

City of Culver City, California
City Council Agenda Item Report

Meeting Date: 09/22/08		Item Number: <u>A-1</u>	
AGENDA ITEM: Confirmation of Comments Submitted by Staff on September 10, 2008 to the Los Angeles County Regional Planning Commission Regarding the Draft Baldwin Hills Community Standards District, Versions Dated August 14, 2008 and September 4, 2008.			
Contact Person/Dept.: Charles Herbertson/Public Works; Sherry Jordan/Community Development;		Phone Number: 310-253-5635; 310-253-5746	
Fiscal Impact: Yes ☐ No ☒		General Fund: Yes ☐ No ☒	
Public Hearing: ☐		Action Item: ☒ Attachments: ☒	
Public Notification: Interested parties, Cable crawler; and Master E-Mail Notification List (09/17/08); Published in the Culver City News (09/18/09).			
Department Approval: Charles Herbertson (09/16/08)		City Attorney Approval: Carol Schwab (by H. Baker) (09/16/08)	
Chief Financial Officer Approval: Jeff Muir (by N. Kimball) (09/17/08)		City Manager Approval: Jerry B. Fulwood (09/17/08)	
<u>RECOMMENDATION:</u> Staff recommends the City Council discuss and adopt the September 10, 2008 comments submitted by staff to the LA County Regional Planning Commission on the Draft Baldwin Hills Community Standards District ("CSD"), Versions dated August 14, 2008 and September 4, 2008. <u>BACKGROUND:</u> On June 19, 2008, Los Angeles County (County) released a Draft Environmental Impact Report (EIR) for a CSD proposed by Plans Exploration & Production Company (PXP). On July 14th the City Council held a public meeting to discuss and seek early Council and community input on the Draft EIR. On August 13th the Council adopted Resolution No. 2008-R059 transmitting to the County the official City response to the June 2008 Draft EIR. To ensure maximum representation of the City Council's and community's interests in this process, Staff has attended public workshops and hearings on the Draft EIR and CSD on July 17th, July 22nd, August 2nd, August 14th, August 27th, and September 10th. Additionally, staff has met with, and continues to meet with, the Council Subcommittee (Vice Mayor Silbiger and Councilmember Weissman) on a biweekly basis. On August 14, 2008, the County released its proposed version of			

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the CSD followed by a second version released on September 4, 2008 (collectively, "County CSD").

DISCUSSION:

Due to the extremely short period of time for review of the County CSD prior to the LA County Planning Commission's consideration of this matter (a period of seven calendar days), staff submitted "preliminary" comments on the County CSD, subject to the City Council's final review and approval, at the LA County Planning Commission hearing of September 10, 2008 (Attachment No. 1).

Staff included a cover letter, signed by the City Manager, explaining to the County Commission that the comments were preliminary in nature due to the compressed review period and the difficulty in reviewing and commenting upon a document that is constantly evolving and changing (and continued to change), and which differs greatly from the applicant (PXP) proposed CSD evaluated in the Draft EIR. Portions of this letter were read into the record by City staff during public testimony at the September 10th hearing. At the conclusion of the hearing, the County Planning Commission continued the matter to October 1, 2008.

As discussed in the transmittal cover letter and in the comments, although an improvement from the PXP proposed CSD, the County CSD still needs to be revised. The County CSD fails to incorporate the mitigation measures proposed by Culver City in our August 19th comments on the Draft EIR, and it further fails to incorporate many of the other feasible mitigation measures proposed by other public agencies, private and nonprofit entities, and individuals. The County CSD requires the applicant to submit and conduct various audits, assessments, reviews and plans. This acknowledges the lack of information the County currently has to adequately protect the public and the environment from oil operations within its jurisdiction. These determinations should have been made during the environmental review process. Given the County's substantial revisions to PXP's prepared CSD, the County should revise and recirculate the Draft EIR to address these issues.

It is staff's understanding that the County CSD continues to be revised and a new version should be available to the public shortly. Given the compressed time period for review, yet again, staff will submit updated "preliminary" comments to the updated version of the County CSD at the October 1st County Planning Commission meeting. Those preliminary comments will reflect the significant concerns clearly expressed by the Culver City Community and the City Council. Further, these preliminary comments will be subject to the City Council's final review and approval at its October 6th meeting.

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FISCAL ANALYSIS:

There is no fiscal impact to the Council's adoption of the attached comments. For the Council's information, a July 3rd City-wide public notification was produced at a direct cost of \$14,637.08 (which amount was taken from appropriated reserves) and the contract amount approved by City Council for Aspen Environmental Group to assist staff in the review of the Draft EIR and revisions to the City's current oil well regulations was \$148,770. In addition, the notification for tonight's meeting was published in the Culver City News at a cost of \$228.

ATTACHMENTS:

1. September 10, 2008, cover letter and attached comments to the Los Angeles County Draft Baldwin Hills Community Standards District, versions dated August 14, 2008 and September 4, 2008.

MOTION:

That the City Council:

Approve the preliminary comments submitted by staff on September 10, 2008 to the County of Los Angeles' Regional Planning Commission regarding the Los Angeles County Draft Baldwin Hills Community Standards District, Versions Dated August 14, 2008 and September 4, 2008.