

**Responses to Public Comments
on the
Revised Initial Study/
Mitigated Negative Declaration
for Segment C of the Park to Playa Trail**

SCH No. 2015121007

Prepared for | Baldwin Hills Regional Conservation Authority
Los Angeles River Center and Gardens
570 West Avenue 26, Suite 100
Los Angeles, California 90065

Prepared by | BonTerra Psomas
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November 2016



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1.0 INTRODUCTION

This document has been prepared to provide responses to written comments received on the Revised Initial Study/Mitigated Negative Declaration (IS/MND) for Segment C of the proposed Park to Playa Trail (project). While the California Environmental Quality Act (CEQA) and the State CEQA Guidelines do not require formal responses to public comments on the IS/MND, responses are provided below for written comments that were submitted to the Baldwin Hills Regional Conservation Authority (BHRCA) to assist BHRCA, as the Lead Agency under CEQA, in considering the comments received and the responses to these comments along with the Revised IS/MND, prior to making a decision on the project. The responses to each comment letter have also been provided to the agencies and individuals who submitted the comments.

Changes to the Revised IS/MND based on the comments received and BHRCA's responses to these comments are listed in Section 6.0 below. The Revised IS/MND is provided under separate cover. In addition, the Mitigation Monitoring Program is provided in Section 7.0 below, which lists the regulatory requirements (RRs) and mitigation measures (MMs) in the Revised IS/MND and identifies the corresponding monitoring action and monitoring agency.

2.0 PROJECT DESCRIPTION

The Park to Playa Trail consists of 11 segments, with 2 segments (Marvin Braude Bike Path and Ballona Creek Bike Path) completed. The other nine segments consist of existing and proposed trails that pass through the northern section of the Baldwin Hills and surrounding areas. The trail alignment generally follows existing trails in public parks and open spaces, with a few segments representing new trails that would connect existing trails or that would close gaps in the trail system.

The proposed Segment C trail alignment would be improved through the construction of a trail leading down from the parking lot of the Baldwin Hills Scenic Overlook, along the northern end of a detention basin on the project site and connecting to a gate leading into the Stoneview Nature Center (continuing on a pathway within the Nature Center), continuing down from another gate to the northeastern section of the site, and tying into to a pedestrian bridge that is proposed over La Cienega Boulevard to connect to an existing trail at the Kenneth Hahn State Recreation Area (KHSRA).

Trail improvements would include soil excavation and grading; compaction of native soils for creation of an at-grade trail; provision of fencing and wayfinding/educational and other signs; planting of a landscaped buffer and concrete masonry unit (CMU) wall along the eastern portion of the trail; restoration and revegetation of disturbed areas adjacent to the trail; post and cable fencing along the trail from the Baldwin Hills Scenic Overlook to the Stoneview Nature Center; construction of a pedestrian bridge over La Cienega Boulevard; and the undergrounding of overhead utility lines along La Cienega Boulevard. Phase 1 of the project would include the western portion of Segment C extending from the Baldwin Hills Scenic Overlook to a gate at the Stoneview Nature Center. Phase 2 of the project would include the proposed trail from a gate at the Stoneview Nature Center, down the slopes to the northeastern section of the site and the pedestrian bridge over La Cienega Boulevard.

3.0 PUBLIC REVIEW OF THE REVISED INITIAL STUDY/MITIGATED NEGATIVE DECLARATION

The IS/MND for Segment C of the Park to Playa Trail was previously completed in November 2015 in compliance with CEQA and the State CEQA Guidelines. In accordance with Section 15073 of the State CEQA Guidelines, an extended 60-day public review and comment period (from November 23, 2015 to January 22, 2016) was established to allow affected and interested agencies with an opportunity to provide comments on the IS/MND and the project's environmental review process. The IS/MND was distributed to Responsible and Trustee Agencies, other affected public agencies, and interested parties at the start of the review period. In addition, a Notice of Intent to Adopt an MND was published in the *LA Daily News* on November 23, 2015, and in the *Culver City News* on November 26, 2015.

Subsequently, the project was refined and a Revised IS/MND was prepared in August 2016 to replace the previous IS/MND. The Revised IS/MND was distributed to Responsible and Trustee Agencies, other affected public agencies, and interested individuals on August 30, 2016. A Notice of Intent to Adopt an MND was published in the *LA Daily News* on August 30, 2016, and in the *Culver City News* on September 1, 2016.

The Revised IS/MND was made available for review at the following locations and websites:

Culver City Julian Dixon Library Reference Desk 4975 Overland Avenue Culver City, California 90230	Kenneth Hahn State Recreation Area Community Center 4100 South La Cienega Boulevard Los Angeles, California 90056	Baldwin Hills Scenic Overlook Visitor Center 6300 Hetzler Road Culver City, California 90232
Baldwin Hills Branch Library Reference Desk 2906 South La Brea Avenue Los Angeles, California 90016	Los Angeles River Center and Gardens 570 West Avenue 26, Suite 100 Los Angeles, California 90065	

Baldwin Hills Regional Conservation Authority website: <http://smmc.ca.gov/BHRCA.asp>

Baldwin Hills Conservancy website: <http://www.bhc.ca.gov/>

4.0 PUBLIC MEETINGS

A public meeting was held at the Dan Patacchia Conference Room in the City Hall of the City of Culver City (City) on December 10, 2015, at 6:00 PM to present the project to interested individuals and to solicit comments on the IS/MND. Aside from representatives from BHRCA, Los Angeles County, and BHRCA consultants, three persons attended the meeting.

