

COUNTY CLERK'S USE

CITY OF LOS ANGELES
OFFICE OF THE CITY CLERK
200 NORTH SPRING STREET, ROOM 395
LOS ANGELES, CALIFORNIA 90012

CALIFORNIA ENVIRONMENTAL QUALITY ACT
NOTICE OF EXEMPTION
(PRC Section 21152; CEQA Guidelines Section 15062)

Filing of this form is optional. If filed, the form shall be filed with the County Clerk, 12400 E. Imperial Highway, Norwalk, CA 90650, pursuant to Public Resources Code Section 21152(b) and CEQA Guidelines Section 15062. Pursuant to Public Resources Code Section 21167 (d), the posting of this notice starts a 35-day statute of limitations on court challenges to reliance on an exemption for the project. Failure to file this notice as provided above, results in the statute of limitations being extended to 180 days.

PARENT CASE NUMBER(S) / REQUESTED ENTITLEMENTS

ZA-1989-17683-PA2 / Plan Approval

LEAD CITY AGENCY

City of Los Angeles (Department of City Planning)

CASE NUMBER

ENV-2020-1328-CE

PROJECT TITLE

West Pico Oil Drill Site Plan Approval

COUNCIL DISTRICT

5

PROJECT LOCATION (Street Address and Cross Streets and/or Attached Map)

9101 West Pico Boulevard (Pico Boulevard and Doheny Drive)

Map attached.

PROJECT DESCRIPTION:

A Plan Approval to review the effectiveness and Applicant's compliance with conditions imposed in Case Nos. BZA-2000-1697 and ZA-17683(PAD) for the existing 0.706 acre West Pico Oil Drill Site. There is no request for modification of any existing condition of approval and no proposed expansion of the use. This review is required by Paragraph 4.b of the June 2001 Settlement Agreement in the case of *Neighbors For A Safe Environment v. City of Los Angeles*, Los Angeles Superior Court Case No. BC240760, and will be conducted pursuant to Section 12.24-M of the Los Angeles Municipal Code and Condition No. 78 in Case Nos. BZA 2000-1697 and ZA 17683(PAD).

Additional page(s) attached.

NAME OF APPLICANT / OWNER:

Phil Brown, Pacific Coast Energy Company

CONTACT PERSON (If different from Applicant/Owner above)

(AREA CODE) TELEPHONE NUMBER

(805) 937-2576

EXT.

EXEMPT STATUS: (Check all boxes, and include all exemptions, that apply and provide relevant citations.)

STATE CEQA STATUTE & GUIDELINES

STATUTORY EXEMPTION(S)

Public Resources Code Section(s) _____

CATEGORICAL EXEMPTION(S) (State CEQA Guidelines Sec. 15301-15333 / Class 1-Class 33)

CEQA Guideline Section(s) / Class(es) Section 15301 (Class 1) and Section 15321 (Class 21)

OTHER BASIS FOR EXEMPTION (E.g., CEQA Guidelines Section 15061(b)(3) or (b)(4) or Section 15378(b))

JUSTIFICATION FOR PROJECT EXEMPTION:

Additional page(s) attached

Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

Class 21 consists of Actions by regulatory agencies to enforce or revoke a lease, permit, license, certificate, or other entitlement for use issued, adopted, or prescribed by the regulatory agency or enforcement of law, general rule, standard, or objective, administered or adopted by the regulatory agency. This includes the adoption of an administrative decision or order enforcing or revoking the lease, permit, license, certificate, or entitlement for use or enforcing the general rule, standard, or objective.

None of the exceptions in CEQA Guidelines Section 15300.2 to the categorical exemption(s) apply to the Project.

The project is identified in one or more of the list of activities in the City of Los Angeles CEQA Guidelines as cited in the justification.

IF FILED BY APPLICANT, ATTACH CERTIFIED DOCUMENT ISSUED BY THE CITY PLANNING DEPARTMENT STATING THAT THE DEPARTMENT HAS FOUND THE PROJECT TO BE EXEMPT.

If different from the applicant, the identity of the person undertaking the project.

CITY STAFF USE ONLY:

CITY STAFF NAME AND SIGNATURE

Dylan Sittig

STAFF TITLE

City Planning Associate

ENTITLEMENTS APPROVED

Plan Approval

FEE:

\$6,450

RECEIPT NO.

0108160488

REC'D. BY (DCP DSC STAFF NAME)

Edber Macedo

DISTRIBUTION: County Clerk, Agency Record **Rev. 3-27-2019**

ESTINEH MAILIAN
INTERIM CHIEF ZONING ADMINISTRATOR

**ASSOCIATE ZONING
ADMINISTRATORS**

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THEODORE L. IRVING, AICP
CHARLES J. RAUSCH JR.
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**CITY OF LOS ANGELES
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DEPUTY DIRECTOR

**JUSTIFICATION FOR PROJECT EXEMPTION
CASE NO. ENV-2020-1328-CE**

Project Description

The Proposed Project is for a Plan Approval to review the effectiveness of and Applicant's compliance with conditions imposed in Case Nos. BZA-2000-1697 and ZA-17683(PAD). The 0.706 acre West Pico Oil Drill Site is in the C4-1VL-O zone and within Urbanized Oil Drilling District No. U-131 established by Ordinance 130,340. There is no request for modification of any existing condition of approval and no proposed expansion of the use. This review is required by Paragraph 4.b of the June 2001 Settlement Agreement in the case of *Neighbors For A Safe Environment v. City of Los Angeles*, Los Angeles Superior Court Case No. BC240760, and will be conducted pursuant to Section 12.24-M of the Los Angeles Municipal Code and Condition No. 78 in Case Nos. BZA 2000-1697 and ZA 17683(PAD).

