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Meghan Sahli-Wells, Strategic Policy Consultant, District 2  
Claudia Gutierrez, Senior Deputy of Legal Affairs, District 2  
Katy Young Yaroslavsky, Senior Deputy for the Environment and Arts, District 3  
Sophie Freeman, Associate Deputy for the Environment and Arts, District 3  
Los Angeles County Board of Supervisors  
821 Kenneth Hahn Hall of Administration  
500 W. Temple St.  
Los Angeles, California 90012

*Via E-mail*

**RE: Information on the Potential Phase-Out of Oil and Gas Production Operations at the Inglewood Oil Field**

Dear Ms. Muraida, Ms. Sahli-Wells, Ms. Gutierrez, Ms. Young Yaroslavsky, and Ms. Freeman:

On behalf of the Natural Resources Defense Council (“NRDC”), I write to share information relevant to the potential phase-out of oil and gas production activities in the Inglewood Oil Field (“IOF”) and to provide an assessment of how to accomplish such a phase-out, if the Board of Supervisors chooses to pursue that goal.<sup>1</sup> The Frank G. Wells Environmental Law Clinic at UCLA School of Law (“Clinic”) provides legal assistance to organizations such as NRDC on a range of legal and policy matters. At the request of NRDC, the Clinic undertook a review of the IOF’s operations, the current land use governance of the IOF under the Baldwin Hills Community Standards District (“BHCS”),<sup>2</sup> and the trends toward phase-out of oil and gas production operations in Los Angeles County and surrounding jurisdictions. Based on this review, we believe that if phasing out oil and gas production activities in the IOF is the Board’s goal, it can best be accomplished by amending the BHCS, for reasons discussed in this letter.

**I. Introduction**

The IOF is the largest urban oil field in the United States. Ninety percent of the field’s 1,100 acres are located within unincorporated L.A. County, while the remaining ten percent are under

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<sup>1</sup> This letter was researched and drafted by UCLA Law Clinic students Reilly M. Nelson ’22 and Madison M. Dipman ’22.

<sup>2</sup> L.A. COUNTY, CAL., CODE § 22.310 (2019).

Culver City’s jurisdiction.<sup>3</sup> IOF operations have changed hands multiple times over the field’s century-long history, with Sentinel Peak Resources assuming control in 2017. Sentinel Peak Resources has not drilled any new wells, but continues to produce, process, and transport crude oil and residual gas using the field’s more than 900 wells. The operator holds the drilling and operations rights, but a variety of parties own the surface parcels and subsurface mineral rights, which are leased to Sentinel Peak Resources in exchange for royalties.<sup>4</sup>

Land use in the County’s portion of the IOF is governed by the BHCS D, a supplemental zoning district that overlays the IOF’s existing zoning. Generally, community standards districts (“CSDs”) are used to address governance needs unique to certain geographic areas and to facilitate land uses that are more responsive to a community than would otherwise be possible under the County’s standards alone. Adopted in 2008, the BHCS D provides regulations, safeguards, and controls aimed at ensuring operations of the IOF are harmonious with surrounding land uses, minimizing potential adverse impacts, and protecting the health of the surrounding communities.<sup>5</sup>

However, despite the standards imposed by the BHCS D, surrounding communities continue to express serious concerns about IOF operations. They frequently note odors and noises from operations there.<sup>6</sup> They are also exposed to an ongoing legacy of spills, including a spill of more than 1600 gallons of oil as recently as April 2021.<sup>7</sup> Their concerns are valid: The negative health impacts and environmental justice concerns of urban oil drilling are well documented.<sup>8</sup> Oil and gas development is associated with degraded air quality and exposure to pollution as well as increased prevalence and aggravation of respiratory conditions like asthma.<sup>9</sup> The IOF sits next to

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<sup>3</sup> For a map of the jurisdictional boundaries, see *Inglewood Oil Field Context Map*, CULVER CITY, [https://www.culvercity.org/files/assets/public/documents/city-manager/maps/figure\\_03inglewoodoilfield.pdf](https://www.culvercity.org/files/assets/public/documents/city-manager/maps/figure_03inglewoodoilfield.pdf) (last visited Apr. 18, 2021).

<sup>4</sup> L.A. CNTY., FINAL ENVIRONMENTAL IMPACT REPORT: BALDWIN HILLS COMMUNITY STANDARDS DISTRICT, Cnty. Project # R2007-00570, at 2.5–2.6 (2008), <https://planning.lacounty.gov/baldwinhills/background> (click on Baldwin Hills CSD Final EIR).

