

David E. Cranston

Direct Dial: 310.785.6897  
Direct Fax: 310.201.2361  
E-Mail: dcranston@ggfirm.com  
File Number: 1431400010



January 5, 2007

**Via E-mail**  
**Hand Delivery**

Division of Oil, Gas and Geothermal Resources  
801 K Street, MS20-20  
Sacramento, CA 95814-3530

Attn: Ms. Linda F. Campion, Associate Oil and Gas Engineer  
Mr. Bill Winkler, Oil-Spill Coordinator

Re: Initial Study/Negative Declaration -- Inglewood Oil Field PXP Well  
Drilling Program in Los Angeles County for 2007, dated December 4, 2006

Dear Ms. Campion and Mr. Winkler:

On behalf of our client, the City of Culver City (the "City"), we comment as to the adequacy of the Initial Study/Negative Declaration for Plains Exploration and Production Company's ("PXP") proposal to drill a total of twenty-four oil and gas wells within the unincorporated area of the County of Los Angeles commonly known as Baldwin Hills (the "Project"). We do so as part of our legal obligation to represent our client and in an effort to preserve the City's rights under current laws and regulations. We reserve the right to supplement these comments.

I. Introduction

CEQA was enacted to ensure that public agencies reviewed the environmental impacts of projects prior to approval. CAL. PUB. RES. CODE §§ 21000-21001. Indeed, it is the stated policy of the State of California to:

"[d]evelop and maintain a high-quality environment now and in the future, and take all action necessary to protect, rehabilitate, and enhance the environmental quality of the state [and] . . . [t]ake all action necessary to provide the people of this state with clean air and water, enjoyment of aesthetic, natural, scenic and historic environmental qualities, and freedom from excessive noise. "

CAL. PUB. RES. CODE § 21001(a)-(b).

The adverse and unmitigated environmental impacts from PXP's drilling operations in Baldwin Hills have been increasingly felt over the past few years by the City, its residents and throughout the area. These impacts include excessive noise, impaired visual aesthetics, lights, odors and air emissions, as well as the disturbance of large areas of soil. PXP's wells and the resulting environmental impacts have caused complaints from hundreds of City residents and necessitated emergency responses from local government agencies, including the City Fire Department, Los Angeles County Fire Department, Los Angeles County Health and Hazardous Materials Division, the South Coast Air Quality Management District and the Division of Oil, Gas, and Geothermal Resources ("DOGGR").

Nonetheless, in proposing to adopt a negative declaration for the Project, DOGGR has not adequately considered many of these impacts as well as other environmental, health and safety impacts associated with the drilling of oil and gas wells in the midst of a highly urbanized environment with dense residential areas and expanding commercial areas located nearby. Indeed, as the Initial Study points out, over 1600 wells have been drilled in or around the Baldwin Hills area. PXP has drilled more than 60 wells in the past year alone, proposes to drill another 24 wells under this Initial Study, and will likely attempt to drill many more in the coming months and years. However, apparently no agency has ever conducted any meaningful environmental review. It is certainly probable that a Project of this magnitude, with all of its attendant consequences, has the potential for significant environmental impact. Moreover, it is well-established that PXP cannot break up the Project into smaller projects in an attempt to decrease the perception of any significant impact. The Project must be viewed as a whole with a consideration of all of the cumulative impacts to determine whether an Environmental Impact Report ("EIR"), mitigated negative declaration or negative declaration should be prepared. The Initial Study fails to do this.

Because the Initial Study does not address many of the environmental effects of the Project it is inadequate as an informational document. A key purpose of the Initial Study is to provide "documentation of the factual basis for the finding in a Negative Declaration that a project will not have a significant effect on the environment." CAL. CODE REGS. tit. 14 § 15063(c)(5). Where, as here, the "local agency has failed to study an area of possible environmental impact, a fair argument may be based on the limited facts in the record." *Sundstrum v. County of Mendocino*, 202 Cal.App.3d 296, 311 (1988). Indeed, "[d]eficiencies in the record may actually enlarge the scope of fair argument by lending a logical plausibility to a wider range of inferences." *Id.* This is because "CEQA places the burden of environmental investigation on the government rather than the public." *Id.*

Here, the Initial Study and Negative Declaration fail to: (1) adequately describe the Project, (2) analyze the potential impacts arising from the Project and (3) adequately support the decision that the Project will not have a significant effect on the environment. The Initial Study violates critical procedural and substantive requirements of CEQA. Accordingly, additional

information and analysis must be provided in order to determine that impact, which will then allow an appropriate determination as to whether an EIR, mitigated negative declaration or negative declaration must be prepared for the Project.

II. The Negative Declaration is Invalid Because it is Based on a Legally Inadequate Initial Study

The Negative Declaration is invalid because it is based on a legally inadequate initial study. *Christward Ministry v. Superior Court*, 184 Cal.App.3d 180, 197 (1986); *City of Redlands v. County of San Bernardino*, 96 Cal.App.4th 398 (2002); *El Dorado County Taxpayers for Quality Growth v. County of El Dorado*, 122 Cal.App.4th 1591, 1597 (2004). The preparation of a negative declaration “is inappropriate where the agency has failed either to provide an accurate project description or to gather information and undertake an adequate environmental analysis.” *City of Redlands*, 96 Cal.App.4th at 406. “An accurate and complete project description is necessary for an intelligent evaluation of the potential environmental impacts of the agency’s action.” *Id.*

As discussed below, the Initial Study is legally inadequate for several reasons.

A. The Initial Study and Draft Negative Declaration Do Not Appear to Have Been Prepared by the Lead Agency as Required by CEQA

CEQA mandates that an initial study and draft negative declaration be prepared directly by, or under contract to, the lead agency. See CAL. CODE REGS. TIT. 14 §§ 15063(a) and 15365; CAL. PUB. RES. CODE § 21082.1. “[The] public agency which has the principal responsibility for carrying out or approving a project’ is charged with determining the necessity of an EIR.” *Sundstrum*, 202 Cal.App.3d at 311 (citing to Pub. Resources Code, § 21067). Moreover, the initial study and draft negative declaration must reflect the lead agency’s independent judgment. CAL. PUB. RES. CODE § 21082.1(c).

