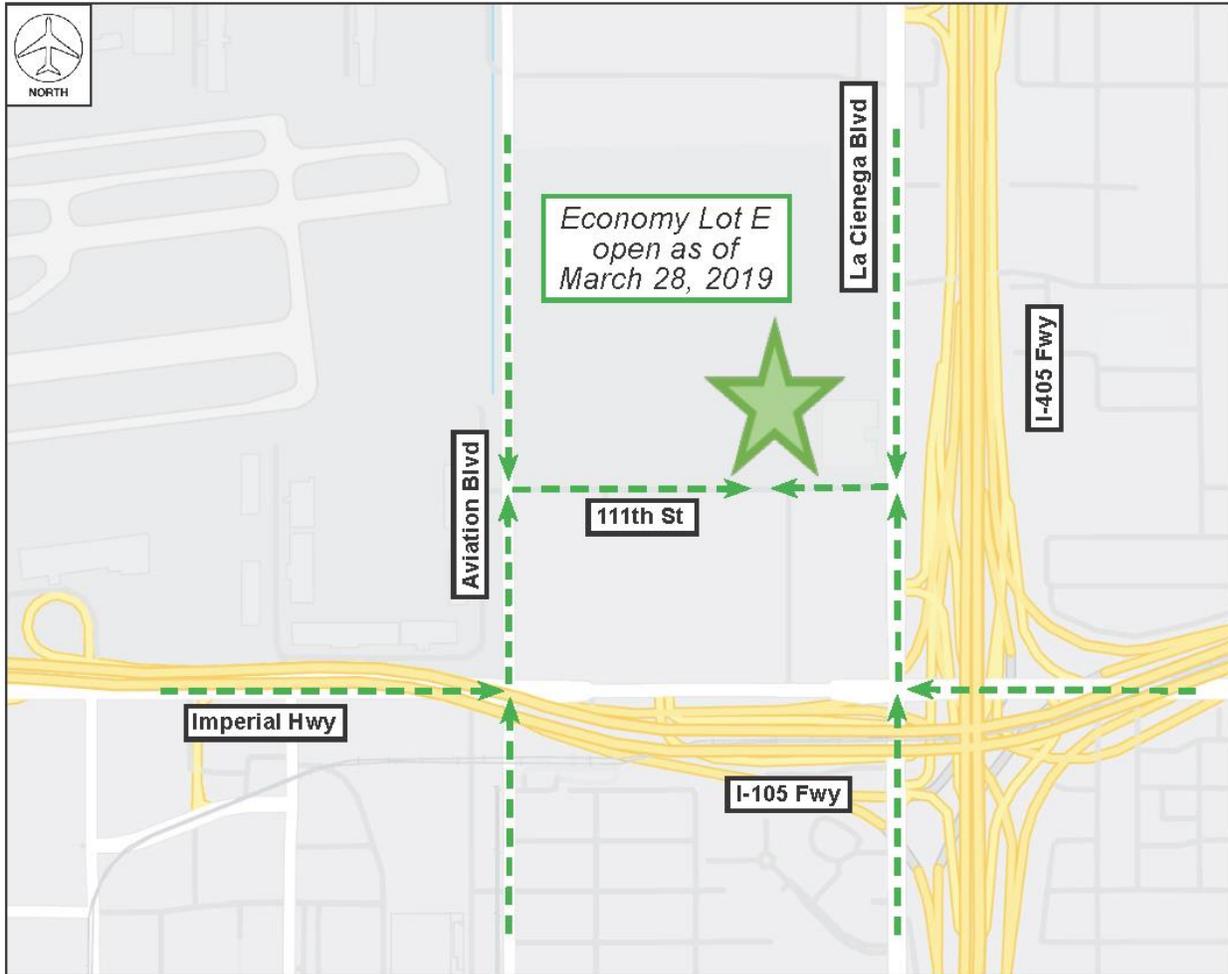


Figure 1: Project Location

EXEMPTION NARRATIVE

I. PROJECT DESCRIPTION, CONTINUED

The City of Los Angeles proposes to utilize an existing parking lot at LAX for the temporary operation of an emergency homeless support activity/intervention. The Project would use a portion of an existing surface parking lot containing up to 50 parking spaces for the temporary operation of a pilot program that offers a monitored parking location for participants experiencing homelessness. In addition to utilizing up to 50 parking spaces, the site will provide case management to monitor, assist and collect information about participants. The site will operate for approximately 12 hours a day from 7:00 PM to 7:00 AM or 8:00 PM to 8:00 AM. The Safe Parking site will require minor improvements including the installation of portable toilets, additional lighting, pavement striping and other security equipment. Ingress and egress will be provided by an improved driveway on La Cienega Avenue.