<sup>5</sup> L.A. COUNTY, CAL., CODE § 22.310.010 (2019).

<sup>6</sup> See e.g., SENTINEL PEAK RESOURCES LLC, COMMUNITY STANDARDS DISTRICT – COMPLAINT LOG 1 (2020), [http://planning.lacounty.gov/assets/upl/project/bh\\_complaint-log-2020-4th.pdf](http://planning.lacounty.gov/assets/upl/project/bh_complaint-log-2020-4th.pdf).

<sup>7</sup> Leila Miller, *Pipeline Leaks More Than 1,600 Gallons of Oil at Inglewood Oil Field*, L.A. TIMES (Apr. 7, 2021), <https://www.latimes.com/california/story/2021-04-07/inglewood-oil-field-spill>.

<sup>8</sup> *Health and Safety*, STAND-L.A., <https://www.stand.la/health-and-safety.html> (last visited Apr. 16, 2021); see also NICOLE J. WONG, EXISTING SCIENTIFIC LITERATURE ON SETBACK DISTANCES FROM OIL AND GAS DEVELOPMENT SITES (2017), [https://www.stand.la/uploads/5/3/9/0/53904099/2500\\_literature\\_review\\_report-v2-share.pdf](https://www.stand.la/uploads/5/3/9/0/53904099/2500_literature_review_report-v2-share.pdf); TANJA SREBOTNJAK & MIRIAM ROTKIN-ELLMAN, DRILLING IN CALIFORNIA: WHO’S AT RISK? (2014), <https://www.nrdc.org/sites/default/files/california-fracking-risks-report.pdf>.

<sup>9</sup> See Jill E. Johnston, *Respiratory Health, Pulmonary Function and Local Engagement in Urban Communities Near Oil Development*, 197 ENVTL. RSCH. 111088 (2021) (finding that living nearby and downwind of urban oil and gas development sites is associated with lower lung function, which may contribute to environmental health disparities); Bhavna Shamasunder et al., *Community-Based Health and Exposure Study Around Urban Oil Developments in South Los Angeles*, 15 INT’L J. ENVTL. RSCH. & PUB. HEALTH 1, 14 (2017); James Sadd & Bhavna Shamasunder, *Oil Extraction in Los Angeles: Health, Land Use, and Environmental Justice Consequences*, in DRILLING DOWN: THE COMMUNITY CONSEQUENCES OF EXPANDED OIL DEVELOPMENT IN LOS ANGELES 7, 10–12 (2015), <https://www.libertyhill.org/news/reports/urban-oil-drilling-report>. The rate of asthma-related ER visits in Greater Baldwin Hills is 4.4 times greater than in LA County. Liz Doherty & Sommer Yesenofski, *Oil Spill at Inglewood Oil Field Sends Over 1,6000 Gallons Flowing Near Communities*, SIERRA CLUB (Apr. 7, 2021),

densely populated areas with schools, parks, and homes.<sup>10</sup> Fifty thousand households sit immediately adjacent to the field, and over one million people live within five miles of the field.<sup>11</sup> The frontline areas (including Baldwin Hills-Crenshaw, Ladera Heights, and View Park-Windsor Hills) are largely lower-income communities of color.<sup>12</sup> Oil and gas operations in Los Angeles expose overburdened and underserved households to further air pollution and health risks.<sup>13</sup>

As you likely are aware, concerns about urban oil drilling, and drilling in the IOF specifically, are not new and have led surrounding jurisdictions to pursue phasing down oil production operations. Culver City is moving toward a phase-out of operations on the ten percent of the IOF within its jurisdiction.<sup>14</sup> In June 2021, Culver City’s City Council adopted an ordinance phasing out and fully cleaning up oil and gas operations within the Culver City portion of the IOF. The ordinance prohibits new or expanded oil and gas activity starting on July 28, 2021, and requires the termination and removal of nonconforming oil uses by July 28, 2026, which is the end of a five-year amortization period.<sup>15</sup> This phase-out would not end oil and gas operations on the ninety percent of the IOF in unincorporated L.A. County.

