



BOARD OF SUPERVISORS COUNTY OF LOS ANGELES

866 KENNETH HAHN HALL OF ADMINISTRATION / LOS ANGELES, CALIFORNIA 90012 / (213) 974-2222

MARK RIDLEY-THOMAS
SUPERVISOR, SECOND DISTRICT

October 26, 2016

Mayor Jim Clarke
City of Culver City
9770 Culver Boulevard
Culver City, California 90232

Dear Mayor Clarke:

The County of Los Angeles and the Baldwin Hills Regional Conservation Authority (BHRCA) have been working closely with residents in Blair Hills and other stakeholders to finalize the trail alignment for the segment of the Park to Playa Trail (P2P Trail) that runs through the Blair Hills Community of Culver City (i.e. Segment C). I am appreciative of all the support of the City's staff over the past few years to facilitate this significant project, and I am also pleased by the City's progress on constructing the long-awaited Hetzler Road segment of the trail, which I believe will help alleviate vehicle/pedestrian conflict at the Baldwin Hills Scenic Overlook.

As you may know, BHRCA is now in the process of finalizing the Mitigated Negative Declaration (MND) for Segment C, and through this process, we have identified two significant and timely issues that I respectfully request that Culver City's Council consider in a timely manner. They are further described below.

Exemption of the Western Segment of the Trail from Culver City's Oil Field Buffer Requirements

Following my request to the City in a letter dated September 22, 2014, the Culver City Council took affirmative action on October 27, 2014, to acknowledge that a certain portion of the P2P Trail would not be considered in defining the 400 foot setback requirements for oil drilling operations as proposed in the Discussion Draft Oil Drilling Regulations for the City's portion of the Inglewood Oil Field. This resolution also acknowledged BHRCA's commitment to locate the trail as far as feasible from City residences and provide other mitigations to reduce related impacts.

However, the exemption provided through this resolution was exclusive to the trail segment on the portion of trail connecting the Stoneview Nature Center to Kenneth Hahn State Recreation area (i.e. the eastern segment). During the MND comment period, Blair Hills residents requested that the trail alignment of the segment of the P2P Trail connecting the Stoneview Nature Center to the Baldwin Hills Scenic Overlook (i.e. the western segment)

be pushed south in order to further prevent noise or visual impacts from their properties. BHRCA is very amenable to adjusting the alignment of the trail farther south to accommodate the requests of the residents. This requires relocating existing fencing on the property and BHRCA has received conceptual approval from the oil field operator to facilitate this.

In addition, we have discovered geological constraints that require BHRCA to push the alignment of the trail slightly southwest below the Stoneview Nature Center site. At the time of the September 2014 request, our team did not believe that this segment of the trail would require the same type of exemption as the eastern segment because the alignment of the trail was north of the oil field boundary that will be subject to the City's regulations. However, this realignment will move a portion of the western segment of the P2P Trail into the proposed regulated boundary/buffer area, and therefore an expansion of the City's October 2014 resolution is requested (see attached exhibit).

Acknowledging Pathway for BHRCA's Proposed Site Relocation Strategy

As mentioned in my September 2014 letter, the Segment C portion of the trail alignment has been developed based on many discussions with the Stoneview Drive property owners, as well as consultation with the Oil Field mineral rights owners and operator, whose approval is required to access the surface rights of the field and begin construction.

The proposed alignment of the eastern segment of the P2P Trail includes an aerial bridge over La Cienega Boulevard, and is being designed to push the trail as far away from the Blair Hills homes as possible while not impeding the operations of the field, especially given the location of a retention basin and fire access roads in the near vicinity.

In order to proceed with the agreed-upon alignment, BHRCA must relocate certain surface rights, which the previous property owner maintains and conflicts with the proposed P2P Trail alignment. At the time that the site relocation was agreed to in the Fall of 2014, Culver City had not adopted an ordinance to regulate drilling activities within the City, and BHRCA's objective was to move the proposed site as far south as possible from Blair Hills residents, as logistically feasible on BHRCA-owned property. The new proposed site, as shown on the attachment, was identified to accomplish those objectives.

It was not until recently that the P2P team discovered that the proposed relocation site was located within the City's proposed 400 foot drilling buffer. We had assumed that the 400 foot buffer would be set from the Blair Hills residences (as the most proximate "developed areas" consistent with the buffer on the east side of the field). However, on the west side, the buffer is set from the field boundary, which abuts the open space parcels that are owned by BHRCA. It was not our expectation that BHRCA's open space parcels would be considered a "developed area" (for reasons consistent with what is articulated in the September 2014 letter) but I apologize for the team's late realization of this issue. Your staff was notified as soon as we identified the issue.