Subsequent to the revision of the project and IS/MND and the distribution of the Revised IS/MND, a public meeting was held at the Dan Patacchia Conference Room at the City's City Hall on September 6, 2016, at 6:00 PM to discuss the revised project and the Revised IS/MND. Four persons attended the meeting, along with County staff and BHRCA consultant. Attendees asked questions to clarify the proposed trail components and requested that the stairs be eliminated and post and cable fencing be provided along the Phase 1 trail to keep users on the trail; protect adjacent vegetation and animal habitats; and prevent loitering and vandalism. No written comments were submitted at the meeting.

5.0 WRITTEN COMMENTS RECEIVED AND RESPONSES

During the public review period for the Revised IS/MND that extended from August 30 to September 28, 2016, the following letters and emails (with the dates in parentheses) were received:

Public Agencies

- A. California Governor's Office of Planning and Research (September 29, 2016)
- B. County of Los Angeles Fire Department (September 20, 2016)
- C. California Department of Transportation (September 28, 2016)
- D. City of Los Angeles (September 12, 2016)

Private Entities

- E. Freeport-McMoRan Oil and Gas (September 28, 2016)

Residents and Landowners

- F. Mike Davison (September 19, 2016)
- G. Pekka Rautionmaa (September 27, 2016)
- H. Charles and Mary Davis (September 27, 2016)
- I. Charles J. Moore (September 28, 2016)
- J. Cone Fee Trust (September 27, 2016)
- K. Baldwin Stocker, LLC (September 28, 2016)
- L. Marie Engh (September 28, 2016)
- M. Gibson Dunn (September 28, 2016);
- N. Lloyd Properties (January 21, 2016)
- O. Eleanor Osgood (September 28, 2016)

These comment letters are provided below, followed by responses to each comment contained in the individual letters.



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA

GOVERNOR'S OFFICE of PLANNING AND RESEARCH

STATE CLEARINGHOUSE AND PLANNING UNIT



KEN ALEX
DIRECTOR

September 29, 2016

Ana Straabe
Baldwin Hills Regional Conservation Authority
LA River Center & Gardens
570 W. Avenue 26, Suite 100
Los Angeles, CA 90065

Subject: Segment C of the Park to Playa Trail
SCH#: 2015121007

Dear Ana Straabe:

The State Clearinghouse submitted the above named Mitigated Negative Declaration to selected state agencies for review. The review period closed on September 28, 2016, and no state agencies submitted comments by that date. This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act.

A1

Please call the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process. If you have a question about the above-named project, please refer to the ten-digit State Clearinghouse number when contacting this office.

Sincerely,

A handwritten signature in black ink, appearing to read "Scott Morgan".

Scott Morgan
Director, State Clearinghouse

**Document Details Report
State Clearinghouse Data Base**

SCH# 2015121007
Project Title Segment C of the Park to Playa Trail
Lead Agency Baldwin Hills Regional Conservation Authority

Type MND Mitigated Negative Declaration
Description Note: Revised

The BHRCA is proposing a new trail on its property to connect the Baldwin Hills Scenic Overlook to the Kenneth Hahn State Recreation (KHSRA). The trail would include installation of native landscaping, fencing, gates, signage, stairway, and a new trail from parking Baldwin Hills Scenic Overlook; through BHRCA-owned property (adjacent to the future Stoneview Nature Center), and connecting with a pedestrian bridge over La Cienega Blvd to the Kenneth Hahn State Recreation Area (KHSRA).

Lead Agency Contact

Name Ana Straabe
Agency Baldwin Hills Regional Conservation Authority
Phone 323-221-9944 x107 **Fax**
email
Address LA River Center & Gardens
570 W. Avenue 26, Suite 100
City Los Angeles **State** CA **Zip** 90065

Project Location

County Los Angeles
City Culver City, Los Angeles, City of
Region
Lat / Long 34° 0' N / 118° 22' W
Cross Streets La Cienega Blvd and Wrightcrest Drive
Parcel No.
Township 2S **Range** 14W **Section** 17 **Base** SBM

Proximity to:

Highways I-10, SR-187
Airports
Railways Metro Light Rail
Waterways Ballona Creek
Schools
Land Use Vacant, detention basin, drainage channel/Low Density Multi-Family and Open Space/Residential Single-Family and Open

Project Issues Air Quality; Archaeologic-Historic; Biological Resources; Geologic/Seismic; Noise; Public Services; Recreation/Parks; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Wetland/Riparian; Landuse; Aesthetic/Visual

Reviewing Agencies Resources Agency; Department of Fish and Wildlife, Region 5; Office of Historic Preservation; Department of Parks and Recreation; Department of Water Resources; California Highway Patrol; Caltrans, District 7; Regional Water Quality Control Board, Region 4; Native American Heritage Commission; Public Utilities Commission

Date Received 08/30/2016 **Start of Review** 08/30/2016 **End of Review** 09/28/2016

Comment Letter A: California Governor's Office of Planning and Research
(September 29, 2016)

Response A1: Comment noted. No response is required.



COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294

COMMENT LETTER B

DARYL L. OSBY
FIRE CHIEF
FORESTER & FIRE WARDEN

September 20, 2016

Josephine Alido, Analyst
Bon Terra Psomas
Environmental Section
225 South Lake Avenue, Suite 1000
Pasadena, CA 91101

Dear Ms. Alido:

REVISED INITIAL STUDY/MITIGATED NEGATIVE DECLARATION, SCH NO. 2015121007, "SEGMENT C OF THE PARK TO PLAYA PARK," PROPOSING A NEW TRAIL THAT WOULD CONNECT THE BALDWIN HILLS SCENIC OVERLOOK, PAST THROUGH THE STONEVIEW NATURE CENTER, TO THE KENNETH HAHN STATE RECREATION AREA, EAST AND WEST OF LA CIENEGA BLVD., CULVER CITY, FFER 201600145

The Revised Initial Study/Mitigated Negative Declaration has been reviewed by the Planning Division, Land Development Unit, Forestry Division, and Health Hazardous Materials Division of the County of Los Angeles Fire Department.

The following are their comments:

PLANNING DIVISION:

Under PUBLIC SERVICES, Fire Protection, while the Initial Study states that Culver City Fire Department Headquarters is 0.9 miles west of the Project Site, due to the existing road network, it appears that the driving distance to the Project site may be in excess of 2 miles. Without the addition of any proposed direct access to the Project Site, Los Angeles County Fire Department's Fire Station 58, located approximately 1.7 miles south of the Project Site at 5757 S. Fairfax Avenue, Los Angeles, CA 90056-1243 may be the closest responding station.

B1

SERVING THE UNINCORPORATED AREAS OF LOS ANGELES COUNTY AND THE CITIES OF:

AGOURA HILLS
ARTESIA
AZUSA
BALDWIN PARK
BELL
BELL GARDENS
BELLFLOWER
BRADBURY

CALABASAS
CARSON
CERRITOS
CLAREMONT
COMMERCE
COVINA
CUDAHY

DIAMOND BAR
DUARTE
EL MONTE
GARDENA
GLENDORA
HAWAIIAN GARDENS
HAWTHORNE

HIDDEN HILLS
HUNTINGTON PARK
INDUSTRY
INGLEWOOD
IRVINDALE
LA CANADA FLINTRIDGE
LA HABRA

LA MIRADA
LA PUENTE
LAKEWOOD
LANCASTER
LAWDALE
LOMITA
LYNWOOD

MALIBU
MAYWOOD
NORWALK
PALMDALE
PALOS VERDES ESTATES
PARAMOUNT
PICO RIVERA

POMONA
RANCHO PALOS VERDES
ROLLING HILLS
ROLLING HILLS ESTATES
ROSEMEAD
SAN DIMAS
SANTA CLARITA

SIGNAL HILL
SOUTH EL MONTE
SOUTH GATE
TEMPLE CITY
WALNUT
WEST HOLLYWOOD
WESTLAKE VILLAGE
WHITTIER

Josephine Alido, Analyst
September 20, 2016
Page 2

LAND DEVELOPMENT UNIT:

This project is located entirely in Culver City. Therefore the Culver City Fire Department has jurisdiction concerning this project and will be setting conditions. This project is located in close proximity to the jurisdictional area of the Los Angeles County Fire Department. However this project is unlikely to have an impact that necessitates a comment concerning general requirements from the Land Development Unit of the Los Angeles County Fire Department.

B2

Should any questions arise regarding subdivision, water systems, or access, please contact the County of Los Angeles Fire Department - Land Development Unit's, Inspector Nancy Rodeheffer at (323) 890-4243.

The County of Los Angeles Fire Department, Land Development Unit appreciates the opportunity to comment on this project.

FORESTRY DIVISION – OTHER ENVIRONMENTAL CONCERNS:

The statutory responsibilities of the County of Los Angeles Fire Department, Forestry Division include erosion control, watershed management, rare and endangered species, vegetation, fuel modification for Very High Fire Hazard Severity Zones or Fire Zone 4, archeological and cultural resources, and the County Oak Tree Ordinance. Potential impacts in these areas should be addressed.

B3

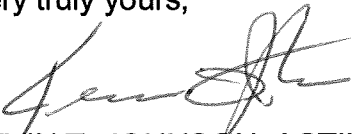
HEALTH HAZARDOUS MATERIALS DIVISION:

The Health Hazardous Materials Division of the Los Angeles County Fire Department previously provided our comments regarding this project in December 2015. HHMD has no additional comments at this time.

B4

If you have any additional questions, please contact this office at (323) 890-4330.