The existing Economy Parking Lot E is a remote parking area located on the westernmost area of property owned by the Los Angeles World Airport (LAWA). Development and use of the subject property are governed by the policies of the LAX Plan, an adopted

community plan of the City of Los Angeles, and regulated by the LAX Specific Plan ordinance for the “Airport Landside” subarea. The site is currently improved as an asphalt parking area which is an allowed use per the LAX Plan and the LAX zone classification.

The Project site is zoned LAX, Los Angeles International Airport Specific Plan Zone. The Project site is located between Aviation Boulevard and La Cienega Boulevard with frontage to 111th Street. The Project site is within a fenced-off portion of an existing City-owned surface lot, LAX Economy Lot E. Parcels that surround the site on the north, south and west are zoned LAX. North and west of the Project site are additional surface parking lots, beyond the surface parking to the west, is the Proud Bird Food Bazaar and Events Center, CalPortland to the east, and LAX Logistic centers to the south.

II. BACKGROUND

Per the LAX Plan, the Airport Landside area functions as the interface between Airport Airside and the regional ground transportation network, establishing access points for the efficient processing of people and goods. Examples of allowed uses include ground transportation facilities, passenger handling services, airport administrative offices, parking areas, cargo facilities, and other ancillary airport facilities.

The proposed Safe Parking site would utilize the existing LAX Economy Lot E (surface parking area) which is permitted by the LAX Specific Plan, Section 10.B.1(f): Surface and structured parking lots (including those at-grade above-grade, and subterranean).

The Economy Lot E has historically been used as a part of the LAX ground transportation system as a remote parking area for passenger vehicles, including overnight parking. The proposed Safe Parking site would be licensed by LAWA for the temporary use of LAX Economy Lot E for overnight parking of passenger vehicles to be occupied by the pilot program participants.

III. THE PROJECT IS EXEMPT FROM FURTHER CEQA REVIEW

Public Resources Code Section 21080(b)(4) provides that CEQA does not apply to “specific actions necessary to prevent or mitigate an emergency.”

An emergency is defined in Public Resources Code, Section 21060.3, as a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to, life, health, property, or essential public services. “Emergency” includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences as riot, accident, or sabotage.

Further, 14 California Code of Regulations Section 15269, “Emergency Projects,” provides examples of emergency projects exempt from the requirements of CEQA, including the following:

- (c) Specific actions necessary to prevent or mitigate an emergency. This does not include long-term projects undertaken for the purpose of preventing or mitigating a situation that has a low probability of occurrence in the short-term, but this exclusion does not apply

- (i) if the anticipated period of time to conduct an environmental review of such a long-term project would create a risk to public health, safety or welfare, or
- (ii) if activities (such as fire or catastrophic risk mitigation or modifications to improve facility integrity) are proposed for existing facilities in response to an emergency at a similar existing facility.

The proposed activity is a specific action necessary to prevent or mitigate an emergency - the conditions arising from a sudden and unexpected dramatic rise in the City's already dangerously large homeless population, now adversely impacted by the COVID-19 pandemic for all of the reasons set forth below.

- A. The first element of CEQA's definition of "emergency" is that it is a "sudden, unexpected occurrence."

Homelessness is an emergency occurrence in the City of Los Angeles. A 2017 Rand Corporation study reported the County of Los Angeles as having the highest rate in the United States of unsheltered individuals who experience homelessness (Hunter, Sarah B., Melody Harvey, Brian Briscoe, and Matthew Cefalu, 2017). The impacts of homelessness upon the homeless and upon the community, in terms of the danger to or loss of life, property, health and burden on public services is exacerbated in the City due to the very size of the City's homeless population. The homeless shelter crisis and the rise in homelessness are the type of emergency situations that led the State to adopt AB 1197, an urgency statute addressing homelessness that was deemed necessary for the immediate preservation of the public peace, health, or safety and for the critical necessity to address the shelter and homeless crisis within the City of Los Angeles.

- B. The next element of CEQA's definition of "emergency" is that it involves a "clear and imminent danger."

