

CITY OF LONG BEACH

DEPARTMENT OF PUBLIC WORKS

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October 5, 2004

HONORABLE MAYOR AND CITY COUNCIL
City of Long Beach
California

SUBJECT: Granting of Facility/Pipeline Permit Supplement No. S-4-04, to Pacific Terminals, LLC, for the Installation of Conduits and Two Cabinets on Lakewood Boulevard at Spring Street, and Authorizing a Discretionary Permit to Excavate in Lakewood Boulevard at Spring Street, in Accordance with Ordinance No. C-7933 (District 5)

DISCUSSION

Pacific Terminals, LLC, filed an application for Facility/Pipeline Permit Supplement No. S-4-04, to install approximately 1,397 feet of ¾-inch to 2-inch electrical/phone conduits and 2 cabinets along Lakewood Boulevard at Spring Street. The purpose of this installation is to provide remote operation of an existing valve on Pacific Terminal's 16-inch pipeline. This improvement would allow a quicker closure of the valve from the control center, as opposed to sending out an operator to manually close the valve, in case of pipeline upset. The location of the proposed conduits and cabinets are shown on the attached vicinity map.

The location of the proposed conduits is within a portion of Lakewood Boulevard that was reconstructed in January 2002, and is currently under an excavation moratorium until after January 2007. Recently adopted Ordinance No. C-7933 requires that a permit for an excavation in a right-of-way that has undergone reconstruction within the previous 60 months, if not for an emergency repair or a new utility service connection, be deemed discretionary and subject to the approval of the City Council.

The Ordinance further states that the City Council may authorize a discretionary permit, if both of the following conditions are met:

- The applicant can demonstrate that the permit for excavation is immediately required for the general health, safety and welfare of the City and cannot be delayed until after January 2007.
- The applicant can demonstrate that alternatives to excavating, such as alternative routing or construction methods including boring or excavation of the parkway, are not possible.

Pacific Terminals, LLC, claims that they meet the above criteria. They state that this installation is a new utility service connection and that it is required to meet the intent of Code of Federal Regulations (CFR) Title 49, Part 195.452, Pipeline Integrity Management in High Consequence Areas Final Rule (as amended) February 15, 2002 (High Consequence refers to a highly populated area).

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A 10-foot deep by 20-foot wide concrete tunnel for storm water passes under Lakewood Boulevard at Spring Street. Pacific Terminals, LLC, states that they are unable to bore because of the location and depth of this concrete tunnel.

The Department of Public Works reviewed the application and found the proposed conduits and cabinets to be compatible with existing installations and not an obstacle to any street use or any known proposed developments. Pacific Terminals, LLC, will be given specific construction instructions designed to restore the integrity of the roadway after their excavation. Traffic control requirements stipulated by the Traffic and Transportation Bureau will be made a part of the special conditions for the excavation permit. Liability insurance and a bond for faithful performance will be processed, following City Council authorization of the permit supplement. This project is categorically exempt, in accordance with Section 15301 of the California Environmental Quality Act.

This matter was reviewed by Deputy City Attorney J. Charles Parkin on September 15, 2004.

TIMING CONSIDERATIONS

City Council action on this matter is not time critical.

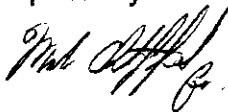
FISCAL IMPACT

If approved, an excavation permit fee of \$769 and an estimated annual pipeline permit fee of \$646 will be deposited to the General Fund (GP) in the Department of Public Works (PW).

IT IS RECOMMENDED THAT THE CITY COUNCIL:

- 1) Determine that the granting of Facility/Pipeline Permit Supplement No. S-4-04, under existing Ordinance No. C-4703 of Pacific Terminals, LLC, for the installation of conduits and two cabinets on Lakewood Boulevard at Spring Street, will not be contrary to the public interest.
- 2) Authorize the City Manager to issue said permit supplement in accordance with Section 15.44.060, Permit Issuance, of the Long Beach Municipal Code;
- 3) Authorize a discretionary permit to excavate in Lakewood Boulevard at Spring Street in accordance with Ordinance No. C-7933.

Respectfully submitted,



CHRISTINE F. ANDERSEN
DIRECTOR OF PUBLIC WORKS

GMM:rc

Attachment

APPROVED:



GERALD R. MILLER
CITY MANAGER