Very truly yours,



KEVIN T. JOHNSON, ACTING CHIEF, FORESTRY DIVISION
PREVENTION SERVICES BUREAU

KTJ:cc

Comment Letter B: County of Los Angeles Fire Department
(September 20, 2016)

- Response B1:** Access from the Culver City Fire Department to the western end of the trail would be through Duquesne Avenue and Jefferson Boulevard and into the Baldwin Hills Scenic Overlook. Los Angeles County Fire Station 58 is located at 5757 Fairfax Avenue (southeast of the site), and access from this fire station to the eastern end of the trail would be through Fairfax Avenue and La Cienega Boulevard and into the KHSRA. Access would also be available for the Culver City Fire Department and the Los Angeles County Fire Department through the Stoneview Nature Center on Stoneview Drive. These sentences have been added to the end of the first paragraph on page 4-109.
- Response B2:** The project site is located within the jurisdictional boundaries of both the Cities of Culver City and Los Angeles, but the project would be within the jurisdiction of the Culver City Fire Department.
- Response B3:** Erosion impacts are discussed in Section 4.6, Geology and Soils, on page 4-53 of the Revised IS/MND. Watershed management is addressed in Section 4.9, Hydrology and Water Quality. Rare and Endangered species are addressed in Section 4.4, Biological Resources. Fuel modification is addressed in Section 4.8, Hazards and Hazardous Materials, on pages 4-70 to 4-71. Archaeological resources are addressed in Section 4.5, Cultural Resources. The County's oak tree ordinance is discussed in Section 4.4, Biological Resources, on page 4-38.
- Response B4:** As stated in the County Fire Department comments in December 2015 and as provided in Mitigation Measure (MM) 4.8-4, the Project Engineer shall consult and be required to seek approval from authorities having jurisdiction, including the California Department of Toxic Substances Control (DTSC), the Los Angeles Regional Water Quality Control Board (LARWQCB) and/or the County Fire Department's Health Hazardous Materials Division (HHMD) Site Mitigation Unit (SMU), as appropriate. As part of the approval/permit process, the design-build contractor shall comply with the conditions of approval or permit requirements of these agencies.

DEPARTMENT OF TRANSPORTATION
DISTRICT 7-OFFICE OF TRANSPORTATION PLANNING
100 S. MAIN STREET, MS 16
LOS ANGELES, CA 90012
PHONE (213) 897-9140
FAX (213) 897-1337
www.dot.ca.gov

COMMENT LETTER C

*Serious Drought.
Serious drought.
Help save water!*

September 28, 2016

Ms. Ana Straabe
Baldwin Hills Regional Conservation Authority
LA River Center & Gardens
570 W. Avenue 26, Suite 100
Los Angeles, CA 90065

RE: Segment C of the Proposed Park to
Playa Trail
Revised Mitigated Negative
Declaration /Initial Study (MND/IS)
SCH# 2015121007
IGR# 07-LA-2016-00135
Vic. LA/ 187/ PM 8.6
LA/ 10/ PM R 9.551

Dear Ms. Straabe:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above referenced project. The proposed project was first prepared in 2015, and prior to the adoption of MND, the Baldwin Hills Regional Conservation Authority (BHRCA) Board and the County of Los Angeles decided to revise the trail alignment and construct the project in 2 phases: western portion under Phase 1 and eastern portion under Phase 2.

The nearest state facilities to the proposed project is SR-187 and I-10. Caltrans does not expect project approval to result in direct adverse impact to the existing State transportation facilities.

C1

Although final design and specifications have yet to be determined, the IS/MND states a planned bridge crossing La Cienega Boulevard will be "approximately 8 to 20 feet wide." Since crossing opportunities are limited, an eight foot wide bridge may be too narrow. The bridge should be wide enough to serve all user types without feeling closed-in. A wider bridge can feel more open and subjectively safe as it more visible and less confined. A wider bridge also has the added benefit of being more accommodating of different user needs.

C2

For public transit in the proposed project area, Caltrans is aware that Metro Expo line "runs in a westerly direction from downtown Los Angeles to Culver City, with stations at La Cienega Boulevard/Jefferson Boulevard and La Brea/Exposition Boulevard (Pg. 4-120, IS)." Adding to this transportation mode, Metro Crenshaw/LAX Line, which is under construction also has stations that are within the influence area of this project.

C3

There are no significant impacts related to parking expected. However, increasing the supply of convenient, secure, and safe bicycle parking that is highly visible and closer to primary entry points than car parking can encourage people to arrive by bicycle. As the county Metro rail network continues to develop, an increasing number of people may take public transit and then bicycle for the "first/last mile" to open-space and trails in the area and increase the need for quality bicycle parking.

C4

Furthermore, Caltrans noted there are gaps between the facilities proposed in this project and the existing and proposed bicycle and transit facilities mentioned in the IS. Caltrans administers various grants that can help to close these critical gaps. For Example, Caltrans Planning Grants can be used for creating bicycle and pedestrian plans, Active Transportation Program (ATP) grants can be used for planning, project development, right-of-way, and construction of bikeways and pedestrian facilities and Highway Safety Improvement Program (HSIP) grants which are for traffic safety improvement infrastructure improvements. More information on the planning grants can be found at <http://www.dot.ca.gov/transplanning/> and on the ATP and HSIP can be found at <http://www.dot.ca.gov/hq/LocalPrograms/>.

C5

Caltrans continues to strive to improve its standards and processes to provide flexibility while maintaining the safety and integrity of the State's transportation system. It is our goal to implement strategies that are in keeping with our mission statement, which is to *"provide a safe, sustainable, integrated, and efficient transportation system to enhance California's economy and livability."*

C6

As a reminder, any transportation of heavy construction equipment and/or materials, which requires the use of oversized-transport vehicles on State highways will require a Caltrans transportation permit. Caltrans recommends that large size truck trips be limited to off-peak commute periods.

