

Cheviot Hills Home Owners' Association
P.O. Box 64458, Los Angeles, CA 90064 www.cheviot hills.org

July 30, 2021

Via Email (apcwestla@lacity.org)

West Los Angeles Area Planning Commission, Department of City Planning
200 N. Spring Street
Los Angeles, CA 90012

Re: ZA-1989-17683-PA2-1A
West Pico Drill Site, 9101 & 9151 W. Pico Boulevard, Los Angeles, CA 90035
Appeal by Neighbors for a Safe Environment (NASE)

To the West Los Angeles Area Planning Commission:

The Cheviot Hills Home Owners' Association represents some 1400 households situated not far from the West Pico Drill Site.

Our Association has participated in multiple land use cases of various kinds that have come before the Zoning Administrator for review. Many of our members have done the same in their professional and private capacities. We are now writing in support of the pending appeal by Neighbors for a Safe Environment (NASE).

In the matter of the "Plan Approval" for the West Pico Drill Site (Case No. ZA-1989-17683-PA2 & ENV-2020-1328-CE), we urge the West Los Angeles Area Planning Commission to overturn both the error-filled June 2, 2021 Zoning Administrator determination and the inappropriate categorical exemption from environmental review on which the Zoning Administrator's faulty review was based.

From the perspective of our collective experience in land use cases, as well as our proximity to the West Pico Drill Site, we are dismayed that the City allowed 24 major oil well projects to be executed without applications to the Zoning Administrator for legally required discretionary reviews and environmental clearance under CEQA, not to mention a 25th major project to install one megawatt of microturbine electric generators that are expressly prohibited by ZA conditions of use. This is unfathomable to those of us who have wrestled with the rigors of Zoning Administrator reviews and CEQA reviews.

In light of these 25 illegal projects and numerous other documented violations of City Code and conditions of approval, it is incredible that the Zoning Administrator could declare on the first page of his June 2, 2021 determination that: ***"I hereby DETERMINE, based on the whole of the administrative record, [t]hat the Conditions of Approval of Determination BZA No. 2000- 1697 have been and are being substantially complied with."*** That is an error of law and facts, contradicted many times within the Zoning Administrator's own letter of determination.

We are troubled to learn that this massive evasion of required reviews was enabled by the lack of City compliance inspections, from the same City that inspects home remodeling, billboards and countless other less serious activities that require City approvals and permits. More than a few of our members are frightened to hear that a work culture of sloppiness involving violations of the City's Fire Code, State oil well safety laws, and SCAQMD air emissions laws has grown in the shadow of the City's inattention. We cannot understand how the City can approve initial land use entitlements for an activity as inherently risky and historically troubled as oil production, especially in a residential neighborhood, and then turn a completely blind eye to the most basic requirements of compliance and enforcement during the ongoing life of the land use. We cannot understand how the Zoning Administrator in the current case could order no corrective actions and write no new conditions to protect our health and safety, and at the same time declare that "inspections...will continue" when the City does not do even the most basic compliance inspections.

We hoped that the current ZA review would be the starting point to turn this situation around. We are frustrated that the opposite has happened.

The same oil drill site that was allowed to evade ZA reviews and environmental reviews for 25 major projects is now being exempted from environmental review and being given a pass on a shocking array of illegal projects and other violations. The same oil drill site that was supposed to have Reviews of Conditions in 2010 and 2015 to "evaluate...the efficacy of mitigation measures" and change them as warranted has received a review that excluded consideration of the need for enhanced mitigation measures. There has been no CEQA process to consider the efficacy of mitigation, monitoring and enforcement measures that have obviously failed. This violates both Condition 78 of the 2000 ZA approval and Section 4.b of the 2001 Settlement Agreement, as well as CEQA and every ZA approval since the drill site was first given land use entitlement in 1965. The statements of the presiding ZA at the two summer 2020 public hearings declaring that no mitigation measures will be changed short-circuited legally required review processes.

The 25 unapproved projects, dozens of illegal and void City permits, and other problems documented by community members and reported to the Zoning Administrator were not addressed, but were buried in contradictory statements in the ZA's determination, alternately recognizing some of the violations but then determining on the first page that there has been compliance. This allows illegal activity to stand in place without equity or protection for the community, and it sets in motion another violation of CEQA for segmenting a larger known project into smaller pieces that obscure the full environmental impact.

We strongly urge you to send this case back for the proper environmental review under CEQA that it should have received from the outset: An initial study, followed by either a Mitigated Negative Declaration or an Environmental Impact Report. That is the necessary procedural and substantive first step toward holding a full and proper ZA review that addresses all the requirements of Condition 78 of the 2000 ZA approval, Section 4.b of the 2001 Settlement Agreement, and the documented evidence of 25 major unapproved projects and dozens of additional permitting and compliance problems.

Our Association understands the importance of following proper rules and regulations. We rely on the rigor of the City's Zoning Administrator, Engineering, and Building and Safety reviews to keep us all safe when our local residents undertake projects that could have an impact upon neighbors. We cannot accept that the same agencies would allow an oil drill site in close proximity to our neighborhood to escape environmental reviews under CEQA and even facilitate it by granting an exemption, nor can we understand how 25 major projects at an oil drill site could be allowed to happen without a review and allowed to persist when reported to the Zoning Administrator.

Plainly, the correct course of action is to begin this review again and to do it properly.

Sincerely,

Bob Keehn, President

On Behalf of the Board of Directors, Cheviot Hills Home Owners' Association

cc: Theodore Irving, Associate Zoning Administrator
Dylan Sittig, Assistant to Associate Zoning Administrator Irving
Estineh Mailian, Chief Zoning Administrator
Edber Macedo, Assistant to Chief Zoning Administrator Mailian
Terry Kaufmann-Macias, Assistant City Attorney
Jennifer Tobkin, Deputy City Attorney
Paul Koretz, Council Member CD5
Joan Pelico, Chief of Staff CD5
Daniel Skolnick, Land Use Deputy CD5
Andy Shrader, Environmental Policy Director CD5
Professor Michael Salman
Rabbi Yonah Bookstein
Richard S. Weiner, Secretary NASE
Dr. Rae R. Drazin, President NASE