At this point in the process, both the Cities of Culver City and Los Angeles have approved Undergrounding Utility Districts to relocate utility lines along La Cienega Boulevard to make

way for the pedestrian bridge. Significant environmental and scoping work has also been done, based on an alignment accepted by all stakeholders. It is therefore infeasible to modify the trail alignment away from the current location.

The City's Draft Oil Drilling Regulations include a provision that would allow for consideration of an exception to drilling within the setback area, provided that the setback reduction not be detrimental to the public health, safety, welfare or environment. I respectfully urge the City Council to maintain that provision in your final adoption of the Oil Drilling Regulations. Doing so will ensure that drilling activities are only able to proceed in a manner that prioritizes the health and safety of the surrounding areas, while also allowing BHRCA to proceed with relocating the comparable surface rights area, and consummating preconstruction efforts related to the P2P Trail.

Finalizing the environmental process and beginning trail design is contingent upon the City's resolution of the items described above. Without the resolution of these issues, an access agreement will not be granted, and the P2P Trail will not be able to move forward. BHRCA is planning to meet the week of November 14th to certify the MND. I respectfully request that all efforts be made to consider this request as soon as possible.

On a related note, it is also my understanding that the City may be interested in funding and facilitating air quality monitoring on the BHRCA-owned property in the future. BHRCA staff will make themselves available to further discuss this request with your staff with the objective of developing a mutually-agreeable plan.

Please contact Karly Katona of my staff at (213) 974-2222 if you have any questions or would like to further discuss.

Thank you in advance for your consideration of this matter.

