

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 08/13/08		Item Number: A-1	
AGENDA ITEM: Adoption of a Resolution Transmitting to the County of Los Angeles Department of Regional Planning the Official City Response to the June 2008 Draft Environmental Impact Report for the Proposed Baldwin Hills Community Standards District.			
Contact Person/Dept.: Sherry Jordan/ CDD and Charles Herbertson/PWD		Phone Number: (310) 253-5746 (310) 253-5630	
Fiscal Impact: Yes ☒ No ☐		General Fund: Yes ☒ No ☐	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: Posted on Culver City web page on 7/2/08; mailed notices (20,950) on 7/3/08 to various public agencies, Culver City property owners and residents, and interested parties; emailed to the Master Notification List on 8/6/08; published in the Culver City News on 7/10/08, placed on the cable crawler, flyers made available at 7/17, 7/24, 7/31, & 8/7 Summer Music Festival, county workshops, council chambers, etc; press release to newspapers on 7/28; Connect CTY (phone notification system) to all Culver City residents, businesses, and city employees on 7/29; mailed notices to all listed homeowner associations on 7/29, Master E-Mail Notification List (08/08/08);			
Department Approval: Charles Herbertson, PWD (08/06/08) Sol Blumenfeld, CDD (08/06/08)		City Attorney Approval: Carol Schwab (by H. Baker) (08/07/08)	
Chief Financial Officer Approval: Jeff Muir (08/08/08)		City Manager Approval: Jerry Fulwood (08/08/08)	
<u>RECOMMENDATION:</u> Staff recommends the City Council adopt a Resolution transmitting to the County of Los Angeles Department of Regional Planning the official City response to the June 2008 Draft Environmental Impact Report for the Proposed Baldwin Hills Community Standards District. (Attachment 1) <u>BACKGROUND:</u> The County of Los Angeles (County) has prepared and circulated a Draft Environmental Impact Report (DEIR), dated June 2008, to assess potential environmental impacts associated with potential future oil and gas production activities at the Inglewood Oil Field over the next 20 years. The County is the “Lead Agency” and the project applicant is Plains Exploration & Production Company (PXP). The City received the DEIR on June 19th and immediately distributed it to City Departments and the City Council for review. The County established a 60-day review and comment period that ends on August 19th.			

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On June 23, 2008, the City Council authorized a contract with Aspen Environmental Group to assist the City in commenting on the proposed Community Standards District (CSD) and DEIR, and with the review and revisions to the City's current oil well regulations and oil drilling permit application submittal requirements.

On July 14, 2008, a City Council meeting was held to discuss and seek early Council and community input while staff was analyzing the DEIR and formulating detailed comments for Council consideration. At the July 14, 2008 meeting, the City Council received over two hours of community comments related to this item. The purpose of tonight's meeting is to consider staff's recommended comments, receive any additional public comment, and then accept or modify these comments for transmittal to the County.

DISCUSSION:

Project Description

PXP, the operator of the Inglewood Oil Field has submitted an application to the County to establish a CSD (attachment to the Executive Summary in the EIR). The CSD is a supplemental district used to address special issues that are unique to certain geographic areas within the unincorporated areas of the County. The CSD would establish permanent development standards, operating requirements and procedures for the portions of the Inglewood Oil Field that are within the County. The CSD would provide a means for implementing enhanced regulations to address the unique compatibility concerns associated with operating an oil field in the midst of urban development.

The proposed CSD is divided into eight major sections that include the following:

- A. Intent and Purpose
- B. Description of Boundary
- C. Definitions
- D. Community Wide Development Standards
- E. Community Relations
- F. Permits Required, and
- G. Procedures for obtaining Approval from Department of Regional Planning

Section D provides the development standards, operating requirements and procedures proposed for the Inglewood Oil Field. This section addresses issues covering drilling operations, production operations, maintenance operations, landscaping, grading, operation of oil field recovery heaters (steam generators), non-producing and idle wells, as well as some general conditions.

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DEIR Content

One of the goals of the DEIR is to determine if the CSD as proposed by PXP has the necessary development standards, operating requirements and procedures to mitigate the potential environmental impacts of future oil field development activities. To accomplish this goal an environmental impact analysis was conducted on a Potential Future Oil Field Development Scenario. This scenario looked at the maximum development that could occur over the next twenty years. There are no current applications for oil drilling.