Here, it appears that PXP prepared the Initial Study and proposed Negative Declaration. An initial study is required to contain the name of the person or persons who prepared or participated in the initial study. CAL. CODE REGS. TIT. 14 § 15063(d)(6). The only name contained in the Initial Study is that of Steve Rusch, Vice President EH & S and Government Affairs of PXP. Initial Study p. 28. Mr. Rusch, and not the lead agency, certified that the “statements furnished [in the Initial Study] and in the attached exhibits present the data and information required for this initial evaluation.” *Id.*

As the Initial Study and draft Negative Declaration appear to have been prepared entirely by PXP, it does not reflect DOGGR’s independent judgment as to whether the Project may have a significant effect on the environment. Accordingly, the Initial Study is legally inadequate and cannot support DOGGR’s adoption of a negative declaration.

B. The Initial Study is Inadequate because it Fails to Provide an Accurate and Complete Project Description

One of the primary purposes of the initial study is to aid the lead agency in determining whether to prepare an EIR or negative declaration. CAL. CODE REGS. TIT. 14 § 15063(c)(1). An accurate project description is an essential component to assessing whether a proposed project may have a significant effect on the environment. CAL. CODE REGS. TIT. 14 § 15063(d)(1). The preparation of a negative declaration “is inappropriate where the agency has failed . . . to provide an accurate project description.” *City of Redlands*, 96 Cal.App.4th at 406; *see also El Dorado County Taxpayers for Quality Growth*, 122 Cal.App.4th at 1597 (“An accurate and complete project description is necessary to fully evaluate the project’s potential environmental effects.”).

Here, the Initial Study is inadequate because there is no detailed description of the environmental setting or the existing condition, and there is no accurate description of the Project and its location. The “project description” contained in section 1.1 of the Initial Study, fails to provide essential information regarding PXP’s proposed Project implementation:

1. The Project Description Fails to Provide a Sufficient Description of the Project Location.

The Initial Study fails to contain an adequate description of the Project location. The Initial Study describes the location of the Project as “wholly within the existing boundaries of the 900+ acre Inglewood Oil Field as recognized by the CA Division of Oil, Gas and Geothermal Resources (DOGGR), field map #122” and “generally located in an unincorporated area of the County of Los Angeles called Baldwin Hills.” This description does not provide an exact location of where the proposed oil wells will be located. Based upon this description, it is impossible to assess whether the location of the proposed oil wells may have a significant effect on the environment.

Moreover, the attached Proposed Well Location map (section 1.4 of the Initial Study), does not provide any clarification as to the exact location of the proposed wells. The map does not contain coordinates or label street locations to identify the area affected by the Project. The map is not of sufficient scale to identify the areas affected.

2. The Project Description Fails to Discuss the Volume of Soil Involved in Preparing the Well Pads.

The Project description provides that ten existing well pads “need to be leveled by redistributing existing soil on the pad” for an “approximate area disturbed” of 0.41 acres. Initial Study p. 2. However, it does not specify the volume of soil disturbed. Similarly, the Project description provides that two new well pads will be drilled to accommodate seven wells and that “additional fill soil” will be needed for these pads. *Id.* Again, the description fails to provide the

volume of soil impacted. Moreover, the description fails to address why one of the new pads has been designed by a licensed Civil Engineer, but the other new pad was not. Initial Study p. 3.

Also, the estimated "total land disturbance" for the Project of 2.57 acres, fails to include a description of the total volume of soil impacted within the 2.57 acres. The Project description also fails to identify the location of the impacted 2.57 acres. Similarly, the Project description fails to describe the existing grade of the proposed sites. Without knowing the total volume of disturbed soil, the location and existing grade, it is impossible to assess the environmental effects of the Project, such as those on soils, biological resources and archaeological resources. As the Project description is inaccurate, DOGGR's decision to approve a negative declaration for the Project is inappropriate. *City of Redlands*, 96 Cal.App.4th at 406.

3. The Project Description Fails to Describe Other Construction Activities Necessarily Related to the Drilling of New Wells.

The Project description fails to address additional construction work that will be necessary to handle the production of oil. For example, new piping will need to be placed in the subsurface to transport produced oil to tanks or other storage. No information is provided to address whether PXP currently has sufficient storage capacity to handle the anticipated new production or whether additional storage capacity will have to be constructed. There is no description of the amount of new piping or tanks that will be necessary, the areas and volume of soils that will have to be disturbed in order to place such piping or tanks, or any other information from which DOGGR can evaluate the environmental impacts created by the construction and operation of such piping and/or tanks.

Even if PXP were to assert that piping should not be considered part of this Project, DOGGR must consider the environmental impacts of any additional work that may cause physical changes in the environment that will necessarily flow from the construction of the new oil wells.

4. The Project Description Fails to Provide an Accurate Description of the Depth to which the Wells will be Drilled.

The Initial Study fails to provide any detail regarding the nature and environmental setting of the wells themselves. The Initial Study fails to describe the projected depth of the wells or any detail regarding the geological zones, including zones saturated with groundwater, through which the wells will be drilled. Nor is any information provided as to whether the wells will be drilled vertically, at a slant or otherwise. The Initial Study provides no information regarding the bottom of the wells except that the wells will not be drilled through the nodular shale. Absent such information, the Initial Study cannot provide any meaningful assessment of geological, hydrogeological, vibration, air quality and hazardous material impacts.

5. The Project Description Fails to Provide any Detail regarding the Methods and Equipment to be Used in Drilling and Operating the Wells.

The Initial Study fails to provide any meaningful detail regarding the methods and equipment to be used in drilling and operating the wells. Among the most significant impacts arising from the Project are those that arise from the drilling itself, which PXP estimates will last as long as a year. The height of the rig and nature of the drilling equipment are relevant and necessary to understanding and evaluating the impacts on aesthetics, noise, vibrations, and air quality emissions. As discussed below, the Initial Study fails to provide any meaningful assessment of any of those impacts. The Initial Study also fails to provide any description of the hazardous materials, such as the drilling muds/fluids that will be used. Similarly, the Initial Study fails to describe the nature of any pumping equipment (e.g. diesel or electric; below grade or above grade) that will be put in place. Without such information, the Initial Study cannot adequately address air quality, noise and aesthetic impacts, among others.

6. The Project Description Fails to Provide Any Information Regarding Any Water Flooding or Injection of Produced Water Related to the 24 New Wells.

The Initial Study fails to describe or address water flooding which PXP has stated in publicly released documents (see news release November 2006) is necessary to the production of oil in the Inglewood Field. PXP will presumably continue with its waterflooding practices to maximize production from the new wells. No discussion of such waterflooding is included in the project description or anywhere else in the Initial Study. The failure to include such discussion in the Initial Study indicates that DOGGR has failed to consider an impact that will certainly have a significant effect on the environment.

