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- **“Secondary Submissions”**: Submissions received after the Initial Submission deadline up to 48-hours prior to the Commission meeting are contained in this file and bookmarked by the case number.
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If you have any questions, please contact the Commission Office at (213) 978-1300.

SECONDARY SUBMISSIONS



Planning APC West LA <apcwestla@lacity.org>

Requesting Reconsideration of ZA-1989-17683-PA2-1A

1 message

Rabbi Yonah Bookstein <rabbionah@gmail.com>

Mon, Aug 30, 2021 at 6:25 AM

To: apcwestla@lacity.org

Cc: james.k.williams@lacity.org, oscar.medellin@lacity.org

To the West Los Angeles Area Planning Commission,

I have read the August 27, 2021 letter from NASE's attorney, Amy Minter, requesting that you please vote to reconsider your August 18, 2021 decision on NASE's appeal of the West Pico Drill Site case (ZA-1989-17683-PA2-1A).

I am writing to you today to ask that you please reconsider your decision and reopen the case because of improper and false statements that the ZA made at the appeal hearing, as proven by Ms. Minter's letter.

I cannot attend the September 1, 2021 meeting of the Commission to speak in public comment because I am in Poland, and unable to synchronize with the time schedule.

At the August 18 hearing, I told you that my Synagogue, Pico Shul, was located directly across Pico Blvd from the drill site, and my Rabbinical office still looks out onto the drill tower and site. For years we complained about odor problems emanating from the drill site. I also tried to tell you that the ZA was mishandling the Review case and mishandling evidence in gravely wrong ways.

At the 1 hour, 9 minute, 22 second mark on the audio recording of the hearing, I said:

"As a Rabbi I teach the importance of honesty. Bearing false witness, enshrined in the Ten Commandments, is one of the most serious transgressions in our tradition. Bearing true witness is also important for American law. The ZA has mishandled the case and the evidence. What the ZA is doing is none other than bearing false witness, mishandling evidence, and endangering our community. It is critical for the Area Planning Commission to overturn the ZA ruling."

I said that before the ZA's false assertions at the end of the appeal hearing which made my remarks an understatement of the problem.

During the Commission's deliberation phase, after NASE's ability to speak had been closed, the ZA told you that there have been "no new wells" since 2000, that well conversions are mere paper reclassifications requiring no reviews, and that the 2001 Settlement Agreement precluded making changes to any conditions. The ZA attacked the integrity of NASE, misrepresented NASE as asking for the rewriting of the Settlement Agreement, and insulted Professor Salman without providing any evidence to support his assertion that Professor Salman frequently misunderstands or misconstrues issues.

These assertions by the ZA were false. They were baseless and, at minimum, reckless. There is substantial evidence in the case file to suggest there may have been deliberate misrepresentations of facts well known to Planning Department staff.

This is a very serious matter. The ZA was bearing false witness. He was acting unprofessionally and contrary to his duty to act in a quasi-judicial fashion.

And his actions endanger my community.

I believe the Area Planning Commission should be extremely troubled by the ZA's false statements. I think Ms. Minter's letter proves the falsity of the ZA's statements beyond the shadow of a doubt, and shows that the proof of their falsity has been in the case file and the Municipal Code all along.

But you do not have to reach that full conclusion now. You only need to decide that there is enough doubt about the material representations made to you by the ZA that it would be just and prudent to reconsider and reopen NASE's appeal case.

I think reopening the case is the only just and proper course of action.

8/30/2021

City of Los Angeles Mail - Requesting Reconsideration of ZA-1989-17683-PA2-1A

Peace and Blessings,

Rabbi Yonah Bookstein



Planning APC West LA <apcwestla@lacity.org>

Uphold POWER's Appeal at 315 6th Ave. (DIR-2019-2610-CDP-MEL-1A)1 message

Cherith Simmons <info@email.actionnetwork.org>

Fri, Aug 27, 2021 at 8:14 PM

Reply-To: cherithsimmons@gmail.com

To: apcwestla@lacity.org

APC WLA Area Plannig Commission,

I am writing to you about the appeal at 315 6th Ave. (Items 5 and 6 on the Aug. 18th agenda). I stand with POWER and Councilmember Bonin, you must correct your decision!

The Mello Act requires that existing affordable housing be preserved in the Venice Coastal Zone. You cannot approve a project that demolishes four rent stabilized apartments, all affordable housing units, to allow two mansions to be built!

Hold the planning department accountable, tell them to stop helping developers get away with destroying our neighborhoods. Protect the two tenants left at 315 6th Ave.

Please uphold the appeal by POWER at 315 6th Ave. in Venice!

Cherith Simmons

cherithsimmons@gmail.com

6606 Variel Ave Apt 536

[Canoga Park, California 91303](#)



Planning APC West LA <apcwestla@lacity.org>

Uphold POWER's Appeal at 315 6th Ave. (DIR-2019-2610-CDP-MEL-1A)1 message

Tiffani Carroll <info@email.actionnetwork.org>

Thu, Aug 19, 2021 at 4:27 AM

Reply-To: tlanisetlc@gmail.com

To: apcwestla@lacity.org

APC WLA Area Plannig Commission,

I am writing to you about the appeal at 315 6th Ave. (Items 5 and 6 on the Aug. 18th agenda). I stand with POWER and Councilmember Bonin, you must correct your decision!

The Mello Act requires that existing affordable housing be preserved in the Venice Coastal Zone. You cannot approve a project that demolishes four rent stabilized apartments, all affordable housing units, to allow two mansions to be built!

Hold the planning department accountable, tell them to stop helping developers get away with destroying our neighborhoods. Protect the two tenants left at 315 6th Ave.

Please uphold the appeal by POWER at 315 6th Ave. in Venice!

Tiffani Carroll

tlanisetlc@gmail.com

Barry Ave

Los Angeles, California 90013

Citizens Preserving Venice

DIR-2019-5903-CDP-MEL
815 Angelus Place
WLAAPC Hearing September 1, 2021
GRANT THE APPEAL

August 30, 2021

Dear West L.A. Area Planning Commission,

Citizens Preserving Venice is a 501(c)3 organization with the goals of preserving the character and scale of Venice as a Special Coastal Community, including its history and its social, cultural, racial and economic diversity, and of protecting affordable housing in Venice. We advocate for the existing state and city laws that protect the coast and its affordable housing to be followed. Appeals have been the only tool available in pursuing our goals.

You have the opportunity to rehear this appeal in consideration of all of the applicable provisions of the Coastal Act and the certified Land Use Plan (LUP). The City has erred and abused its discretion in approving this CDP as it is not in conformance with the applicable provisions of the Coastal Act and the LUP. In addition, *please be mindful that Coastal Act Section 30009 states that the Coastal Act must be liberally construed to accomplish its purposes and objectives.*

Please uphold the appeal and deny the 815 Angelus project as proposed, for the reasons below.

STANDARD OF REVIEW: A coastal development permit (CDP) is under the Coastal Commission's jurisdiction, and until the Local Coastal Program (LCP) is written and certified by the Coastal Commission, the Coastal Act is the standard of review and the LUP is to be followed. Thus, in your deliberations and findings, only the state Coastal Act and the LUP can be considered in making findings. To do otherwise is an error and abuse of discretion. The West L.A. Area Planning Commission (Commission) would err in basing its decisions for a Venice Coastal Zone project on city regulations that have not been certified by the Coastal Commission. In fact, the City's CDP decisions are specifically NOT to be based on the City's non-certified regulations, which includes the LAMC and Venice Coastal Zone Specific Plan (VCZSP). The VCZSP is a city ordinance that was presented to but specifically not certified by the Coastal Commission as it does not conform with Chapter 3 of the Coastal Act. One of the significant differences between the VCZSP and the LUP is that the LUP has the policy guidance that conforms with Coastal Act Section 30253(e) regarding Venice as a Special Coastal Community, which is a coastal resource to be protected (LUP Policies I.E.1., I.E.2., & I.E.3.). Contrary to what the "developer lobby" and its lawyers, including Commissioner Newhouse, would like you to believe, projects in the Coastal Zone areas of the City are NOT "by right" if they simply comply with the uncertified LAMC and VCZSP. The City's CDP decisions are discretionary and must be based on all of the coastal regulations included in the Coastal Act and LUP.

Also, it is incumbent upon you to apply the Coastal Zone regulations in this appeal determination in the same correct way this Commission applied the law for the almost identical project on the same street just a few homes away, 720 Angelus (November 16, 2016, Case No: DIR-2016-750-CDP-MEL-1A).

CHARACTER: Votes against the appeal at the last Commission hearing were based on a misinterpretation of what character is when reviewing a CDP application. Statements such as: it's very attractive, it's a nice design, and it feels like it's okay do not reflect an understanding of the character of the block and an understanding of the coastal regulations, or an analysis of whether the proposed building is compatible with it. Style is not a determinant for character as defined in the LUP and a

determination is not to be based on whether one likes a design but rather on whether its character is compatible and fits into an existing neighborhood without an adverse individual or cumulative effect on the immediate neighborhood (the block), most commonly called the viewshed. (see definition below at Determining the Immediate Neighborhood, page 3)

The City erred in its review of the project in consideration of LUP Policies I.E.1., I.E.2., and I.E.3. re. compatibility requirements with respect to character, mass and scale. Character has been defined by one industry expert as:

“While the character of a neighborhood is not always easily defined, it is often made up of a collection of buildings, architectural styles, and, a similar scale and massing that, when combined, work together to help impart a specific look and feel of a place.” – Adrian Scott Fine, “Saving Neighborhood Character.” LA Conservancy News. Fall 2014.

The 800 block of Angelus is a small and narrow street. It can be characterized as made up of modest homes, mostly 1 story and in the more traditional building styles: arts and crafts, Spanish, and California bungalows. (The greater neighborhood, Presidents Row, can also be characterized as such.) 60% of the homes were built before 1930 and 36% between 1940-1950. The average size of homes on the block is 1,271 sf. As proposed, this two-story project with a sunken ground floor level will be 3,437 sf, 2.75 times the average of the existing homes. This proposed project is not compatible with the mass, scale and character of the existing neighborhood.

The Coastal Commission also designated Carmel as a special coastal community. The unique community and visual character of Carmel as exhibited by the style, scale and rich history of its architecture, together with its beaches, recreational amenities and its landscape, all combine to form the special character of Carmel, a character that is a separate, significant coastal resource worthy of protection in its own right. Carmel is a coastal resource known internationally as an outstanding visitor destination. Carmel is primarily a residential community and thus its residential development plays a key role in defining its special character. Carmel is distinctly recognized for its many small, well-crafted cottages. Large projects have great potential to alter Carmel’s special community character, which is protected by the Coastal Act. (Coastal Commission permit No. 3-02-008).

For the same reasons as Carmel, Venice is considered a “special coastal community” under the Coastal Act due to its unique architectural, social and visual character. Venice’s character is described in the LUP:

- Venice is recognized as an important visitor destination center on the coastline because of its cultural, historical and architectural heritage that is distinctive, as it provides opportunities for pedestrian and bicycle access for visitors to the coast, and as it adds to the visual attractiveness of the coast.
- Historically, Venice has attracted people from all social and ethnic groups.
- Venice remains a quintessential coastal village where people of all social and economic levels are able to live in what is still, by Southern California standards, considered to be affordable housing.
- Diversity of lifestyle, income and culture typifies the Venice community, and its social diversity is to be protected as per the LUP.
- Venice’s residents inhabit many of the small summer homes built on substandard lots (many are less than 3,000 square feet in area).
- Because the residential lots are mainly relatively small and substandard, the general pattern of development is one of smaller houses.

- The subdivision patterns in Venice are also unique, the layout of which still reflects the original canal system and rail lines.
- The landscape—the trees of the Oakwood community and the gardens of the North Venice, Milwood and Lost Venice Canals Historic walk streets—is a part of its character.
- Venice is really a group of identifiable neighborhoods.

Because Venice is primarily a residential community, the neighborhood character of residential development in its unique neighborhoods plays a key role in defining the special character of the Venice community, as relates to the historic architecture and its small scale.

DETERMINING THE IMMEDIATE NEIGHBORHOOD: The City erred and abused its discretion in determining the area of study for the compatibility analysis. This area is most commonly called the Viewshed, which is defined as “the geographical area that is visible from a location. It includes all surrounding points that are in line-of-sight with that location and excludes points that are beyond the horizon or obstructed by terrain and other features (e.g., buildings, trees).” We have presented the Coastal Commission with research on many other cities’ practices in defining the existing neighborhood for purposes of such analyses. (see paper at page 5) The City erred in making findings based on irrelevant projects outside the immediate neighborhood.

CUMULATIVE IMPACT: Neither City Planning nor the Commission in its deliberations considered or made findings regarding cumulative effects. Cumulative effect needs to be analyzed with respect to how an individual project would impact an existing neighborhood in consideration of past projects, other current projects, and probable future projects. (Coastal Act Section 30105.5) Using this definition, the Appellants showed that this project, should it be built, would result in a significant adverse impact for this sensitive neighborhood. (see CPV letter of June 14, 2021, attached at pages 6-10 herein) An analysis of past projects, other current projects (there are already two more applications for new development in this immediate neighborhood) and probable future projects must be a part of your deliberation and determination.

“Presidents Row is a particularly sensitive area with a character defined by its predominately single-story homes built before the annexation of Venice to L.A. As speculators, developers and wide-eyed architects cruise the neighborhoods to suss out undeveloped properties to ravage and destroy, they will surely come upon this neighborhood. And they have. Already there are at least 2-3 applications for similar projects in the pipeline. If a proper Cumulative Impact Study were done, as required, the city would have seen that the loss of this home would cause a significant adverse impact and result in more of these large out of character projects.” (public comment, June 16, 2021 hearing of 815 Angelus, Sue Kaplan)

The cumulative effects analysis required by Coastal Act Section 30250 it **must** be considered when making a determination on individual residential projects (this is separate from CEQA regulations). This has been confirmed by two Superior Court judges who revoked CDPs for failure to do the cumulative impact analyses. The Court’s decisions have been acknowledged by the Coastal Commission and made part of its subsequent reports and findings. The Appellants, CPV and neighbors provided substantial evidence showing that a correct cumulative impact analysis would show that this project could and would result in a significant adverse cumulative impact.

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This Commission is a quasi-judicial body that has the responsibility to determine whether the City CDP findings are in error and whether the decision maker abused its discretion. The entire purpose of citizen commissions, as established by the City Charter, is to provide a check and balance on City staff. Area Planning Commissions are within their rights to make findings based on any pertinent evidence (not only that presented by appellants). You have substantial evidence that the city's findings are incomplete and erroneous and City Planning's conclusions are an abuse of discretion. Planning Staff has also abused its discretion by not considering all of the applicable provisions of the Coastal Act and the LUP.

We implore you to uphold the appeal and deny this project.

Sincerely,

Sue Kaplan, President, on behalf of
Citizens Preserving Venice

CC: California Coastal Commission Staff:
Steve Hudson, District Director
Shannon Vaughn, Coastal Program Manager
Eric Stevens, District Supervisor

=====

Submitted by Sue Kaplan at Coastal Commission Meeting, 9 November 2017, General Public Comment
- revised for APC Hearing 815 Angelus 16 July 2021:

BLOCK AS DEFINING CHARACTER

*"While the character of a neighborhood is not always easily defined, it is often made up of a collection of buildings, architectural styles, and a similar scale and massing that, when combined, work together to help impart a specific look and feel of a place." – Adrian Scott Fine, "Saving Neighborhood Character."
LA Conservancy News. Fall 2014.*

Neighborhood Character has become an important planning tool in determining appropriate development. Though at first thought, it may seem to be a discretionary judgment, the Mass, Scale and Character Committee of the VNC found that there are measurements that can quantified and define a neighborhood.

Another concern is what constitutes a neighborhood. Based on comparisons of community plans, most city planning guidelines use the block as the basis for examination and review. It is felt that all the features and elements that define the character would be found in that finite collection of buildings. Further, over time character development does change at different manners and different features would shape the character differently between even adjacent blocks.

The Mass, Scale and Character based their definition on the Venice Specific Plan, The CERTIFIED Venice Local Land Use Plan and the study of other California city plans. Many were even more restrictive than the VSP.

The following plans were looked at and we based our definition on their conclusions:

1. Victoria, Australia: "In most cases, about five sites or buildings up and down the street, across the street and behind the site in question should be sufficient to identify the features of the neighbourhood that should influence the design. However, sometimes it may be necessary to look further than this, depending upon the individual circumstances of the site and the neighbourhood."

2. "New York City: "The proposed building may not affect the character of the ends of the block but may affect the mid-block portion. Therefore, it may be appropriate for the study area to focus on the midblocks. Considering a study area that is too large would dilute the intensity of the effects.
3. Summerland, Santa Barbara: "These illustrations indicate how a building or structure relates to its immediate neighbors and other buildings on the block and across the street. Buildings on the same block face are analyzed."
4. San Francisco: "buildings must be designed to be compatible with the scale, patterns and architectural features of surrounding buildings, drawing from elements that are common to the block." GUIDELINE: In areas with a defined visual character, design buildings to be compatible with the patterns and architectural features of surrounding buildings. On some block faces, there is a strong visual character defined by buildings with compatible siting, form, proportions, texture and architectural details. On other blocks, building forms and architectural character are more varied, yet the buildings still have a unified character. In these situations, buildings must be designed to be compatible with the scale, patterns and architectural features of surrounding buildings, drawing from elements that are common to the block.
5. Redondo Beach: "Neighborhood Design. Each site shall contribute to neighborhood character including the type of forest resources present, the character of the street, the response to local topography and the treatment of open space resources such as setbacks and landscaping. It is intended by this objective that diversity in architecture be encouraged while preserving the broader elements of community design that characterize the streetscape within each neighborhood."

"Blockscape/ Blockface - The properties abutting on one side of a street and lying between the two nearest intersecting or intercepting streets, or nearest intersecting or intercepting street and railroad right-of-way, unsubdivided land, watercourse, or city boundary."

6. Alameda County: ' "Block" means that property abutting one side of a street or lane which lies between the two nearest intersecting or intercepting streets, or between the nearest such cross street and an intersecting railroad right-of-way, watercourse, body of water, or the end of the street or lane.'

Letter submitted by CPV on behalf of Appellants on June 14, 2021:

14 June 2021

DIR-2019-5903-CDP-MEL
815 Angelus Place
WLAAPC Hearing 16 June 2021

GRANT THE APPEAL

Dear West L.A. Area Planning Commission,

Citizens Preserving Venice is a 501(c)3 organization with the goals of preserving the character and scale of Venice as a Special Coastal Community, including its history and its social, cultural, racial and economic diversity, and of stabilizing affordable housing in Venice. We are not activists. Rather, we

advocate for the coastal and city laws that protect the coast and its affordable housing to be followed. Appeals have been our most effective tool in pursuing our goals.

The City has erred and abused its discretion in approving this CDP. Please uphold the appeal and deny the 815 Angelus project as proposed, for the reasons listed below.

1. There is a clear precedential decision by the West L.A. Area Planning Commission (WLAAPC), denying a project that was 13% smaller than 815 Angelus, just 9 houses (1/2 block) away, on the same street, in the same neighborhood.

At the November 16, 2016 appeal hearing of the project for 720 Angelus, the WLAAPC upheld the appeal and overturned the Planning Director's approval of a CDP for the project. The 720 Angelus project proposed demolition of a 1,176 square foot single-family dwelling and accessory structure to construct a two-story, 3,044 square foot single-family dwelling with a maximum building height of 28'. The WLAAPC found that:

- the development is not in conformity with Chapter 3 of the California Coastal Act of 1976 and would be out of scale in contrast to the single-family dwellings on Angelus Place,
- the proposed project conflicts with Section 30251 of the California Coastal Act, which states the importance of preserving and protecting the scenic and visual qualities of the coastal areas with regards to the character, mass and scale as part of the scenic qualities of the Venice Coastal Zone, and it would create an adverse cumulative impact on this special coastal community,
- the development will prejudice the ability of the City of Los Angeles to prepare a local coastal program that is in conformity with Chapter 3 of the California Coastal Act of 1976,
- policy I.A.2 of the certified LUP states that developments in stable single-family residential neighborhoods must ensure that the character and scale of existing single-family neighborhoods is maintained and allow for infill development provided that it is compatible with and maintains the density, character and scale of the existing development, and
- approval of projects that are out-of-character with the surrounding community sets a bad precedent and creates a cumulative impact on the neighborhood, making developing a Local Coastal Program for Venice impossible to be in conformity with Chapter 3 of the Coastal Act.

The 815 Angelus project is proposed to be 3,437 square feet, 393 square feet (13%) larger than the one at 720 Angelus that you previously denied.

Please consistently, correctly apply the coastal zone laws in this appeal determination as you did for the almost identical project, 720 Angelus. Contrary to what the developer lobby and its lawyers would like you to believe, these projects in the Coastal Zone areas of the City are NOT by right if they comply with the LAMC and Venice Coastal Zone Specific Plan (VCZSP), which is a City ordinance that was never certified by the Coastal Commission as it did not conform with Chapter 3 of the Coastal Act. The City's CDP decisions are discretionary and must be based on all of the coastal regulations included in the Coastal Act and certified Venice Local Coastal Program Land Use Plan (LUP); the City's CDP decisions are specifically NOT to be based on the City's non-certified regulations (which include the VCZSP).