Homelessness presents a danger of loss or damage to the health and property of the people of the City and an undue burden on essential public services. Based on information from the Census and the Los Angeles Homeless Services Authority (LAHSA), in 2020, homeless persons constituted approximately 1.07 percent of the City's population. (U.S. Census Bureau, 2021 & LAHSA, 2020)

In 2018, homeless persons constituted 13.5 percent of LAFD's total patient transports to a hospital, meaning a homeless person is 17 percent more likely to require emergency hospital transportation than the general population (LAFD Battalion Chief and Paramedic Douglas Zabalski, 2019). Studies have shown that individuals identified as homeless utilize health care services more frequently than comparable non-homeless individuals of the same age, gender, and low-income status, particularly high-cost services such as Emergency Room (ER) visits and psychiatric hospitalizations (Hunter, 2017) (Hwang SW, 2013).

Los Angeles County's Chief Executive Officer reported the County spent \$965 million on health, law enforcement, and social services toward individuals experiencing homelessness in fiscal year 2014–2015 (Wu, 2016). Consistent with that report, a 1998 study in the *New England Journal of Medicine* found that homelessness was associated with substantial excess costs per hospital stay in New York City, with homeless patient

staying in the hospital 36 percent longer per admission on average than other patients (Salit, Hospitalization Costs Associated with Homelessness in New York City, 1988).

Homelessness also causes significant danger to the health and lives of persons who are homeless. Homeless individuals living in the City are frequent crime victims. In 2018, LAPD reported 2,965 instances where a homeless individual was a victim of a serious crime, including homicide, rape, aggravated assault, theft, and arson (also known as “Part 1 Crimes.”) (Commander Dominic H. Choi, 2019). This compares to 1,762 such crimes in 2017, a 68 percent increase (*Id.*). This dramatic increase in Part 1 Crime statistics may be due to more rigorous LAPD data collection methodologies, however it is consistent with the increasing incidence of homelessness documented in June of 2019 detailed below (*Id.*). During the first six months of 2020, LAPD reported 1,738 instances where a homeless individual was a victim of a serious crime including homicide, rape, aggravated assault, burglary, and larceny (LAPD, 2020).

Overall, in 2018, the LAPD reported 6,671 instances in total where a homeless individual was a Part 1 Crime victim and/or suspect, among the 31,285 estimated homeless individuals throughout the City (Commander Dominic H. Choi, 2019). This means that in 2018 there was approximately one Part 1 Crime per every 4.68 homeless individuals in the City. By comparison, for the same year LAPD reported 129,549 total Part 1 Crimes Citywide among an estimated population of 4,054,400 City residents, or approximately one Part 1 crime per every 31.29 City residents. Accordingly, the rate of Part 1 crimes among homeless individuals in 2018 was approximately seven times higher than the rate among the City population as a whole (*Id.*). According to the LAPD Use of Force Year-End Report in 2020, among the 41,290 estimated homeless individuals throughout the City, 7,872 persons were reported to be victims of a violent or property crime. In the same year, 5,722 persons experiencing homelessness were reported as suspects of a violent or property crime. (LAPD, 2020). On October 4, 2018, and again on February 6, 2019, the Los Angeles County Department of Public Health identified an outbreak of endemic flea-borne typhus in downtown Los Angeles among persons experiencing homelessness. On September 19, 2017, the Los Angeles County Department of Public Health declared a Hepatitis A virus outbreak among persons who are homeless and/or use illicit drugs in the County. Likewise, a January 2018 report from the Los Angeles County Department of Mental Health reported that data from the Los Angeles County Medical Examiner-Corner’s showed that a significant number of deaths in the homeless population were caused by treatable conditions such as arteriosclerotic cardiovascular disease, pneumonia, diabetes, cancer, cirrhosis, severe bacterial infections, and other conditions (Choi, 2019). As noted more recently by the Board of Supervisors for the County of Los Angeles on October 29, 2019:

Mortality rates for people experiencing homelessness are much higher than those for the general population, have risen in the County over the past five years, and are expected to increase again for 2019. A recent analysis by the County’s Department of Public Health on mortality rates and causes of death among people experiencing homelessness shed critical light on this issue and provided sobering data on recent trends. The overall mortality rate, which accounts for increases in the total homeless population over the 6-year period from 2013 to 2018, increased each year from 1,382 per 100,000 to 1,875 deaths per 100,000, with the total number of deaths

among people experiencing homelessness increasing each year from 536 in 2013 to 1,047 in 2018. The leading causes of death included coronary heart disease (22%) and unintentional drug and alcohol overdose (21%), indicating that there are opportunities for interventions to prevent premature deaths (Supervisor Ridley-Thomas, Supervisor Solis, 2019) (Department of Public Health, 2019).