Similarly, the project description fails to describe what PXP will do with the water produced from the extraction of petroleum after it has been separated from each of the 24 new wells. If PXP intends to inject such water back into the subsurface, it must be described and evaluated in the Initial Study because it will clearly have a significant effect on the environment. Conversely, if PXP intends to discharge the water, the Initial Study must describe all aspects of that part of the Project because it will potentially have a significant effect on the environment.

7. The Project Description Fails to Provide any Detail regarding Increased Vehicular Traffic.

The Initial Study fails to quantify the increased number of trips by passenger vehicles and heavy equipment that will have to travel to and from the Project locations. The increased traffic will not only generate additional vehicle emissions, but also PM 10 and other dust emissions from the dirt roads in Baldwin Hills, increased noise and increased congestion in the surrounding neighborhoods. Without providing any description or detail regarding the increased vehicular

traffic, the Initial Study is fatally deficient because it cannot adequately assess the impacts from such increases.

C. The Complete Absence of Analysis in the Initial Study of Many Key Issues Involving Potential Environmental Impacts Requires Rejection of the Negative Declaration

A primary purpose of an initial study is to enable the lead agency to determine whether to prepare an EIR or negative declaration. CAL. CODE REGS. TIT. 14 § 15063(c)(1). To meet this goal, a key component of an initial study is the identification of environmental effects resulting from the proposed project. CAL. CODE REGS. TIT. 14 § 15063(d)(3). In assessing the environmental effects from the proposed project, the CEQA guidelines provide the following guidance:

“An identification of environmental effects by use of a checklist, matrix or other method, provided that entries on a checklist or other form are briefly explained to indicate that there is some evidence to support the entries. The brief explanation may be either through a narrative or a reference to another information source such as an attached map, photographs, or an earlier EIR or negative declaration. A reference to another document should include, where appropriate, a citation to the page or pages where the information is found.”

*Id.*

Although a lead agency is not required to follow the sample form contained in the CEQA guidelines in conducting its initial study (CAL. CODE REGS. TIT. 14 § 15063(f)), the lead agency is required to “address the questions from the checklist that are relevant to a project’s environmental effects in whatever form selected.” CAL. CODE REGS. TIT. 14 Appendix G. As discussed below, the Initial Study fails to address all of the Project’s relevant environmental effects.

1. The Initial Study Fails to Adequately Identify and Assess the Impact to Aesthetic/Visual Resources from the Project.

The Initial Study determines that there is no significant impact to visual or aesthetic resources “[b]ased on the existing conditions placed on oil and gas drilling by Los Angeles County ordinances and given the existing nature of the Inglewood Oil Field.” Initial Study p. 9. However, these are invalid reasons for making a determination of no significant impact.

First, DOGGR’s decision to prepare a negative declaration cannot be based upon Los Angeles County’s future approval of PXP’s well site plan. *Sundstrum*, 202 Cal.App.3d at 306. The Initial Study provides that the Project will not have a significant effect on aesthetic or visual resources because landscaping, revegetation, screening and painting of visible structures will be

done “to the satisfaction of the [Los Angeles County] Director.” Initial Study p. 8. However, a lead agency cannot condition a negative declaration on another agency’s future review of environmental impacts. *Sundstrum*, 202 Cal.App.3d at 308. If DOGGR believes that the environmental impacts from the Project can be mitigated, which may include the County’s oversight as a mitigation measure, it should prepare a mitigated negative declaration.

Moreover, a “requirement that an applicant adopt mitigation measures recommended in a future study is in direct conflict with the guidelines implementing CEQA.” *Id.* The CEQA guidelines provide, in pertinent part, that “if an applicant proposes measures that will mitigate environmental effects, the project plans must be revised to incorporate these mitigation measures ‘before the proposed negative declaration is released for public review.’” *Id. citing* CAL. CODE REGS. TIT. 14 § 15070(b)(1) (emphasis in the original). Here, PXP is proposing mitigation measures to be implemented after the public review of the negative declaration. As this is in violation of the CEQA guidelines, the Initial Study is legally inadequate.

Second, the Initial Study impermissibly bases its assessment of no significant impact on the assertion that the “Inglewood Oil Field has been in operation since 1924 and over 1,600 wells have been completed herein.” Initial Study p. 8. However, how long the Inglewood Field has been operational is irrelevant in determining whether the current Project will have a significant effect on the aesthetic or visual resources. Indeed, the number of wells currently in existence at the Inglewood Field necessitates a closer review of the environmental impacts of an additional 24 wells. A CEQA review should not be limited to the incremental impacts from a project. A CEQA review must evaluate the Project in the context of its cumulative impact. The Initial Study provides no assessment of the projected number of wells to be added in the Inglewood Field in the future. *See* CAL. PUB. RES. CODE § 21083(b); CAL. CODE REGS. TIT. 14 § 15065(a)(3). According to its own press reports, PXP has completed more than 60 wells in 2006. It seeks to drill 24 more in its current application, and has indicated it will seek the approval of additional wells in the near future. PXP cannot break its “project” up into smaller pieces in order to avoid a finding of significance. The approvals that PXP seeks here must be evaluated based on the cumulative impacts of both past and future wells.

In addition to the deficiencies in the information provided, the Initial Study completely fails to address key issues that directly impact the assessment of the aesthetic and visual impacts of the Project:

(1) The Initial Study provides no discussion of how many wells are currently operational in the Inglewood Field. The Initial Study does not address the vicinity of the proposed wells to the wells that currently exist. The aesthetic and visual impact of the proposed wells will differ depending upon the location of the proposed wells vis-à-vis other wells in the area. If all of the wells are located within the same vicinity of other operational wells, the “cluster” of wells will greatly impact the sightline.

(2) The Initial Study provides no discussion of the height or appearance of the permanently operating pumps, or whether the rigs will be above grade or below grade.

(3) The Initial Study fails to consider the aesthetic effect of the Project from public roadways, such as La Cienega and Stocker. The increase in wells may significantly effect the views from these roadways. Even without the addition of the 24 proposed wells, “[d]riving down busy La Cienega Boulevard between the Baldwin Hills’ two ridgelines with views of oil derricks, tanks and pipelines, it is hard to see that these ridges are part of a 40 miles long series of hills.” Baldwin Hills Park Master Plan 2002, p. 8 available at <http://www.bhc.ca.gov/documents.html>.

(4) The Initial Study fails to consider the aesthetic and visual impact to recreational users in the area, including users of the Kenneth Hahn State Recreation Area, the nearby soccer fields, and the users of the proposed Baldwin Hills Park resulting from the Project. Indeed, the Baldwin Hills Master Plan, which includes portions of Culver City, identifies the vistas from the ridges in the area as a significant aesthetic and visual resource. Those vistas will be significantly impacted and marred by the presence of drilling rigs and may be impacted by the additional operating rigs.