2. The findings are in error as they omit consideration of Venice's status as a Special Coastal Community, which is required by Coastal Act Section 30253(e) and LUP Policy Section I.E.

Special Coastal Community is defined in the LUP (page I-16) as:

"An area recognized as an important visitor destination center on the coastline, characterized by a particular cultural, historical, or architectural heritage that is distinctive, provides opportunities for pedestrian and bicycle access for visitors to the coast, and adds to the visual attractiveness of the coast."
(underline added)

The Venice Coastal Zone is in fact a Special Coastal Community, as designated in the original Coastal Plan, which preceded and formed the basis for the Coastal Act, and as designated by the Coastal Commission when it certified the LUP, which means that additional protections are necessary to protect the scale and character of Venice's unique neighborhoods, as per Coastal Act Section 30253(e) and the LUP guidance in Policies I.E.1., I.E.2. and I.E.3.

In making Finding 1 that the development is in conformity with Chapter 3 of the Coastal Act, the City makes no mention of protecting the Special Coastal Community of Venice. The City errs and abuses its discretion as it only cites Coastal Act Chapter 3 Section 30253(e) regarding special communities but does not analyze and make a finding re. conformance of the project with this key Chapter 3 section.

Thus, with respect to Venice as a Special Coastal Community, the proposed project does not conform with the requirements of:

Coastal Act Section 30253(e) Minimization of adverse impacts

Sections 58 (c) and (e) of the 1975 Coastal Plan

LUP Policy I.E.1 Preservation of Venice as a Special Coastal Community

LUP Policy I.E.2. Scale

LUP Policy I.E.3. Architecture

3. The project is not compatible with the mass, scale and character of the surrounding neighborhood.

Facts/evidence:

- The 800 block of Angelus consists of 26 lots.
- 21/26 (81%) are single story, average 1,174 sq ft, with a FAR of .28.
- 3/26 (12%) have a partial second story, average 1,426 sq ft, with a FAR of .34.
- 2/26 (7%) are 2 story, average 2,630 sq ft, with a FAR of .63.
- The average of all 25 homes on the block is 1,271 sf.
- The existing structure at 815 Angelus is 1,066 sf, on a 4,200 sq ft lot, a FAR of .25.
- The proposed project is 3,437 sf, with a FAR of .82, 3.3 times larger than the FAR for the existing home.
- The proposed home would be by far the biggest home on the block.

The neighborhood that includes Angelus Place is a special and unique neighborhood. The street is 24 feet wide, creating a closeness not felt by people living on surrounding streets which are 10 to 16 feet wider. The lots are small and substandard.

Also, the properties cited in the CDP that are used as examples of previous zoning actions and Coastal Commission actions are not located on Angelus Place and they do not represent valid comparisons. In addition, the fact that the WLAAPC action for 720 Angelus (see 1. above) was not considered by the decision maker is a glaring omission and error. The projects used in the City's determination are on streets that are approximately 30 to 50 feet wide, or that are fronting the Venice Canals, which are much wider, or are situated on a walk street. This difference in surrounding spaces creates a different

character to the location. Another difference is that the streets used in the determination analysis have been developed either fully with 2 or 3 story houses or have multiple mature 2-3 story houses.

In addition, City Planning has heard public testimony from community members that the proposed project would be grossly incompatible with the scale and character of the single-family dwellings in the surrounding neighborhood on Angelus Place.

However, the CDP determination and the Staff response to the appeal are full of conclusory statements, with no logic between the evidence in the neighborhood and their conclusions.

The project is not visually compatible with the character of surrounding areas, as required by Coastal Act Section 30251 Scenic and visual qualities.

This project does not respect the scale and character of community development, is not of a scale compatible with the community with respect to bulk, height, buffer and setback, and does not respect the scale, massing and landscape of the existing residential neighborhood, as required by LUP Policy Preservation of Venice as a Special Coastal Community I.E.2.

The project does not maintain the neighborhood scale and massing as required by LUP Policy Preservation of Venice as a Special Coastal Community I.E.3. Architecture.

Thus, the findings that the project conforms with the standard of review, the Coastal Act, and its guidance, the LUP, are in error and the project cannot be approved; thus, the decision maker has abused its discretion in approved a CDP for the project.

4. The project would cause a significant adverse cumulative impact to the character and scale of the neighborhood and to Venice as a Special Coastal Community, a Coastal Resource to be protected.

The City errs as it does not consider the cumulative effects of the project on coastal resources, which is required for all projects in the Coastal Zone (Coastal Act Sections 30105.5 and 30250). The Coastal Act requires that new development not have a significant adverse impact, either individually or cumulatively, on coastal resources. The Coastal Commission designated Venice as a Special Coastal Community and a Coastal Resource to be protected against projects of this size and scale. The City must do an analysis of cumulative impacts on the community character and the scale of this unique coastal neighborhood by considering the impacts of past development in conjunction with current and probable future projects.

As noted in these excerpts from recent judicial orders below, a cumulative impacts analysis is required:

Excerpts from Order of Hon. Mitchell Beckloff, Judge of the Superior Court of California Granting Petition for Writ of Mandate in Part, September 15, 2020 (Case No: 19STCP03010)

Petitioner argues the Coastal Commission “abused its discretion by failing to perform a cumulative impact analysis of the...Project.” ...The Commission does not take issue with Petitioners’ position a cumulative impacts analysis is required under the law....The Commission admitted it did not consider cumulative impacts in its original staff report. The Commission’s discussion concerning previously approved projects and the City’s ability to prepare a Local Coastal Program (LCP) is insufficient in the context of Public

Resources Code section 30250, subdivision (a). While the Commission must consider prejudice to the City's creation of a LCP, the statute requires a determination that the new development "will not have significant adverse effects, either individually or cumulatively, on coastal resources." (Pub. Res. Code 30250, subd. (a).) The Commission's single reference to previously approved projects does not comply with its obligation under the statute. It does not address "the effects of other current projects, and the effects of probable future projects." ...Finally, that the Project in the Commission's view is compatible with community character and size of "surrounding structures" does not address "the effects of other current projects, and the effects of probable future projects." (Pub. Res. Code 30105.5.) ... Here, by statute a cumulative effects analysis requires consideration of "the effects of other current projects, and the effects of probable future projects." (Pub. Res. Code 30105.5.) ...

Regarding subjective judgements, the Order goes on to say:...Petitioner contends decisions about character involve "subjective judgment on the project's appropriateness" for the neighborhood. The subjective nature of "compatibility of the project with the surrounding area ..." is supported by caselaw. (*Reddell v. California Coastal Com.* (2009) 180 Cal.App.4th 956, 970.) The California Coastal Plan adopted in 1972 also recognizes "certain communities and neighborhoods have special cultural, historical, architectural, and aesthetic qualities that are as important to the coastal zone as are its natural resources." (Petitioners' RJN, Ex. C p. 20.) The plain meaning of "character" is "the aggregate of features and traits that form the individual nature of some person or thing." (Random House, Webster's Desk Dictionary (1983) p. 152.) ...

Excerpts from Order of Hon. James C. Chalfant, Judge of the Superior Court of California, Granting Petition for Writ of Mandate, May 28, 2019 (Case No: BS170522)

The Coastal Act requires a cumulative impact analysis: "[T]he incremental effects of an individual project shall be reviewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects." 30105.5... The staff report's analysis failed to address the Project's cumulative impact with other past, present, and future projects on the community and on the City's ability to certify a LCP... The Commission therefore principally compares new projects with those it has previously approved rather than to the small homes originally built decades earlier. The Commission's approach is practical and appropriate, but it runs the risk of changing the character of the community as Petitioners argue... the "foot in the door" and precedential approval of a larger project can lead to a set of approvals that cumulatively change the nature of the neighborhood. The Commission should be sensitive to this fact. It was obligated by section 30105.5 to address the Project's cumulative impact and failed to do so... The Commission failed to proceed in the manner required by law and abused its discretion by not considering the Project's cumulative impact with other approved projects on the character of the neighborhood and the City's ability to certify a LCP. The petition for writ of mandate is granted.

Every Coastal Commission decision since the above summarized Court orders were issued has contained a cumulative impacts analysis and references Coastal Act Section 30250 as requiring one:

See page 11: <https://documents.coastal.ca.gov/reports/2019/6/W11c/w11c-6-2019-report.pdf>

See page 10: <https://documents.coastal.ca.gov/reports/2020/2/W20a&21a/w20a&21a-2-2020-report.pdf>

See page 13: <https://documents.coastal.ca.gov/reports/2020/9/Th18b/Th18b-9-2020-report.pdf>

See pages 10 & 14: <https://documents.coastal.ca.gov/reports/2020/10/Th12c/Th12c-10-2020-report.pdf>

See pages 8-9 & 14: <https://documents.coastal.ca.gov/reports/2020/11/W14a/W14a-11-2020-report.pdf>

See page 16: <https://documents.coastal.ca.gov/reports/2021/3/Th12a/Th12a-3-2021-report.pdf>

The City must do the same and consider the cumulative impact of this project when issuing a City CDP. But City Planning continues to err on these key points in spite of Court decisions and prior decisions of

the Coastal Commission that make it very clear that a cumulative impacts analysis is required.

The neighborhood's largest 2 story house is 2,937 sq ft and the average of both of the only 2 story houses on the block is 2,630 sq ft. The increase from the average 2-story building size of 2,630 sq ft to a 3,437 sq ft new home is 31 %, or 1.3 times the size of the existing average of the existing 2-story homes. The increase from the neighborhood's largest 2-story home, of 2,937 sq ft, is 17%. In addition, the proposed home would be 2.6 times the size of the 1,315 sq ft average of all 26 homes on the block. The effect of allowing such a large precedent would likely lead to future requests for building projects that are even larger and more incompatible with the established neighborhood's mass, scale, and character, which would cause a significant adverse cumulative impact on community character and scale/mass of the neighborhood. Thus, the project must be denied.

Also, the City errs in Finding 1. as it does not recognize that the Venice Coastal Zone has been designated by both the City and the Coastal Commission as a "Special Coastal Community" (as defined and designated in the LUP) and must be preserved and protected from projects like this that would cause a significant adverse cumulative impact on the relatively small scale and unique community character of the Venice Coastal Zone. Again, the project must be denied.

=====

This is not a matter for a "legislative body." This is an appeal hearing by a quasi-judicial body, which has the responsibility to determine whether the City CDP findings are in error and whether the decision maker abused its discretion. The applicant and community members have provided substantial evidence that the findings are incomplete and erroneous and that the decision maker's conclusions are an abuse of discretion. Please uphold the appeal and deny this project.

Sincerely,

Sue Kapan, President
Citizens Preserving Venice

Citizens Preserving Venice (CPV), a nonprofit 501c(3), founded as a group dedicated to preserving and protecting the character and scale of Venice as a Special Coastal Community. We work with the Venice community preserving the history, including the social, cultural, racial and economic diversity, and protecting affordable housing.

Hermosa Beach Office
Phone: (310) 798-2400
San Diego Office
Phone: (619) 940-4522

Chatten-Brown, Carstens & Minter LLP
2200 Pacific Coast Highway, Suite 318
Hermosa Beach, CA 90254
www.cbcearthlaw.com

Amy C. Minter
Email Address:
acm@cbcearthlaw.com
Direct Dial:
310-798-2400 Ext. 3

August 27, 2021

Via Email (apcwestla@lacity.org)

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

Re: Request for Reconsideration of Determination on Case Nos. ZA-1989-17683-PA2, ENV-2020-1328-CE, ZA-1989-17683-PA2-1A

Honorable Commissioners:

On behalf of Neighbors for A Safe Environment (NASE), a California nonprofit corporation seeking to protect neighborhoods from the impacts of oil drilling and production, we write in follow-up to the appeal hearing regarding the West Pico Drill Site. The intent of this letter is to:

- Identify significant misstatements of information that were presented to the Commission at the August 18, 2021 West LA Area Planning Commission (APC) hearing on NASE's appeal; and
- Request that at the September 1, 2021 APC meeting, you vote to reconsider the NASE appeal because the significant misinformation was material to the central and largest issues in NASE's appeal and was relied upon by the Commission in your deliberations.

This letter identifies the three most consequential pieces of misinformation that were provided to the Commission by the Zoning Administrator (ZA) during the appeal hearing, most of which was presented after the close of the public testimony. To demonstrate the errors, we will contrast the misrepresentations that were made with clear documentation contained within the case file for the West Pico Drill Site. In summary, the three issues we will focus on are:

- **The ZA stated that “no new wells” had been drilled on the West Pico Drill Site since the ZA approval of 2000 (ZA-1989-17683-PAD) and the Settlement Agreement of 2001.** NASE presents in this letter clear

documentation contained in the case file that new wells were drilled in 2005-06 and 2010.

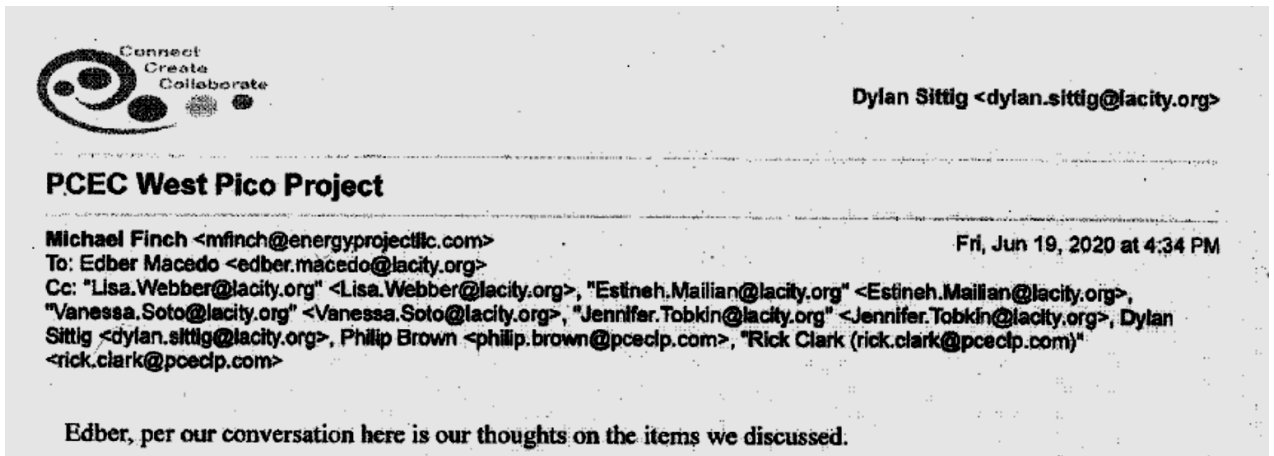
- **The ZA stated that the Settlement Agreement between NASE and the City prevents the alteration of any conditions of approval, including Condition 72, and that NASE was requesting the City rewrite the Settlement Agreement.** This statement is based on a lack of review of the Settlement Agreement. The Settlement Agreement does not enshrine or mention Condition 72 and does not enshrine under court approval all of the conditions set in the 2000 cases. Instead, the Settlement Agreement references only Conditions 77 and 78, which expressly empower the ZA to revise all conditions and impose additional conditions when addressing “neighborhood impacts” and “the efficacy of mitigation measures” and extends the ability to revise conditions to the 5-year reviews required by the Settlement Agreement.
- **The ZA informed the Commission that well conversions are mere reclassifications on paper and “vested rights” that require only the filing of paperwork.** These statements are wholly untrue. Well conversions are construction projects that entail substantial changes to wells below the surface and above the surface. Well conversions have required full review and approval by the ZA as discretionary actions since at least 1955, by the terms of LAMC 13.01.H and 13.01.I.

1. New Wells Were Drilled In 2005-06 and 2010.

One of the largest, clearest, and most consequential untrue statements made by the ZA was his repeated assertion that “no new wells” had been drilled since the 2000 ZA approval in ZA-1989-17683-PAD and the Settlement Agreement. The ZA said this in response to questions from Commissioner Laing about the dates on which new wells were drilled. On the official recording of the hearing, you will find this exchange starting at the 1:58:45 mark. This statement is categorically incorrect, contrary to documentation in the ZA case file, contrary to documentation in the appeal case file, and contrary to knowledge of Planning staff.

First, and simplest of all, on June 19, 2020, the applicant and site operator, PCEC, straightforwardly informed the ZA, the Chief ZA, and the City Attorney that two new wells had been drilled since 2000 without the ZA approval required by LAMC 13.01.H and 13.01.I. PCEC identified the wells as West Pico 58 drilled in 2005-06 and West Pico 59 drilled in 2010.

Below are key excerpts from PCEC’s June 19, 2020 email. Multiple copies of this email from PCEC are in the ZA case file and NASE also submitted copies of this email to the Commission in support of its appeal.



With regard to the first issue, after reviewing our well files, and the 2000 ZA determination, it is clear that certain wells have been drilled, re-drilled and converted since that approval – see “Well List” below. In light of LAMC 13.01H and 13.01I, a question has surfaced regarding whether these well activities required further authorization or approval by the ZA. We have not seen any approvals by the ZA and our conclusion is that applications were likely never submitted to the City. We believe this was because of Condition 72 of the 2000 ZAD 17683 determination which states in part *“Without prior written approval from the Zoning Administrator, no more than the existing 69 wells may be drilled, operated or maintained at the site and these wells shall be located at their current surface locations.”* This condition suggests that the 2000 ZA approval covered a total of 69 wells and, provided the facility did not exceed the 69 wells, no further ZA approvals for drilling and re-drilling were required. However, it appears the facility may not have had 69 existing wells at the time of the determination. This may have been a misunderstanding during the determination between well “slots” vs actual wells. In any event, a question now exists regarding whether the wells that have been drilled, re-drilled, and/or converted since the 2000 ZA approval required further ZA review and approval pursuant to LAMC 13.01H and 13.01I.

Thank you

Well List

New Drills
WP 58 – 2005
WP 59 – 2010

In addition to the documentation from the site operator, Professor Michael Salman also submitted copies of the State regulatory agency DOGGR’s (now CalGEM’s) documents proving that these two new wells had been drilled, one in 2005-06 and the other in 2010, sending the materials to the ZA, the Chief ZA, and the Director of Planning. Below are snapshots of key excerpts from the DOGGR permit applications for new wells, DOGGR permits for new wells, and the DOGGR work history forms submitted by the site operator.

These documents (and more in the ZA case file) prove beyond a shadow of a doubt that two new wells were drilled in 2005-06 and 2010. Thus, the APC’s decision on

August 18, 2021 was based on inaccurate information provided by the ZA and should be re-evaluated in light of the facts.

DOGGR Application, Permit, and Well Summary for drilling of new well in 2010.

07/06/2010 23:23 FAX 003/021

NATURAL RESOURCES AGENCY OF CALIFORNIA
DEPARTMENT OF CONSERVATION
DIVISION OF OIL, GAS, AND GEOTHERMAL RESOURCES

NOTICE OF INTENTION TO DRILL NEW WELL
Detailed instructions can be found at: www.conservation.ca.gov/dogr

In compliance with Section 3203, Division 3, Public Resources Code, notice is hereby given that it is our intention to drill
well West Pico 859, well type Oil, API No. 037-27133
Sec. 30, T1S, R. 14W, S.B. B&M, Beverly Hills Field, Los Angeles
Legal description of mineral-right lease, consisting of 1.1 acres (attach map or plat to scale), is as follows:
Tract 6380 - Lots 884, 885, 886, and 887; as per attached plat.
Do mineral and surface leases coincide? Yes ☒ No ☐. If answer is no, attach legal description of both surface and mineral leases,
and map or plat to scale.
Location of well 19.45 feet North along section ☐ / property ☒ line and 108.97 feet East
at right angles to said line from the centerline of Oakhurst corner of section ☐ / property ☒ Sec 30, T1S/R14W SBBM and
Lat./Long. in decimal degrees, to six decimal places, NAD 83 format: Latitude: 34.055468 Longitude: -118.390414
If well is to be directionally drilled, show proposed coordinates (from surface location) and true vertical depth at total depth:
44.54 feet North and 3,541.95 feet East. Estimated true vertical depth 6,527'. Elevation of ground
above sea level 171 feet. All depth measurements taken from top of RKB that is 16 feet above ground.
(Derrick Floor, Rotary Table, or Kelly Bushing)
Is this a critical well as defined in the California Code of Regulations, Title 14, Section 1720(a) (see next page)? Yes ☒ No ☐
Is a California Environmental Quality Act (CEQA) document required by a local agency? Yes ☐ No ☒ If yes, see next page.

PROPOSED CASING PROGRAM

SIZE OF CASING (Inches API)	WEIGHT	GRADE AND TYPE	TOP	BOTTOM	CEMENTING DEPTHS	FORMATION PRESSURE (Estimated Maximum)	CALCULATED FILL BEHIND CASING (Linear Feet)
10-3/4"	40.5#	J-55	0'	1,000'	1,000'	500 psi	1,000'
7"	26#	N-80	0'	6,700'	6,700'	1,100 psi	3,200'
5"	18#	N-80	6,400'	8,399'	8,399'	1,100 psi	1,999'

(Attach a complete drilling program including wellbore schematics in addition to the above casing program.)