With hope,

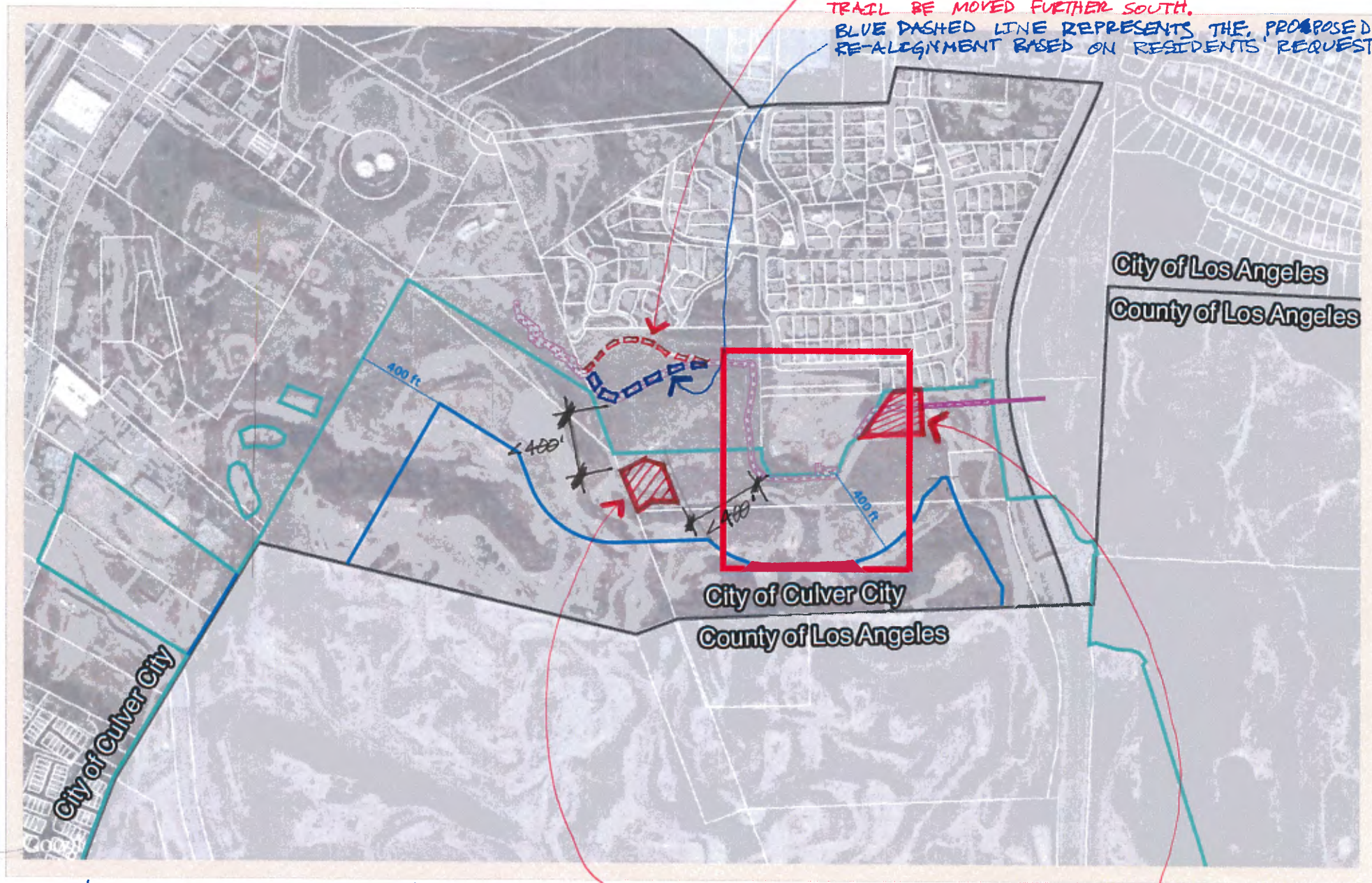

MARK RIDLEY-THOMAS
Supervisor, Second District

Attachments: Trail Map
September 2014 Letter to Mayor Sahli-Wells
October 2014 Culver City Council Action

Cc: Members of the Culver City Council
Members of the Baldwin Hills Regional Conservation Authority
Carol Schwab, Culver City Attorney
Blair Hills Neighborhood Association

DASHED RED LINE WAS TRAIL ALIGNMENT SHOWN
IN MND. RESIDENTS ON WRIGHTCREST REQUESTED
TRAIL BE MOVED FURTHER SOUTH.

BLUE DASHED LINE REPRESENTS THE PROPOSED
RE-ALIGNMENT BASED ON RESIDENTS' REQUEST.



TRAIL REALIGNMENT SKETCH

N.T.S. 10.25.2016

PROPOSED SURFACE RIGHTS SITE RELOCATION

CURRENT SURFACE RIGHTS LOCATION



**BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES**

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MARK RIDLEY-THOMAS
SUPERVISOR, SECOND DISTRICT

RECEIVED
14 SEP 25 AM 11:07
CITY OF CULVER CITY

September 22, 2014

Mayor Meghan Sahli-Wells
City of Culver City
9770 Culver Boulevard
Culver City, Calif. 90232

Dear Mayor Sahli-Wells:

RE: PARK TO PLAYA TRAIL ALIGNMENT IN BLAIR HILLS

On June 17, 2014, my staff and members of the Park to Playa Team, met with representatives from the Blair Hills community as well as the City of Culver City (City) to discuss "Segment C", the Blair Hills segment of the proposed Park to Playa Trail, which is envisioned to run over 13 miles, connecting the greater Baldwin Hills Parklands to the Pacific Ocean. This trail will be the first regional trail built in the Second District, and promises to be a unique recreational amenity for residents in Culver City and the entire sub-region.

While all other segments of the trail are either under construction or have been completed, the Baldwin Hills Regional Conservation Authority (BHRCA) Board, which is overseeing the development of the trail, postponed the finalization of the Blair Hills "Segment C" alignment (which will connect the Kenneth Hahn State Recreation Area to the State of California Scenic Overlook Park), to fully vet concerns raised by Blair Hills homeowners, the Inglewood Oil Field (IOF) operator Freeport McMoRan (FMOG), as well as IOF land and mineral owners.

Since the inception of these discussions, homeowners, specifically those residing on Stoneview Drive, articulated that they would like to see the trail placed as far south from their homes as feasible. Alternatively, FMOG and the IOF land and mineral owners expressed concern that a southern alignment of the trail, if considered a "sensitive use" by Culver City, would restrict their ability to drill on the Culver City-portion of the IOF. This concern is based on the possibility that, as part of the City's future regulatory ordinance, a buffer will be imposed, similar to Los Angeles County's Community Standards District (CSD) that restricts drilling from taking place within a specified distance from sensitive uses on the perimeter of the field.

Over the past six years, I have welcomed the City's adoption of land use regulations to oversee oil drilling and operations on the city-portion of the IOF. I understand that

although the drilling moratorium expired years ago, the City is still at the initial stages of finalizing a long-term Specific Plan document which will be used to regulate the IOF, and at earliest, will not finalize such a plan until Fall 2015.