(5) The Initial Study fails to address the light pollution resulting from the “24 hours a day” (Initial Study p. 3) drilling of the oil wells. Nor does the Initial Study address the light pollution during the “29 to 51 weeks” that the oil drilling operations will be conducted.

(6) The Initial Study does not address the height or appearance of the drilling rigs, despite conceding that the drill rigs will be visible from the Culver City viewshed as the height of the drilling rigs extends well above the ridge-line. Such presence of the drill rigs is not merely a “short-term” impact. The Initial Study indicates the drilling could take as much as one year. Viewed alone or combined with cumulative impacts of past and future projects, the impact will be significant. If the drilling rigs can be viewed by Culver City, clearly, the drill rigs will be visible for many miles, including from West Los Angeles, Mar Vista, Marina del Rey, Century City, Santa Monica and Beverly Hills. The drilling rigs will also be visible from the 10 freeway and the 405 freeway. The Baldwin Hills are the most prominent geographic feature in the area. The ridgeline will be marred by one or more drilling rigs jutting into the sky for the next year or more, and will clearly result in a significant aesthetic impact for thousands in the region.

(7) The Initial Study provides no evidence to support the assertion that the wells will not be within the City of Culver City viewshed. As discussed above, the Initial Study fails to provide an accurate description of the location of the wells.

The above issues requiring further analysis demonstrate the inadequacy of the Initial Study in determining whether an EIR or negative declaration is appropriate.

2. The Initial Study Fails to Adequately Identify and Assess the Impact to Air Quality from the Project.

Contrary to the Initial Study's assertion, there will be a significant impact to air quality from the Project. Even impacts of relatively short duration are considered to be direct physical changes to the environment that can be classified as significant environmental impacts. See 14 C.C.R. § 15064(d)(1) ("Examples of direct physical changes in the environment are the dust, noise, and traffic of heavy equipment that would result from construction of a sewage treatment plant...").

Significant environmental effects have already occurred from PXP's drilling operations in the Inglewood Field. In late 2005 and early 2006, PXP's well-drilling activities resulted in the venting (or blowout) of significant emissions on several occasions, which produced dozens of complaints from residents in nearby neighborhoods as well as miles away. The complaints have been documented not only by the City, but by the SCAQMD and DOGGR as well. Some residents complained of noxious odors that were similar to the smell of rotten eggs, which is indicative of hydrogen sulfide emissions. Other complainants reported odors resembling a heavy petroleum smell. Other residents complained of headaches and other physical symptoms. It is clear that the Project will have the potential to cause the same type of odors that citizens have experienced from PXP's past activities, which resulted in significant impacts to the environment.

The Initial Study suggests that the drilling in shallow formations will reduce the potential for odors; however, PXP has failed to offer any details regarding the formation through which it will drill. In addition, PXP has provided no information to substantiate the absence of pressurized pockets of gas within those formations or the absence of any other factors that could cause the upset, blowout or venting of gases. Indeed, despite PXP's claim that it continues to drill only in shallow formations, residents continue to complain of objectionable odors.

In addition to evaluating the potential for noxious odors, DOGGR must evaluate the health impacts of the Project on the surrounding community. The detection of odors resembling rotten eggs is a strong indicator of sulfide compounds, including hydrogen sulfide which is toxic at very low concentrations. Given the undisputed evidence that significant impacts from past operations have already occurred, DOGGR must determine that a potential for a significant environmental impact from the Project exists. Additionally, there have been ongoing complaints from residents of the City regarding odors.

Although the Initial Study acknowledges that emissions will result from the Project, the Initial Study provides no information regarding the type or quantity of emissions that will occur from drilling or operating the wells. DOGGR cannot make a determination of no significant effect based on such limited information. Furthermore, PM-10 from dust emissions can arise during grading, drilling, and construction-related activities, including the use of vehicles. The threshold of significance for construction activities is only 150 lbs. per day for PM-10. See SCAQMD Air Quality Significance Thresholds, available at

<http://www.aqmd.gov/CEQA/handbook/signthres.doc>. Certainly the potential to reach or exceed that threshold exists here.

The Initial Study provides no modeling or other information to determine whether Project construction or operations may contribute to the violation of any state or federal Ambient Air Quality Standard (“AAQS”), nor does the Initial Study identify the significance criteria used by SCAQMD.<sup>1</sup> In fact, the Initial Study fails to provide any quantification of the estimated quantity of emissions that will arise from construction and operations of the Project. The failure to provide such information is sufficient to reject the Initial Study as an inadequate basis to support a negative declaration determination. *City of Redlands*, 96 Cal.App.4th 398.

As discussed above, the Initial Study also fails to provide sufficient detail of the Project for the public to calculate the Project’s expected emissions based on available emission factors. In the absence of such analysis, the Initial Study is deficient and legally inadequate. When a local agency fails to undertake an adequate record, it is not allowed to hide behind its own failure to gather relevant data. *See Sundstrum*, 202 Cal.App.3d at 311. The potential for substantial emissions during construction cannot be disputed. DOGGR and PXP have failed to estimate any construction related emissions using the UBREMIS model or any other scientifically sound model that would dispute this potential. Without some credible effort to estimate emissions in the Initial Study, DOGGR cannot conclude that such emissions will not cause a significant impact.

On the other hand, there is substantial evidence that the Project will potentially create significant emissions from a variety of criteria pollutants. Significant emissions of PM 10, VOC, NOx and SOx may be caused by diesel engines and generators at the Project location. In addition, significant VOC emissions may be emitted from sumps, tanks, pipes, venting, and any place where crude oil might be.