Estimated depth of base of fresh water: 500' Anticipated geological markers: see attached program - Formation Tops
(Name, depth)
Intended zone(s) of completion: Repetto ~ 1,100 psi / Hauser ~ 1,100 psi Estimated total depth: 8,399'
(Name, depth and expected pressure)

The Division must be notified immediately of changes to the proposed operations. Failure to provide a true and accurate representation of the well and proposed operations may cause rescission of the permit.

Name of Operator
BreitBurn Energy Company, LP

Address
515 South Flower Street, Suite 4800

City/State
Los Angeles, CA

Name of Person Filing Notice
Brad Pierce

Telephone Number:
(213) 225-5900 ext. 258

Signature
Brad Pierce

E-Mail Address:
jwinkler@breitburn.com

Individual to contact for technical questions:
Jeff Winkler

Telephone Number:
(213) 225-5900 ext. 222

Permit Code
90071

Date
6/14/2010

NATURAL RESOURCES AGENCY OF CALIFORNIA
DEPARTMENT OF CONSERVATION
DIVISION OF OIL, GAS, AND GEOTHERMAL RESOURCES

No. P 110-0442

054
(Field Code)

03
(Area Code)

00
(New Post Code)

PERMIT TO CONDUCT WELL OPERATIONS

CRITICAL WELL

Brad Pierce, Agent
BREITBURN ENERGY CO. L.P.
515 South Flower St., Suite 4800
Los Angeles, CA 90071

Cypress, California
July 08, 2010

Your proposal to drill well "West Pico" 59, A.P.I. No. 037-27133, Section 30, T. 1S, R. 14W, S.B. B. & M., Beverly Hills Field, Repetto and Hauser pools, Los Angeles County, dated 6/14/2010, received 7/7/2010 has been examined in conjunction with records filed in this office.

THE PROPOSAL IS APPROVED PROVIDED:

1. Blowout prevention equipment with hydraulic controls, equivalent to this Division's Class IIIB3M requirements, or better, shall be installed and maintained during drilling operations.
2. Drilling fluid of a quality and in sufficient quantity to control all subsurface conditions in order to prevent blowouts shall be used.
3. Sufficient material to control lost circulation of drilling fluid shall be available for immediate use at the well site.
4. A directional survey shall be made and filed with this Division within 15 days of completion of drilling.
5. A Supplementary Notice shall be filed with this Division prior to completion of the well.
6. This Division shall be consulted and a Supplementary Notice may be required before making any changes in the proposed program.
7. **THIS DIVISION SHALL BE NOTIFIED TO:**
 - a. Witness a test of the installed blowout equipment prior to drilling out cement in the shoe of the 10 3/4" casing.
 - b. Witness a test of the installed blowout equipment prior to drilling out cement in the shoe of the 7" casing.

RESOURCES AGENCY OF CALIFORNIA
DEPARTMENT OF CONSERVATION
DIVISION OF OIL, GAS, AND GEOTHERMAL RESOURCES

HISTORY OF OIL OR GAS WELL

Operator BreitBurn Energy Company, LP Field Beverly Hills County Los Angeles
Well "West Pico" 59 Sec. 30 T. 1S R. 14W S.B. B.&M.
A.P.I. No. 037-27133 Name Brad Pierce Title Agent
(Person submitting report) (President, Secretary, or Agent)
Date 3/1/2011
(Month, day, year)
Signature Brad Pierce
Address 515 S. Flower St., Suite 4800 Los Angeles, CA 90071 Telephone Number (213) 225-5900

History must be complete in all detail. Use this form to report all operations during drilling and testing of the well or during redrilling or altering the casing, plugging, or abandonment, with the dates thereof. Include such items as hole size, formation test details, amounts of cement used, top and bottom of plugs, perforation details, sidetracked junk, bailing tests, and initial production data.

Date	Drill
11/7/2010	Tore out and moved mud pump, discharge pumping. Cut grading over well #59 for pitcher nipple. Skid rig west to access east side of court yard. Clear east side of court yard. Spot trailers, sack mud, and miscellaneous equipment. Off-load skid beams and load out miscellaneous equipment to ship to Sawtelle and continue spotting sack mud. Unload V-door extension. Skid rig west to line up to well #59. Set and pin skid beams. Spot mud pump suction manifold and run accumulator lines. Transfer KCL fluid from pits to west tank. Service rig and equipment. Prepare mud room and mud tanks for cleaning. Organize equipment and materials on east side of court yard.
11/8/2010	Install rails to roll BOPE to south side of rig. Skid rig over WP-59. Using welders, revamp suction lines and installed 20" conductor and flowline. Tighten flowline flanges and installed flow sensor. Pump remaining KCL fluid from mud pits and shipped spud mud from storage to mud pits. Ready rig for drilling. Ship spud mud from storage tank to mud pits. Made up 9-7/8" bit. Back scuttled on one joint heavyweight drill pipe. Ran in hole and check for any possible junk at bottom of 20" conductor at 52'.

DOGGR Application, Permit, Change of Well Name, and Well Summary for well drilled in 2005-06

RESOURCES AGENCY OF CALIFORNIA
DEPARTMENT OF CONSERVATION
DIVISION OF OIL, GAS, AND GEOTHERMAL RESOURCES

NOTICE OF INTENTION TO DRILL NEW WELL

API# 105-0829

C.E.Q.A. INFORMATION				FOR DIVISION USE ONLY			
EXEMPT ☐	NEG. DEC. ☐	E.I.R. ☐	DOCUMENT NOT REQUIRED BY LOCAL JURISDICTION ☒	MAP	MAP BOOK	CARDS	BOND FORMS
CLASS	S.C.H. NO.	S.C.H. NO.					114 121
See Reverse Side							

In compliance with Section 3203, Division 3, Public Resources Code, notice is hereby given that it is my intention to commence drilling well West Pico #46, well type Oil, API No. 037-260615 (Assigned by Division).

Sec. 30, T. 1S, R. 14W, SBB&M, East Beverly Hills Field, Los Angeles County.

Legal description of mineral-right lease, consisting of _____ acres (attach map or plat to scale), is as follows:

Do mineral and surface leases coincide? Yes ☒ No ☐. If answer is no, attach legal description of both surface and mineral leases, and map or plat to scale.

Location of well _____ feet _____ along section _____ / property _____ line and _____ feet _____ at right angles to said line from the _____ corner of section _____ / property _____ (Check one) Or

From the intersection of the center lines of Pico Blvd. and Oakhurst, 75' 9" north of the center line of Oakhurst, thence 112' 5" east at 90° angle. Section 30-T1S/R14W SBB&M.

Is this a critical well according to the definition on the next page of this form? Yes ☒ No ☐

If well is to be directionally drilled, show proposed coordinates (from surface location) and true vertical depth at total drilled depth: 116 feet south and 3568 feet east. Estimated true vertical depth 6437. Elevation of ground above sea level 171 feet. All depth measurements taken from top of kelly bushing that is 16 feet above ground. (Derrick Floor, Rotary Table, or Kelly Bushing)

SIZE OF CASING INCHES API	WEIGHT	GRADE AND TYPE	TOP	BOTTOM	CEMENTING DEPTHS	CALCULATED FILL BEHIND CASING (Linear Feet)
10-3/4"	40.5#	J-55	Surface	856'	856'	856'
7	26#	N80	Surface	6840'	6840'	~3000'
4-1/2"	10.5	K55	6740	8984	NA	NA

(A complete drilling program is preferred and may be submitted in lieu of the above program.)

Intended zone(s) of completion Hauser = ~1000 psi Estimated total depth 8984'
(Name, depth, and expected pressure) (Feet)

It is understood that if changes to this plan become necessary, we are to notify you immediately.

Name of Operator BreitBurn Energy Company LLC		Type of Organization (Corporation, Partnership, Individual, etc.) Corporation	
Address 515 South Flower Street, Suite 4800		City Los Angeles	Zip Code 90071
Telephone Number 213-255-5900	Name of Person Filing Notice Chris Williamson	Signature <i>Chris Williamson</i>	Date 11/4/05

This notice and an indemnity or cash bond shall be filed, and approval given, before drilling begins. If operations have not commenced within one year of receipt of the notice, this notice will be considered cancelled.

OG105 (5/98)

RESOURCES AGENCY OF CALIFORNIA
DEPARTMENT OF CONSERVATION
DIVISION OF OIL, GAS, AND GEOTHERMAL RESOURCES

No. P 105-0829

054
(Field Code)

03
(Area Code)

10
(New Pool Code)

10
(Code)

PERMIT TO CONDUCT WELL OPERATIONS

Production Well

Chris Williamson
BREITBURN ENERGY COMPANY
515 South Flower St., Suite 4800
LOS ANGELES CA 90071

Cypress, California
November 16, 2005

Your proposal to drill well "West Pico" 46, A.P.I. No. 037-26615, Section 30, T. 1S, R. 14W, S.B. B. & M., Beverly Hills Field, East area, Miocene(Hauser) pool, Los Angeles County, dated 11/4/2005, received 11/8/2005 has been examined in conjunction with records filed in this office.

THE PROPOSAL IS APPROVED PROVIDED:

1. Blowout prevention equipment with hydraulic controls, equivalent to this Division's Class IIIB3M requirements, or better, shall be installed and maintained in operating condition.
2. Drilling fluid of a quality and in sufficient quantity to control all subsurface conditions in order to prevent blowouts shall be used while re-drilling.
3. All oil, gas or freshwater sands behind the 7" casing shall be protected by either lifting cement or by multiple stage cementing.
4. A directional survey shall be made and filed with this Division.
5. This Division shall be consulted and a Supplementary Notice may be required before making any changes in the proposed program.

STATE OF CALIFORNIA
DEPARTMENT OF CONSERVATION
DIVISION OF OIL, GAS, AND GEOTHERMAL RESOURCES

REPORT ON PROPOSED CHANGE OF WELL DESIGNATION

Cypress, California
December 21, 2005

Chris Williamson
BREITBURN ENERGY CO. LP
515 South Flower St., Suite 4800
Los Angeles, CA 90071

Your request, dated 12/7/2005, proposing to change the designation of well(s) in Sec. 30, T. 1S, 14W, SB B. & M., Beverly Hills Field, Los Angeles County, District 1, has been received.

The proposed change in designation, in accordance with Section 3203, Public Resources Code, is authorized as follows:

"West Pico" 46 API No. 037-26615 shall be known hereafter as "West Pico" 58.

Hal Bopp
State Oil and Gas Supervisor

RESOURCES AGENCY OF CALIFORNIA
DEPARTMENT OF CONSERVATION
DIVISION OF OIL, GAS, AND GEOTHERMAL RESOURCES
HISTORY OF OIL OR GAS WELL

Operator Breitbart Energy Company LLC Field East Beverly Hills County Los Angeles
Well WP58 Sec. 30 T. 1S R. 14W S.B. B&M
A.P.I. No. 037-26615 Name Chris Williamson Title Agent
(Person submitting report) (President, Secretary, or Agent)
Date 3/18/2006 Signature Chris Williamson
(Month, day, year)
Address 515 S. Flower St., Suite 4800 Los Angeles, CA 90071 Telephone Number (213) 225-5900

History must be complete in all detail. Use this form to report all operations during drilling and testing of the well or during redrilling or altering the casing, plugging, or abandonment, with the dates thereof. Include such items as hole size, formation test details, amounts of cement used, top and bottom of plugs, perforation details, sidetracked junk, bailing tests, and initial production data.

Casing:	10-3/4", 40.5#, stc 8rd casing cemented surface to 878'.
	7", 26#, N-80 csg from surface to 8600', cemented with 1041cf. Estimated TOC at 3540' (theoretical).
	5", 18#, L-80 Hydril 511 liner landed at 8747', top at 6798'. ECP at 8730'.
Plugs:	None
Perforations:	5" slotted w/2"x0.030", 48R, 6"C slots 6863'-8699'.
Junk:	None
Drill and Complete - WP-58	
Date:	Operations: Wt. / Vis / FL
Drilling Operations	
12/12/2005	Prepped to move rig to WP-58. Installed south cellar beams. Moved rig to WP-58. Tightened quill to 32K, and all clamps on quill. Cleared all tbg and rod equipment from rig floor and derrick. Serviced rig. Changed out guide sheave on hydraulic tugger line. Inspected and tighten bolts in

NOTE : Total used 15 flat guards, 93 SS flat bands, 352 preformed bands.

1/13/2006	W/O welder. RD choke, kill & suction lines. Prep to move rig. Cut flowline & ND BOPE. Tear down rig V-door ext. Release rig @1500 hours.	8.3 / n/a / n/a
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Bit Record										
Bit No.	Size	Mfr.	Type	Ser. No.	Jet Sizes	Depth In	Depth Out	Footage	Hrs.	Ft/Hr.
1	9-7/8"	Hughes	MXC-1	5085173	1-10;3-15's	58'	878'	820'	10	82
HO#1	14-3/4"	Smith	9-7/8" x 14-3/4"			58'	878'	820'	5.5	149
RR#1	9-7/8"	Hughes	MXC-1	5085173	1-12;3-16's	878'	5500'	4622'	60	77
2	9-7/8"	Hughes	MXC-1		4-14's	5500'	6888'	1388'	33	42
3	6"	Hughes	MXC-1	5084680	3-16's	6888'	8815'	1929'	46.5	42

Production Data						
	Clean oil per day	Gravity Clean Oil	Per Cent Water	Gas (mcf/day)	Tubing Pressure	Casing Pressure
Initial Production	375 bopd	17 deg API	56%	294 mcf/d	140 psi	450 psi
Production after 30 days	180 bopd		49%	213 mcf/d	90 psi	30 psi

2. The Settlement Agreement Does Not Prevent Revisions of Conditions, and it in Fact Requires Revisions When Warranted.

At the August 18 APC hearing, the ZA repeatedly stated the process before the Commission was a Review of Compliance with the conditions of the Settlement Agreement, and that everyone should “close the book on it” (2:11:37), not change his determination so that he could “clean it up” and move on to a new process, one that could allow for the revision of conditions of approval. This is a fundamental misrepresentation of the Settlement Agreement between NASE and the City and the process required by the Settlement Agreement.

Of overarching significance is the fact that the Settlement Agreement does not lock in place all 2000 conditions of approval and instead requires 5-year reviews of those conditions to ensure they are still adequate to protect the surrounding community and ensure compliance by the site operator. If the conditions fail to do so, the 5-year review is intended to be the process wherein new or revised conditions are imposed upon the West Pico Drill Site. The inaccuracy of the ZA’s claims regarding the Settlement Agreement can be best demonstrated by a review of the Agreement itself, along with the condition it references.

Section 4.b of the Settlement Agreement, inserted below, refers expressly to Condition 78 of the 2000 ZA approval:

- b. At the Review of Conditions required by Condition No. 78 imposed by the BZA and adopted by the City Council, to occur two years after construction and the issuance of a Temporary or Permanent Certificate of Occupancy, the Zoning Administrator will consider the findings and conclusions of the Risk Assessment Expert and impose any additional conditions deemed appropriate or within the Zoning Administrator’s continuing jurisdiction under Condition No. 77 or otherwise. If the report of the Risk Assessment Expert indicates that the operations at the BreitBurn facility pose a risk of cancer of greater than one in a hundred thousand (1×10^{-5}), BreitBurn will request a public hearing and a public hearing will be deemed warranted pursuant to Condition No. 78. (This provision does not otherwise limit the Zoning Administrator’s discretion to set the matter for public hearing.) Within ninety (90) days prior to the fifth anniversary of the first review held

pursuant to Condition No. 78, and on each five-year anniversary thereafter, BreitBurn will request an additional review of conditions pursuant to the procedures prescribed in Condition No. 78 and the Zoning Administrator will conduct a review of conditions as prescribed in Condition No. 78 and will issue a report of its review and schedule a further public hearing, if warranted. Such report shall be promptly forwarded to NASE, BreitBurn and the applicable Neighborhood Council.

Condition 78, inserted below, prescribes what is supposed to happen in the 5-year reviews required by the Settlement Agreement:

78. Review Of Conditions. Two years following completion of construction, and the issuance of a Temporary or Permanent Certificate of Occupancy, the applicant shall submit a Plan Approval application (\$523 fee) for the purpose of reviewing the effectiveness of these conditions. The applicant shall submit a 500-foot radius map with accompanying labels for owners and occupants. The applicant shall address each condition with appropriate supporting material, to the Zoning Administrator who shall contact all monitoring agencies, evaluate the neighborhood impacts of project operations and the efficacy of mitigation measures. The Zoning Administrator may impose corrective conditions if warranted. The Zoning Administrator may set the matter for public hearing if warranted.

Thus, pursuant to the Settlement Agreement and Condition 78, the ZA was required in the current review case to evaluate “neighborhood impacts,” evaluate “the efficacy of mitigation measures,” and the ZA was empowered to assign “corrective conditions.” Unfortunately, the ZA failed to follow these requirements and has instead advocated for kicking the can down the road to an uncertain future process. Not only is this an inefficient use of City resources, it delays relief for the community. Moreover, while the 5-year review is legally required, the ZA does not have the authority require a new process at this time.

The ZA made additional misrepresentations regarding the Settlement Agreement that are also material to the Commission’s determination. At the APC hearing, the ZA repeatedly said that Condition 72 was imposed by and enshrined in the Settlement Agreement, along with all other conditions, and therefore he did not have the authority to change it because the agreement was approved by a Court. (Statements made starting at 20:15 and 2:07:35 marks.) As set forth above, the Settlement Agreement specifically contemplates revisions to conditions, thus demonstrating this statement is incorrect. Moreover, as can be seen in a review of the attached Settlement Agreement, the only conditions of approval referenced within the Agreement are Conditions 77 and 78, both

of which provide the ZA the ability to revise the remaining conditions. (Attachment 1.) Condition 72 is not included in the Settlement Agreement, nor was it agreed upon in the Settlement Agreement as claimed by the ZA.

NASE presented in written and oral testimony that Condition 72 does not allow the site operator to drill new wells or convert existing wells without ZA approval or CEQA review, and to the extent it is interpreted as allowing redrilling of wells without ZA approval or CEQA review, the condition must be considered void because it violates the long-standing requirements of Los Angeles Municipal Code section 13.01.H and I. The misrepresentations made by the ZA prevented the Commission from addressing the illegality of Condition 72, as well as the illegal drilling, redrilling and conversion of wells. Thus, reconsideration of this appeal based on the facts at hand is necessary.

Finally, the ZA misled the Commission when stating on slide 9 of the powerpoint presented at the APC that there had been no violation of the Settlement Agreement. There can be no questioning the fact that 5-year reviews were not held in 2010-11 and 2015-16, and that both the City and the operator breached the terms of the Settlement Agreement. This is supported by findings buried within the ZA's June 2, 2021 determination:

The Office of Zoning Administration review of the whole of the record found that the operator was in violation of Condition 36, Condition 39, Condition 49 and Condition 72 of the conditions of approval imposed by the Board of Zoning Appeal in its action taken on BZA No. 2000-1697 (the appeal of Case No. ZA-1989-17683-PAD). Also, the Zoning Administrator found the operator was in violation of clause 4b of the 2001 Settlement Agreement.

2001 Settlement Agreement Condition

Clause 4.b: On June 8, 2001, the City of Los Angeles, the operator and concerned parties entered into an agreement where all parties mutually agreed to thirteen clauses in order to settle the litigation filed challenging the EIR certified in connection with the drill site modernization approval, *Neighbors for A Safe Environmental v. City of Los Angeles*, LASC Case No. BC240760. Pursuant to clause 4.b of the 2001 agreement, the operator is required to file a Plan Approval for compliance review on each five-year anniversary of the latest review. The latest review was completed March 13, 2006, in which case, the operator was required to file a Plan Approval in 2011 and failed to do so. The operator did not file the 2020 Plan Approval application until after the failure was pointed out by this Office.

- f. It is the intention of the parties that the Project be allowed to proceed immediately in accordance with the prior conditions of approval as amended only by the terms of this Agreement. In the absence of the complete implementation of the resolution of dispute provisions of this Agreement, including the right of BreitBurn to proceed immediately to complete and operate the project without any further administrative or legal proceedings, it is the intent of BreitBurn and the City to file an appeal from the judgment entered by the Superior Court on May 9, 2001. A Notice of Entry of Judgment was served by Petitioners in this case on May 17, 2001. Pursuant to California Rules of Court section 2(a) provides that a notice of appeal must be filed no later than July 16, 2001. If the City does not take the actions set forth in subsection 6(b) or the Court has not accepted the actions of the City as in compliance with the writ or set aside the writ as provided in subsections 6(b) or (c), on or before July 16, 2001, then, unless otherwise agreed to by all parties, any party thereto may file a notice of appeal on such date and this Agreement shall terminate and be void.

Thus, due to the misinformation the ZA presented to the Commission regarding the Settlement Agreement and the process required by the Settlement Agreement, the APC should reconsider its determination regarding NASE's appeal. Contrary to claims made by the ZA, the documentation presented herein and elsewhere in the record clearly demonstrates that the Settlement Agreement and the 2000 ZA approval both specifically empower the ZA to change conditions of use whenever necessary or warranted. Thus, the issue is not just that the ZA erroneously believed no changes were needed. The overarching issue is that the ZA short-circuited the review process and the CEQA process by claiming that conditions could not be revised.