C7

Storm water run-off is a sensitive issue for Los Angeles and Ventura counties. Please be mindful that project needs to be designed to discharge clean run-off water.

C8

If you have any questions or concerns regarding these comments, please contact project coordinator, Frances Lee at (213) 897-0673 or electronically at frances.lee@dot.ca.gov.

Sincerely,



DIANNA WATSON
Branch Chief, Community Planning & LD IGR Review

cc: Scott Morgan, State Clearinghouse

Comment Letter C: California Department of Transportation

(September 28, 2016)

- Response C1:** Comment noted. No response is required.
- Response C2:** The minimum bridge width shall be set at 12 feet, as revised on the 2nd paragraph on page 3-3.
- Response C3:** A sentence shall be added to page 4-121 to state that the Metro Crenshaw/LAX Line is under construction.
- Response C4:** Bicycle parking/bicycle racks are provided at the KHSRA parking lot, Baldwin Hills Scenic Overlook, and Stoneview Nature Center.
- Response C5:** The comment on grants for bicycle facilities is noted.
- Response C6:** The comment on the California Department of Transportation's (Caltrans') goals and strategies is noted.
- Response C7:** The comment on the need for a Caltrans transportation permit is noted.
- Response C8:** Section 4.9, Hydrology and Water Quality, of the IS/MND discusses potential storm water pollutants from the project and the need for compliance with applicable regulations.

CITY OF LOS ANGELES

CALIFORNIA



ERIC GARCETTI

MAYOR

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WASTEWATER ENGINEERING SERVICES DIVISION
2714 MEDIA CENTER DRIVE
LOS ANGELES, CA 90065
FAX: (323) 342-6210
WWW.LACITYSAN.ORG

September 12, 2016

Ms. Ana Straabe, Deputy Chief of Urban Projects and Watershed Planning Division
Los Angeles River Center and Gardens
570 West Avenue 26, Suite 100
Los Angeles, CA 90065

Ms. Ana Straabe:

**SEGMENT C OF THE PARK TO PLAYA TRAIL-NOTICE OF INTENT TO ADOPT A MITIGATED
NEGATIVE DECLARATION**

This is in response to your September 6, 2016 letter requesting a review of your proposed Segment C of the Park to Playa Trail located at East and West of La Cienega Boulevard in Blair Hills in the Cities of Culver City and Los Angeles. The Bureau of Sanitation, Wastewater Engineering Services Division (WESD) has reviewed the request and found the project to be related to a new trail only.

Based on the project description, we have determined the project is unrelated to sewer capacity availability and therefore do not have sufficient details to offer an analysis at this time. Should the project description change, please continue to send us information so that we may determine if a sewer assessment is required in the future.

D1

If you have any questions, please call Eduardo Perez of my staff at (323) 342-1562.

STORMWATER REQUIREMENTS

LA Sanitation, Watershed Protection Division (WPD) is charged with the task of ensuring the implementation of the Municipal Stormwater Permit requirements within the City of Los Angeles. We anticipate the following requirements would apply for this project.

POST-CONSTRUCTION MITIGATION REQUIREMENTS

The project requires implementation of stormwater mitigation measures. These requirements are based on the Standard Urban Stormwater Mitigation Plan (SUSMP) and the recently adopted Low Impact Development (LID) requirements. The projects that are subject to SUSMP/LID are required to incorporate measures to mitigate the impact of stormwater runoff. The requirements are outlined in the guidance manual titled "Development Best Management Practices Handbook – Part B: Planning Activities". Current regulations prioritize infiltration, capture/use, and then biofiltration as the preferred stormwater control measures. The

D2



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relevant documents can be found at: www.lastormwater.org. It is advised that input regarding SUSMP requirements be received in the early phases of the project from WPD's plan-checking staff.

GREEN STREETS

The City is developing a Green Street Initiative that will require projects to implement Green Street elements in the parkway areas between the roadway and sidewalk of the public right-of-way to capture and retain stormwater and urban runoff to mitigate the impact of stormwater runoff and other environmental concerns. The goals of the Green Street elements are to improve the water quality of stormwater runoff, recharge local ground water basins, improve air quality, reduce the heat island effect of street pavement, enhance pedestrian use of sidewalks, and encourage alternate means of transportation. The Green Street elements may include infiltration systems, biofiltration swales, and permeable pavements where stormwater can be easily directed from the streets into the parkways and can be implemented in conjunction with the SUSMP/LID requirements.

D3

CONSTRUCTION REQUIREMENTS

The project is required to implement stormwater control measures during its construction phase. All projects are subject to a set of minimum control measures to lessen the impact of stormwater pollution. In addition for projects that involve construction during the rainy season that is between October 1 and April 15, a Wet Weather Erosion Control Plan is required to be prepared. Also projects that disturb more than one-acre of land are subject to the California General Construction Stormwater Permit. As part of this requirement a Notice of Intent (NOI) needs to be filed with the State of California and a Storm Water Pollution Prevention Plan (SWPPP) needs to be prepared. The SWPPP must be maintained on-site during the duration of construction.