VOC, PM 10, and NOx emissions from the operation of drilling equipment alone are likely quite significant. For example, the Wyoming Department of Environmental Quality has established an emission factor for one well in the Jona-Pinedale formation of about 13.5 tons of NOx and 3.3 tons of SO2. In compiling an inventory of emissions from oil and gas well drilling in various Western states, Environ Corporation determined that emission factors for other wells could be derived from the Wyoming emission factor if proper adjustments could be made for different formations. However, the Initial Study has failed to provide sufficient information to make those calculations. Environ, in inventorying wells in a number of states, determined that

---

<sup>1</sup> Los Angeles County is designated as a non-attainment area for both the national and state PM-10 ambient air quality standards. Area Designations for National Ambient Air Quality Standards PM10, available at [www.arb.ca.gov/design/adm/2006/fed06\\_pm10.pdf](http://www.arb.ca.gov/design/adm/2006/fed06_pm10.pdf), and Area Designations for State Ambient Air Quality Standards PM10, available at [www.arb.ca.gov/design/adm/2006/state\\_pm10.pdf](http://www.arb.ca.gov/design/adm/2006/state_pm10.pdf).

for about 6,000 wells that had been drilled, over 21,000 tons of NO<sub>x</sub> was generated, as well as over 3,000 tons of SO<sub>x</sub>. *Final Report: Oil and Gas Emission Inventories for the Western States* (2005), at [http://www.wrapair.org/forums/ssjf/documents/eictts/OilGas/WRAP\\_Oil&Gas\\_Final\\_Report.122805.pdf](http://www.wrapair.org/forums/ssjf/documents/eictts/OilGas/WRAP_Oil&Gas_Final_Report.122805.pdf). Thus, about 7,000 lbs of NO<sub>x</sub> are produced per well based on these estimates. Assuming that it will take a year for PXP to drill 24 wells, 460 lbs. of NO<sub>x</sub> per day will be produced from the Project. This amount far exceeds the 55 lb. per day significance threshold established by SCAQMD. See SCAQMD Air Quality Significance Thresholds, available at <http://www.aqmd.gov/CEQA/handbook/signthres.doc>.

Although the actual NO<sub>x</sub> emissions may be significantly lower (or higher) than 460 lbs per day, even if the figure is off by almost an order of magnitude, the Project will still likely produce emissions in excess of the significance criteria. The Environ study, CARB emission factors and numerous other sources also indicate that each well could generate significant quantities of VOC emissions both during well completion as well as during operation.

In any event, DOGGR cannot state that it has determined that there is no *potential* that the Project will create significant emissions. If DOGGR has determined that the emissions will be mitigated by complying with applicable regulations or through implementation of other measures that will be adopted, those mitigation measures must become conditions to any approval.

3. The Initial Study Fails to Adequately Identify and Assess the Impacts of Noise and Vibration Resulting from the Project.

The Initial Study fails to provide any factual basis for the conclusion that noise from the Project will cause no significant effect on the environment and fails to even address the question of whether vibrations will cause a significant impact. Indeed, the Initial Study fails to answer the questions posed by the CEQA guidelines that are directly relevant to the potential noise and vibration impacts. Clearly, the heavy equipment used to grade and construct well pads, the drilling rigs used to drill oil wells and trucks and increased traffic will create a substantial amount of noise. However, the Initial Study fails to answer core questions directly related to the adverse noise impacts from the Project:

(1) How much noise will the Project generate?

(2) Will the Project impact those at sensitive receptor locations? The sensitive receptors include thousands of residents living immediately adjacent to Baldwin Hills, the users of the area parks (including Kenneth Hahn State Recreation Area), and potential users of trails and other amenities associated with future park development as set forth in the Baldwin Hills Master Plan.

(3) Will the Project result in “a substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?” Although this

question is contained in the CEQA guidelines, the Initial Study fails to include the question in the study.

In addition to failing to ask, or answer, key questions relevant to the environmental effects of the Project, the Initial Study fails to include, or even adequately summarize, any of the information in documents purportedly relied upon in assessing that the Project will have a less than significant impact on the environment. For instance, the Initial Study references an Arup Acoustics study in October 2004 which resulted in a plan to ensure compliance of unspecified oil drilling activities with the County noise ordinance. Neither the results of the study nor the "plan" are provided or summarized in any meaningful way. Nor is there any information on how to even obtain the report. We do not know what decibel levels were measured, how far away the measurements were taken or the effect of mitigation measures on lowering the decibel levels at sensitive receptor locations. Moreover, there is no evidence that Arup Acoustics studied the impact of the drilling or operating equipment that will be used on the Project. The mere vague reference to the Arup Acoustics study cannot provide support for a finding that noise from the Project will create less than significant impact.

The Initial Study itself states that noise impacts will be site specific, yet no information regarding site specific factors for the Project are provided. The Initial Study even fails to provide any estimate of potential decibel levels at sensitive receptor locations. The Initial Study also suggests that noise will be mitigated through use of a sound barrier wall, or other means, to ensure that noise levels will not exceed County requirements. However, the Initial Study provides no commitment, and DOGGR imposes no requirement, that such mitigation measures must be used. If DOGGR is going to rely on such mitigation measures to reach a finding of no significant impact, it must impose those mitigation measures as conditions of approval and make a determination regarding a mitigated negative declaration.

The Initial Study generally states that it will comply with requirements of County Code 12.08 of Title 12. However, that title only prohibits any "noise disturbance" (defined as noise violating applicable standards in the code) caused by drilling or construction during the hours between 7 p.m. and 7 a.m. and anytime Sundays. Thus, there is no limitation on noise and any associated impacts during weekday hours when the most sensitive populations (e.g., young children, elderly and others) are likely to be at home and awake. Moreover, PXP states that it intends to operate the drilling equipment 24 hours a day, seven days a week. No information is provided to demonstrate how PXP will comply with the Los Angeles County requirements during nighttime hours.

The Initial Study also provides no assessment or evaluation of the potential impacts caused by vibration. Although the Initial Study concedes that "excessive vibration" will occur, it asserts that "[e]xcessive vibration will be minimized with absorbing pads as needed." However, there is no evaluation of, or technical details regarding, the effectiveness of such pads. Nor is there any assessment as to whether "minimization" of excessive vibration will actually result in no significant impact on residents and park users. In the absence of a finding supported by

substantial evidence that the vibrations will not cause a significant impact on the environment, DOGGR must find that it will cause such an impact. If DOGGR believes that such impacts can be mitigated to the point of insignificance, then it must impose such mitigation measures as conditions of Project approval.

4. The Initial Study Fails to Adequately Identify and Assess the Impact to Archaeological Resources from the Project.

The Initial Study makes the unsupported assertion that the Project will have no impact on archaeological resources because the “project area has been previously disturbed” and “a review of cultural resources assessments in the area of Baldwin Hills found nothing of significance.” Initial Study p. 12. The Initial Study provides no evidence that the proposed Project area has been previously disturbed. Although the Project is located within the Inglewood Field, the proposed wells may be located in an area that has been left untouched. As discussed above, the Initial Study’s utter lack of an accurate project description/location makes it impossible to assess whether the location of the proposed wells are in an area that has been previously disturbed.