3. Well Conversions Are Not Mere Paper Reclassifications and There is No Vested Right to Convert Wells.

There is no dispute that 10 well conversions have occurred on the West Pico Drill Site since 2000. PCEC provided documentation of these well conversions in their June 19, 2020 email. NASE also documented these well conversions with documents obtained by Professor Salman from DOGGR/CalGEM. At issue is that fact that the ZA misinformed the Commission regarding the nature of well conversions. At the APC hearing, the ZA stated that well conversions are mere paper reclassifications of wells, and nothing more, which is both a factual and legal misrepresentation. The ZA determination and written response to NASE's appeal also falsely claimed that well conversions were covered by Condition 72.

As an initial matter, NASE believes some background information on the nature of well conversions would be helpful. Well conversion refers to converting a producer well into an injection well, or vice versa. Most of the wells at the West Pico Drill Site are producer wells (Class A in the terms used in LAMC 13.01) that extract crude oil, natural gas, and brine water from well bottoms more than 8,000 feet deep. They extract a fluid and natural gas slurry by means of pumps that are located inside the wells. The pumps pull the slurry up out of the wells and push it into pipes that join together to connect to a pipeline that carries the slurry from the 9101 West Pico half of the drill site to the 9151 West Pico half of the drill site. At the 9151 West Pico half of the drill site, the slurry is separated into its three major components of crude oil, natural gas, and “produced water” (aka brine water). The oil and natural gas are processed before being pumped into pipelines to take them out for sale. The produced water is sent to giant pumps located on the 9151 West Pico half of the drill site, which pump the produced water into a second pipeline crossing back to the 9101 West Pico half, where the water goes into injection wells.

The remainder of the wells at the West Pico Drill Site are injection wells (Class B in LAMC 13.01) that return produced water to the hydrocarbon bearing geological strata. Injection wells serve three major purposes: They are required by law to safely place the heavily contaminated brine water back down in the geological strata from whence it came. Returning the produced water helps to prevent subsidence of soil, which had been a major problem in some oil operations before the invention of injection wells in the 1940s. Last, the injected produced water both repressurizes the oil field and can sweep remaining oil toward the bottoms of producer wells, so the use of injection wells is part of oil production. All of this injection part of oil production is regulated by layers of City law, State law, and Federal law.

Converting wells entails substantial work both underground in the well (“downhole”) and on the surface. A well conversion is a substantial physical project that can have significant impacts during the construction phase and later during ongoing operation.

To convert a producer well to an injector, at minimum the process involves:

- disconnecting the producer well from the surface pipes that collect the fluid and gas slurry from producer wells and send it by pipeline to the 9151 West Pico half of the drill site.
- opening up the well and removing the extraction pump
- remove production tubing and well packing at designated intervals that separate hydrocarbons from the fresh water table
- repairs and reworking of well components is common, and can be substantial
- generally, the production tubing is replaced with injection tubing called an “injection string” and new well packing is installed at designated intervals

- the well is then connected to new piping that connects to the pipeline bringing produced water back to the 9101 West Pico half of the drill site from the giant injection pumps located at the 9151 West Pico half of the drill site.

To convert an injection well to a producer is the same process in reverse, including installing a new downhole extraction pump and production tubing, etc.

With that background on the extensive physical activity and potential for impacts involved when converting wells, it becomes clear that these are not mere paper reclassifications as claimed by the ZA. The attached DOGGR permitting and work history documentation for 2 of the 10 well conversions that have taken place at the West Pico Drill Site since 2000 demonstrate the well conversion work is time consuming, taking one month for one well and 7 months for the other. (Attachment 2.)

In addition to being factually incorrect that well conversions are mere paper reclassification, the ZA was also incorrect as to the legal requirements applicable to well conversions. The City has established clear legal requirements for ZA discretionary review and consideration prior to the approval of well conversions, and also the need for environmental review of well conversions.

Below is Los Angeles Municipal Code section 13.01.I and the relevant section of LAMC 13.01.H addressing review procedure, both of which have been in effect in the City since 1955. For more than 65 years City Code has defined well conversions as a specific kind of project that requires application to and approval from the ZA as per LAMC 13.01.H. The ZA's claims that such review was not required was misleading and inaccurate.

H. Drilling Site Requirements. Any person desiring to drill, deepen or maintain an oil well in an oil drilling district that has been established by ordinance, or to drill or deepen and subsequently maintain an oil well in the M3 Zone within 500 feet of a more restrictive zone shall file an application in the Department of City Planning on a form provided by the Department, requesting a determination of the conditions under which the operations may be conducted.

I. Permits. No person shall drill, deepen or maintain an oil well or convert an oil well from one class to the other and no permits shall be issued for that use, until a determination has been made by the Zoning Administrator or Area Planning Commission pursuant to the procedure prescribed in Subsection H of this section.

Key passages from ZA Memo 133, in effect since September 2016, are also included below. This memorandum requires public hearings on well conversion projects

and forbids reliance on a categorical exemption from CEQA when approving a well conversion.

From page 6 of ZA Memo 133:

An application to drill, re-drill, deepen, or convert a well is not eligible for a categorical exemption and shall require an Initial Study or an EIR as described in section V.A.2. All other projects may be considered for determination if they are not in exempt under any applicable

Page 5 of ZA Memo 133:

- Ensure that the City complies with all legal requirements of CEQA in approving Section 13.01-H projects;
- Provide all parties that may be impacted by a project subject to a Section 13.01-H application an opportunity to participate in a public hearing;
- Meet the intent of CEQA in the review and approval of CEQA findings and determinations, to provide adequate public participation;
- Ensure that staff have time to adequately consider and respond to if

Further, the ZA incorrectly claimed that well conversions are covered by Condition 72 of the 2000 ZA approval for the West Pico Drill Site. See page A10 of the ZA rebuttal to NASE's appeal:

ZA-1989-17683-PA2

A-10

As for any existing well, the operator is only required to produce copies of the re-drilling filings as such wells are already authorized by the City of Los Angeles and the State of California. So, converting any of the existing 59 wells from production to injection, or injection to production, only requires that the copies of the filings to CalGEM be sent to the Zoning Administrator's office.

The Zoning Administrator acknowledges the failure of the operator to send copies of the filings pertaining to the drilling activities. The operator was instructed to submit copies to the office of Zoning Administrator within 60 days.

Whether Condition 72 on redrilling is legal or illegal, it says nothing about well conversions, which are a different project from redrilling a well. Here is Condition 72, copied from the 2000 BZA decision which did not alter Condition 72 from the original version in the 2000 ZA approval (ZA-1989-17683-PAD). Note that neither the words "well conversion" nor any synonym appear in Condition 72:

72. **Limitations On Well Redrilling.** Without prior written approval from the Zoning Administrator, no more than the existing 69 wells may be drilled, operated or maintained at the site and these wells shall be located at their current surface locations. All wells will be drilled from existing well cellars using existing strings of pipe or surface conductor pipe. In the event that applicant redrills any of the existing wells, the applicant shall provide the Zoning Administrators office with duplicate copies of all filings pertaining to such well filed with the California Division of Oil, Gas and Geothermal Resources, including such filings showing the bottom-hole location and the total depth of each such well. Furthermore, the applicant, upon request by the Zoning Administrator, shall furnish such additional information concerning the status, exact bottom hole location, productivity, etc., of the various wells drilled from the property, as to enable the Zoning Administrator to properly and intelligently administer the oil drilling regulations in this area; said information to be either verbal or in writing and to be kept confidential by the Zoning Administrator if so desired by the applicant.

During the August 18, 2021 APC hearing, the ZA provided this misinformation about well conversions and new wells to the Commission only after the public testimony phase of the hearing was closed. We therefore could not respond to his fundamental misinformation about the new wells and well conversion projects. Thus, we write now to urge you to reconsider your determination based on an accurate recitation of critical facts and legal requirements.

Conclusion

The three examples of misinformation detailed above were far from the only such examples, but do represent the most egregious. The entire 5-review process was tainted by the ZA's decision to improperly narrow the focus of the review, thus failing to fulfil the requirements mandated by the Settlement Agreement and Condition 78, and thus continues the City's violations of those binding obligations.

The only proper solution is to overturn the ZA's decision in its entirety: the determination, findings, and fatally flawed statements of fact. If allowed to stand, the ZA's determination and findings will give *de facto* approval to by-right oil drilling without ZA approval. It will put the City in breach of the Settlement Agreement. It will put the City in continuing violation of CEQA and its own CEQA guidelines. And it will make an utter hash out of any ability to rely on the City's Zoning Administration process when it comes to oil cases at this drill site and at all the others.

We ask the Commission to please vote to reconsider its decision of August 18, 2021, to retain and extend jurisdiction over this case, to set it on the agenda for a meeting in the near future, and, most of all, for the Commissioners to take the time necessary to get down to the facts in a complicated case.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Minter", is positioned above the printed name.

Amy Minter

Enclosures

cc: Oscar Medellin, Deputy City Attorney (oscar.medellin@lacity.org)
James K. Williams, APC Executive Assistant (james.k.williams@lacity.org)

Attachment 1

SETTLEMENT AGREEMENT

This SETTLEMENT AGREEMENT (the "Agreement") is entered into effective as of the date of last execution shown opposite the signature blocks below (the "Effective Date"), between the CITY OF LOS ANGELES, a municipal corporation and local public agency, the CITY COUNCIL OF THE CITY OF LOS ANGELES, a local public agency, (collectively these two parties are sometimes referred to herein as "City"), NEIGHBORS FOR A SAFE ENVIRONMENT, a California nonprofit corporation ("NASE"), RAE DRAZIN, Ph.D., an individual, MINA SOLOMON, an individual, (NASE, Drazin and Solomon are sometimes collectively referred to as "Petitioners"), and BREITBURN ENERGY COMPANY LLC, a California limited liability company ("BreitBurn"). The purpose of this Agreement is to settle litigation relating to the approvals for the construction and operation of the West Pico Drillsite Modernization Project, Los Angeles County, California.

RECITALS

A. In 1999, BreitBurn applied for a change in its Determination of Conditions and Methods of Operations for an existing drillsite located at 9101 West Pico Boulevard, Los Angeles, California (the "Project"). The Project calls for the modernization of the drillsite and the recovery of additional oil reserves and includes, among other things, the raising of the exterior wall, the enclosure of the drilling and workover rig in a soundproofed and architecturally treated structure, and the building of an enclosed support building. The Project also includes the removal of the existing diesel workover rig. The Project also removes prior limitations on permissible days and hours for redrilling and reworking of wells.

B. The environmental assessment process began in 1998. A Draft EIR was completed and distributed for comments on April 15, 1999. The Final EIR was issued by the City in October of 1999.

C. The Zoning Administrator held a public hearing on December 2, 1999 (ZA Case No. 17683-PAD). The Zoning Administrator issued her decision on April 5, 2000. That decision approved a modification of the existing conditions and methods of operation for the drillsite and imposed 78 conditions on the approval.

EXHIBIT A

D. The Petitioners filed an appeal of the Zoning Administrator's decision to the Board of Zoning Appeals ("BZA"). A public hearing was held before the BZA on May 23, 2000 (BZA Case No. 2000-1697). The BZA approved certification of the EIR, the adoption of the Mitigation Monitoring Plan and adopted the environmental findings made by the Zoning Administrator. The BZA then denied the appeal and adopted the plan approval and conditions imposed by the Zoning Administrator, with corrections recommended by the Zoning Administrator ("Plan Approval"). The Plan Approval was not further appealable.

E. The Petitioners appealed the BZA decision on the EIR certification to the City Council. A public hearing was held before the full City Council on October 25, 2000 (Council File No. 2000-1842). The City Council voted in favor of certifying the EIR and adopting the findings of the BZA as the findings of the City Council. The Notice of Determination of the certification was filed with the County Clerk the same day.

F. The Petitioners filed a petition for writ of mandate in the Superior Court of Los Angeles County styled *Neighbors For A Safe Environment, etc., et al. v. City of Los Angeles, et al.*, LASC No. BC 240760 (the "Action") seeking to set aside the certification of the EIR and the underlying permit approvals.

G. On May 9, 2001, the Superior Court, Judge David P. Yaffe, presiding, entered a judgment ordering the clerk to issue a peremptory writ of mandate ordering the City to set aside its certification of the EIR and related approvals. The Statement of Decision of the Court indicates that the Court was concerned about the EIR's response to questions concerning nighttime noise.

H. On May 16, 2001, the City mailed to interested persons an Addendum to the EIR addressing the issue of nighttime noise and informing them of further proceedings before the City Council on May 22, 2001. The Addendum concluded that noise from the facility at night will not alter any resident's ability to sleep. The Addendum and related City Staff report were circulated to approximately 800 owners and occupants of all properties surrounding the Project. The Petitioners filed objections to the report with the City.

I. On June 1, 2001, BreitBurn and the City filed a Notice of Intention to Move for a New Trial.

J. The parties have reached an agreement resolving all of the issues in the Action and wish to fully and finally terminate the Action pursuant to this Agreement. By entering into this Agreement, BreitBurn and the City have agreed to undertake additional measures relating both to nighttime noise, air quality and enforcement at the Project.

NOW, THEREFORE, in consideration of the mutual covenants and conditions contained herein, and for other good and valuable consideration, the adequacy and receipt of which is hereby acknowledged, the parties agree as follows:

AGREEMENT

1. Obtaining of air quality data

- a. On occasions to be prescribed by the Air Quality Consultant (defined in Item 1(d), below), the Air Quality Consultant will sample fugitive and other emissions inside the derrick structure. BreitBurn will, as far in advance as is practicable and at least 24 hours in advance, inform the Air Quality Consultant of the timing of those operations most likely to produce such emissions, including those periods when solvents are utilized. The Air Quality Consultant will take samples at representative times and will determine, in conjunction with BreitBurn, the relative percentages of time the facility undertakes various operations.
- b. The Air Quality Consultant will order that the samples be tested for such substances as shall be specified by the Risk Assessment Expert (defined in Item 2, below).
- c. The analysis of the emissions analyzed pursuant to this agreement will be performed by an independent laboratory certified by the State to perform such tests.

- d. NASE will designate a consultant (the "Air Quality Consultant") who shall be a certified industrial hygienist or an individual with a minimum of 5 years experience in air emissions sampling in the Los Angeles Basin.
- e. BreitBurn may request and thereupon will be given split samples obtained by the Air Quality Consultant under this section for the purpose of BreitBurn performing duplicate testing at its expense.
- f. On occasions to be determined by the Air Quality Consultant, and simultaneous with the obtaining of the samples within the BreitBurn facility, the Air Quality Consultant will obtain ambient air quality samples upwind and downwind from the BreitBurn facility. Those samples will be analyzed at the same laboratory for the same substances as were tested for within the BreitBurn facility.
- g. BreitBurn and NASE will deliver to each other, and to the Risk Assessment Expert (described in Item 2, below) a copy of the laboratory results of all testing performed under the provisions of this section, and of the reports of the Air Quality Consultant as to the manner of taking the samples and the rationale for such manner, and the determination concerning the various operations at the facility pursuant to subsection 1(a), in order that the risk assessment, described in the next section, accurately characterizes the emissions from the facility over time.

2. Development of Risk Assessment

- a. NASE will designate a toxicologist who shall be a Ph.D. level Diplomat of the American Board of Toxicology (the "Risk Assessment Expert").
- b. The Risk Assessment Expert will prepare and deliver to NASE, to BreitBurn, and to the Zoning Administrator a report (the "Risk Assessment Report") detailing the professional conclusions of the Risk Assessment Expert concerning the incremental risk to the nearest off-site human receptors of cancer and other indicated diseases posed by operations at the BreitBurn facility. The Risk Assessment Report will specifically address the population in close proximity to the site, e.g., children of school age. The Risk Assessment Report, including all modeling, will be conducted in a manner consistent with relevant and applicable guidance documents published by the United States Environmental Protection Agency and the California Environmental Protection Agency. The Risk Assessment Expert shall exclude from his or her analysis of incremental risk all chemicals and risks associated with ambient air at the site received from any sources other than the BreitBurn facility.

3. Noise

- a. In carrying out Conditions No. 77 and 78, and in addition to the other Conditions imposed, the Zoning Administrator will consider, based on data and reports, if any, submitted by BreitBurn, NASE or any neighbor, the extent to which the nighttime operations of the BreitBurn facility disturb the sleep of surrounding residents.
- b. In developing the noise requirements prescribed by the City, BreitBurn and its consultant shall consider, and the Zoning Administrator will review, the properties of sounds generated by the facility, in addition to decibels, that may contribute to the disturbance of the community at night and the data gathered pursuant to subsection 3(a).

- c. If the Zoning Administrator determines that nighttime noise from facility operations creates an unreasonable impact on nearby residents, the Zoning Administrator shall consider such additional mitigating measures as shall be required to eliminate any such impact. In the event that the Zoning Administrator determines that nighttime operations cannot be sufficiently mitigated by other means to eliminate unreasonable impacts, the Zoning Administrator shall order that workover or other operations not occur during the nighttime hours.
- d. Actions taken by the Zoning Administrator shall be subject to normal City procedures and appeals.

4. Enforcement

- a. If at any time the Risk Assessment Expert determines that the operations at the BreitBurn facility pose a risk of cancer of greater than one in a million (1×10^{-6}), the Risk Assessment Consultant shall report that finding and recommendations to the Department of Building and Safety, the Zoning Administrator, the South Coast Air Quality Management District, and the Division of Oil and Gas.
- b. At the Review of Conditions required by Condition No. 78 imposed by the BZA and adopted by the City Council, to occur two years after construction and the issuance of a Temporary or Permanent Certificate of Occupancy, the Zoning Administrator will consider the findings and conclusions of the Risk Assessment Expert and impose any additional conditions deemed appropriate or within the Zoning Administrator's continuing jurisdiction under Condition No. 77 or otherwise. If the report of the Risk Assessment Expert indicates that the operations at the BreitBurn facility pose a risk of cancer of greater than one in a hundred thousand (1×10^{-5}), BreitBurn will request a public hearing and a public hearing will be deemed warranted pursuant to Condition No. 78. (This provision does not otherwise limit the Zoning Administrator's discretion to set the matter for public hearing.) Within ninety (90) days prior to the fifth anniversary of the first review held

pursuant to Condition No. 78, and on each five-year anniversary thereafter, BreitBurn will request an additional review of conditions pursuant to the procedures prescribed in Condition No. 78 and the Zoning Administrator will conduct a review of conditions as prescribed in Condition No. 78 and will issue a report of its review and schedule a further public hearing, if warranted. Such report shall be promptly forwarded to NASE, BreitBurn and the applicable Neighborhood Council.

- c. For a period of two years following completion of construction, the City will designate one or more individuals at the managerial level of the Department of Building and Safety, who will receive complaints regarding odors or noise at the BreitBurn site on a 24-hour basis. The Department of Building and Safety will forward logs of such complaints to NASE and the Zoning Administrator's office. The Department of Building and Safety will report complaints within two (2) hours to the appropriate agency; e.g., the Police Department for noise; the South Coast AQMD for odors.

5. Financial Provisions

a. BreitBurn will pay:

1. \$65,000 to NASE for attorney's fees and costs in this matter;
2. \$25,000 to NASE to be used by it to engage technical advisors and perform testing not otherwise provided for in the Agreement and/or for other community projects;
3. Invoices from the laboratories utilized by NASE, the Air Quality Consultant, or the Risk Assessment Expert to analyze the air quality samples;
4. Invoices from NASE or the Air Quality Consultant described in Section 1 for the work described therein;

5. Invoices from the Risk Assessment Expert ~~or from~~ any other costs associated with the risk assessment work described in Section 2 for the work described therein;
6. Any fees assessed by the City for the services described in Section 4(c);
7. Any other reasonable and necessary costs of carrying out the provisions of the Agreement.
8. The maximum cumulative total that BreitBurn shall be required to pay for items 3 through 5 above, shall not exceed \$150,000. No expense of BreitBurn for split samples, consultants to BreitBurn or any other voluntary expenditure of BreitBurn shall be included within said \$150,000. BreitBurn shall send statements to NASE periodically showing the sums expended in conjunction with such activities. NASE shall contractually require the Air Quality Consultant and the Risk Assessment Expert to perform their services in a manner prescribed by this Agreement, but BreitBurn shall promptly pay their duly presented invoices irrespective of any disagreement that BreitBurn may have concerning their findings and conclusions or their manner of performance.

b. Items 1 and 2 above shall be due and payable immediately upon

6. Resolution of Dispute

- a. Within three days of the approval of the Agreement by all parties thereto, each of the Petitioners, through a letter submitted to the City Clerk by their counsel, will withdraw their objections before the City to the Project and will support the making of any related actions of the City necessary to implement the Plan Approval and this Agreement.
- b. Following approval by the City of this Agreement, each of the Petitioners will stipulate to, and join in any motion or request made by BreitBurn to, set aside the judgment previously entered in this case and dismiss the action with prejudice and request that the Court enter a new judgment denying in its entirety the requested writ of mandate or in the alternative to enter an order unconditionally quashing the writ of mandate previously issued. That stipulation and/or joinder shall recite that the parties have reached a settlement in this case, and that costs and fees shall not be awarded to either party under the judgment to be entered. Should the judgment of the Court thereafter award costs or fees to either party, such party shall not seek to enforce that provision.
- c. If the Superior Court will not set aside the Judgment heretofore entered, and/or will not quash the writ of mandate heretofore entered and served, the Petitioners will join in supporting and will not thereafter object to the return to the Superior Court's writ of mandate to be filed by the City and describing its actions as in accordance with this Agreement as in satisfaction of the requirements of the writ.
- d. Neither party shall make any post-judgment motion nor seek to appeal the judgment entered, following resolution of this matter in accordance with this Agreement.
- e. Nothing in this Agreement shall constitute an admission by any party of any fact, nor shall it constitute a waiver of any right or objection of any petitioner to the facility or any of the operations thereof in the future, outside of the context of the Action.