If the Board of Supervisors decides to strengthen community protections by phasing out oil production operations on the portion of the IOF within its jurisdiction, that decision would be consistent with the progress underway in Culver City and with the County’s Sustainability Plan, which calls for the development of a sunset strategy for all oil and gas operations that prioritizes vulnerable communities by 2035 to 2045.<sup>16</sup> Such a phase-out could best be accomplished by amending the BHCSO. At the BHCSO’s inception, the Department of Regional Planning (“DRP”) determined that a CSD was the best regulatory tool for establishing operating procedures, development standards, and requirements for the oil field, and that remains the case

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<https://www.sierraclub.org/press-releases/2021/04/oil-spill-inglewood-oil-field-sends-over-1600-gallons-flowing-near>.

<sup>10</sup> 96% of the oil in the IOF is produced by wells located within 2500 feet of a sensitive receptor, including homes, schools, and healthcare facilities. Kyle Ferrar, *People and Production: Reducing Risk in California Extraction*, FRACTRACKER ALLIANCE (Dec. 17, 2020), <https://www.fractracker.org/2020/12/people-and-production/>.

<sup>11</sup> *The Inglewood Oil Field*, STAND-L.A., <https://www.stand.la/inglewood.html> (last visited Apr. 16, 2021).

<sup>12</sup> *Id.*; Ferrar, *supra* note 10.

<sup>13</sup> See Ferrar, *supra* note 10 (In California, “[t]he majority of oil and gas wells are located in environmental justice communities most impacted by contaminated groundwater and air quality degradation resulting from oil and gas extraction, with high risks of low-birth weight pregnancy outcomes.”); see also Sadd & Shamasunder, *supra* note 9, at 14 (“Oil drilling and production adds to the burden of air pollution in these neighborhoods. . . . Environmental justice neighborhoods in Los Angeles face higher levels of air pollution and worse health outcomes than residents of the region overall, and these residents tend to be more vulnerable to these environmental threats.”).

<sup>14</sup> *Culver City Takes Historic Steps to End Neighborhood Oil Drilling*, NAT. RES. DEF. COUNCIL (Aug. 14, 2020), <https://www.nrdc.org/media/2020/200814>.

<sup>15</sup> See *City Council Votes to End Oil Drilling in Culver City by 2026*, Culver City Observer, <https://www.culvercityobserver.com/story/2021/06/17/news/city-council-votes-to-end-oil-drilling-in-culver-city-by-2026/10243.html> (last visited July 7, 2021); *Inglewood Oil Field*, Culver City, <https://www.culvercity.org/City-Hall/Get-Involved/Inglewood-Oil-Field> (last visited July 7, 2021); see also Res. No. 2020-R100, City Council (City of Culver City, Oct. 26, 2020), [https://www.culvercity.org/files/assets/public/documents/city-attorney/20-10-26\\_reso-r100\\_declaring-intent-to-evaluate-five-year-phase-out-period-of-city-iof.pdf](https://www.culvercity.org/files/assets/public/documents/city-attorney/20-10-26_reso-r100_declaring-intent-to-evaluate-five-year-phase-out-period-of-city-iof.pdf).

<sup>16</sup> *Action 84*, OUR COUNTY (Aug. 2019), <https://ourcounty.lacounty.gov/strategies/strategy-7a>.

today.<sup>17</sup> Updating the BHCS D would allow for continued protective operational requirements at the IOF during phase-down and additional protections for surrounding communities, like remediation, once phase-out is complete.

## **II. Background: The BHCS D’s Establishment and Key Provisions**

The Board conceived of the BHCS D in 2006 after two IOF well blowouts in two months.<sup>18</sup> After the Board enacted an urgency ordinance placing a moratorium on new well drilling, the operator at the time, PXP, agreed to apply to form the CS D and fund an Environmental Impact Report (“EIR”) for the project to continue operations.<sup>19</sup> The operator provided the initial draft of the BHCS D.<sup>20</sup> In 2008, after finalizing the EIR<sup>21</sup> and holding multiple public hearings, the Board adopted an updated version of the proposed BHCS D. Local community groups, including NRDC, criticized both the CEQA process and the resulting CS D and sued the County.<sup>22</sup> That lawsuit settled in 2011, resulting in largely technical changes to the field’s operations; thus, some provisions of the BHCS D are currently enhanced by the settlement agreement.<sup>23</sup> Importantly, the terms of the settlement preserve the County’s discretion to amend the BHCS D, including to “impose more restrictive requirements” pursuant to the County’s legislative and police power.<sup>24</sup>