Additionally, the Initial Study’s citation to “Entrix 2001” in support of the assertion that there are no cultural resources in the vicinity of the Project area is unavailing. The Initial Study fails to provide a full citation to the study and fails to include a source list as required by the CEQA guidelines. CAL. CODE REGS. TIT. 14 Appendix G (“a source list should be attached, and other sources used or individuals contacted should be cited in the discussion”). By comparison, the Specific Amendment for the nearby Kenneth Hahn State Recreation Area identifies the area as potentially containing significant cultural resources. See, Kenneth Hahn State Recreation General Plan Amendment, pp. 4-5 and 4-24, 4-25.

5. The Initial Study Fails to Fully Assess the Impact to Biological Resources and Land Use from the Project.

The Initial Study fails to fully assess the significant environmental effects that the Project will have on biological resources and land use in Baldwin Hills.<sup>2</sup> With respect to each of these resources, the Initial Study concludes, without any supporting evidence and minimal analysis, that there will be “no impact” from the Project. The Initial Study relies upon its standby, conclusory assertion that because the Inglewood Field is already predominantly comprised of oil and gas facilities, there is no potential that the Project will have an impact on the environment. Initial Study pp. 13 and 22. However, this assertion completely ignores the purpose of CEQA.

---

<sup>2</sup> Although the Initial Study addresses the impact to Biological Resources (Initial Study section 2.4) and Land Use (Initial Study section 2.12) in different sections, both sections conclude that there will be “no impact” to these resources. As these resources are interrelated, we will address the deficiencies from the Initial Study’s evaluation of the Project’s impact on these resources as one.

CEQA was enacted to maintain a high-quality environment now and in the future. The fact that oil wells have existed in the Inglewood Field since 1924 does not support a conclusion that their future existence and resulting environmental effects should not be examined in a careful environmental review. Indeed, the fact that oil wells in the Inglewood Field have gone unchecked by any environmental review re-enforces why the Initial Study must evaluate all of the potential environmental effects from the Project. *See Sundstrum*, 202 Cal.App.3d at 311 (“agency should not be allowed to hide behind its own failure to gather relevant data” as a basis for a negative declaration).

Moreover, a fair argument exists that the Project will have a significant impact on the biological and land use resources within Baldwin Hills. Baldwin Hills is the last, large undeveloped area of open space in urban Los Angeles County. *See Baldwin Hills Park Master Plan 2002*, p. 2 available at <http://www.bhc.ca.gov/documents.html>. The 2002 Baldwin Hills Park Master Plan (“Master Plan”), prepared on behalf of the California Department of Parks and Recreation and Baldwin Hills Conservancy, identifies many significant environmental effects that have resulted from oil drilling and operations within Baldwin Hills and highlights the importance of preserving Baldwin Hills for the future:

(1) “Grading operations related to oil field activities have resulted in considerable modification of the natural topography.” Master Plan p.13

(2) “A significant subsidence area has developed over the years over the [Inglewood] oil field. . . . For the Inglewood field, the most recent survey evidence from the 1970s shows that the center of the oil field has subsided more than 10 feet since the 1920s as a result of hydrocarbons and brine water. It is possible, considering the intensified oil field operations activity of the past few years, that a few inches of localized ground movements may continue to occur in the northwest part of the oil field, which is the most active areas of extraction since the 1970s.” Master Plan p. 14.

(3) The appearance of oil wells dominates the physical appearance of the majority of the land visible from major streets. Master Plan p. 8.

(4) “Reptile and amphibian diversity has probably been lost because of cascading effects of changes to the Baldwin Hills ecosystem.” Master Plan p. 26.

(5) Contrary to the assertion in the Initial Study, California Department of Fish and Game species of concern may persist in Baldwin Hills, such as the garden slender salamander (Master Plan p. 26), the peregrine falcon, burrowing owl, belted kingfisher, olive-sided flycatcher, Swainson’s thrush, yellow warbler, yellow-breasted chat, blue grosbeak and tricolored bird (Master Plan p. 27). The Initial Study fails to evaluate the environmental effect that the Project will have on these species and the wildlife corridors as a result of the increased traffic, drilling or operation of the wells.

(6) “A number of bird species are found in the Baldwin Hills that do not breed in the surrounding urbanized lowland areas.” Master Plan p. 27.

(7) There is a need for a significant increase in park space in and around the proposed Project locations. “The Baldwin Hills area is one of the most park-poor in California, with barely one acre of park space per 1,000 people, it falls far below the nationally recommended standard of six to ten acres per 1,000 people.” Master Plan p. 32.

In addition to identifying environmental effects from development within Baldwin Hills, the Master Plan serves “as a guide for future natural open space and parkland acquisition and improvements, facility development and habitat restoration within Baldwin Hills, and for connections to trails, parks and other public facilities.” Master Plan p. 2. However, the Initial Study fails to consider the Master Plan in the assessment of the potential biological and land use impacts from the Project, despite the conflict between the Project and the goals of the Master Plan.

6. The Initial Study Fails to Fully Evaluate the Project’s Impact on Public Resources.

The Initial Study’s assertion that the Project will have no impact on public services is inaccurate. Initial Study p. 25. Many parks located in or near the vicinity of Baldwin Hills will be impacted by the Project. As set forth in the proceeding section, the Master Plan “provides a contemporary, unified vision for creating a multi-use vibrant park, with a variety of recreational opportunities, community facilities, and areas restored to natural habitats, consistent with the goals contained in SB 1048.” Master Plan p. 3. The Master Plan contemplates the creation of a Baldwin Hills Park: “a place to play or take a quiet walk; an escape from traffic and urban congestion; a place to come together; a course of quiet renewal and rejuvenation” “in a dense urban environment.” Master Plan p. 2. The Initial Study fails to address the impacts that the Project will have on the Baldwin Hills Park. The Initial Study also fails to address the impacts that the Project will have on other area parks, such as the Kenneth Hahn State Recreation Area, the Ladera Ball Fields, the Vista Pacifica Scenic Site, Culver City Park and the Norman O. Houston Park.

The above issues requiring further analysis demonstrate the inadequacy of the Initial Study in determining whether an EIR or negative declaration is appropriate.

7. The Initial Study Fails to Fully Evaluate the Project’s Impact on Local Geology and Soils.

The Initial Study fails to fully consider the Project’s impact on local geology and soils. The Baldwin Hills Master Plan indicates that much of the land within the Project area is located on slopes with grades of 15% or more. Master Plan, p. 13. If such land is denuded in preparation for grading at the Project locations, there is a substantial risk that significant erosion

will take place during storm events. Despite this fact, the Initial Study fails to consider or even evaluate the potential for erosion at or near the Project locations. In addition, the Initial Study's lack of sufficient detail regarding the specific grade and slope at or near the well sites prevents the public from evaluating or considering the environmental impact of such storm-water induced erosion during rain events.