The absence of a definitive timeline for completing this process poses a significant challenge for finalizing the alignment of Segment C, because without an adopted regulatory document, it is unclear whether the trail will be considered a sensitive use by the City that will trigger a buffer from drilling activities.

I write to request the City Council adopt a resolution at an upcoming Council Meeting to confirm that the Park to Playa Trail segment immediately adjacent to residential housing within Blair Hills will not be considered a sensitive use as part of future City regulations. This action would be based on the following rationale:

- **Consistency with Culver City Municipal Code.** Chapter 11.12.105 of the Culver City Municipal Code prohibits a well hole within 300 feet of any major public street, sidewalk, or highway; within 100 feet of the outer boundary of the parcel of land; within 100 feet of any steam boiler building or source of ignition; and within 300 feet of any school buildings or other places of public assemblage. These regulations do not state that a trail is considered a place of public assembly. Rather, Chapter 17.7 specifically defines assembly as permanent structures for clubs, lodges, private meeting halls, and places of worship. Additionally, the proposed trail is not considered a major public street, sidewalk or highway. Chapter 9.08 defines a street to include all streets, parkways, highways, avenues, lanes, alleys, courts, places, squares, curbs, or other public ways in the City which have been or may later be dedicated and opened for public use. Chapter 17.7 defines a street as "a public thoroughfare accepted by the City, which affords principal means of access to abutting property, including an avenue, place, way, drive, lane, boulevard, highway, road, and any other thoroughfare, except an alley" as defined in the Zoning Code.
- **Consistency with State Regulations.** The State of California defines "critical well" as one within 300 feet of a building intended for human occupancy not needed for oil field operations, within 100 feet of a public street or highway or within 100 feet of a public recreation facility such as a golf course, amusement park, picnic grounds, campgrounds or another area of periodic high-density population [14 Cal. Code of Regulations section 1720]. Moreover, the state regulations on "critical wells" don't prohibit them but relate to safety devices required on them [14 Cal. Code of Regulations section 1724.3]. Finally, the regulations require that wells be located 75 feet from an "outer boundary line". Again, that would not seem to apply to a trail traversing the field.
- **Consistency with Los Angeles County CSD Settlement Agreement.** Moreover, the County does not believe the trail is a sensitive use. A sensitive developed area was defined in the CSD litigation settlement agreement, to which the City was a

signatory, as a parcel containing "a single or multi-family residence, existing park, school or health care facility," which pointedly does not include a trail. In addition, with appropriate protection of the trail and any wells, the two uses are not incompatible as reflected by the fact that other jurisdictions allow passive recreation near active oil wells.

FMOG has indicated that they are amenable to considering a trail with a more southerly alignment, as long as the trail is not considered a sensitive use by the City for purposes of imposing a buffer. Specifically, if the City moves forward as proposed above, BHRCA will be able to place the trail up to 75 feet south of the current fence line.

In addition, BHRCA is committed to incorporating the feedback provided by Blair Hills residents on the trail design, including planting a landscaping buffer with mature trees and shrubs, incorporating visual screening on the pedestrian bridge over La Cienega Boulevard, and incorporating trail signage that reminds users to be respectful of the Stoneview property owners.

Bringing resolution to this matter will be a victory for your Blair Hills constituents, who have requested that our offices work collaboratively to resolve this issue.

Our efforts to finalize the Blair Hills alignment have already been significantly delayed. To maintain our schedule, we must finalize this alignment by October 15, 2014.

My office welcomes the opportunity to finalize this matter with a resolution or three-party Memorandum of Understanding between BHRCA, the City and Freeport McMoRan. Please contact Karly Katona at (213) 974-2222 to discuss next steps.

Thank you for your consideration.

With hope,



MARK RIDLEY-THOMAS
Supervisor, Second District

C: Members of the Culver City Council
Charles Herbertson, Culver City Department of Public Works
Carol Schwab, Culver City Attorney
Blair Hills Neighborhood Association

NOTE: County's 10/26/16 letter included a draft of this Resolution. Staff has replaced it with the final executed Resolution.