Several key provisions in the BHCS D deserve special consideration as the Board considers its amendment. The L.A. County Code provides the BHCS D’s purposes as follows:

- “to provide a means of implementing regulations, safeguards, and controls for activities related to drilling for and production of oil and gas within the oil field;”
- “to ensure that oil field operations are conducted in harmony with adjacent land uses, to minimize the potential adverse impacts of such operations, to regulate such operations so they are compatible with surrounding land uses, . . . to enhance the appearance of the site with landscaping and other property maintenance requirements;” and
- “to protect the comfort, health, safety, and general welfare of people living, working, and recreating in the surrounding areas.”<sup>25</sup>

Notably, these current purposes may be interpreted to presume the continuation of oil and gas operations on the IOF. If the Board is interested in phasing out oil and gas operations, it should consider amending the BHCS D’s purposes to center public health protection; to require phase-

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<sup>17</sup> *Motion by Supervisor Yvonne B. Burke RE: Baldwin Hills Community Standards District*, L.A. CNTY. DEP’T OF REG’L PLAN. 1-2 (2008), [https://planning.lacounty.gov/assets/upl/project/bh\\_20081021-csd-motion.pdf](https://planning.lacounty.gov/assets/upl/project/bh_20081021-csd-motion.pdf).

<sup>18</sup> *Id.* at 2; Joel Reynolds & Mark Ridley-Thomas, *Agreement to Reduce Oil Drilling in LA Is a Win for Public Health*, SUPERVISOR MARK RIDLEY-THOMAS COMMUNITY DEVELOPMENT (2007), <http://ridley-thomas.lacounty.gov/communitydevelopment/reduce-oil-drilling/> (last visited Mar. 13, 2021).

<sup>19</sup> *Motion by Supervisor Yvonne B. Burke RE: Baldwin Hills Community Standards District*, *supra* note 17, at 2.  
<sup>20</sup> *Id.*

<sup>21</sup> FINAL ENVIRONMENTAL IMPACT REPORT, *supra* note 4, at 4.16-2.

<sup>22</sup> Verified Petition for Writ of Mandate at 30-33, *Cnty. Health Councils, Inc. v. Cnty. of L.A.*, No. BS118018 (Cal. Super. Ct. Nov. 25, 2008).

<sup>23</sup> Settlement Agreement and Mutual Release at 1, 3-15, *Cnty. Health Councils, Inc. v. Cnty. of L.A.*, No. BS118018 (Cal. Super. Ct. July 15, 2011), <https://planning.lacounty.gov/baldwinhills/csd> (click on “July 2012 Settlement Agreement Requirements”) [hereinafter Settlement Agreement].

<sup>24</sup> *Id.* at 10.

<sup>25</sup> L.A. COUNTY, CAL., CODE § 22.310.010 (2019).

out of oil and gas operations; and to provide for ongoing remediation and maintenance of the uniquely situated oil field.

The BHCSO also contains provisions that, in conjunction with the more stringent settlement provisions, constrain the operations of the oil field. These standards include noise and landscaping requirements, monitoring and compliance requirements, and a 400-foot setback for drilling and re-drilling, with the settlement providing additional setbacks for certain new wells.<sup>26</sup> The BHCSO also provides that where the BHCSO and County regulations differ, the BHCSO controls, unless the contrary provisions are mandated by state law.<sup>27</sup> Thus, for example, the County's current efforts to update the setback provision in its Title 22 Oil Well Ordinance may not apply to the IOF without also amending the BHCSO.

Although the BHCSO provides for a periodic review process and modification of the operations at the IOF, use of these existing mechanisms is not likely to be effective to accomplish phase-out. First, there is a periodic review process every five years, or more often at the Director of Regional Planning's discretion.<sup>28</sup> The process purports to "determine if the provisions of [the BHCSO] are adequately protecting the health, safety, and general welfare" and to consider whether technological advances can be integrated into the BHCSO to reduce the impacts of oil drilling.<sup>29</sup> However, this review process is limited in its scope. The first Periodic Review was completed in 2015 and resulted in no changes to the BHCSO. The second and most recent Periodic Review covering January 2014 to December 2018 is currently underway as of April 2021; however, the draft report indicates that there are no recommended modifications.<sup>30</sup> In responses to scoping comments requesting a phase-out, the County stated: "Phasing out of permitted and regulated operations is a legal issue and beyond the scope of the Periodic Review analysis."<sup>31</sup> While the County did not give a reason for its position, we agree that using the Periodic Review process to phase out operations at the field would be complicated by the current enumerated purposes of the BHCSO. Phasing down operations via Periodic Review would be a significant departure from the process's history and appears ineffective as a mechanism.