Based upon the environmental impact analysis of the Potential Future Oil Field Development Scenario, the DEIR identified a number of measures to mitigate the identified impacts of future oil drilling (Table ES-1, Page ES-25). The development standards, operating requirements and procedures in the PXP proposed CSD were then compared with the identified measures to determine areas where the proposed CSD could be enhanced. The recommended modifications to the proposed CSD are discussed in Table ES-2 (Page ES-15) in the DEIR.

The only impact identified in the DEIR that could not be mitigated to a less than significant level in the Potential Future Oil Field Development Scenario was earthquake-related hazards, such as ground rupture, ground acceleration, and ground shaking common to the Los Angeles region (Impact No. GR.3, Page 4.4-23). Because the southeast portion of the oil field is underlain by the active Newport-Inglewood Fault Zone, there is a greater than average risk of seismic impacts. Therefore, seismic related impacts are significant. Although mitigation is proposed to reduce the impacts of earthquake-related hazards, which would require measures such as not allowing certain types of new facilities within 50 feet of a known active fault, such measures cannot mitigate these impacts to a less than significant level.

The California Environmental Quality Act (CEQA) requires an EIR to describe a reasonable range of alternatives to a project. Since the proposed project is a CSD (zoning legislation), the alternative analysis looked at three alternative regulatory schemes that the County could implement in establishing development standards, operating requirements, and procedures to regulate future development at the Inglewood Oil Field. The following alternatives are discussed in Section 5.0 of the Draft EIR.

1. No Project Alternative – (future oil field development would be permitted using the process that was in place prior to the Emergency Interim Ordinance)
2. Site Plan Review with Director Approval - (Considered a ministerial process not subject to CEQA)

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3. Conditional Use Permit Alternative - (considered discretionary process subject to CEQA)

The DEIR identifies the Conditional Use Permit Alternative as the superior regulatory scheme since it would provide the best mechanism for conditioning future oil field development. The County will use the mitigation measures identified in the DEIR as well as an analysis of the CSD in developing recommendations for modification to the proposed CSD.

In reviewing the DEIR, staff and Aspen believe the document is inadequate. Specifically, it does not provide sufficient analysis in several areas including, but not limited to, public health, noise, air quality, monitoring and enforcement. Additionally, there is limited information on how the County will apply the mitigation measures to its proposed CSD. Additional key issues and comments associated with the DEIR are detailed in Exhibit A to the proposed Resolution (Attachment 1). Exhibit A consists of a summary of the major issues along with detailed technical comments.

The issue of prohibiting oil drilling (existing or additional drilling) has been raised by the community at several public meetings. This would require legislative action by the County and was not analyzed in this DEIR. The purpose of this DEIR is to analyze and provide information on the environmental impacts of the proposed project—the CSD proposed by PXP.

Important Future Dates

Aug. 14 County Regional Planning Commission public hearing
Aug. 19 Comment period ends and final comments are submitted to County
Aug. 27 County Regional Planning Commission public hearing
Oct. tbd County Board of Supervisor's hearing

(At the County Planning Commission meeting on August 14th they will determine if an additional public hearing will be held on September 10th)

FISCAL IMPACT

For the Council's information, the City-wide public notification for the July 14 and today's City Council items was produced at a direct cost of \$14,637.08 and the contract amount approved by City Council for Aspen Environmental Group to assist staff in the review of the Drat EIR and revisions to the City's current oil well regulations was \$148,770. Additionally, the City Attorney's Office has an allocation of \$50,000 for services of a law firm with expertise in environmental law, Greenberg Glusker, to assist with analyzing the DEIR.

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ATTACHMENTS:

1. Proposed Resolution No. 2008-R____, including Exhibit “A” containing detailed comments on the DEIR.
2. Public Draft Environmental Impact Report Baldwin Hills Community Standards District, June 2008 – delivered to the City Council on June 23, 2008.

MOTION:

That the City Council:

Adopt a Resolution transmitting to the County of Los Angeles Department of Regional Planning the official City response to the June 2008 Draft Environmental Impact Report for the Baldwin Hills Community Standards District.