- f. It is the intention of the parties that the Project be allowed to proceed immediately in accordance with the prior conditions of approval as amended only by the terms of this Agreement. In the absence of the complete implementation of the resolution of dispute provisions of this Agreement, including the right of BreitBurn to proceed immediately to complete and operate the project without any further administrative or legal proceedings, it is the intent of BreitBurn and the City to file an appeal from the judgment entered by the Superior Court on May 9, 2001. A Notice of Entry of Judgment was served by Petitioners in this case on May 17, 2001. Pursuant to California Rules of Court section 2(a) provides that a notice of appeal must be filed no later than July 16, 2001. If the City does not take the actions set forth in subsection 6(b) or the Court has not accepted the actions of the City as in compliance with the writ or set aside the writ as provided in subsections 6(b) or (c), on or before July 16, 2001, then, unless otherwise agreed to by all parties, any party thereto may file a notice of appeal on such date and this Agreement shall terminate and be void.

7. Knowing Agreement

The parties each affirms that he/she/it has carefully read the foregoing and understands that this is a settlement agreement, and further affirms that each has reviewed and discussed the same with its counsel and knows the contents herein and has discussed the legal effect hereof and that the party executing the same does so of its own free act.

8. Entire Agreement

This Agreement embodies the entire understanding of and agreement between the parties as of the Effective Date and the parties each hereby agrees that the terms and provisions of this Agreement can only be changed, altered, or modified in any respect, by an instrument in writing and signed by all of the parties.

9. California Law

This Agreement shall be governed by, construed and enforced in accordance with the laws of the State of California and enforcement of this Agreement may be had in any court of appropriate jurisdiction in California.

10. Binding Effect and Benefit

This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

11. Authority of Signatories

All persons executing this Agreement on behalf of any entity hereby represent that they have proper authority to do so and to bind the entity to it.

12. Interpretation of Agreement

The parties have all participated in the drafting and preparation of this Agreement. Hence, in any construction to be made of this Agreement, the same shall not be construed against or in favor of any party on the basis that it or another proposed specific language.

13. Counterparts

This Agreement may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument. This Agreement will become effective only when executed by all parties.

///signatures follow on next two pages///

BREITBURN ENERGY COMPANY
LLC. a California limited liability
company

Dated: June 8, 2001.

By: 
Randall H. Breitenbach
Co-President

CITY OF LOS ANGELES AND
CITY COUNCIL FOR THE CITY OF
LOS ANGELES

Dated: June __, 2001.

By: _____

NEIGHBORS FOR A SAFE
ENVIRONMENT, a California nonprofit
corporation

Dated: June __, 2001.

By: _____
Dr. Rochelle Feldman
President

NEIGHBORS FOR A SAFE
ENVIRONMENT, a California nonprofit
corporation

Dated: June __, 2001.

By: _____
Rae Drazin
Vice-President

NEIGHBORS FOR A SAFE
ENVIRONMENT, a California nonprofit
corporation

Dated: June __, 2001.

By: _____
Mina Solomon
Member of the Board

BREITBURN ENERGY COMPANY
LLC, a California limited liability
company

Dated: June __, 2001.

By: _____
Randall H. Breitenbach
Co-President

CITY OF LOS ANGELES AND
CITY COUNCIL FOR THE CITY OF
LOS ANGELES

Dated: June 12, 2001.

By: Keith Pritsker
Keith Pritsker, Deputy City Attorney
NEIGHBORS FOR A SAFE
ENVIRONMENT, a California nonprofit
corporation

Dated: June 7, 2001.

By: Dr. Rochelle Feldman
Dr. Rochelle Feldman
President
NEIGHBORS FOR A SAFE
ENVIRONMENT, a California nonprofit
corporation

Dated: June 8, 2001.

By: Rae Drizin
Rae Drizin, Ph.D.
Vice-President

NEIGHBORS FOR A SAFE
ENVIRONMENT, a California nonprofit
corporation

Dated: June 10, 2001.

By: Mina Solomon
Mina Solomon
Member of the Board

NEIGHBORS FOR A SAFE
ENVIRONMENT, a California nonprofit
corporation

FROM : G S P

PHONE NO. : 318 837 3933

Jun. 18 2001 09:52PM P1

BREITBURN ENERGY COMPANY
LLC. a California limited liability
company

Dated: June __, 2001.

By: _____
Randall H. Breitenbach
Co-President

CITY OF LOS ANGELES AND
CITY COUNCIL FOR THE CITY OF
LOS ANGELES

Dated: June __, 2001.

By: _____

NEIGHBORS FOR A SAFE
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President

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Rae Drizin, Ph.D.
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ENVIRONMENT, a California nonprofit
corporation

Dated: June 10, 2001.

By: Mina Solomon
Mina Solomon
Member of the Board

NEIGHBORS FOR A SAFE
ENVIRONMENT, a California nonprofit
corporation

FROM : G S P

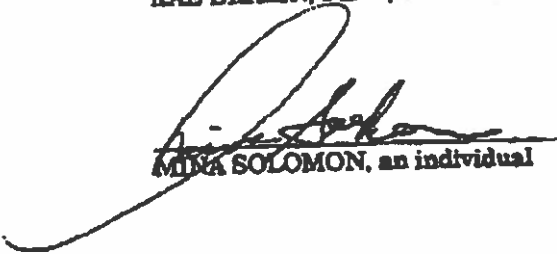
PHONE NO. : 318 837 3933

Jun. 18 2001 09:52PM P2

Dated: June 8, 2001.


RAE DRAZIN, Ph.D., an individual

Dated: June 10, 2001.


MINA SOLOMON, an individual

**Additional Signature Page to Settlement Agreement
between the City of Los Angeles, et al., with respect to litigation relating to the
approvals for the construction and operation of the West Pico Drillsite
Modernization Project, Los Angeles County, California**

**BREITBURN ENERGY COMPANY
LLC, a California limited liability
company**

Dated: June 8, 2001.

By: 

**Halbert S. Washburn
Co-President**

Attachment 2a

DOGGR Application, Permit, and Well Summary of downhole work to convert well West Pico 26, API 037-20926, in 2006

RESOURCE AGENCY OF CALIFORNIA
DEPARTMENT OF CONSERVATION
DIVISION OF OIL AND GAS

NOTICE OF INTENTION TO
REWORK WELL

FOR DIVISION USE ONLY

ND	FORMS	EDP WELL
OGD114	OGD121	FILE

06-2006

This notice and an indemnity or cash bond must be filed, and approval given, before rework begins. (See the reverse side for bonding information.) If operations have not commenced within one year of receipt of the notice, this notice will be considered cancelled.

In compliance with Section 3203, Division 3, Public Resources Code, notice is hereby given that it is our intention to

REWORK WELL WP26, API No. 037-20926
(WELL DESIGNATION)

Sec. 30, T. 1S, R. 14W, SBB&M., Beverly Hills East Field,
Los Angeles County.

1. The complete casing record of the well (present hole), including plugs and perforations, is as follows:

Casing: 10-3/4" 40.5#, K-55, csg cemented from surface to 1,178' w/560sx in 15" hole.
7" 23&26#, K-55 & N-80, csg cemented from surface to 9,740' w/1,350cf in 9-7/8" hole.
5-1/2", 18#, K-55 liner hung 7,102'-9,740'.

Plugs: 9740'-9657'

Perforations:
7" perfed with 4spf 6908'-6952'.
5-1/2" perfed 7160'-7170', 7180'-7230', 7277'-7312', 7350'-7370', 7452'-7460', 7540'-7552',
7562'-7578', 7583'-7680', 7680'-7688' (squeezed off), 7698'-7722', 7795'-7875', 7885'-7925',
9450'-9493', 9505'-9520', 9555'-9600'.

Junk: Remains of cement retainer chased to 9657'.

2. The total depth is: 9801' feet. The effective depth is: 9657' feet.

3. Present completion zone (s): DM, Hauser, Ogden. Anticipated completion zone (s): Same

4. Present zone pressure: 1000 psi. Anticipated/existing new zone pressure: 1000 psi.

5. Last production: Mar-99 0 80 9
or (Date) (Oil, B/D) (Water, B/D) (Gas, Mcf/D)
Last injected: (Date) (Water, B/D) (Gas, B/D) (Surface Pressure, psig)

6. Is this a critical well as defined in the California Code of Regulations, Title 14, Section 1720 (a)? Yes ☒ No ☐

The proposed work is as follows: (A complete program is preferred and may be attached.)

1. MIRU. Install and test BOPE. Pull tubing and packer.
2. Run RST log to determine exact intervals to perf.
3. Run kill string. RMDO. Order perf guns.
4. MIRU. Install and test BOPE. Pull kill string.
5. Selectively perforate ~8050'-8900'.
6. Run scrapers to clean up casing.
7. Run CIBP and set at ~9300'.
8. Run test packer and CIBP.
9. Run single injection string with two packers set at ~6815' and ~8000'.
10. Pressure test annulus to 500psi for 15 minutes.
11. Place well on injection at 2000bpd with surface injection pressure not to exceed 2350psi (0.8psi/ft gradient).

Note: If the well is to be redrilled, show the proposed bottom-hole coordinates and estimated true vertical depth.

The Division must be notified if changes to this plan become necessary.

Name of operator BreitBurn Energy Company	Telephone Number (213) 225-5900	
Address 515 South Flower Street, Suite 4800	City Los Angeles, CA	Zip Code 90071
Name of Person Filing Notice Chris Williamson	Signature <i>Chris Williamson</i>	Date 3-8-06

File in Duplicate

OG107

051
0.8
23000 Inj Prod
28000 Inj
wp
42

3/19/85

CG/FL

RESOURCES AGENCY OF CALIFORNIA
DEPARTMENT OF CONSERVATION
DIVISION OF OIL, GAS, AND GEOTHERMAL RESOURCES

No. P 105-0193

PERMIT TO CONDUCT WELL OPERATIONS

WATERFLOOD PROJECT

Chris Williamson, Agent
BREITBURN ENERGY CO.
515 South Flower St, Suite 4800
LOS ANGELES CA 90071

Cypress, California
March 13, 2006

Your proposal to rework(convert to injection) well "West Pico" 26, A.P.I. No. 037-20926, Section 30, T. 1S, R. 14W, S.B. B. & M., Beverly Hills Field, East area, Pliocene, Miocene pool, Los Angeles County, dated 3/8/2006, received 3/9/2006 has been examined in conjunction with records filed in this office.

THE PROPOSAL IS APPROVED PROVIDED:

1. Blowout prevention equipment with hydraulic controls, equivalent to this Division's Class II2M requirements, or better, shall be installed and maintained in operating condition.
2. Well killing fluid of a quality and in sufficient quantity to control all subsurface conditions in order to prevent blowouts shall be used.
3. A pressure test is conducted to demonstrate the mechanical integrity of the 7" casing.
4. Within three months after injection is started, and every two years thereafter, this Division shall be furnished with sufficient data to confirm the confinement of the injected fluid to the intended zone of injection and to demonstrate the mechanical integrity of the 7" casing, injection tubing and packer.
5. Prior to any sustained injection above a gradient of .8 psi per foot of depth as measured at the sand face, injectivity and profile tests shall be made. The results of these tests and the proposed method of operations as to input rate, pressure and water distribution by subzones shall be submitted to this Division for approval.
6. This Division shall be consulted and a Supplementary Notice may be required before making any changes in the proposed program.
7. **THIS DIVISION SHALL BE NOTIFIED TO:**
 - a. Witness an inspection of the installed blowout prevention equipment prior to commencing downhole operations.
 - b. Witness a pressure test of the 7" casing prior to injection.
 - c. Witness the running of an injection survey.

NOTE:

1. A crew drill may be required at the time of the blowout prevention equipment inspection.
2. This well shall conform to the provisions set forth in our letter dated 3/19/1985, revising the project.
3. The fresh water will be protected by the 7" casing cemented at 9740' with sufficient cement to reach to surface.
4. The water to be injected tests approximately 27,000 mg/l TDS and is water produced from neighboring wells.
5. The water is to be injected into the Dunsmuir, Hauser, Ogden zone and contains a mixture of oil and water. The formation water tests approximately 23,000 mg/l TDS.

FML:fl

cc: Update
EDP

BLANKET BOND

PROJECT CODE: 051

Engineer: Floyd Leeson

Phone: 714/816-6847

Hal Bopp
State Oil and Gas Supervisor

By [Signature]
For R. K. Baker, Deputy Supervisor

A copy of this permit and the proposal must be posted at the well site prior to commencing operations. Records for work done under this permit are due within 60 days after the work has been completed or the operations have been suspended.

RESOURCES AGENCY OF CALIFORNIA
DEPARTMENT OF CONSERVATION
DIVISION OF OIL, GAS, AND GEOTHERMAL RESOURCES
HISTORY OF OIL OR GAS WELL

Operator Breitbart Energy Company LLC Field Beverly Hills County Los Angeles
Well West Pico #26 Sec. 30 T. 1S R. 14W S.B. B&M
A.P.I. No. 037-20926 Name Tom Myers Title Agent
(Person submitting report) (President, Secretary, or Agent)
Date 6/18/07 Signature Tom Myers
(Month, day, year)
Address 515 S. Flower St., Suite 4800 Los Angeles, CA 90071 Telephone Number (213) 225-5900

History must be complete in all detail. Use this form to report all operations during drilling and testing of the well or during redrilling or altering the casing, plugging, or abandonment, with the dates thereof. Include such items as hole size, formation test details, amounts of cement used, top and bottom of plugs, perforation details, sidetracked junk, bailing tests, and initial production data.

Date	CTI
11/15/2006	Moved rig to WP 26. Rigged up, nipped up BOPE and secured well. NOTE: Top of fish at 8853' with 17" 2-7/8" NSL tubing at 9380'. Left in hole 45 deg. Collar + 527' 2-7/8" NSL tubing. Added perfs in 5" liner from 8454' - 8750', 8762' - 8820', and 8840' - 8882' on 5/9/2006.
11/16/2006	Bled well. Serviced EDM tower and lubricated rig. Pulled donut. POOH with 214 joints of 2-7/8" NSL tubing. Moved 32 stands of 207/8" IF drill pipe in derrick to driller side. Installed PGSR. Picked up and made up Central Fishing Tools 4" OD x 3-1/8" ID x 20/72" washover shoe. RIH on 2-7/8" P-105 work string to 6704'. Mixed 200 barrels of KCl fluid volume. Total 450 barrels in pits. Cleaned rig floor and picked up tools. Shut in and secured well.
11/17/2006	Bled well. Serviced EDM tower and lubricated rig. Worked with rig mechanic on air compressor. IRH with Central Fishing Tools washover shoe on combination 2-7/8" P-105 work string and 2-7/8" IF drill pipe. Made up 2-7/8" IF drill pipe working stand tagged at 8847'. Conditioned and circulated KCl fluid, took 40 barrels to get circulation. Cleaned out from 8847' to 8853', washed over fish from 8853' to 8870' top of tubing collar. Had 3/4 gallon can of fin sand in returns. Circulated well clean, pumped 2 hole volumes. POOH to 6704'. Shut in and secured well. Up wt. = 66K, down wt. = 35K, ROT. Wt. = 47K. Fluid loss = 122 barrels.
11/18/2006	Bled well. Serviced EDM tower and lubricated rig and grease rack. Lowered 4" OD x 3-1/8" ID Central Fishing Tools washover shoe to 8870' no new fill. POOH and laid down Central Fishing Tools washover shoe. Picked up and made up Central Fishing Tools 4-1/8" over shot dressed with 2-7/8" grapple and 6 3-1/8" drill collars. RIH with Central Fishing Tools fishing tools on 2-7/8" P-105 work string tubing to 6696'. Shut in and secured well. Total fluid loss = 122 barrels.
11/19/2006	Bled well. Serviced EDM tower and lubricated rig. RIH with 4-1/8" over shot dressed with 2-7/8" grapple + B/S and jars + 6 3-1/8" drill collars + intensifier from 6696' to 8852'. Made up working stand. Circulated and worked over latch fish at 8853'. Jarred 88K and pulled free at 130K. POOH. Laid down 6 3-1/8" drill collars and Central Fishing Tools fishing tools and fish (recovered all of fish). RIH with 72 joints of 2-7/8" IF drill pipe, removed cross over and working stand. Repaired brake band on hydraulic tubing tongs. Laid down 72 joints of 2-7/8" IF drill pipe. RIH with 492' of 2-7/8" NSL tubing kill string. Shut in and secured well. Total fluid loss = 137 barrels.
11/20/2006	Bled well. Serviced EDM tower and lubricated rig. Unloaded 82 joints of 2-3/8" 8RD tubing. Held safety meeting with Weatherford Hydro tester and rig crew. Solid tested 2 joints of 2-3/8" 8RD tubing. Made up hydro test tools. Picked up and TIH with 45 deg. Collar + 80 joints of 2-3/8" 8RD tubing testing to 5000 psi. Changed out hydro test tools from 2-3/8" to 2-7/8". TIH with 2-7/8" NSL tubing hydro testing to 5000 psi. Hydro test tool not working, trouble shoot and changed all cups. Continued to TIH with combination 2-3/8" 8RD and 2-7/8" NSL tubing to 6616'. Hydro tested to 5000 psi. Shut in and secured well.
11/21/2006	Bled well. Serviced EDM tower and lubricated rig. Pulled 25 hydro tested stands of 2-7/8" NSL tubing and stood back on off driller side. Continued to TIH with 2-7/8" NSL tubing to 9450', no fill. Hydro tested all 2-3/8" 8RD and 2-7/8" NSL tubing to 5000 psi. Rigged down Weatherford hydro tester. POOH above perfs to 6700'. Re-arranged support bay to lay down 2-7/8" NSL and 2-3/8" 8RD tubing. POOH to 2824'. Laid down 123 joints of 2-7/8" NSL tubing. Shut in and secured well.
11/22/2006	Bled well. Serviced EDM tower and lubricated rig. Laid down 2-7/8" NSL tubing. Loaded out 82 joints of 2-7/8" drill pipe, 15 joints of 2-7/8" NSL tubing, 6 3-1/8" drill collars and wash pipe. RIH with 2-7/8" tubing. Laid down 2-7/8" NSL tubing (265 joints). RIH and laid down 2-3/8" tubing (80 joints). RIH with kill string to 516' and secured well.
11/23/2006	Loaded tubing from support bay onto truck. Serviced rig and grease rack. Cleaned rig floor and support bay. Loaded tubing from support bay onto truck. Continued cleaning. Unladed tubing (243 joints of 2-7/8" N-80 8RD, 81 joints 2-3/8" N-80 8RD). POOH with kill string. Made up 7" scraper with bumper sub. RIH picking up tubing (45 joints). Secured well.
11/24/2006	Serviced rig and EDM tower, mixed KCl. Picked up 2-7/8" tubing and RIH with 7" casing scraper (removed thread protectors). Strapped tubing, rabbited tubing. Rigged up to reverse circulate. Reverse circulated well clean at liner top (7101'). POOH with tubing to 2708', secured well.
11/25/2006	Serviced rig and EDM tower. POOH and laid down 7" scraper. Rigged up 2-3/8" tools. Made up 5" scraper, tally and picked up 2-3/8" tubing and RIH. RIH with 2-7/8" tubing. Scraper stopped at 8868'. Attempted to work through tight spot - would not go. Reverse circulated, full returns, no solids. POOH to 6889' and secured well.
11/26/2006	Serviced rig and EDM tower. POOH with tubing. Held safety meeting with tubing tester. Solid tested 7 joints of tubing. Rigged up tester. Repaired test tools. RIH testing in. Waited on extra tubing delivery. Cleaned rig. Finished testing 2-3/8" tubing. Changed over to run 2-7/8" tubing. Rigged down 2-3/8" test tools, rigged up 2-7/8" test tools. Secured well at 2793'.