RESOLUTION NO. 2014-R⁰⁸⁴

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CULVER CITY, CALIFORNIA (1) ACKNOWLEDGING THAT A CERTAIN PORTION OF THE BALDWIN HILLS REGIONAL CONSERVATION AUTHORITY'S (BHRCA) PARK TO PLAYA TRAIL IMMEDIATELY ADJACENT TO CULVER CITY RESIDENTIAL PROPERTIES, WILL NOT BE CONSIDERED IN DEFINING THE 400-FOOT SETBACK REQUIREMENTS FOR OIL DRILLING OPERATIONS AS PROPOSED IN THE DISCUSSION DRAFT OIL DRILLING REGULATIONS FOR THE CITY'S PORTION OF THE INGLEWOOD OIL FIELD; AND (2) ACKNOWLEDGING BHRCA'S COMMITMENT TO LOCATING THE TRAIL AS FAR AS FEASIBLY POSSIBLE FROM CITY RESIDENCES AND PROVIDE OTHER MITIGATIONS TO REDUCE RELATED IMPACTS.

WHEREAS, the Baldwin Hills Regional Conservation Authority (BHRCA), a joint powers authority between the County of Los Angeles (the "County") and the Santa Monica Mountains Conservancy, is in the process of constructing the Park to Playa Trail Project (the "Trail Project"), which is envisioned as a regional trail that will seamlessly connect the greater Baldwin Hills Parklands to the Pacific Ocean; and

WHEREAS, a portion of the proposed trail for the Trail Project is located immediately adjacent to the southerly property lines of the residential properties located at 3920 Lenawee Avenue and 5908, 5912, 5916, 5920 and 5924 Stoneview Drive, further identified as beginning at La Cienega Boulevard and continuing westerly approximately 500 feet to the easterly boundary of the future Los Angeles County Stoneview Park and nearly directly in a southerly direction from the southerly property lines of Lots 17-22 of Tract 22611 (the "Trail Segment"), as depicted on the map attached to this Resolution as Exhibit "A"; and

1 WHEREAS, the Trail Segment was originally proposed to be approximately
2 10 to 15 feet from the FMOG fence located south of the Culver City residences located at
3 3920 Lenawee Avenue and 5908, 5912, 5916, 5920 and 5924 Stoneview Drive (the "City
4 Residences"); and

5 WHEREAS, in an effort to mitigate potential impacts created by the users of
6 the Park to Playa Trail on Culver City residents and in response to concerns expressed by
7 those residents, the City requested the Trail Segment be located as far south from the City
8 Residences as feasibly possible; and

9 WHEREAS, BHRCA has also received concerns from Freeport-McMoRan Oil
10 & Gas (FMOG), the oil operator for the adjacent Inglewood Oil Field (the "Oil Field"), that a
11 southern alignment of the Trail Segment, if considered a "sensitive use" by the City of
12 Culver City in future oil drilling regulations, would restrict FMOG's ability to drill on the
13 Culver City portion of the Oil Field; and

14 WHEREAS, in response to the various concerns expressed by Culver City
15 residents and FMOG, County Supervisor for the Second District, Mark Ridley-Thomas, in a
16 letter to the Mayor of Culver City dated September 22, 2014 (attachment to this Resolution
17 as Exhibit "B"), requested that the City Council "adopt a resolution...to confirm that the
18 Park to Playa Trail segment immediately adjacent to residential housing within Blair Hills
19 will not be considered a sensitive use as part of future City regulations."; and

20 WHEREAS, the County's request focuses on the Trail Segment, described
21 above, that is part of the larger Blair Hills segment of the proposed Trail Project (Segment
22 C). All other segments of the Trail Project do not run through property that is subject to
23 third party mineral rights; and

1 WHEREAS, in consideration of the City granting the County's request,
2 BHRCA has proposed to move the Trail Segment to a location approximately 50 to 75 feet
3 from the FMOG fence located south of the City Residences; and

4 WHEREAS, the City is agreeable to the County's request in order to reduce
5 the potential impacts on City Residences from the immediately adjacent Trail Segment,
6 with the understanding that such an accommodation shall apply solely to the Trail Segment
7 and the City maintains its authority to regulate setback requirements for the remainder of the
8 Oil Field.
9

10 NOW, THEREFORE, the City Council of the City of Culver City DOES
11 HEREBY RESOLVE as follows:

12 1. The City Council hereby acknowledges that the Trail Segment, as
13 described and identified herein and depicted on the map attached to this Resolution, will
14 not be considered in defining the 400-foot setback requirements for oil drilling operations
15 applicable to a "developed area" or "sensitive developed area", as proposed in the
16 Discussion Draft Oil Drilling Regulations for the City's Portion of the Inglewood Oil Field¹,
17 based on the foregoing recitations and the following findings:
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23 ¹ The Discussion Draft Oil Drilling Regulations for the Culver City Portion of the Inglewood Oil Field ("Draft
24 Regulations") requires that drilling or redrilling be conducted at least 400 feet from Developed Areas. Further,
as proposed in the Draft Regulations, any slant drilling of a deep-zone or mid-zone well within 800 feet of a
Sensitive Developed Area shall require additional plans and approvals. The Discussion Draft Regulations
define "Developed Area" and "Sensitive Developed Area" as follows:

25 "Developed Area. Any lot or parcel of land containing any residential, recreational (e.g. public park),
26 institutional (e.g. school), commercial, industrial or office structure, or used for residential, recreational,
institutional, commercial, industrial or office purposes. This definition does not include structures that serve
administrative functions in the Oil Field."