Second, the BHCSO provides for ways to modify the oil field development standards, which cover the technical requirements for drilling.<sup>32</sup> But these processes also would not be an effective way to pursue phase-out. First, they appear designed to be initiated by the operator. Second, they must be accompanied by a finding that "the modification is necessary for the preservation of a substantial property right of the operator" and "[t]hat the modification will not be . . . contrary to

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<sup>26</sup> *Id.* § 22.310.050; Settlement Agreement, *supra* note 23, at 3-10.

<sup>27</sup> L.A. COUNTY, CAL., CODE § 22.310.070(I) (2019).

<sup>28</sup> *Id.* § 22.310.070(G); *Baldwin Hills CSD – Periodic Review (January 2014 – December 2018) Periodic Review (22.310.070.G)*, L.A. DEP'T OF REG'L PLAN., <https://planning.lacounty.gov/baldwinhills/review2> (last visited Apr. 13, 2021).

<sup>29</sup> L.A. COUNTY, CAL., CODE § 22.310.070(G) (2019).

<sup>30</sup> L.A. CNTY., BALDWIN HILLS COMMUNITY STANDARDS DISTRICT PERIODIC REVIEW II: INITIAL DRAFT REPORT, Project No. R2015-02225/RPPL2019005203, at ES-1 (2019), [https://planning.lacounty.gov/assets/upl/project/bh\\_periodic-review-II-draft.pdf](https://planning.lacounty.gov/assets/upl/project/bh_periodic-review-II-draft.pdf) (last visited Mar. 21, 2021) [hereinafter BHCSO Periodic Review II Draft Report]. The responses to scoping comments for period review

<sup>31</sup> *Id.* at 7. In fact, the responses to Periodic Review scoping comments have frequently state that issues related to phase-down are "beyond the scope of the Periodic Review analysis." *Id.* at 5, 7-10.

<sup>32</sup> L.A. COUNTY, CAL., CODE § 22.310.110(B) (2019).

the purposes of the [BHCSO].”<sup>33</sup> A phase-out may risk being held inconsistent with the BHCSO’s current purpose of providing safeguards for oil production operations.

For all of these reasons, updating the BHCSO to remove or recalibrate the required findings and purpose language, rather than modifying the BHCSO by its own terms, appears to be the most appropriate approach for effectuating phase-out.

### **III. How the Board of Supervisors Can Update the BHCSO**

#### **A. How to Amend the BHCSO**

Should the Board of Supervisors want to phase out oil and gas operations at the IOF, it can best accomplish this goal by initiating an ordinance amendment to update the BHCSO.<sup>34</sup> Such an amendment would effectuate phase-out by updating the operational standards to wind down operations. It would also update the purposes of the BHCSO—to make clear that phase-out is the goal—and the findings—to recalibrate the “substantial property rights of the owner” language to allow for phase-out. Additionally, an updated BHCSO would assist the County with meeting its Sustainability Plan goals. An updated BHCSO would also provide for ongoing public health and community protections during the phase-out period, allow for remediation after phase-out is complete, and prevent inconsistency on different sides of the L.A. County-Culver City jurisdictional boundary. Moreover, the process would involve significant community input to reflect community values.

Amendments of this kind follow Type IV review, the discretionary review process for legislative actions requiring Board approval.<sup>35</sup> To initiate this process, a Supervisor can make a motion to instruct the Department of Regional Planning (“DRP”) to provide recommendations on amendments to the BHCSO, to initiate a public hearing before the Regional Planning Commission (“RPC”) for an amendment, and to have the RPC make its findings<sup>36</sup> and recommendations to the Board.<sup>37</sup>

Ultimately, the Board will receive the RPC’s recommendation as to whether the Board should approve the proposed amendments.<sup>38</sup> If the Board takes up the matter upon recommendation for approval, the Board will hold a public hearing and then may approve, modify, or reject the RPC’s recommendation. If a modification was not previously considered, the Board refers the

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<sup>33</sup> *Id.* § 22.310.110(D).

