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June 28, 2016

Councilmember Jose Huizar  
Chair, Planning and Land Use Management Committee  
City of Los Angeles  
200 N. Spring Street  
Los Angeles, CA 90012

VIA HAND DELIVERY

**RE: Agenda Item 9; City Council File Number 16-0597  
Proposed West Adams-Baldwin Hills-Leimert New Community Plan – Continuance Request**

Dear Honorable Councilmember Huizar:

As Operator of the Inglewood Oil Field in the County of Los Angeles and City of Culver City, and 4<sup>th</sup> Avenue Drill Site within the City of Los Angeles, Freeport-McMoRan Oil & Gas ("FM O&G") has reviewed the proposed West Adams-Baldwin Hills-Leimert New Community Plan (the "Plan"). Both FM O&G and our predecessor operator, Plains Exploration & Production Company, have commented on prior versions of the draft and associated Draft Environmental Impact Report, and we appreciate the City's corresponding updates to the Plan that clarify jurisdictional boundaries related to the Inglewood Oil Field and remove references to "One Big Park." Unfortunately, the City has not adequately addressed our other significant concerns related to policies regarding existing, permitted and vested oil and gas drill sites in the City. We have previously identified the particular policies that are infeasible and could create more environmental impacts than they intend to mitigate, which are listed and briefly discussed in the enclosed table.

The current version of the Plan continues to contain significant legal deficiencies including, but not limited to confusing regulatory requirements among local, state and federal jurisdictions. These deficiencies should be addressed before the Plan is advanced to the City Council. **FM O&G therefore urges the Planning and Land Use Management Committee to continue this item until resolution of our issues occurs.**

Sincerely,

Laura Vik  
Senior EH&S Specialist

Cc: Thomas Beron, Vice President & Assistant General Counsel  
Steve Rusch, Vice President

Date: 06/28/2016  
Submitted in PLUM Committee  
Council File No: 16-0597  
Item No. 9  
Deputy: Comm from Public

Page	Section	Comment
3-115	LU75-1	This policy calls for a "high level of discretionary review" at oil extraction sites. Existing drill sites within the City are vested, permitted facilities and are allowed to operate in accordance with their existing, vested rights. Therefore, this policy should be revised to reflect that operations that have received plan approval or other authorization for the installation of oil wells cannot be subject to additional discretionary review.
3-115	LU75-2	This policy calls for Periodic Review of any extraction activities involving hazardous materials. Periodic discretionary review of "any oil and gas activities involving hazardous materials" is vague and impinging on areas of regulation that have been fully occupied by the State. This policy must either be clarified or deleted so it is consistent with the laws of the State of CA and other agencies with authority of the use hazardous materials.
3-115	LU75-3	This policy proposes regulations that impinge on areas of regulation that have been fully occupied by the State and regional agencies (i.e. the Division of Oil, Gas and Geothermal Resources (DOGGR) and RWQCB). This policy should be deleted.
3-115	LU75-4	Drill Sites within the City of LA are already subject to detailed emergency preparedness plans overseen by the Environmental Protection Agency. Transportation of hazardous materials is regulated by the State of California Department of Transportation. Hazardous Materials Business Plans are required to be submitted through the Certified Unified Program Agency (CUPA), LA County Fire Department, Health & Hazardous Materials Division on an annual basis. This policy confuses regulatory requirements among jurisdictions, and therefore, should be deleted.
3-115	LU75-6	This policy supports of the mitigation of impacts, which already occurs through the site plan review process with the City. Further, this policy supports efforts to discourage 24-hour drilling, which is not technically practical, would significantly increase potential environmental effects and nuisances, and violates operators' vested rights. This policy should be deleted.
3-115	LU75-7	This policy recommends that any construction, including accouterments intended to buffer or mitigate, achieve compliance with applicable design plans or guidelines. The phrase "accouterments intended to buffer or mitigate" is vague and ambiguous and should be clarified to apply only to permanent fixtures intended to buffer or mitigate new construction and does not apply to temporary construction mitigation accouterments, e.g. temporary sound walls installed only during drilling operations. Other existing and proposed policies and procedures will ensure that any temporary structures will be as aesthetically compatible as feasible, and therefore, this policy should be deleted.
3-115	LU75-8	This policy supports requirements for additional seismic and geotechnical studies to demonstrate that there will be no increased risk of earthquakes. Such considerations with regard to downhole well operations are regulated exclusively by the DOGGR. Via the SB4 EIR, DOGGR determined that compliance with existing DOGGR regulations protect against the potential for induced seismicity to occur. Therefore, this policy should be deleted.
6-6	Supplemental Use Districts	This section contains a discussion of sites within the "O" district, and states that they "may be permitted to continue operations through the administrative procedures outlined within the "O" district overlay." Existing drill sites within the City of Los Angeles are permitted facilities and are allowed to operate "by right." Therefore, this policy should be edited accordingly or deleted.
Many	Many	The following sections summarize the County of Los Angeles' Baldwin Hills Community Standards District. These references must be deleted as no portion of the IOF is within the boundary of the Plan or the City's jurisdiction whatsoever: Page 1-16, 2 <sup>nd</sup> paragraph; Page 2-4, photo; Page 3-113, summary and Goal LU74, Page 3-114, Policies LU74-1 and LU74-2; Page 6-8, Table 6-1; Page 6-30, P161.
Apx B Pg 101	HM1	This policy should be modified so that the determination for the need of a Phase I Environmental Site Assessment is made on a case-by-case basis.
Many	Many	While we appreciate that the Plan no longer asserts that the Inglewood Oil Field (IOF) is slated to be converted into a park, several sections of the Plan still infer that. The majority of the IOF is privately owned and the property owners have not consented to any such future use. There are serious legal concerns of including suggestions that the IOF is to be converted into a park. The text should be clarified so it explicitly removes the Inglewood Oil Field from such inferences of future parkland use. Areas of the Plan where this language occur follows: 5-26, Open Space; Page 6-38 P226.
Many	Many	The Plan repeatedly suggest that LADWP properties/rights-of-way be used for park purposes. While surface boundary of the IOF is not within the plan area nor the City of Los Angeles in general, note that FM O&G and certain IOF landowners must agree to such a use through the IOF, and have no intent to do so. Areas of the plan where such suggestion occurs follow: Page 5-22, 1 <sup>st</sup> paragraph; Page 5-26 3 <sup>rd</sup> paragraph; and page 5-27 Goal CF12 and Policy CF21-4.