CEQA Determination - Applicable Categorical Exemption Categories:

As an unmodified, continued operation of an existing drill site and related compliance review, the Proposed Project qualifies for exemption from the California Environmental Quality Act (CEQA) pursuant to State CEQA Guidelines, Article 19, Sections 15301 (Class 1) and 15321 (Class 21).

Section 15301; Class 1 consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of existing or former use. The key consideration is whether the project involves negligible or no expansion of use.

The proposed project is a required Plan Approval, pursuant to a 2001 Settlement Agreement that mandates periodic compliance review of conditions imposed on the continued operation of an existing drill site that was modernized. The proposed project qualifies for the Class 1 exemption because (1) the review of conditions applies to the continued operation of the existing West Pico Oil Drill Site and (2) no expansion of the existing drill site's use, pursuant to LAMC Section 13.01 has been requested. The proposed project will not result in a change the number of wells as the capacity of the oil and gas extraction facility will remain the same.

Section 15321; Class 21 Category 2: Consists of Actions by regulatory agencies to enforce or revoke a lease, permit, license, certificate, or other entitlement for use issued, adopted, or prescribed by the regulatory agency or enforcement of law, general rule, standard, or objective, administered or adopted by the regulatory agency. This includes the adoption of an administrative decision or order enforcing or revoking the lease, permit, license, certificate, or entitlement for use or enforcing the general rule, standard, or objective.

The proposed project qualifies for the Class 21 exemption because it involves a Plan Approval to review the applicant's compliance with and effectiveness of the conditions imposed under Case Nos. BZA-2000-1697 and ZA-17683(PAD). The proposed project would permit the continued operation of the drill site subject to the existing conditions and corrective conditions if warranted. The regulatory action would not result in any impacts on the environment.

CEQA Section 15300.2: Exceptions to the Use of Categorical Exemptions.

The City has considered whether the Proposed Project is subject any of the six (6) exceptions that would prohibit the use of a categorical exemption as set forth in State CEQA Guidelines Section 15300.2. The six

(6) exceptions to this Exemption are: (a) Location; (b) Cumulative Impacts; (c) Significant Effect; (d) Scenic Highways; (e) Hazardous Waste Sites; and (f) Historical Resources.

1. Location. *Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, these classes are considered to apply in all instances, except where the project may impact on an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.*

The proposed project is not relying on Exemption Classes 3, 4, 5, 6, or 11 and is thusly not subject to this exception.

2. Cumulative Impacts. *All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.*

According to the California Department of Conservation (CalGEM) Well Finder database, the closest oil drilling facility is located near the intersection of Pico Boulevard and Avenue of the Stars, in Rancho Park, approximately 0.9 miles away from the project site. As such, there are no known successive projects of the same type and in the same place as the proposed project. The Plan Approval review of conditions of approval compliance and the subsequent reporting involves no changes of the existing baseline conditions as the resulting review will not change the number of wells or the production activities. Therefore, this exception does not apply.

3. Significant Effect. *A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.*

The proposed project is a required Plan Approval, pursuant to a 2001 Settlement Agreement that mandates periodic compliance review of conditions imposed on the continued operation of an existing drill site that was authorized for modernization. A Plan Approval, that reviews the effectiveness of the conditions of approval of an operating oil well site, is not an activity that typically involves unusual circumstances that will lead to a significant effect on the environment. The proposed Plan Approval review is no different as the request seeks to review compliance or non-compliance the conditions of approval that were imposed in connection with Case Nos. BZA 2000-1997 and ZA-17683(PAD). No request has been made to modify any condition which will result in a significant impact on the immediate environment.

The project site will remain enclosed on all sides with 25-foot-high walls, except for the two parking lot areas. Trees and plants will continue to line the exterior of the walls. Adjoining properties to the north of the project site will remain zoned R3-1VL-O and developed with two-story apartment buildings. Properties to the south across Pico Boulevard will remain zoned C4-1VL-O and developed with low-rise commercial buildings occupied by a variety of commercial and religious uses. Adjoining properties to the east across Doheny Drive will remain zoned C4-1VL-O and include a gas station and other commercial uses. Properties to the west of the subject site across Oakhurst Drive will remain zoned C4-1VL-O and developed with an oil processing site operated by the applicant. The existing drill site's operation remains bound by all prior conditions of approval and regulatory requirements from the Southern California Air Quality Management District (SCAQMD). Therefore, the baseline conditions will remain unchanged and there are no foreseeable impacts from the project. Thus, there are no unusual circumstances and no reasonable possibility that the project and on site activities will lead to a significant effect on the environment, and this exception does not apply.

4. Scenic Highways. *A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.*

The only State Scenic Highway within the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of Topanga State Park. The project site is approximately 10 miles east of State Route 27. Therefore, the proposed project will not result in any damage to any scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar

resources, within a highway officially designated as a state scenic highway, and this exception does not apply.

5. Hazardous Waste. *A categorical exemption shall not be used for a project located on a site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.*

According to Envirostor, the State of California's database of Hazardous Waste Sites, neither the project site, nor any site in the vicinity, is identified as a hazardous waste site, and this exception does not apply.

6. Historic Resources. *A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.*

The project site has been identified as a potential historic resource in Survey LA the citywide survey of Los Angeles, but not designated as such; and the proposed project is a required Plan Approval, pursuant to a 2001 Settlement Agreement that mandates periodic compliance review of conditions imposed on the continued operation of an existing drill site that was authorized for modernization. The proposed project proposes no changes to the physical or operational components of the oil drill facility, and based on this, the proposed project will not result in any substantial adverse change to the significance of a historic resource and this exception does not apply.