<sup>34</sup> *Id.* §§ 22.300.020, 22.68.020, 22.244. Amendments can be approved “whenever the Board finds that the public convenience, general welfare, or good zoning practice justifies such action, in compliance with [the County Planning and Zoning Title and the Planning and Land Use Title of the California Government Code].” *Id.* § 22.244.

<sup>35</sup> *Id.*; *id.* § 22.232.020.

<sup>36</sup> Land use ordinance amendments must include findings that the amendment is: 1) “consistent with the surrounding area”; 2) “consistent with the principles of the General Plan”; 3) “in the interest of public health, safety, and general welfare and in conformity with good zoning practice”; and 4) “consistent with other applicable provisions [of the Land Use Title].” *Id.* §§ 22.232.020, 22.244.040. The RPC must also make findings that are specific to the supplemental district, if any. *See id.* §§ 22.244.040, 22.222.200(A).

<sup>37</sup> L.A. COUNTY, CAL., CODE §§ 22.222.120, 22.198.010 (2019); *see generally Revised Motion by Supervisor Mark Ridley-Thomas*, L.A. CNTY. DEP’T OF REG’L PLAN. (2009), <http://file.lacounty.gov/SDSInter/bos/supdocs/50634.pdf#search=%22Baldwin%20Hills%20CSD%22>.

<sup>38</sup> L.A. COUNTY, CAL., CODE § 22.232.040(B) (2019).

matter back to the RPC for report and recommendation.<sup>39</sup> If an updated BHCS D with new purposes, development standards, and findings is adopted, the amended BHCS D could define a pathway for phasing down operations in the IOF.

As part of the update process, the Board would need to consider requirements for compliance with the California Environmental Quality Act, or CEQA, for which the DRP would be the lead agency.<sup>40</sup> CEQA requires an environmental analysis to identify potential environmental impacts of proposed discretionary projects, including CS D amendments. We did not assess CEQA obligations in our analysis, including the question of whether the DRP may need to complete an EIR, or a supplemental EIR, as part of a BHCS D update.<sup>41</sup>

## B. Other Actions to Consider in Tandem with the Amendment Process

As it undertakes the process of amending the BHCS D, the Board could also recommend an amortization study or other method of analysis to determine the appropriate “wind down” period for the IOF operator. The County's amortization analysis would inform the CS D update process so that the updated BHCS D reflects an appropriate phase-down schedule. As Culver City did, the County could commission an amortization study whose results would help determine a reasonable amortization period for the oil wells within its jurisdiction.<sup>42</sup> The phase-out period would not be solely for the benefit of the operator. The County—like Culver City—could provide enough time to facilitate a just transition for workers, complete remediation studies, and engage in outreach with various stakeholders.<sup>43</sup>

Additionally, all CS D amendments must be consistent with the principles of the County's General Plan. A zoning ordinance is consistent with the General Plan “only if . . . the various land uses authorized by the ordinance are compatible with the objectives, policies, general land

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<sup>39</sup> If the RPC does not report on the modification within 40 days, the modified proposal shall be deemed approved. *Id.*

<sup>40</sup> See L.A. CNTY. DEP'T OF REG'L PLAN., NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT AND PUBLIC SCOPING MEETING 1, [https://planning.lacounty.gov/assets/upl/project/smmnap\\_nop.pdf](https://planning.lacounty.gov/assets/upl/project/smmnap_nop.pdf) (last visited Mar. 21, 2021).

<sup>41</sup> For an overview of the CEQA process, see *CEQA Process Flowchart*, Cal. Dep't of Conservation, [https://www.conservation.ca.gov/calgem/CEQA/Documents/CEQA\\_Process\\_Flowchart\\_OPR.pdf](https://www.conservation.ca.gov/calgem/CEQA/Documents/CEQA_Process_Flowchart_OPR.pdf) (last visited Apr. 16, 2021). Clarifications of ambiguous provisions or updates to CS Ds that do not propose new physical development have not required EIRs. See, e.g., *Altadena Community Standards District Update Process Overview*, L.A. CNTY. DEP'T OF REG'L PLAN (Oct. 4, 2016), [https://planning.lacounty.gov/assets/upl/data/altadena\\_csd-process.pdf](https://planning.lacounty.gov/assets/upl/data/altadena_csd-process.pdf).