These significant adverse health impacts suffered by the homeless in the City and County of Los Angeles are consistent with the impacts identified by a well-established body of expert social science studies that document the significant adverse health and welfare impacts experienced by homeless persons in the United States and in other countries, which the homeless in the City and County experience as well. Some of that research has documented the following impacts upon homeless persons:

Mortality Rates. A study of the mortality rates of sheltered homeless people in New York City between 1987 and 1994 documented those homeless men died at a rate more than twice that of other residents of New York, and those homeless women died at a rate more than 3.7 times greater than other New York residents (Barrow, Susan M., PhD, Daniel B. Herman, DSW, Pilar Cordova, BA, and Elmer L. Struening, PhD, 1999). A study conducted between 1985 and 1988 in Philadelphia found that the mortality rate among homeless persons in Philadelphia was nearly four times greater than for the general population (Hibbs, Jonathan R., MD, et. al., 1994). A review of five years of data between 2000 and 2005 in Glasgow, Scotland found that homelessness is, itself, is an independent risk factor for death, distinct from other specific causes (Morrison, 2009).

Access to Healthcare. A 2003 nationwide survey of homeless persons documented that homeless adults reported substantial unmet needs for multiple types of health care (Baggett, Travis P., MD, MPH, James J. O'Connell, MD, Daniel E. Singer, MD, and Nancy A. Rigotti, MD, 2010). The report found 73 percent of the respondents reported at least one unmet health need, including an inability to obtain needed medical or surgical care (32%), prescription medications (36%), mental health care (21%), eyeglasses (41%), and dental care (41%) (*Id.*).

AIDs Impacts. A study of San Francisco residents diagnosed with AIDS from 1996 through 2006 and reported to the San Francisco Department of Public Health demonstrated that homeless persons with HIV/AIDS have greater morbidity and mortality, more hospitalizations, less use of antiretroviral therapy, and worse medication adherence than HIV infected persons who are stably housed (Schwarcz, Sandra K, Ling C Hsu, Eric Vittinghoff, Annie Vu, Joshua D Bamberger and Mitchell H Katz, 2009).

Cancer Impacts. A study of 28,000 current and formerly homeless individuals in Boston documented that homeless men saw a significantly higher cancer incident rate than expected compared to the general Massachusetts general population, and that homeless women and men experienced significantly higher cancer mortality rates than the Massachusetts general population (Baggett, Travis P et al., 2015).

- C. The third element of CEQA’s definition of “emergency” is that it “demands immediate action to prevent or mitigate loss of, or damage to life, health, property, or essential public services.”

Taken together, the unexpected and dramatic increase in homelessness in the City and County of Los Angeles identified first in 2019, continues unabated in 2022 and was exacerbated by the COVID-19 pandemic posing a critical emergency in the City of Los Angeles. This situation presents documented dangers to health, life, property, and a burden on public resources which presents an emergency as defined by CEQA. Furthermore, the State has created additional CEQA exemptions applicable in the City of Los Angeles concerning homelessness and homeless shelters.

In recent years, the occurrence of homeless encampments on and around Los Angeles International Airport has resulted in threats to life, health, and property. Essential public services have had to be deployed to address damage to property resulting from fires and vandalism tied to homeless encampments.

The goal of the Safe Parking site is to meet homeless participants where they are and provide a safe and legal space to rest undisturbed. By creating a stable environment and providing access to basic needs, clients will be able to maintain a consistent connection to outreach workers and case managers to create a path to interim or permanent housing. The Project site will be operated consistent with the Los Angeles Homeless Services Authority’s (LAHSA) program requirements for crisis and bridge shelters including, but not limited to, LAHSA’s Scope of Required Services and Program Standards, as noted in the references section.

For all of the aforementioned reasons, the proposed activity is necessary to prevent or mitigate an emergency and, therefore, is statutorily exempt from CEQA pursuant to Public Resources Code Section 21080(b)(4).

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