D4

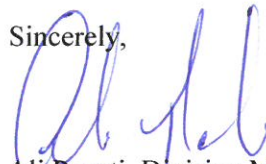
If there are questions regarding the stormwater requirements, please call Kosta Kaporis at (213) 485-0586, or WPD's plan-checking counter at (213) 482-7066. WPD's plan-checking counter can also be visited at 201 N. Figueroa, 3rd Fl, Station 18.

SOLID RESOURCE REQUIREMENTS

The City has a standard requirement that applies to all proposed residential developments of four or more units or where the addition of floor areas is 25 percent or more, and all other development projects where the addition of floor area is 30 percent or more. Such developments must set aside a recycling area or room for onsite recycling activities. For more details of this requirement, please contact Daniel Hackney of the Special Project Division at (213)485-3684.

D5

Sincerely,



Ali Poosti, Division Manager
Wastewater Engineering Services Division
LA Sanitation

EPVAP:as

c: Kosta Kaporis, LASAN
Daniel Hackney, LASAN
Eduardo Perez, LASAN

Comment Letter D: City of Los Angeles

(September 12, 2016)

- Response D1:** There is currently no sewer need for the project. If the project description changes, BHRCA will meet with the City of Los Angeles to determine if a sewer assessment is required.
- Response D2:** The project proposes an at-grade trail with a compacted earth or decomposed granite surface and a pedestrian bridge. Impervious surfaces in the City of Los Angeles would be limited to the pedestrian bridge footings. Due to the limited area for the footings and the presence of adjacent pervious areas in the KHSRA, no Low Impact Development (LID) features are determined to be necessary and none are proposed. In addition, BHRCA and the County are working with the City of Los Angeles to execute a Memorandum of Understanding to define responsibilities on the project. It is anticipated that the County will take the lead for administering Standard Urban Stormwater Mitigation Plan (SUSMP) and LID features in accordance with County of Los Angeles code requirements.
- Response D3:** The project does not propose changes to the roadway pavement or slopes along La Cienega Boulevard (in the City of Los Angeles), except for placing existing overhead utility lines on the slopes adjacent to the road underground; this is being designed and will be constructed by the utility agencies. The disturbed area will be restored (i.e., repaved or replanted with vegetation) after these activities. Thus, no changes in the pervious and impervious areas of the roadway right-of-way would occur with the project. Also, there is no sidewalk along this section of La Cienega Boulevard. Thus, Green Street features are not considered necessary on the affected roadway segment of La Cienega Boulevard.
- Response D4:** The project would implement storm water control measures in compliance with the National Pollutant Discharge Elimination System (NPDES) Construction General Permit, as discussed in Section 4.9, Hydrology and Water Quality, and under Regulatory Requirement (RR) 4.9-1 in the Revised IS/MND.
- Response D5:** The project does not propose residential development, but trash receptacles will be provided along the trail.

Freeport-McMoRan Oil & Gas
5640 South Fairfax Avenue
Los Angeles, CA 90056

Telephone: 323-298-2200

September 28, 2016

Ms. Josephine Alido
BonTerra Psomas
225 South Lake Avenue, Suite 1000
Pasadena, CA 91101

VIA ELECTRONIC MAIL (Jalido@psomas.com)

RE: Revised Initial Study and Mitigated Negative Declaration for Segment C of the Park to Playa Trail Project

Dear Ms. Alido:

As Operator of the Inglewood Oil Field ("IOF"), Freeport-McMoRan Oil & Gas ("FM O&G") has reviewed the Revised Initial Study/Mitigated Negative Declaration ("MND") for the Proposed Segment C of the Park to Playa Trail project. This letter and the attachments to it contain FM O&G's detailed comments. We note that these are similar to the comments we made by letter last January 22 with respect to a previous version of the MND.

E1

While we understand the County's and BHRCA's goal of creating a regional trail system in this area, it must be done in such a fashion that it does not significantly impact existing and future oil field operations as well as vested rights within the active IOF. Our review of the MND identified several issue areas where the analysis mischaracterizes the factual situation and thus does not accurately account for potentially significant impacts. Essentially, the MND concludes that because the Culver City setback requirements for oil drilling is not a part of this project, and the requirements are controlled by Culver City, this project is not creating any impacts to the oil field.

E2

However, project implementation is subject to reaching agreement with the holder of the existing drill site easement. The MND seems to assume that agreement is already in place, but it is not. One of the benefits of agreeing to move the drill site was that the new site might be better than the current location from an operational perspective. However, given the changes to the trail and the uncertainty regarding future Culver City regulations, the new drill site may not in fact be better, and therefore the holder of the drill site may not agree to move it. The specifics of the relocation of the drill site must be finalized before it can be conclusively determined that a Mitigated Negative Declaration is appropriate.