<sup>42</sup> *Inglewood Oil Field*, CULVER CITY, <https://www.culvercity.org/City-Hall/Get-Involved/Inglewood-Oil-Field>. Culver City's amortization study found that the acquisition capital investment by Sentinel Peak Resources may have already or will soon reach amortization for Culver City's portion of IOF. WILLIAM D. CHEEK ET AL., CAPITAL INVESTMENT AMORTIZATION STUDY FOR THE CITY OF CULVER CITY PORTION OF THE INGLEWOOD OIL FIELD 5–6 (2020), <https://www.culvercity.org/files/assets/public/documents/city-manager/inglewood-oil-field/bakerobrienreportandexhibi.pdf>. We note that analysis of questions of vested rights, takings, and other potential limits on the County's authority falls outside the scope of this letter. For a discussion of those issues in the context of the County's general authorities, please see a letter submitted today from Sean B. Hecht, Beth Kent, and Tori Kjer to the L.A. County Counsel's office on behalf of UCLA Law Clinic client Los Angeles Neighborhood Land Trust, addressing phase-down of oil and gas extraction outside the Inglewood Oil Field.

<sup>43</sup> CITY OF CULVER CITY, STAFF REPORT RE: AMORTIZATION 4 (2020), [https://www.culvercity.org/files/assets/public/documents/city-attorney/2020-10-26\\_staff-report-re-amortization-phase-out-resolution.pdf](https://www.culvercity.org/files/assets/public/documents/city-attorney/2020-10-26_staff-report-re-amortization-phase-out-resolution.pdf).

uses, and programs specified in the plan.”<sup>44</sup> Thus, the Board of Supervisors should clearly articulate why updating the BHCS D to phase out oil and gas operations is consistent with key principles, goals, and policies of the General Plan.<sup>45</sup> For example, it might point out that one guiding General Plan principle is to “provide healthy, livable and equitable communities,” including by designing communities that are not overburdened by nuisance and negative environmental factors and by preventing and minimizing pollution impacts.<sup>46</sup> Ending urban oil drilling aligns with this principle. In addition, Goal C/NR 1 calls for “open space areas that meet the diverse needs of Los Angeles County.”<sup>47</sup> Most L.A. County residents—including those in neighborhoods near the IOF—live in areas of high or very high park need.<sup>48</sup> Policies C/NR 1.2 and 1.3 are concerned with protecting, conserving, and acquiring available open space areas.<sup>49</sup> Therefore, an updated BHCS D to move the land use toward open park space would be consistent with the General Plan.

Depending on the Board’s goals for the BHCS D area, the Board may also consider adopting a zoning change either alongside, or after, the CSD update.<sup>50</sup> The BHCS D is primarily zoned for Heavy Agriculture (A-2), which permits a wide range of other uses, such as low-density residential, recreational, and industrial.<sup>51</sup> Although ending oil and gas development at the BHCS D would not, by itself, require a zoning change, future residential or park uses might. If the Board and DRP decide to rezone the BHCS D, they can package the CSD and zoning amendments into one project for purposes of CEQA and the discretionary legislative review process. Alternatively, the Board may postpone the zoning amendment or forgo rezoning altogether. The Board may want to consider the community-developed Baldwin Hills Park Master Plan as a guide, which set forth a comprehensive vision for improvement and restoration of the Baldwin Hills after oil and gas development ends.<sup>52</sup>

### C. Time and Cost Considerations: Lessons from Another Board-Initiated CSD Update

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<sup>44</sup> CAL. GOV’T CODE § 65860.

<sup>45</sup> While the General Plan has some policies protective of mineral resources countywide, there are no specific protective policies for the BHCS D. *See, e.g.*, L.A. CNTY., GENERAL PLAN 89, 157 (2015), [https://planning.lacounty.gov/assets/upl/project/gp\\_final-general-plan.pdf](https://planning.lacounty.gov/assets/upl/project/gp_final-general-plan.pdf) (Policy LU 7.5 and Goal C/NR 10 with accompanying policies).

<sup>46</sup> *Id.* at 19–20.

<sup>47</sup> *Id.* at 128.

<sup>48</sup> L.A. CNTY. DEP’T OF PARKS & RECREATION, LOS ANGELES COUNTYWIDE COMPREHENSIVE PARKS & RECREATION NEEDS ASSESSMENT ES-V (2016), <https://lacountyparkneeds.org/wp-content/uploads/2016/06/FinalReport.pdf>. In initiating this report, the Board of Supervisors affirmed the importance of parks as essential infrastructure. “Healthy, safe communities have thriving parks that contribute to public health and well-being, create a sense of place, increase community cohesion, improve the environment, and boost the economy.” *Id.* at ES-I.