11/27/2006	Serviced rig and EDM tower. RIH testing tubing to 5000#. Tagged fill at 9572'. Rigged down tubing tester. Rigged up to reverse circulate. Reverse circulated and cleaned out from 9572' to 9618'. POOH 3 stands - tubing plugged. Kelly up, tried to circulate - no results, tried to reverse - no results. POOH wet tubing to 6876', secured well.
11/28/2006	Serviced rig. POOH with we tubing. Tubing plugged with rubber and metal. RIH with tubing to 7101'. Reverse circulated clean. POOH to 6875', secured well, grease rack.
11/29/2006	Serviced rig. RIH with tubing to 9556'. Held safety meeting and rigged up cementers. RIH with tubing to 6816'. Pumped cement plug from 9618' to 9111', cement in place at 11:42am. POOH to 9120'. Reverse circulate 3 tubing volumes (trace of cement). POOH to 6874'. Reverse circulated 1 tubing volume, secured well. Waited on cement - cleaned rig and location. NOTE: Grace P. Brandt (DOGGR) inspected and witnessed BOPE and waived witness of pumping cement plug.
11/30/2006	Bled well. Serviced EDM tower and lubricated rig. RIH with combination 2-3/8" 8RD N-80 and 2-7/8" 8RD N-80 tubing and tagged cement plug at 9123'. Waited on CDOGGR. Cleaned rig location. CDOGGR Grace Brandt witnessed tag of cement plug at 9123'. POOH and laid down 50 joints of 2-3/8" 8RD N-80 tubing. Worked on accumulator control handles. RIH with 500' kill string. Shut in and secured well. Cleaned rig and location.
12/1/2006	Bled well. Serviced EDM tower and lubricated rig. Waited on Weatherford, no serviceman available. POOH with kill string. Changed oil in top drive. Cleaned rig and location. RIH with 500' kill string. Shut in and secured well. Note: Weatherford serviceman available in morning 12/2/2006.
12/2/2006	Bled well. Serviced EDM tower and lubricated rig. POOH with 500' kill string. Made up 5" and 7" Weatherford Dual Injection packer assembly, RIH to 1180. POOH and made a change on the bottom hole assembly. RIH slowly with Weatherford 5" and 7" dual injection packer assembly to 6607'. Grease rack and sheaves in crown, checked all pins in shackles. Shut in and secured well.
12/3/2006	Bled well. Serviced EDM tower and lubricated rig. RIH with 5" and 7" Weatherford Dual Injection Packer assembly on combination 2-3/8" 8RD N-80 and 2-7/8" 8RD N-80 tubing, stopped at 7550'. POOH with Weatherford Dual Packer assembly and stood back. Made up and RIH with Weatherford 5" casing scraper + B/S to 6663'. Shut in and secured well. NOTE: set down 2k at 7550' took over 4k over up weight to pull free.
12/4/2006	Bled well. Serviced EDM tower and lubricated rig. Made up working stand. RIH with 5" casing scraper + B/S on combination 2-3/8" 8RD N-80 and 2-7/8" 8RD N-80 tubing. Made several passes at 7550'. Reamed from 7550' to 8000'. POOH to 5785'. Rigged down and shut down. Rig mechanic trouble shoot problem. Found bad incoders on rig motors A and F, replaced. Shut in and secured well.
12/8/2006	Bled well and serviced rig. POOH with tubing and scraper (repaired air hose on slips). Held safety meeting with Weatherford and discussed packer running procedure. Made up packer assembly and RIH to 6920'. Secured above liner top. Greased EDM rack. Cleaned rig and BOPE.
12/9/2006	Serviced rig. RIH with packers and tagged tight spot at 6420'. Attempted to work through tight spot (no success). POOH and inspected packers for damage (none detected). Picked up and made up 7" scraper, RIH with tools to 6420'. Worked through tight spot. POOH with tubing to 1481'. Secured well.
12/10/2006	Serviced rig. POOH with tubing and laid down 7" scraper. Held safety meeting with Tiger wireline and rigged up. Calibrated tools. Ran casing caliper and collar locator logs (lost calibration, POOH). Recalibrated tool and RIH with wireline. Installed centralizers for 7" casing and ran 7" casing log. Rigged down wireline. Made up packer assembly and RIH to 2088', secured well.
12/11/2006	Serviced rig. RIH with 5" packer to 7936' and 7" to 6356'. Pumped setting ball to seat. Set packers and tested annulus to 500# for 10 minutes. Nipple down BOPE and nipped up injection tree. Made and replaced rubber o-rings for tubing hanger. Rigged down and prepared location for rig move. Released rig at 1900 hours.
3/11/2007	Held safety meeting. Tubing on vacuum, fluid level at 7965'. Casing had 65 psi. Loaded out V-door extension into support bay. Rigged up and tore down. Skid rig to WP 26 and rigged up. Attempted to bleed down casing. Casing flowing oil and gas. Production operator tank was full. Waited on production to empty tank. Cleaned rig and location. Rigged up and shipped oil and gas to production from casing. Casing at 25 psi at 1700 hours. Continued to clean location.
3/12/2007	Held safety meeting, serviced rig and EDH tower. Tubing on vacuum casing had 0 psi. Flowed 50 barrels over night. Nipped down injection tree. Nipped up BOPE. Function tested with remote. Released 7" hydraulic packer with 76K pull. Released Arrowset 1x mechanical packer right hand packer pulled 65K. POOH slowly in 5" liner and perfs. Pulled 228 joints of 2-7/8" 8RD N-80 tubing. 7" packer lost all rubber on it. Pulled 28 joints of 2-3/8" 8RD-N-80 tubing. 5" packer had all rubber left on it. RIH with 10 joints of 2-7/8" N-80 tubing. Note: All tubing looks like new.
3/13/2007	Held safety meeting, serviced rig and EDH tower. Tubing on vacuum casing had 0 psi. Flowed 50 barrels over night. Nipped down injection tree. Nipped up BOPE. Function tested with remote. Released 7" hydraulic packer with 76K pull. Released Arrowset 1x mechanical packer right hand packer pulled 65K. POOH slowly in 5" liner and perfs. Pulled 228 joints of 2-7/8" 8RD N-80 tubing. 7" packer lost all rubber on it. Pulled 28 joints of 2-3/8" 8RD-N-80 tubing. 5" packer had all rubber left on it. RIH with 10 joints of 2-7/8" N-80 tubing. Note: All tubing looks like new.
3/14/2007	Held safety meeting. Cleaned and painted rig and location. Serviced rig, checked bolts on top drive.
3/15/2007	Held safety meeting and serviced rig. POOH and picked up cement retainer. Made up tools and RIH to 6861' (RIH slowly from 6400' to 6861'). Set retainer at 6861' (sheared at 58K over string weight). Filled annulus and tested retainer at 500# for 10 minutes. Prepared for cement job, cleaned location and finished panting V-door.
3/16/2007	Held safety meeting and serviced rig. Rigged up cementers. Pumped lease water down tubing (40 barrels) 2.5 barrels per minute at 600#. Held safety meeting with cementers. Pumped cement (350 sacks). Cement in place at 1010 hours. Top of cement estimated at 6734'. POOH to 6548' and reverse circulated 3 tubing volumes (100 barrels). Rigged down cementers. POOH 84 joints. Prepared bay to lay down tubing. Laid down 138 joints of N-80 tubing and HES setting tool with stinger. RIH to 1592', secured well.
3/17/2007	Held safety meeting and serviced rig. RIH with tubing. Laid down 90 joints N-80 tubing. RIH and laid down 28 joints 2-3/8" tubing. Nipped down BOPE. Shut down to X-Ray skid track. Continued to nipple down BOPE and secure well. Picked up V-door extension and lugged down. Prepared location for rig move, moved rig. Rig released at 1830 hours.
3/22/2007	Held safety meeting and serviced EMT tower and equipment. Hung V-door extension for rig move, prepared rig for move to WP 26. Skid rig north. Removed V-door extension and stored in support bay. Removed south cellar beams. Worked with electricians. Changed out belts on safe air fans in crown of rig. Cleaned location over last well. Skid rig and rigged up on WP 26. Nipped down production tree. Nipped up BOPE. Function tested BOPE and remote.

3/24/2007 Held safety meeting and serviced EMT tower and equipment. Test ran pump and top drive. Rigged up to reverse circulate. Worked with electrician to wire up centrifuge and desander. Picked up 6-1/8" bit. Measured and picked up 4 4-3/4" drill collars. RIH with 2-7/8" hydrill tubing. Tagged cement at 6419'. Rigged up pump. Hole standing full. Drilled out 3' cement bridge to 6422'. Continue to RIH. Tagged cement at 6747'. Drilled on cement from 6747' to 6809'. Circulated hole clean.

3/25/2007 Held safety meeting and serviced EMT tower and equipment. Drilled on cement from 6809' to 6861'. Drilled on retainer from 6861' to 6864'.

3/26/2007 Held safety meeting and serviced EMT tower and equipment. Drilled on retainer and cement to 6867'. Circulated hole clean. POOH and secured well.

3/27/2007 Held safety meeting and serviced EMT tower and equipment. Rigged down PGSR. POOH. Picked up new 6-1/8" bit. RIH to 6887'. Drilled on retainer and cement.

3/28/2007 Held safety meeting and serviced EMT tower and equipment. Drilled on retainer and good cement to 7095', 5' from top of liner. Circulated hole clean. Tested casing to 500 psi for 10 minutes (OK). POOH and secured well.

3/29/2007 Held safety meeting and serviced EMT tower and equipment. POOH with tubing and laid down 4 4-3/4" drill collars and 6-1/8" bit. Changed head and liner in #1 pump. Picked up and made up 4-1/8" bit and 6 3-1/8" drill collars. Rigged up to run 2-3/8" tubing. Picked up and RIH with 63 joints of 2-3/8" tubing. Secured well.

3/30/2007 Held safety meeting and serviced EMT tower and equipment. Rigged up to run 2-7/8" rubbing. RIH to 7095'. Flushed surface lines. Drilled out cement from 7095' to 7229'. Circulated hole clean and POOH above liner to 7020' and secured well.

3/31/2007 Held safety meeting and serviced EMT tower and equipment. RIH and continued drilling out from 7229' to 7556', circulated hole clean. Pulled out of liner to 7020', secured well.

4/3/2007 Held safety meeting and serviced EMT tower and equipment. Change dliner and head in pump #1. RIH and drilled out cement from 7556' to 7763'. Flushed rocks and debris from pump #1, circulated hole clean. Drilled out cement from 7763' to 7794'. Circulated hole clean and POOH to liner top at 7020', secured well.

4/4/2007 Held safety meeting and serviced EMT tower and equipment. POOH with tubing and 3-1/8" drill collars. Changed 4-1/8" bit. Made up new bit. RIH with drill collars and tubing. Broke circulation and continued drilling out cement from 7794' to 7834'. POOH above liner top to 7020'. Secured well.

4/5/2007 Held safety meeting and serviced EMT tower and equipment. RIH to 7825' and circulated. Drilled on hard cement from 7834' to 8300'. Total for day was 466'. Circulated hole clean. POOH to top of liner at 7101'. Secured well.

4/6/2007 Held safety meeting and serviced EMT tower and equipment and grease rack. Rigged up new 2-7/8" elevators. RIH to 8258' and circulated. Drilled on hard cement from 8300' to 8645'. Total for day was 346'. Circulated hole clean. POOH to top of liner at 7101'. Secured well.

4/7/2007 Held safety meeting and serviced EMT tower and equipment. RIH to 8630' and circulated. Drilled on hard cement from 8645' to 8900'. Drilled on rubber at 8889'. Dropped free at 8900' to 9000'. Circulated hole clean. POOH to 8754'. Secured well. Transferred fluid from pits to west storage tank. Cleaned pits. Filled pit with lease water and mixed 60 sacks of KCl.

4/8/2007 Held safety meeting and serviced EMT tower and equipment. RIH to 9000'. Changed hole over with 320 barrels of 3% KCl water from 9000'. POOH. Laid down 6 3-1/8" drill collars. Cleaned rig floor. Measured and picked up 5" casing scraper and bumper sub. RIH to top of liner at 7068'.

4/9/2007 Held safety meeting and serviced EMT tower and equipment. Continued to RIH with 5" casing scraper to 8000'. POOH an odd break. Laid down 1 bad joint. Stood back 14 joints of 2-3/8" tubing. Laid down 35 joints of 2-3/8" tubing in support bay. Organized tubing and rods in support bay. Picked up 5" Weatherford mechanical packer. RIH with 28 joints of 2-3/8" N-80 8RD EU tubing. 2-3/8"x2-7/8" x-over. Picked up 180 joints of 2-7/8" N-80 8RD EU tubing. EOT at 6420'. Secured well. NOTE: Chris McCullough with DOG approved variation from permit to run cement retainer. to 9175' at 12:20pm.

4/10/2007 Held safety meeting and serviced EMT tower and equipment. Continued to pick up 2-7/8" N-80 8RD Eu tubing. Total 227 joints. Picked up tubing hanger and landing joint and swivel. Set Weatherford Arrowset 1-X mechanical packer at 7895' with 15k compression. Attempted to pressure casing (back side of packer) test no good. Tubing hanger leaked. Nipped down BOPE. Picked up landing joint and pulled up tubing hanger. Replaced O-rings. Landed hanger. Nipped up production tree. Pressure up backside pf packer to 500 psi for 15 minutes, tested OK. DOG waived witness of pressure test. Prepared to move rig to west side. Moved skid beams to east side.

4/12/2007 Held safety meeting and serviced EMT tower and equipment. Rigged up Tiger wireline to perforate. Held safety meeting. RIH with 1" gun run through tubing - gun stopped at 7085'. POOH with wireline and rigged down. Change of orders - move to PW 9. Moved and installed extension beams for rig move. Rigged up hose and pump to neutralize storage tank.

4/28/2007 Rigged up Baker chemical truck to pump scale squeeze. Worked on safe air fans on rig. Rigged down rig extension beams. Moved rig to WP 9 and rigged up. Laid down V-door extension. Cleaned location. Nipped down production tree and nipped up BOPE and function tested. Secured well.

4/29/2007 Held safety meeting with crew and serviced rig. Released 5" packer and POOH. Cleaned rig and location, replaced antifall sala blocks safety devices and secured well.

4/30/2007 Held safety meeting with crew and serviced rig. Waited on packer delivery. Made up packer and RIH with 2-3/8" tubing, drifting. Changed out 1 joint. Rigged up 2-7/8" tubing equipment and RIH with 2-7/8" tubing, drifting, changed 3 joints. Attempted to set packer at 7896', pulled to 7865' and attempted to set packer. Rigged up to reverse circulate and reversed 50 barrels of lease water. Attempted to set packer, rigged up to circulate ahead. Circulated down tubing, attempted to set packer - packer set at 7833' in neutral. Secured well.

5/1/2007 Held safety meeting with crew and serviced rig. Nipped down BOPE. Nipped up production tree, rigged up and tested packer for 10 minutes at 500#. Continued to work on safe air fan on top drive. Prepared location and lugged down and moved rig. Released rig at 1200 hours.

5/5/2007 Perforated with 1-9/16" OD RTG guns, 1.spf 0 degree phasing with Jet Research Center Millennium Charges. 0.21" entry hole and 11.34" penetration. Perforated from: 8841' - 8882', 8762' - 8819', 8455' - 8749', 8357' - 8406', 8276' - 8319', 8048' - 8250'.

5/21/2007 Well on injection, 580 bwpd.

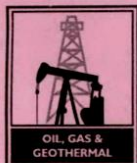
3G103 (6/97/GSR/5M)

Printed on recycled paper.

SUBMIT IN DUPLICATE

Attachment 2b

DOGGR Permit, and Well Summary of downhole work to convert well SW 7, API 037-21181, in 2017. (Application is not in State agency's online file)



NATURAL RESOURCES AGENCY OF CALIFORNIA
DEPARTMENT OF CONSERVATION
DIVISION OF OIL, GAS & GEOTHERMAL RESOURCES
5816 Corporate Ave., Suite 100 Cypress, CA 90630 - 4731

PERMIT TO CONDUCT WELL OPERATIONS

Water Flood
CRITICAL WELL

No. **P 117-0046**

Old	New
054	054
FIELD CODE	
03	03
AREA CODE	
00	10
POOL CODE	

Cypress, California
February 22, 2017

Mr. Thomas McCollum, Agent
Pacific Coast Energy Company LP (B6127)
1555 Orcutt Hill Road
Orcutt, CA 93455

EXPIRED _____
CANCELLED _____
MAILED _____
EMAILED 2-22-17 TC

Your proposal to **rework (convert to injection)** well "SW" 7, A.P.I. No. **037-21181**, Section **30**, T. **01S**, R. **14W**, **SB** B. & M., (Lat: **34.055475** Long: **-118.390221** Datum: **NAD83**), **Beverly Hills** field, **East** area, **Miocene** pool, **Los Angeles** County, dated **1/12/2017**, received **2/10/2017** has been examined in conjunction with records filed in this office.

THE PROPOSAL IS APPROVED PROVIDED:

1. Blowout Prevention Equipment (BOPE), as defined by this Division's publication No. M07, shall be installed and maintained in operating condition and meet the following minimum requirements:
 - a. Class **II3M**, with hydraulic controls, on the **8 5/8"** casing. All casing annuli control valves must meet, or exceed, the same minimum pressure rating as the blowout prevention equipment. The pipe safety valve must be suitable for all pipe in use, including casing
 - b. A **3M lubricator** for **wireline** operations.
2. The well is designated a **CRITICAL WELL** and as such, the Notice to Operators, dated May 21, 2001, specifying additional BOPE requirements for critical wells, shall be in effect (attached).
3. Hole fluid of a quality and in sufficient quantity to control all subsurface conditions in order to prevent blowouts shall be used.
4. This well shall conform to the provisions set forth in our letter dated **December 7, 2016**, approving the project.
5. Injection is through tubing with packer set in cemented casing immediately above the approved zone of injection.
6. Prior to commencing injection, and every **5** years thereafter, a Standard Annular Pressure Test (SAPT) is conducted to demonstrate the mechanical integrity of the **8 5/8"** casing. The minimum test pressure shall be **the Maximum Allowable Surface Pressure (MASP)**.
7. Within **90** days of commencing injection, and every **2** years thereafter, this Division shall be furnished with an injection survey that demonstrates the confinement of the injected fluid to the approved zone of injection, and the mechanical integrity of the injection tubing and packer.

(Continued on Page 2)

Blanket Bond
054-03-002

cc: Los Angeles City Fire Department
Los Angeles City of Petroleum and Natural Gas Administration

Kenneth A. Harris Jr.
State Oil and Gas Supervisor

Engineer Barry Irick
Office (714) 816-6847

By [Signature]
For: FOR Daniel J. Dudak, District Deputy

BI/bi

A copy of this permit and the proposal must be posted at the well site prior to commencing operations. Records for work done under this permit are due within 60 days after the work has been completed or the operations have been suspended. Issuance of this permit does not affect the Operator's responsibility to comply with other applicable state, federal, and local laws, regulations, and ordinances.

Page 2
Well #: "SW" 7
API #: 037-21181
Permit : P 117-0046
Date: February 22, 2017

8. The injection gradient will be **0.6 psi/ft.** This injection gradient shall not be exceeded. A higher injection gradient may be approved by this Division subject to a step rate test conducted for this well.
9. If the results of the SRT is significantly higher than the project injection gradient of **0.6 psi/ft.**, a new SAPT may be required.
10. No program changes are made without prior Division approval.
11. **THIS DIVISION SHALL BE NOTIFIED TO:**
 - a. Inspect the installed BOPE prior to commencing **downhole** operations.
 - b. Witness an SAPT of the **8 5/8"** casing prior to commencing injection, and every **5** years thereafter.
 - c. Witness the running of an injection survey within **90** days of commencing injection, and every **2** years thereafter.

NOTE:

1. All depths are based on well KB, which is 13.5' above ground level. Ground level is at elevation 171'
2. The base of the freshwater zone is at **550'±.**
3. The base of the USDW zone is at **845'±.**
4. The top of the Repetto zone (TIZ) is at **5500'±.**
5. The top of the Hauser zone is at **6480'±.**
6. No operation shall be undertaken or continued that will contaminate or otherwise damage the environment.
7. Upon completion of the proposed work, a History of Oil or Gas Well (form OG103) shall be submitted to this office, noting the effective date of reactivation.

NATURAL RESOURCES AGENCY OF CALIFORNIA
DEPARTMENT OF CONSERVATION
DIVISION OF OIL, GAS, AND GEOTHERMAL RESOURCES
HISTORY OF OIL OR GAS WELL

Operator Pacific Coast Energy Company LP Field Beverly Hills County Los Angeles
Well SW-07 Sec. 30 T. 1S R. 14W S.B. B.&M.
A.P.I. No. 037-21181 Name Tom McCollum Title Agent
(Person submitting report) (President, Secretary, or Agent)
Date 10/12/2017
(Month, day, year)
Signature Shawn MacDonald for T. McCollum
Address 1555 Orcutt Hill Rd., Orcutt Ca., 93455 Telephone Number (805) 937-2576

History must be complete in all detail. Use this form to report all operations during drilling and testing of the well or during redrilling or altering the casing, plugging, or abandonment, with the dates thereof. Include such items as hole size, formation test details, amounts of cement used, top and bottom of plugs, perforation details, sidetracked junk, bailing tests, and initial production data.