27 "Sensitive Developed Area. A lot or parcel that contains a single or multi-family residence, park,
28 school, or health care facility."

1 a. The length of the Trail Segment (approximately 500 feet) that
2 may be permitted within the 400-foot setback from oil drilling operations is de minimis when
3 compared to the entirety of the Trail Project;

4 b. The Trail Segment is unique in nature, as it is the only portion of
5 the Trail Project that borders in such close proximity to residential properties;

6 c. The goal of providing an exception for the Trail Segment from
7 proposed setback requirements is to strike a balance between potential impacts on City
8 Residences from the immediately adjacent Trail Segment and the interests of the Park to
9 Playa Trail users in having a contiguous, safe and efficient pedestrian connector between
10 the greater Baldwin Hills Parklands and the Pacific Ocean;

11 d. On balance, given the City's experience of impacts to other
12 Culver City residents from park users (i.e. Hetzler Road), the balance weighs in favor of
13 creating the largest feasible buffer between the Culver City Residences and the Trail
14 Segment;
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16

17 e. The Park to Playa Trail would be allowed to be located within
18 the proposed 400-foot setback requirement for drilling operations for this Trail Segment
19 only, and such setback requirement (or any setback provided for in any ordinance adopted
20 by Culver City) would remain applicable for all other portions of the Oil Field; and

21 f. The impacts of locating the Trail Segment within the proposed
22 setback requirement would be mitigated by the measures described in Supervisor Ridley-
23 Thomas' September 22nd letter: "BHRCA is committed to incorporating the feedback
24 provided by Blair Hills residents on the trail design, including planting a landscaping buffer
25 with mature trees and shrubs, incorporating visual screening on the pedestrian bridge over
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1 La Cienega Boulevard, and incorporating trail signage that reminds users to be respectful
2 of the Stoneview property owners.”

3 2. The City Council hereby acknowledges and accepts BHRCA’s
4 commitment to:

5 a. Locate the Trail Segment as far as feasibly possible from City
6 residences, taking into consideration topographical and other engineering limitations;

7 b. Provide other mitigations to reduce related impacts, including, but not
8 limited to, planting a landscaping buffer with mature trees and shrubs, incorporating visual
9 screening on the pedestrian bridge over La Cienega Boulevard, and incorporating trail
10 signage that reminds users to be respectful of the adjacent property owners; and

11 c. Meet at the earliest possible date subsequent to the adoption of this
12 Resolution with the property owners of the Culver City Residences adjacent to the Trail
13 Segment to discuss their concerns regarding the Trail Project.
14

15 3. Nothing in this Resolution abrogates or waives the City Council’s
16 authority to conduct the required public process, including consideration of any
17 environmental analysis, when deliberating on and adopting future oil drilling regulations for
18 the Culver City portion of the Oil Field.
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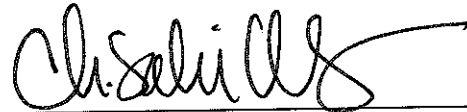
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1 4. The City Clerk is hereby directed to transmit a copy of this Resolution
2 to the Baldwin Hills Regional Conservation Authority Board and the Los Angeles County
3 Board of Supervisors.

4 APPROVED and ADOPTED this 27th day of October 2014.

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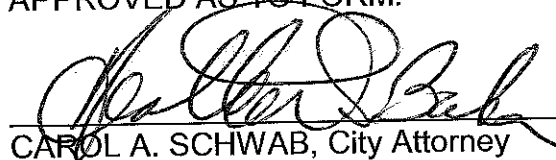
7 MEGHAN SAHLI-WELLS, MAYOR
8 City of Culver City, California

9 ATTEST:

APPROVED AS TO FORM:

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11 MARTIN R. COLE, City Clerk
12 A14-00829

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for

CAROL A. SCHWAB, City Attorney