<sup>49</sup> L.A. CNTY., GENERAL PLAN, *supra* note 44 at 128.

<sup>50</sup> A zoning change would require a General Plan amendment. L.A. COUNTY, CAL., CODE § 22.180 (2019).

<sup>51</sup> L.A. CNTY., LADERA HEIGHTS/VIEWPARK – WINDSOR HILLS ZONE CHANGES, fig. ZC.15 (2014), [https://planning.lacounty.gov/assets/upl/project/gp\\_zone-change\\_2014\\_Ladera\\_Heights.pdf](https://planning.lacounty.gov/assets/upl/project/gp_zone-change_2014_Ladera_Heights.pdf); L.A. COUNTY, CAL., CODE § 22.16.010(B)(1) (2019). A small portion of the BHCS D is zoned M1.5 (Restricted Heavy Manufacturing). M1.5 zones can be used for anything except certain residential uses, sensitive institutions, and schools. L.A. COUNTY, CAL., CODE § 22.22.030(D), (E) (2021).

<sup>52</sup> CMTY. CONSERVATION INT’L, BALDWIN HILLS PARK MASTER PLAN (2002), [http://bhc.ca.gov/webmaster/arc/documents/Baldwin\\_Hills\\_Master\\_Plan\\_Final.pdf](http://bhc.ca.gov/webmaster/arc/documents/Baldwin_Hills_Master_Plan_Final.pdf).



The Board has frequently updated CSDs in order to better protect communities. Indeed, CSD updates follow a typical, well-established process. The County is currently updating several CSDs simultaneously, including one comprehensive “repeal and replace” for the Santa Monica Mountains North Area CSD. The Board initiated the update to strengthen the CSD’s environmental protections and to ensure land use regulations were applied consistently across the entire Santa Monica Mountains region.<sup>53</sup>

The Board may look to that Santa Monica Mountains CSD update process as an instructive example here. To begin that amendment process, the Board instructed the DRP to prepare the updated CSD with input from the community. Since then, the RPC and the Board have held public hearings and approved the proposed CSD and accompanying EIR. While an EIR requires additional time and resources, the County has funded EIRs for CSD updates—like the Santa Monica Mountains North Area CSD—in the past.

Once the DRP develops a draft CSD, the review process—including the RPC hearing, Board hearing, and adoption—often concludes within one year of the RPC hearing. Therefore, the timeframe for a BHCS update may depend, in part, on the number of community meetings the DRP holds to develop the updated BHCS and whether the project requires an EIR or is exempted. Even if it requires an EIR, the BHCS update may take less time than the ongoing Santa Monica Mountains CSD amendment, which started over five years ago, as the area is smaller and more homogenous.<sup>54</sup> Further, the BHCS’s initial EIR covered a 20-year period, so any new or revised EIR, if necessary, would not be starting from scratch.

#### **IV. Conclusion**

Supervisors Mitchell and Kuehl can play an integral role in protecting vulnerable communities surrounding the BHCS by phasing out oil and gas drilling at the IOF. To do so, the Supervisors can initiate an update to the BHCS and follow a well-established process to help create healthier communities in L.A. County.

Sincerely,



Cara Horowitz  
Co-Director  
Frank G. Wells Environmental Law Clinic  
UCLA School of Law

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<sup>53</sup> Letter from Amy J. Bodek, Dir. of the Dep’t of Reg’l Plan., to Board of Supervisors RE: Hearing on the Santa Monica Mountains North Area Plan and Community Standards District Update, at 4 (Nov. 24, 2020), <http://file.lacounty.gov/SDSInter/bos/supdocs/150580.pdf>.

<sup>54</sup> The Santa Monica Mountains North Area spans 32 square miles and is managed by multiple agencies. In contrast, the County’s portion of the IOF spans less than 1.5 square miles and is homogenous in terms of environmental resources and management, so an EIR should be less resource-intensive. Although the Board suggested an update to the Santa Monica Mountain North Area Plan over eleven years ago, the substantive work on amending the CSD started in 2016. The hearings took place in late 2020, and the ordinance is expected to be adopted soon.