Pre-Work Condition:

20"		Conductor	C. 53.5' MD
13-3/8"	48#	H40	C. 1200' MD
8-5/8"	36#	K55 / N80	C. 6800' MD
6-5/8"	23.6#	Liner	6777 - 7919' MD
		1, 1/2" JHPF	6574'-6618', 6649'- 6690', 6706'-6750', 6802'- 6872', 6881'-6899', 6911'- 6956', 6990'-7106', 7142'- 7190', 7233'-7358', 7441'- 7456', 7473'-7507', 7544'- 7580', 7587'-7595' MD

Post-Work Condition:

20"		Conductor	C. 53.5' MD
13-3/8"	48#	H40	C. 1200' MD
8-5/8"	36#	K55 / N80	C. 6800' MD
6-5/8"	23.6#	Liner	6777 - 7919' MD
		1, 1/2" JHPF	6574'-6618', 6649'- 6690', 6706'-6750', 6802'- 6872', 6881'-6899', 6911'- 6956', 6990'-7106', 7142'- 7190', 7233'-7358', 7441'- 7456', 7473'-7507', 7544'- 7580', 7587'-7595' MD
		4, 1/2" JHPF	6574'-6618', 6649'- 6690', 6706'-6750', 6802'- 6872', 6881'-6899', 6911'- 6956', 6990'-7106', 7142'- 7190', 7233'-7358', 7441'- 7456', 7473'-7507', 7544'- 7580' MD

Date HISTORY: CTI

- 8/02/2017 Power up rig. Move v-door into place. Move accumulator into place. Clean up location. Traveled back to yard. EOT.
NOTE: Pat Vigeant lease Forman contacted DOGGR @ 1:48 PM and spoke to Renee and scheduled a BOPE inspection for 2:00 PM on 8/3/17.
- 8/03/2017 Bled down well. N/u xo spool, riser and BOPE. Hooked up kill line. **Eric Weigand from cypress DOGGR office arrived @ 2:00 PM for BOPE inspection.** BOPE inspection was passed and paper work is signed and in place. Continued to unscrew donut studs. Unland donut. POOH with tbq detail. Closed BOPE. Secured well and rig till AM. Started to prepare and lay out new 2 7/8 tbq detail in support bay.
- 8/04/2017 Laid out new 2 7/8 tbq in support bay to measure. Unload scrapers and bumper sub. Took picture and measured 8 5/8 all weight scraper and bumper sub. M/u scraper and bumper sub. Started picking up 2 7/8 tbq detail. RIH with 8 5/8 scraper. Tagged a few spots of scale build up @ 1297' & 1638'. Worked scraper up and down through the rough spots. Pick up and ran in 134 jnts of 2 7/8 tbq. Closed BOPE and tbq valve. Secured well and rig till AM. Hooked backside up to VR.
- 8/07/2017 Bled well down. Continued to P/u and RIH with tbq detail. Tagged spot @ 5934'. Worked 8 5/8 scraper through. Continued to RIH with work string to tag 6 5/8 liner top @ 6777'. POOH with tbq detail. P/u and M/u 8 5/8 tension packer. R/u Hydro tester. Started to RIH testing tbq to 5000 psi. Closed BOPE and tbq valve. Secured well and rig till AM. Hooked backside up to VR.
- 8/08/2017 Bled well down and opened up BOPE. Continued to RIH with 8 5/8 packer and hydro testing tbq. RIH to 1505' to test packer. Set packer in tension. (40,000 over string weight) Unable to fill casing. Released packer and POOH to 733'. Set packer in tension. Unable to fill casing. Released packer and POOH to check packer. Packer looks good. RIH to 66' and set packer. Unable to fill casing. POOH and removed the unloader valve. RIH and set packer @ 58'. Unable to fill casing. Noticed slight blow up tbq. Released packer. POOH to 8' and set packer. Filled casing. Scheduled Tiger wire line for casing caliper log. Released packer. POOH and laid down packer. Closed BOPE. Secured well and rig till AM.
- 8/09/2017 Bled down well and opened up BOPE. Swapped out accumulator's. R/d hydro tester's tools. Spotted Tiger wire line truck. R/u pole and wire line sheaves. RIH with caliper tool. Logged casing from top of liner @ 6765' to surface. Consulted with engineer and lease Forman. Turned logs into lease Forman. Closed BOPE. Secured well and rig till AM.

- 8/11/2017 Bled down well. Opened up BOPE. M/u 8 5/8 retrievable lock set EP. RIH with tbg detail. Set retrievable BP @ 345'. POOH and MU 8 5/8 tension packer. RIH with tbg detail and set packer @ 98' to test the integrity of the plugs. (packer@98'-BP@345') M/u injection line to tbg. Pumped 18 bbls to fill. Pressured up to 500 ps and held solid for 5 min. Bled off pressure. Released packer. POOH with tension packer and laid it down. M/u retrieving head. RIH with tbg detail and retrieved lock set BP. RIH with tbg detail and BP to 5838'. Closed BOPE. Secured well and rig till Monday.
- 8/14/2017 Bled down well and opened up BOPE. P/u and continued to RIH with 8 5/8 BP and tbg detail. Set BP @ 6500'. POOH with tbg detail and retrieving tool. P/u and M/u 8 5/8 FB tension packer. RIH with tbg detail to 130'. Set FB packer. Hooked up injection line to tbg. Started pumping lease water @ 4:00 PM @ 1.5 BPM. Pumped 135 bbls. Shut down injection. Closed pipe rams on BOPE. Secured well and rig till AM.
- 8/15/2017 Bled down well. Opened up BOPE. Continued to fill well with injection line. (220 bbls) Set FB tension packer @ 130'. Retrievable BP set @ 6500'. R/u Ace hydro tester. Tested between plugs to 1000 psi. Held and charted for 15 minutes. Good test. Bled off pressure. Filled casing from 130' to surface. Closed pipe rams. Tested casing from 130' to surface to 1000 psi. Held and charted for 15 minutes. Good test. Bled off pressure. Released and moved FB tension packer. **Tested casing from surface to 6500'. Held and charted for 15 minutes. Good test.** Bled off pressure. POOH and laid down FB packer. M/u retrieving tool. RIH with tbg detail. Left 5 stands out. Closed BOPE. Secured well and rig till AM.
- 8/16/2017 Opened up well and BCPE. Casing is standing full of fluid. Continued to RIH with retrieving tool and tbg detail. Latched onto 8 5/8 BP. Opened relief valve and let fluid equalize. Slight blow up tbg. Released BP. POOH with BP and tbg detail. Laid down BP and retrieving tool. Loaded out BP and FB packer. M/u 6 5/8 scraper and bumper sub. Started to RIH with tbg detail. Closed pipe rams on BOPE. Secured well and rig till AM.
- 8/18/2017 Opened up well. 0 pressure. Opened up BOPE. Spotted wire line truck and equipment. R/u Tiger wire line for GR/CCL log. Logged casing from tag down @ 7755' to 4000'. Sent logs to engineer for correlation with open hole logs. Closed Blind rams on BOPE. R/d GR/CCL log tool. R/u xo spool for lubricator. Shut down till Monday. Secured well and rig.
- 8/21/2017 Bled well down. Opened up BOPE. R/u lubricator to wench line. Held safety meeting w/wire line. Started crane lifting perf guns to the V-door. Shut down for 3 hours. Wire line truck would not start. Started RIH with perf guns @ 10:00 AM. Used 4" slickwall wire line carrier guns. **Shot 4, 1/2, 25-gram JHPF. The intervals shot are as follows. 7580'-7544', 7507'-7473', 7456'-7441', 7358'-7233', 7190'-7142'. (total 258')** POOH and closed BOPE. Hooked backside up to VR. Secured well and rig till AM. Loaded 4 more guns into V-door for tomorrow morning.
- 8/22/2017 Opened backside. Well on a vacuum. Opened up BOPE. R/u wire line. Started RIH with 4" slick wall carrier guns. **Shot 4, 1/2, 25-gram JHPF. The intervals shot are as follows. 7106'-6990', 6956'-6911', 6899'-6881', 6872'-6802', 6750'-6706', 6690'-6649'.** There are 2 intervals left to shoot. 6618'-6574' & 6530'-6480'. R/d wire line. Closed BOPE. Hooked backside up to VR. Secured well and rig till AM. Loaded guns in V-door.
- 8/23/2017 Opened backside. Well on a vacuum. Opened up BCPE. R/u wire line. RIH with 4" slick wall carrier guns. **Shot 4, 1/2, 25-gram JHPF from 6618-6574.** (last interval) Listed all perf intervals in the well summary for a total of 636'. R/d wire line. Loaded out guns. Unload packer and scraper. M/u 8 5/8 scraper and bumper sub. RIH with tbg detail tagged liner top @ 6777'. POOH to 6000'. Closed BOPE. Hooked backside up to VR. Secured well and rig till AM.
- 8/24/2017 Casing on a vacuum. Opened up BOPE. Continued to POOH with 8 5/8 scraper and tbg detail. Laid down 8 5/8 scraper. M/u 6 5/8 scraper. RIH with tbg detail. Tagged down @ 7720'. All perfs are open. Saw no restrictions. POOH with 6 5/8 scraper to top of perfs @ 6574'. Closed BOPE. Secured well and rig till AM.
- 8/25/2017 Casing on a vacuum. Opened up BOPE. Continued to POOH with 6 5/8 scraper and tbg detail. Laid down 6 5/8 scraper. M/u 8 5/8 36# lock set packer. M/u hydro tester's bar tools. Started RIH testing tbg to 5000 psi. Hydro test truck broke down. Shut down till Monday. Closed BOPE. Secured well and rig till AM. Cleaned up location. Traveled back to yard. EOT
- 8/28/2017 Opened well and BOPE. R/u Ace Hydro Tester. Continued to RIH with 8 5/8 Loc set packer. Tested all tbg to 5000 psi. Had no failures. R/d hydro tester. Closed BOPE. Secured well and rig till AM. Cleaned up location. Traveled back to yard. EOT
- 8/29/2017 Opened well and BOPE. M/u donut. RIH and landed tbg on donut. N/d BOPE. **Set 8 5/8 36# loc-set injection packer@ 6475'. (COE)** Landed tbg in neutral position. Filled backside with lease water and packer fluid. (200 bbls to fill.) R/u Ace hydro tester. Tested and charted casing to 1000 psi. Held for 15 minutes. Good test. Lead operator (Miguel Campos) called DOGGR @ 1:30 PM **Dale Peterson from DCGGR office arrived @ 3:45 PM to witness the test. Pressured up casing from packer to surface. Tested and charted to 1000 psi. Test passed.** Paper work was signed and turned in to Lead operator. Secured well and rig till AM.
- 8/30/2017 Bled down well. Laid down landing jnt. N/u production tree with new valves. Helped plum in injections lines for injection. Turned well over to injection. Powered down rig.



James Williams <james.k.williams@lacity.org>

Case No. DIR 2020-4145(BSA) - 10701 Bellagio Road2 messages

Mark Armbruster <mark@agd-landuse.com>

Tue, Aug 24, 2021 at 1:22 PM

To: "james.k.williams@lacity.org" <james.k.williams@lacity.org>

Cc: Dale Goldsmith <dale@agd-landuse.com>, James Terzian <JamesRT@networkcapital.net>, "esther.serrato@lacity.org" <esther.serrato@lacity.org>, "juliet.oh@lacity.org" <juliet.oh@lacity.org>, "irene.gonzalez@lacity.org" <irene.gonzalez@lacity.org>, Laura Awad <laura@agd-landuse.com>, Mark Armbruster <mark@agd-landuse.com>

Dear Honorable WLA APC,

We represent the new owner of the property located at [10701 Bellagio Road](#) (Case no. DIR 2020-4145 BSA) which has been appealed and tentatively scheduled for an appeal hearing at the WLA APC on September 1, 2021. We will clearly not have enough time to prepare for a September 1 hearing and, therefore, request a continuance until your October 20, 2021 Commission meeting. Thank you for your consideration.

Sincerely,

Mark Armbruster

Mark Armbruster

Partner



Armbruster Goldsmith & Delvac LLP

[12100 Wilshire Blvd., Suite 1600](#)[Los Angeles, CA 90025](#)

310-209-8800

mark@agd-landuse.comagd-landuse.com

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Please consider the environment before printing this email.

From: james.k.williams@lacity.org <james.k.williams@lacity.org> **On Behalf Of** Planning APC West LA
Sent: Tuesday, August 24, 2021 10:35 AM
To: Mark Armbruster <mark@agd-landuse.com>
Cc: Esther Serrato <Esther.Serrato@lacity.org>; Juliet Oh <Juliet.Oh@lacity.org>; Irene Gonzalez <irene.gonzalez@lacity.org>
Subject: Re: Case No. DIR 2020-4145(BSA) - [10701 Bellagio Road](#)

Good day Mark,

We have noted on the agenda that staff has requested a continuance to the October 20, 2021 meeting date. If you would like to submit a letter to support the continuance request that would be acceptable.

Best regards,

James

On Tue, Aug 24, 2021 at 9:53 AM Mark Armbruster <mark@agd-landuse.com> wrote:

Hi Esther,

I am checking to see if you have an update regarding a continuance. Many thanks.

Mark

Mark Armbruster

Partner



Armbruster Goldsmith & Delvac LLP

12100 Wilshire Blvd., Suite 1600

Los Angeles, CA 90025

310-209-8800

mark@agd-landuse.com

agd-landuse.com

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Please consider the environment before printing this email.

From: Esther Serrato <Esther.Serrato@lacity.org>

Sent: Thursday, August 19, 2021 5:26 PM

To: Mark Armbruster <mark@agd-landuse.com>

Cc: Juliet Oh <Juliet.Oh@lacity.org>; Planning APC West LA <apcwestla@lacity.org>

Subject: Re: Case No. DIR 2020-4145(BSA) - 10701 Bellagio Road

Good afternoon Mark,

We are reviewing your request to continue. There may be availability on October 20, 2021. Would that date work for you?

Thanks,

Esther

On Wed, Aug 18, 2021 at 4:55 PM Planning APC West LA <apcwestla@lacity.org> wrote:

Please see the forwarded message.

Please respond.

----- Forwarded message -----

From: **Mark Armbruster** <mark@agd-landuse.com>
Date: Wed, Aug 18, 2021 at 2:33 PM
Subject: Case No. DIR 2020-4145(BSA) - [10701 Bellagio Road](#)
To: apcwestla@lacity.org <apcwestla@lacity.org>

Hello,

We have just been engaged to represent the new owner of [10701 Bellagio Road](#) for the appeal hearing which I understand is tentatively being scheduled for September 1 at the WLA APC. This will clearly not give us enough time to properly prepare for the hearing and therefore we would like to request a continuance until 10/6. Please contact me asap regarding this. If you would like to discuss, my direct number is 310-254-2199. Thank you for your consideration.

Mark

Mark Armbruster

Partner



Armbruster Goldsmith & Delvac LLP

[12100 Wilshire Blvd., Suite 1600](#)

[Los Angeles, CA 90025](#)

310-209-8800

mark@agd-landuse.com

agd-landuse.com

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--

Esther Serrato

City Planner

Los Angeles City Planning

200 N. Spring St., Room 720

Los Angeles, CA 90012

Planning4LA.org

T: (213) 978-1211

James Williams <james.k.williams@lacity.org>

Tue, Aug 24, 2021 at 1:35 PM

To: Mark Armbruster <mark@agd-landuse.com>

Cc: Dale Goldsmith <dale@agd-landuse.com>, James Terzian <JamesRT@networkcapital.net>, "esther.serrato@lacity.org" <esther.serrato@lacity.org>, "juliet.oh@lacity.org" <juliet.oh@lacity.org>, "irene.gonzalez@lacity.org" <irene.gonzalez@lacity.org>, Laura Awad <laura@agd-landuse.com>, Mark Armbruster <mark@agd-landuse.com>

Good day Mr. Armbruster,

Thank you for your email. Your request will be shared with the West LA Area Planning Commission.

Best regards,

James

LOS ANGELES
CITY PLANNING**James K. Williams**
Commission Executive Assistant II
Cultural Heritage Commission
West LA Area Planning Commissionjames.k.williams@lacity.org

T: (213) 978-1295

Los Angeles City Planning
200 N. Spring St., Room 272

8/24/2021

City of Los Angeles Mail - Case No. DIR 2020-4145(BSA) - 10701 Bellagio Road

Los Angeles, CA 90012
Planning4LA.org



[Quoted text hidden]

DAY OF HEARING SUBMISSIONS



James Williams <james.k.williams@lacity.org>

WLA APC Jurisdiction today over ZA-1989-17683-PA2-1A

Michael Salman <salman@ss.ucla.edu>

Wed, Sep 1, 2021 at 8:55 AM

To: Planning APCWestLA <apcwestla@lacity.org>, oscar.medellin@lacity.org

Cc: James Williams <james.k.williams@lacity.org>, Amy Minter <acm@cbcearthlaw.com>

To the WLA APC and Assistant City Attorney Medellin,

I just realized I made a mistake that I should correct, although it does not effect the demonstration that the APC still has jurisdiction over the case:

I mistakenly counted "meeting days of the Council" starting from the August 18 APC hearing date. That was incorrect.

"Meeting days of the Council" should be counted from the date of issuance of the revised ZA determination, which was August 26.

Counting from the proper start date, Council met on August 27 and 31, and is scheduled to meet September 1, 3, and then, due to recess, not again until September 10. Therefore the APC's decision is not final until midnight on September 10, as per LAMC 12.24.I.6.b

The APC has jurisdiction today and can extend jurisdiction by consent.

Yours

Michael Salman
Professor Emeritus
History, UCLA

[Quoted text hidden]



James Williams <james.k.williams@lacity.org>

WLA APC Jurisdiction today over ZA-1989-17683-PA2-1A1 message

Michael Salman <salman@ss.ucla.edu>

Wed, Sep 1, 2021 at 7:33 AM

To: Planning APCWestLA <apcwestla@lacity.org>, oscar.medellin@lacity.org

Cc: James Williams <james.k.williams@lacity.org>, Amy Minter <acm@cbcearthlaw.com>

To the WLA APC and Assistant City Attorney Medellin,

I am writing with regard to Case No ZA-1989-17683-PA2-1A and the WLA APC continued jurisdiction over the case, which was heard by the APC at its last meeting on August 18.

It has been brought to my attention that there might be a supposition or assumption that the APC may have lost jurisdiction over the case due to the issuance on August 26 of the revised ZA determination pursuant to the Commissioner's ruling on August 18. It seems some might believe the issuance of the written determination ends the APC's jurisdiction. **A review of the Municipal Code indicates otherwise: The APC still has jurisdiction over the case.**

The pertinent Code section is LAMC 12.24.I on appeals. I will reproduce the pertinent sections of the Code and provide alongside it an account of pertinent dates. Afterwards, I will address the purpose of the APC rule allowing the potential of "reconsideration" and issues of equity and justice.

12.24.I.4 speaks to the overall calendar time during which the APC has jurisdiction: 75 days or longer if agreed. The 75 day expiration date of jurisdiction is September 1, 2021, as indicated on the agenda for the August 18 appeal hearing.

4. Time for Appellate Decision. The appellate body shall act within 75 days after the expiration of the appeal period or within any additional period mutually agreed upon by the applicant and the appellate body. The failure of the appellate body to adopt a resolution within this time period shall be deemed a denial of the appeal.

12.24.I.6.b on Effective Date of Appellate decision refers to Charter Sec 245 for the definition of an "Effective Date of Appellate Determination." In the original text, the Charter Section number "245" is a hyperlink to Charter Section 245.

6. Procedures and Effective Date of Appellate Decision.

(a) When a conditional use decision is appealed to the City Council and the Council either approves the conditional use or denies an appeal from an earlier approval, the matter together with the files and reports shall forthwith be transmitted to the Mayor. The Mayor may approve or disapprove the conditional use within ten days of its presentation to him or her. This action shall be based solely upon the administrative record and whether the Mayor believes the conditional use conforms with the requirements for approval set forth in this section. If the Mayor disapproves the conditional use, he or she shall return the matter to the City Clerk for presentation to the Council, together with the objections in writing. The Council within 60 days after the matter has been returned to it may override the disapproval:

(i) by a two-thirds vote if the Council had not modified the conditional use as approved by the initial decision-maker, or if the Council had made the initial approval of the conditional use by reason of the failure of the initial decision-maker to act; or

(ii) by a three-fourths vote if the Council had modified and approved the conditional use or reversed the action of the initial decision-maker and had approved the conditional use.

If the Council fails to override the Mayor's disapproval within the 60 days, the Mayor's disapproval shall constitute a denial of the conditional use. If the Mayor fails to return the matter to the City Clerk within ten days of its presentation to him or her, the approval of the conditional use shall become final.

(b) When a conditional use decision of the Zoning Administrator is appealed to an Area Planning Commission, the appellate decision of the Area Planning Commission shall be final and effective as provided in Charter Section 245.

Charter Section 245 says the action of the APC is not final until "the expiration of the next five meeting days of the Council" in regular session. The fifth meeting day of Council will be September 1, 2021 (they met Aug 24, 25, 27, and 31, and they meet on Sept 1). The expiration of the 5th meeting day is 12 Midnight on September 1, 2021.

Consequently, the APC will still have jurisdiction at its September 1 meeting.

Here is Charter Sec 245:

Sec. 245. City Council Veto of Board Actions.

Actions of boards of commissioners shall become final at the expiration of the next five meeting days of the Council during which the Council has convened in regular session, unless the Council acts within that time by two-thirds vote to bring the action before it or to waive review of the action, except that as to any action of the Board of Police Commissioners regarding the removal of the Chief of Police, the time period within which the Council may act before the action of the Board shall become final shall be ten meeting days during which the Council has convened in regular session.