E3

The most significant flaw in the MND is that it assumes that the pending Culver City drilling ordinance will allow the same use of the IOF regardless of the project. But, since Culver City has not finalized its ordinance, that factual assumption may not prove to be true. Depending on the ultimate setback requirements adopted by Culver City the projects impacts on the oil field could depend on the location of the trail. For example a portion of the Segment C trail on the

E4

E5

southwest side of the Stoneview site now encroaches onto the active IOF. This is a change from current conditions and depending on the setback requirement there could in fact be a significant impact (and we believe there would be a taking of private property rights as well). Since the final outcome of the Culver City ordinance process is not likely to be known until the end of 2017, the issue can be resolved in a manner that allows the MND certification to proceed by adding a mitigation measure ensuring that the assumed facts are correct before the project proceeds as follows:

E5

Mitigation Measure for Setback Impacts:

Prior to implementation of the Segment C project, Culver City shall confirm to the lead agency, either (1) by submission of the final ordinance pertaining to oil drilling, or (2) by separate legislative action of the City Council, that the boundaries of any setback applicable to the oil and gas property shall be measured as follows, and that to the extent the action is taken separately from the final ordinance, that the ultimate ordinance shall grandfather in the following setback requirements:

- Any 400 ft. drilling exclusion zone to extend from the actual sensitive receptor structures and the trail shall not be considered a developed or sensitive area for purposes of measuring the setback.
- The Culver City DEFINITIONS shall provide:
 - **Developed Area Structures.** Any lot or parcel of land containing Any structure used for residential, recreational (e.g. public park), institutional (e.g. school), commercial, industrial or office purposes. structure, or used for residential, institutional, commercial, industrial or office purposes. This definition does not include structures that serve administrative functions in the Oil Field.
 - **Sensitive Developed Area Structures.** A lot or parcel that contains a Any single or multi-family residence, park, school, or health care facility.

E6

Alternatively, any regulations can exclude the trail from the definition of recreational and public park, or provide a separate express exemption for the trail

E7

As noted in the MND the BHRCA cannot require the City of Culver City to provide an exemption to the setback since the BHRCA or the County have no authority over City actions and operations. But, the BHRCA and the County can condition the project so as to avoid future impacts.

E8

Expanded detail on these issues follows below and in the attachments included with this letter.

Potentially Significant Impacts to Oil and Gas Resources

When the proposed alignment of the trail is considered in conjunction with pending land use policies of the City of Culver City, it is apparent that FM O&G could lose the ability to access a significant portion of the IOF reserves. Page 3-1 of the MND states that one of the specific objectives for the Segment C portion of the Park to Playa trail is “to avoid disruption of adjacent oil and gas production facilities and activities;” however, and despite our repeated attempts to address these issues with you, the exact opposite is still the case.

E9

First, the exhibits in the MND and a map created using the legal description of the trail provided to us by the Los Angeles County Department of Public Works shows a portion of the Segment C trail on the southwest side of the Stoneview site encroaching onto the active IOF – this encroachment was not agreed to by FM O&G and/or its lessees.

E10

Second, and more importantly, Culver City has a proposed oil drilling setback such that the result of this encroachment may be that the future Culver City setback would be drawn from the southerly boundary of the Dabney-Lloyd parcel rather than the southerly boundary of the Stoneview Nature Center parcel, and several drilling sites on the active IOF, *including the proposed relocation site for the Reserved Drill Site owned by Lloyd Properties* could not be utilized. It is important that there be a specific mitigation measure requiring that the City of Culver City confirm and agree to maintain the exemption from the setback, consistent with the City's resolution dated 10/27/14 (Attachment 1).

E11

The whole point of BHRCA and Lloyd Properties agreeing to relocate Lloyd Properties' reserved drill site and associated access easement was to enable the oil and gas operations to continue on the Dabney-Lloyd Parcel notwithstanding the implementation of Segment C. However, if the Lloyd Properties' Reserved Drill Site is effectively relocated and rendered unusable due to pending regulations imposed by Culver City, then the relocation of said reserved drill site becomes infeasible. In addition, the impacts to oil and gas operations are not mitigated and the Segment C project impacts are significant and unavoidable which would require the preparation of an Environmental Impact Report ("EIR"). As we and Lloyd Properties have noted repeatedly, unless Lloyd Properties agrees to move its reserved drill site, BHRCA lacks the legal right to implement the Segment C trail because it conflicts with prior reserved rights.

E12

The assertion in the MND that "directional drilling or slant drilling will continue to allow extraction of underlying oil and gas resources from a proposed drill site that is located farther south of the existing or relocated drill site" is not supported by fact and is infeasible. The application of development with only horizontal or directional drilling would not be efficient reservoir management for the IOF. The oil in the IOF, and the LA Basin in general, is located in thousands of feet of stacked, vertically discrete (non-vertically connected) sands. In the most prolific reservoir at the field, the Vickers-Rindge oil is encountered as shallow as 850' and as deep as 5000'. We identify 26 separate intervals or layers (Alpha, A-Z) in the Vickers-Rindge zones. And within all of these intervals or layers are sublayers. In the N sand interval, for example, we have 7-10 discrete sand sublayers, from 10' to 2' in vertical thickness. These sand layers have no vertical connection between them. It is this tremendous thickness of stacked sands, with lack of vertical connection, i.e. lack of vertical permeability, which is the critical component that makes horizontal drilling in the IOF infeasible. It would require a horizontal well in each of the 26 sand sublayers to drain the oil. In fact, it would require significantly more horizontal wells, than vertical wells, to drain the Vickers-Rindge reservoirs. The well count would have to be increased a significant number to compensate for the conversion from verticals to horizontals.