The Initial Study also fails to evaluate the possibility of other geological events that may be triggered by oil drilling or pumping at the Project locations. The Initial Study fails to consider the possibility of subsidence (i.e., the sinking of the land surface from the withdrawal of liquid resources), which has already occurred in the Inglewood Field as a result of the depletion of oil reservoirs. Master Plan p. 14. Subsidence has become a well-documented consequence of oil production in Long Beach, where land surfaces have subsided by as much as 29 feet. *See, e.g.,* City of Long Beach, Department of Oil Properties, *Subsidence*, available at <http://cms.longbeach.gov/oil/subsidence.html>. Subsidence has also been documented in other areas, including New Orleans, where off-shore oil production is considered to be a potential cause of the subsidence in New Orleans.

Subsidence must be evaluated as a potentially significant environmental impact of the Project that could affect not only Baldwin Hills, but nearby homeowners and major roadways. Subsidence must be evaluated not only in relation to the current Project, but as a cumulative effect, taking into consideration prior oil production, as well as planned future production. CAL. PUB. RES. CODE § 21083(b); CAL. CODE REGS. TIT. 14 § 15065(a)(3). If PXP asserts that subsidence will not occur due to its practice of water flooding (injecting water into the subsurface to replace extracted oil to enhance oil production), then the Initial Study must provide detail regarding such water flooding practices, as well as an evaluation of the potential environmental impacts caused by such practices. The Specific Amendment to the Kenneth Hahn State Recreation Area identified significant subsidence in the adjacent Baldwin Hills oil fields. *See, Kenneth Hahn State Recreation General Plan Amendment*, pp. 4-18-4-20.

Finally, the Initial Study fails to evaluate potential local seismic events that may be caused by PXP's drilling activities such as waterflooding or otherwise injecting water back into the subsurface. These types of practices have been known to cause earthquakes in certain limited areas. *See* U.S. Geological Survey, Earthquakes, *Frequently Asked Questions: Faults, Plate Tectonics, Earth Structure*, available at <http://earthquake.usgs.gov/learning/faq.php?categoryID=1&faqID=1>. Nor has the Initial Study evaluated how PXP's drilling activities may effect the underlying Newport-Inglewood Fault.

8. The Initial Study Fails to Fully Evaluate the Project's Impact on Hydrology/Water Quality.

Despite the fact that PXP states in its press releases that it uses waterflooding to improve the productivity of its wells, the Initial Study fails to mention the use of waterflooding anywhere in its analysis. Waterflooding that is conducted in connection with the proposed wells, including

the cumulative effects of such waterflooding, must be considered in the Initial Study to accurately evaluate the environmental effects of the Project. DOGGR cannot determine that the Project will not have a significant effect on the environment until it has considered the potential impacts that arise from the practice of waterflooding.

To accurately evaluate the environmental impact waterflooding may have, the Initial Study must describe the source of any water that PXP injects into the subsurface, including whether the water is produced water, other groundwater, or water from another source. As mentioned above, waterflooding, in certain unusual cases, may also pose an increased risk of inducing seismic events that must be assessed in the Initial Study.

In addition, depending on the depth and method of injection, waterflooding could potentially cause the contamination of potable water sources. As set forth in the Master Plan, the "quality of water flowing from Baldwin Hills is important to water quality in Ballona Creek, the Ballona Wetlands and in Santa Monica Bay." Master Plan p. 14. It is misleading for the Initial Study to suggest that there is no risk to potable groundwater supplies without having provided evidence in support of this assertion. Despite best efforts, the failure to properly case the wells could result in a breach that could contaminate groundwater supplies.

Also, the Initial Study fails to consider the environmental impact caused by the extraction of produced water, and the impact of injecting such water back into subsurface zones or discharging the water into stormwater drains or elsewhere. As such impacts could potentially have a significant and adverse effect on groundwater, they must be adequately addressed in the Initial Study or DOGGR has no choice but to determine that they are potentially significant impacts.

Finally, the Initial Study fails to assess the risk that improper well construction could result in contamination of fresh groundwater supplies. If PXP will take measures to mitigate such risk, they must be imposed as conditions on any approval. Yet, neither the Project description or any other document identifies the measure PXP will take to avoid contamination of zones saturated with groundwater.

The Initial Study's failure to consider the risks from waterflooding, injecting and/or discharging produced water or improper well construction, renders it legally inadequate to support the preparation of a negative declaration.

9. The Initial Study Fails to Fully Evaluate the Project's Potential to Release Hazardous Materials.

Although the Project's potential to result in the release of hazardous materials is considerable, the Initial Study fails to fully evaluate this risk. PXP indicates that it will use unlined excavated sumps for the storage of "non-hazardous" drilling fluids and cuttings. The term "non-hazardous," however, may be misleading and may fail to adequately convey the actual

risk. Hazardous can mean many things. For example, even though the drilling fluids and cuttings could be considered “non-hazardous” waste by federal or even state standards for purposes of determining where the waste may be disposed, the waste may still have significant quantities of hazardous substances that could contaminate the environment and pose a toxic risk to others.<sup>3</sup> Even cuttings that contain naturally occurring minerals can be potentially hazardous in the surface environment if they contain naturally occurring petroleum, arsenic or other minerals known to have toxic or carcinogenic characteristics.

Apparently, PXP proposes to store potentially hazardous cuttings and drilling muds or fluids in unlined sumps. This risk and its potential impacts is not addressed by the Initial Study. Additionally, in early 2006, PXP attributed the storage of drilling muds and other materials in unlined, and uncovered sumps, as the source of continuing noxious odors. The Initial Study does not address these issues either.

The Initial Study represents there is “very little chance of loss of well control and subsequent gas release/venting.” However, it is well-documented that PXP has had at least three such events occur within the last year alone. As some residents complained of a rotten egg smell, there is the significant potential that hydrogen sulfide - a highly toxic gas common in petroleum formations - was released. Benzene is also a gas frequently found in emissions from wells. The Initial Study provides no evidence to address the concerns that the loss of well control and subsequent venting is limited to deeper geological zones and that it will not occur during the course of the Project. Nor does the Initial Study provide evidence that the wells being drilled will in fact not be drilled into such deeper zones. In the absence of such evidence, the risk of a gas release, whether by upset, venting or blowout, must be considered a real and potentially significant impact. The Initial Study’s failure to evaluate such risks renders it legally inadequate to support the preparation of a negative declaration.