I would also like to note two collateral issues:

- **The APC rules allowing for reconsideration at the next meeting if there is still jurisdiction would be meaningless if the APC decision itself terminated jurisdiction. That cannot be the intent of the rule.**
- **There is an equity and justice element to the APC looking at reconsideration in this case.**
 - **NASE's attorney Amy Minter's letter to the APC of August 27, 2021 (cc'ed to Mr. Medellin) proves beyond the shadow of a doubt that the ZA gave the APC woefully false information on central issues at the August 18 hearing, and did so extensively during the Commission deliberation and question phase of the hearing when neither the appellant nor applicant could respond.**
 - **The ZA's misinformation was pivotal to central issues in the case. For example, the ZA said "no new wells" had been drilled since 2000, when the documents and admission of the applicant absolutely and without doubt or margin for interpretation show otherwise. Likewise, the ZA told the APC that well conversions are merely acts of reclassification on paper requiring no ZA review or approval, when - in fact - they are substantial physical projects, LAMC 13.01.I has specifically required full ZA review since at least 1955, and ZA Memo 133 expressly requires a public hearing and prohibits granting a CE from CEQA due to the potential for environmental impact.**
 - **While the ZA did not testify under oath, his quasi-judicial role under the Municipal Code requires him to examine evidence, report on facts, and abide by the law. His professional standards require this, too.**
 - **In light of all of the circumstances recounted herein (the Code, the facts of the case, the statements at the hearing), precluding any chance for the APC to even decide whether to look again to see if they were given accurate information would be inequitable, contrary to justice, and contrary to the public good of sustaining good faith in the land use review and appeal processes.**

For all of the above reasons, I hope you will find that the WLA APC still has jurisdiction over this case at its meeting today.

9/1/2021

City of Los Angeles Mail - WLA APC Jurisdiction today over ZA-1989-17683-PA2-1A

Yours,

Michael Salman
Professor Emeritus
History, UCLA

Benjamin M. Reznik
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August 31, 2021

VIA E-MAIL (apcwestla@lacity.org)

Michael Newhouse, President and Members of the
West Los Angeles Area Planning Commission
Attention: James K. Williams
City Hall, Room 272
200 N. Spring Street
Los Angeles, CA 90012

Re: 627 North Carcassonne Road
Agenda Item # 6 on September 1, 2021 Agenda
Case No.: DIR-2020-4144-BSA01A

Subject: Request for Continuance

Dear President Newhouse and Members of the Commission:

The subject property recently sold and the new owners, Mr. & Mrs. Louis Hsieh, have moved in. They only learned of this appeal in the past few days and have retained our office to represent them. As such, we respectfully request a continuance of this hearing to enable us to submit the property letter brief and documentation on their behalf.

Sincerely,



BENJAMIN M. REZNIK of
Jeffer Mangels Butler & Mitchell LLP

BMR:ki



Department of City Planning

City Hall, 200 N. Spring Street, Room 525, Los Angeles, CA 90012

June 14, 2021

TO: West Los Angeles Planning Commission

FROM: Kevin Fulton, Planning Assistant

ADDITIONAL INFORMATION/TECHNICAL MODIFICATION/CORRECTION TO THE STAFF RECOMMENDATION REPORT FOR CASE NO. DIR-2019-5903-CDP-MEL-1A; 815 East Angelus Place

The following technical modifications are to be incorporated into the staff recommendation report to be considered at the West Los Angeles Area Planning Commission meeting of June 16, 2021, related to Item No. 5 on the meeting agenda. The modification includes additional documents to update Exhibit B and Exhibit E of the Staff Recommendation Report as well as modified text to reflect a change in the project floor area.

Exhibit E – Context Maps and Massing Analysis, which was not previously included in the staff recommendation report is attached.

Exhibit B includes the stamped project plans “Exhibit A”. On June 9, 2021, the applicant submitted updated plans, reflecting a decrease in the project size from 3,437 square feet to 3,223 square feet. The following modification is recommended to update the project’s total floor area in the Director’s Determination.

Planning Staff recommends the Commission adopt the following changes to the recommended Conditions of Approval and Findings, and to adopt updated “Exhibit A” stamped plans dated June 11, 2021.

Text changes are noted as follows: deletions in **~~bold strikethrough~~** and additions as **bold underline**.

Grant Clause should be modified as follows:

Approve a Coastal Development Permit authorizing the demolition of a single-family dwelling and the construction of a new, two-story, ~~3,437~~ **3,223** square foot, single-family dwelling with an attached garage, roof deck, and a swimming pool. The project provides a total of three (3) parking spaces and is located in the Single Permit Jurisdiction area of the Coastal Zone; and

Background should be modified as follows:

The applicant is requesting a Coastal Development Permit authorizing the demolition of a single-family dwelling and the construction of a new two-story, ~~3,437~~ **3,223** square-foot single-family dwelling with an attached garage, roof deck, and a swimming pool. The project provides a total of

three onsite parking spaces. In addition, the project is subject to review for compliance with the Mello Act.

Finding No. 1 should be modified as follows:

1. The development is in conformity with Chapter 3 of the California Coastal Act of 1976.

Chapter 3 of the Coastal Act includes provisions that address the impact of development on public services, infrastructure, traffic, the environment and significant resources, and coastal access. Applicable provision are as follows:

Section 30244 Archaeological and Paleontological Resources.

Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required. The subject site is not located within an area with known Archaeological or Paleontological Resources. However, if such resources are discovered during necessary excavation or grading activities, the project is subject to compliance with Federal, State and Local regulations already in place.

Section 30250 Location; existing developed area.

(a) New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it or, where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels. The proposed project is located in a residential neighborhood developed with similar single and multi-family dwellings. The project will demolish a single-family dwelling and construct a new two-story, 3,437 square-foot single-family dwelling with an attached garage, roof deck, and a swimming pool. The new residential structure will maintain connections and access to all public services required for residential uses, including water and sewage, waste disposal, gas, and electricity. Therefore, the proposed development will be adequately serviced and will not have a significant adverse impact on coastal resources.

Section 30251 Scenic and Visual Qualities.

The scenic and visual qualities of coastal areas shall be considered and protected as a resource of public importance. Permitted development shall be sited and designed to protect views to and along the ocean and scenic coastal areas, to minimize the alteration of natural land forms, to be visually compatible with the character of surrounding areas, and, where feasible, to restore and enhance visual quality in visually degraded areas. New development in highly scenic areas such as those designated in the California Coastline Preservation and Recreation Plan prepared by the Department of Parks and Recreation and by local government shall be subordinate to the character of its setting. The subject property is located on a relatively flat parcel one (1) mile from the Pacific Shoreline. The proposed project will demolish a single-family dwelling and construct a new two-story, ~~3,437~~ **3,223** square-foot single-family dwelling with an attached garage, roof deck, and a swimming pool. The project observes the maximum flat roof line height (25 feet) while the maximum varied roofline height (26 feet) is four (4) feet below the limit (30 feet). It is compliant with all other pertinent development regulations for the R2-1 zone and Venice Coastal Zone Specific Plan. There are 25 lots on this block of Angelus Place (bounded by Grandview Avenue and Oakwood Avenue), excluding the subject property. These lots are improved with single and multi-family dwellings, of which twenty (20) are one-story, two (2) are two-story, and three (3)

have a partial second story. Both dwellings with a full second story are located nearby the subject site at 819 & 818 East Angelus Place respectively. The existing dwellings on the block feature a diverse range of architectural styles and massing. Other common design elements include varied rooflines and decorative walls along the lot frontage. The proposed project exceeds the required front-yard setback and includes a varied roofline and decorative wall along the lot frontage. The varied roofline and transparent façade help break up the massing, while the wood framing along part of the façade adds visual interest, color, and texture. As such, the proposed project will be visually compatible with the character of the surrounding community and is designed and sited to protect views to and along the ocean.

Section 30252 Maintenance and Enhancement of Public Access.

The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and by (6) assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provision of onsite recreational facilities to serve the new development. The subject property is located one (1) mile from the Pacific Shoreline and 3,462 feet from the Venice Canals. The project is limited to the subject property, providing adequate parking for the proposed dwelling unit; three on-site parking spaces. No improvements are proposed or required within the right-of-way, and the project will not obstruct access to or from the site. No permanent structures would be placed within the public right-of-way and public access to the coast would not be obstructed. As such, the proposed project will not conflict with any public access policies of the Coastal Act.

Section 30253 Minimization of Adverse Impacts.

New development shall: (1) Minimize risks to life and property in areas of high geologic, flood, and fire hazard. (2) Assure stability and structural integrity, and neither create nor contribute significantly to erosion, geologic instability, or destruction of the site or surrounding area or in any way require the construction of protective devices that would substantially alter natural landforms along bluffs and cliffs. (3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board as to each particular development. (4) Minimize energy consumption and vehicle miles traveled. (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses. The project site is not located on a bluff or cliff but is located in a Liquefaction Zone. It is also located within 5.5 kilometers of the Santa Monica Fault. The proposed project will be subject to all relevant developmental regulations and regulatory compliance measures established by the various City departments and the Conditions of Approval imposed herein. Compliance with such requirements will minimize risks to life and property in areas of geologic hazard.

The proposed project will not produce any adverse impacts as it relates to public access, recreation, marine environment, land resources, or existing development as the subject property is located in an urbanized residential neighborhood one (1) mile from the Pacific Shoreline. The proposed project will neither interfere nor reduce access to the shoreline or along the coast. The proposed project will not adversely impact any recreational uses and activities, the marine environment, and other environmentally sensitive habit areas. The subject property is not located in an area with known archaeological or paleontological resources and will be required to comply with existing regulations, if discovered. The proposed project will not involve the diking, filing, or

dredging of the open coastal waters. The proposed project will be served by existing public facilities and will not degrade the scenic and visual qualities of nor interfere with public access to the coastal area. Therefore, the proposed project will be in conformity with Chapter 3 of the Coastal Act.

Finding No. 2 should be modified as follows:

- 2. The development will not prejudice the ability of the City of Los Angeles to prepare a local coastal program that is in conformity with Chapter 3 of the California Coastal Act of 1976.**

Coastal Act Section 30604(a) states that prior to the certification of a Local Coastal Program ("LCP"), a coastal development permit may only be issued if a finding can be made that the proposed development is in conformance with Chapter 3 of the Coastal Act. The Venice Local Coastal Land Use Plan ("LUP") was certified by the California Coastal Commission on June 14, 2001; however, the necessary implementation ordinances were not adopted. The City is in the initial stages of preparing the LCP; prior to its adoption the guidelines contained in the certified LUP are advisory.

As discussed, the project consists of the demolition of a single-family dwelling and the construction of a new ~~3,437~~ 3,223 square foot, two-story single-family dwelling with an attached garage, roof deck, and a swimming pool. A total of three onsite parking spaces are provided. The subject site is within the Southeast Venice subarea of the Venice Coast Zone Specific Plan. It is zoned R2-1 and designated for Low Medium I Residential land uses. The proposed project is consistent with the following policies of the Land Use Plan:

Policy I.A.1 identifies general residential development standards regarding roof access structures and lot consolidation restrictions. No lot consolidation is proposed. The proposed roof access structure meets all requirements for roof access structures.

Policy I.A.6 includes development standards for projects in areas designated for Multi-family Residential – Low Medium I Density; the standards address use, density, yards, and height for the Southeast Venice Subarea. The project proposes the demolition of a single-family dwelling and the construction of a new single-family dwelling, with a maximum flat roofline height of 25 feet and a maximum varied roofline height of 26 feet. The project is consistent with the residential uses and density allowed in the R2-1 Zone and the maximum height for structures located in the Southeast Venice Subarea. The project provides a 21-foot front yard, a 15-foot rear yard, and 4-foot side yards, consistent with the requirements of the R2 zone and the existing scale and character of the neighborhood.

Policy II.A.3. outlines the Parking Requirements for the project: single-family dwellings on lots 35 feet or more in width if adjacent to an alley are required to provide three parking spaces. The subject site has a width of 40 feet and will provide three parking spaces for the single-family dwelling.

The proposed development is consistent with the policies of the Land Use Plan and the standards of the Specific Plan (discussed below) and will not prejudice the ability of the City to prepare a local coastal program that is in conformity with Chapter 3 of the California Coastal Act.

Finding No. 3 should be modified as follows:

- 3. The Interpretive Guidelines for Coastal Planning and Permits as established by the California Coastal Commission dated February 11, 1977 and any subsequent amendments**

thereto have been reviewed, analyzed and considered in light of the individual project in making this determination.

The Los Angeles County Interpretative Guidelines were adopted by the California Coastal Commission (October 14, 1980) to supplement the Statewide Guidelines. Both regional and statewide guidelines, pursuant to Section 30620 (b) of the Coastal Act, are designed to assist local governments, the regional commissions, the commission, and persons subject to the provisions of this chapter in determining how the policies of this division shall be applied to the coastal zone prior to the certification of a local coastal program. As stated in the Regional Interpretative Guidelines, the guidelines are intended to be used "in a flexible manner with consideration for local and regional conditions, individual project parameters and constraints, and individual and cumulative impacts on coastal resources. In addition to the Regional Interpretative Guidelines, the policies of Venice Local Coastal Program Land Use Plan (the Land Use Plan was certified by the Coastal Commission on June 14, 2001) have been reviewed and considered.

The project consists of the demolition of a single-family dwelling and the construction of a new ~~3,437~~ 3,223 square foot, two-story single-family dwelling. As discussed, the project consists of the demolition of a single-family dwelling and the construction of a new ~~3,437~~ 3,223 square foot, two-story single-family dwelling with an attached garage, roof deck, and a swimming pool. The Regional Interpretive Guidelines have been reviewed and the proposed project is consistent with the requirements for the Southeast Venice Subarea; the project also complies with the policies of the LUP and standards of the Specific Plan.

Finding No. 4 should be modified as follows:

- 4. The decision of the permit granting authority has been guided by any applicable decision of the California Coastal Commission pursuant to Section 30625(c) of the Public Resources Code, which provides that prior decisions of the Coastal Commission, where applicable, shall guide local governments in their actions in carrying out their responsibility and authority under the Coastal Act of 1976.**

The project consists of the demolition of a single-family dwelling and the construction of a new ~~3,437~~ 3,223 square foot, two-story single-family dwelling, providing three on-site parking spaces. The development does not conflict with prior decisions of the Coastal Commission. The Coastal Commission recently took action on the following projects in the Venice Coastal Zone:

- In September 2020, the Coastal Commission approved a Coastal Development permit for the construction of a new three-story, 33.8-foot high, 4,827 square-foot single-family residence with a 530 square-foot accessory dwelling unit and three on-site parking spaces on a 3,545 square-foot vacant canal-front lot, located at 3819 Via Dolce (Application No. 5-19-1167).
- In March 2020, the Coastal Commission approved a Coastal Development Permit for the substantial demolition, major renovation of, and 1,724-square foot net addition to, an approximately 1,128 square foot, 20.3 foot high, one-story single family residence resulting in an approximately 2,852 square-foot, 28 feet high three-story single family residence with 1,111 square foot of new deck space, new attached two-car garage, and one additional onsite parking stall, 3.5 foot high rooftop guardrails, and hardscape and landscape improvements on a canal-fronting lot. The existing detached two-car garage, topped with a second-story and third-story recreation room, is proposed to be demolished. Project includes a request to maintain nonconforming front yard setback from the canal as well as encroachments beyond the property line adjacent to the canal, located at 441 Sherman Canal (Application No.5-19-0854)

- In February 2020, the Coastal Commission approved a Coastal Development Permit for the demolition of a 2-story, 25-foot high, 1,856 square foot duplex and construction of a 3-story, 28-foot high, 2,799 square foot single-family dwelling with a 2-story, 815 square foot accessory dwelling unit and 3 onsite parking spaces, located at 21 29th Avenue (Application Nos. A-5-VEN-19-0022 & 5-19-0949)
- In August 2019, the Coastal Commission approved a Coastal Development Permit to authorize the demolition of a 2-story, 1,693 square-foot single family residence built circa 1985 and construction of a 3-story, 30-foot high, 3,631 square-foot single-family residence with an attached 427 square-foot two-car garage and one additional on-site parking space on the driveway apron, and a 473 square-foot roof deck with 42-inch high railings on an approximately 2,850 square-foot canal-fronting lot, on a lot located in a Dual Permit Jurisdiction Area of the Coastal Zone at 237 Linnie Canal (Application No. 5-19-0233).
- In June 2019, the Coastal Commission approved a Coastal Development Permit to authorize the remodel and 987 square-foot addition to an existing 1,615 square-foot single family residence, demolition of an existing 456 square-foot detached garage, and construction of a new detached 688 square-foot accessory dwelling unit above a 555 square-foot three-car garage on a 3,780 square-foot lot, on a lot located in a Dual Permit Jurisdiction Area of the Coastal Zone at 17 Jib Street (Application No. 5-19-0129)
- In August 2018, the Coastal Commission approved a Coastal Development Permit to authorize the demolition of a 1-story, 700 square-foot single-family dwelling, and the construction of a 2-story, 24-foot high, approximately 2,878 square-foot single-family dwelling with an attached 2-car garage and roof deck, on a lot located in a Single Jurisdiction Area of the Coastal Zone at 2412 Clement Avenue (Application No. A-5-VEN-17-0072).
- In June 2018, the Coastal Commission approved a Coastal Development Permit to authorize the demolition of a 756 square-foot single family home on two adjoining residential lots and construction of an approximately 24-foot high, 1,560 square-foot, 3-level, single family residence with a rooftop deck and attached two-car garage on one 2,011.6 square-foot lot, located in a Single Permit Jurisdiction Area of the Coastal Zone at 678 Marr Street (Application No. A-5-VEN-17-0044).
- In February 2018, the Coastal Commission approved a Coastal Development Permit to authorize the addition to a one-story 1,331 square-foot single-family residence on a 2,650 square-foot walk-street lot, resulting in a three-story, 28-foot high, 3,075 square-foot single-family residence with a 413 square-foot two-car garage and an 819 square-foot roof-deck with a 10-foot high roof access structure, on a lot located in a Dual Jurisdiction Area of the Coastal Zone at 16 30th Avenue (Application Nos. 5-17-0695 & A-5-VEN-17-0034).

As such, this decision of the permit granting authority has been guided by applicable decisions of the California Coastal Commission pursuant to Section 30625(c) of the Public Resources Code, which provides that prior decisions of the Coastal Commission, where applicable, shall guide local governments in their actions in carrying out their responsibility and authority under the Coastal Act of 1976.

Finding No. 6 should be modified as follows:

- 6. An appropriate environmental clearance under the California Environmental Quality Act has been granted.**

Categorical Exemption No. ENV-2019-5904-CE was prepared for the proposed project consistent with the provisions of CEQA. The project consists of the demolition of a single-family dwelling and the construction of a new ~~3,437~~ 3,223 square foot, two-story single-family dwelling with an attached garage, roof deck, and a swimming pool. A total of three onsite parking spaces are provided. The Categorical Exemption prepared for the proposed project is appropriate pursuant to CEQA Guidelines Sections 15301 (Class 1) and 15303 (Class 3).

The Class 1 Categorical Exemption includes demolition and removal of individual small structures: (1) One single-family residence. In urbanized areas, up to three single-family residences may be demolished under this exemption; (2) A duplex or similar multifamily residential structure. In urbanized areas, this exemption applies to duplexes and similar structures where not more than six dwelling units will be demolished; (3) A store, motel, office, restaurant, or similar small commercial structure if designed for an occupant load of 30 persons or less. In urbanized areas, the exemption also applies to the demolition of up to three such commercial buildings on sites zoned for such use; (4) Accessory (appurtenant) structures including garages, carports, patios, swimming pools, and fences. The project proposes demolition of an existing single-family dwelling.

The Class 3 Categorical Exemption allows for construction and location of limited numbers of new, small facilities or structures; installation of small new equipment and facilities in small structures; and the conversion of existing small structures from one use to another where only minor modifications are made in the exterior of the structure; this includes one single-family residence, or a second dwelling unit in a residential zone, and Accessory (Appurtenant) Structures including garages. As previously discussed, the project will construct one new single-family dwelling and a new swimming pool.

Furthermore, the Exceptions outlined in the State CEQA Guidelines Section 15300.2 do not apply to the project:

- (a) Location. The project is not located in a sensitive environment. Although the project is located within the Coastal Zone, the residential neighborhood is not identified as a sensitive environmental resource. The proposed project is consistent with the scale and uses proximate to the area. The subject site is not located in a fault or flood zone, nor is it within a landslide area. Although the site is located within a Liquefaction Zone, the project is subject to compliance with the requirements of the Building and Zoning Code that outline standards for residential construction.
- (b) Cumulative Impact. The project is consistent with the type of development permitted for the area zoned R2-1 and designated Low Medium I Residential use. The proposed development of a single-family dwelling will not exceed thresholds identified for impacts to the area (i.e. traffic, noise, etc.) and will not result in significant cumulative impacts.
- (c) 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 consists of work typical in a residential neighborhood and, as such, no unusual circumstances are present or foreseeable.
- (d) Scenic Highways. The only State-designated Scenic Highway in the City of Los Angeles is the Topanga Canyon State Scenic Highway, State Route 27, which travels through a portion of the Topanga State Park. The subject property is located several miles to the southeast of State Route 27. Therefore, the proposed project will not create any impacts to scenic resources within a State-designated Scenic Highway.

- (e) Hazardous Waste Sites. According to the EnviroStor, the State of California's database of hazardous waste sites, neither the subject property nor any property in the vicinity, is identified as a hazardous waste site.
- (f) Historical Resources. The subject site and exiting structure have not been identified as a historic resource or within a historic district (SurveyLA), the project is not listed on the National or California Register of Historic Places, or identified as a Historic Cultural Monument (HCM).