In addition to the risk of a major release of toxic gases, there is the virtual certainty that smaller amounts of gases will be released from the well-sites throughout the well-completion process and throughout the life of the well. The Initial Study also fails to address continuing fugitive and other emissions of toxic gases, such as hydrogen sulfide and benzene, and the impact that long-term exposure to such gases may have on the environment and those living nearby. This risk must be viewed individually and in the context of the cumulative emissions of toxic gases from all other operating, idle or improperly abandoned wells in the area.

D. The Initial Study Fails to Consider Cumulative Impacts.

CEQA requires an agency to consider the “possible effects of a project [if they] are individually limited but cumulatively considerable.” CAL. PUB. RES. CODE § 21083(b); CAL. CODE REGS. TIT. 14 § 15065(a)(3). “Under CEQA, the agency must consider the cumulative

---

<sup>3</sup> Drilling fluids commonly include hazardous substances.

environmental effects of its action before a project gains irreversible momentum.” *City of Antioch v. City Council of the City of Pittsburg*, 187 Cal.App.3d 1325, 1333 (1986) (emphasis added). “Cumulatively considerable” means “that the incremental effects of an individual project are significant when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.” CAL. CODE REGS. TIT. 14 § 15065(a)(3). “[T]he guiding criterion on the subject of cumulative impact is whether any additional effect caused by the proposed project should be considered significant given the existing cumulative effect.” *Communities for a Better Environment v. California Resources Agency*, 103 Cal. App.4th 98, 118 (2002).

As the Initial Study acknowledges, the Inglewood Field “has been in operation for over 82 years with over 1,600 wells drilled during that time.” Initial Study p. 2. “There is heavy development of the field with private roads, wells, pipelines, tankage and associated ancillary equipment required to operate the field.” *Id.* It is precisely because of the vast development of the Inglewood Field that the Project’s possible effects are cumulatively considerable.

There is no evidence in the Initial Study that the continued proliferation of oil wells within the Inglewood Field will not have a cumulatively considerable impact on the environment. Indeed, the Inglewood Field is located within the sprawling urban environment of Los Angeles County and is surrounded by “single-family homes, multiple family dwellings,” and “recreational” uses. Initial Study p. 2. However, the Initial Study’s discussion on cumulative impacts only sets forth the conclusory statement that:

“Construction emissions and fugitive dust generated by the proposed project would contribute to the existing exceedance of air quality standards in the project area. However, due to the small scale of the project and limited duration of construction the project contribution to this cumulative impact would be less than significant. For the purposes of drilling oil and gas wells, air quality impacts are considered short-term. Well production will be handled in an existing facility.”

Initial Study p. 30.

However, “the greater the existing environmental problems are, the lower the threshold should be for treating a project’s contribution to cumulative impacts as significant.” *Communities for a Better Environment*, Cal.App.4th at 120. Because the Initial Study acknowledges that the Project will “contribute to the existing exceedance of air quality standards in the project area,” CEQA mandates that the cumulative impact be considered. *Id.* Moreover, the summary discussion of cumulative effects is inadequate because the scope of the Project makes it at least potentially possible that there will be incremental impacts that will have a cumulative effect on the environment. *See San Bernardino Valley Audubon Soc’y v. Metropolitan Waster Dist.*, 71 Cal.App.4th 382, 398-399 (1999). The Initial Study fails to address to what extent the Project will contribute to the exceedance of the air quality standards in the Project area.

E. The Initial Study Fails to Consider All Phases of the Project.

An initial study must consider “[a]ll phases of project planning, implementation, and operation.” CAL. CODE REGS. TIT. 14 § 15063(a)(1); *see also City of Antioch*, 187 Cal.App.3d at 1333, 1336. This is because the lead agency must consider the “whole of an action” that may result in a physical change to the environment. *See* CAL. CODE REGS. TIT. 14 § 15378(a). “The requirement of early preparation of an EIR is designed to avoid the type of piecemeal review in which environmental considerations . . . become submerged by chopping a large project into many little ones—each with a minimal potential impact on the environment—which cumulatively may have disastrous consequences.” *City of Antioch*, 187 Cal.App.3d at 1333 (citations omitted).

The Initial Study fails to consider all phases of the Project. The drilling of the 24 proposed oil wells is merely the first phase toward the future operation of the oil wells within Baldwin Hills. It is a reasonably foreseeable consequence of drilling the oil wells that PXP will conduct oil well operations. Indeed, PXP would not drill the wells if it did not foresee producing oil from these wells. However, the Initial Study fails to even mention the environmental effects from the oil well operations, including, without limitation, adverse impacts to visual and aesthetic resources, noise, traffic, odors, ground subsidence, air quality and biological resources. The Initial Study’s failure to even consider these environmental effects renders the Initial Study legally inadequate and insufficient to support the preparation of a negative declaration for the Project. *See City of Redlands*, 96 Cal.App.4th at 406; *City of Antioch*, 187 Cal.App.3d at 1338.

III. Request for Future Notice

Pursuant to Public Resources Code sections 21092(b)(3), 21092.2 and California Code of Regulations title 14 section 15072(b), we request DOGGR provide notice of any environmental documents prepared by DOGGR pursuant to the California Environmental Quality Act, Public Resources Code sections 21000 *et seq.* for any activity to be performed by PXP at any location within the Inglewood Field to the following parties:

Notice to City:

Community Development Director  
City of Culver City  
9770 Culver Blvd.  
Culver City, CA 90232  
Facsimile: (310) 253-5779

With a Copy to:

David E. Cranston, Esq.  
Greenberg Glusker Fields Claman & Machtinger LLP

GREENBERG GLUSKER FIELDS CLAMAN & MACHTINGER LLP

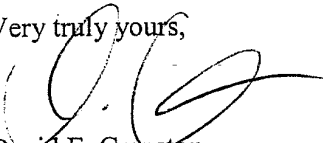
Division of Oil, Gas and Geothermal Resources  
January 5, 2007  
Page 22

1900 Avenue of the Stars, Suite 2100  
Los Angeles, CA 90067  
Facsimile: (310) 201-2361

IV. Conclusion

For the foregoing reasons, we respectfully submit that the Initial Study/Negative Declaration is fatally flawed. We request that the Initial Study be withdrawn and a new initial study be conducted, with consideration given to appropriate analysis and applicable mitigation measures.

Very truly yours,



David E. Cranston

SLB/

cc:

Mayor and Members of the City Council  
Jerry Fulwood, City Manager  
Todd Tipton, Interim Community Development Director  
Carol Schwab, Esq., City Attorney, City of Culver City  
Heather Iker, Esq., Deputy City Attorney, City of Culver City