E13

Further, based upon the average depth of the alpha (top) of the Vickers Rindge zone in the Culver City portion of the field, and the maximum hole angle and dogleg severity for a Vickers Rindge production well, the maximum distance of the bottom hole location to the surface hole drilling location equates to approximately 300 feet. If the bottom hole target is shallower than a typical Vickers Rindge well and therefore closer to surface, it may require less than 300' but if

E14

the bottom hole target is deeper, 300' is the maximum based upon the true vertical depth (TVD) of the alpha of the Vickers Rindge at individual well locations.

We note that the IS/MND at page 4-85 concludes that the Segment C trail would not be considered a "Developed Area" under the proposed Culver City regulations pertaining to the IOF, and therefore, would not change where any proposed setback would be drawn from (the parcel lines along existing developed areas), and thus would not create a significant and unavoidable impact. But this assumption is not based in fact if Culver City has not legally confirmed that the setback would not apply. At present, Culver City regulations would not effect a 400-foot setback however, the IS/MND has failed to consider the fact that installation of the Segment C trail would, under the proposed Culver City regulations, have the effect of moving the existing point from which any setback will be measured, and thus impose a new setback requirement that is much more onerous than what currently applies to the property.

E15

At present, Section 11.12.105.2 of the Culver City Municipal Code imposes a 100-foot setback measured from the parcel boundary on which the well is situated. As proposed by Culver City, the setback would change to be 400 feet from the boundary of any parcel which is considered a Developed Area. By installation of the Segment C trail, as proposed, three entire parcels of land (APNs 4204-014-905, 906 & 907) will constitute Developed Areas, as defined by the proposed Culver City regulations. The proposed regulations define Developed Area as "*Any lot or parcel of land containing any residential, recreational (e.g. public park), institutional (e.g. school), commercial, industrial or office structure, or used for ... recreational ... purposes.*" (Culver City Discussion Draft Oil Drilling Regulations dated 4-9-2013 at page 5.)

E16

Accordingly, for the analysis of the MND to be factually accurate, the IS/MND must contain a mitigation measure that prohibits the County from opening the Segment C trail to public use prior to such time as Culver City officially confirms that the trail is exempted from the definition of Developed Areas. The County may unilaterally impose this prohibition without any action by Culver City being required. Alternatively, the County may negotiate with Culver City for an enforceable agreement that will result in an exemption for the Segment C trail from any regulation imposing a new setback.

E17

FM O&G has well-established vested rights to utilize its oil-producing properties in the IOF, and any action by an agency that would result in the loss of availability of a known mineral resource would require just compensation to FM O&G, IOF property owners and/or the lessors of existing oil and gas leases.

E18

Further, mitigation measure RR 4.8-4 requires "adequate emergency access" without defining what constitutes said access. In order to prevent any impacts to the active IOF, this mitigation measure must be revised to limit such access from outside the boundaries of the IOF so that it restricts any additional encroachment into the active oil field.

E19

Lack of Complete Property/Trail Surveys and Accommodation Agreements

In prior meetings between FM O&G, IOF property owners, the BRCHA and County, the following was agreed to:

- A trail alignment that only encroaches onto the active IOF east of the Stoneview Nature Center site a maximum of 60-feet from the northerly property lines of the active IOF. As mentioned above, the MND and legal description provided for the trail show the trail also encroaching onto the active IOF on the southwest side of the Stoneview Nature

E20

Center site. This is not something FM O&G can agree to absent a legally valid assurance from Culver City that the trail will not trigger any future drilling setbacks.

- The Agreement to relocate Lloyd Properties reserved drill site and access easement is still outstanding and needs to be completed prior to start of construction. Absent a signed agreement there is no legal basis to implement the trail.

E21

Inaccurate Descriptions of the Environmental Setting as it Pertains to the Active IOF

- Both the biological resources section and Appendix B1 of the IS/MND indicate that 25 special status species may have the potential to occur within Segment C of the Park-to-Playa project which includes portions of FM O&G's Dabney-Lloyd Lease in the active IOF. Ramboll Environ has reviewed this list of species and compared it to the findings of prior studies in consideration of the habitat and vegetation types currently present within said Dabney-Lloyd Lease area based on recent Ramboll Environ site visits. Ramboll's findings indicate that 4 of the 25 species listed (Braunton's milkvetch, San Fernando Valley spineflower, many-stemmed dudleya, or the San Bernardino aster) do not have the potential to occur on site, and as such, the IS/MND and Appendix B1 must be updated accordingly.
- Exhibit 4-10 in the IS/MND does not delineate the active surface boundary of the IOF, and labels a portion of the active IOF as "County owned parkland." To accurately reflect existing environmental conditions and prevent misrepresentation of the boundary of the active IOF, the Exhibit must be revised to show the active IOF surface boundary and remove any "park" labelling of that area.
- The active surface IOF boundary was incorrectly labelled and discussed within the MND. All such instances of this misrepresentation and text that will correct it are included in Attachment 2.
- Attachment 3 to this letter includes detailed discussions of other errors within the MND relative the existing environmental setting and text corrections.

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Thank you in advance for your consideration of these comments, and the more specific detailed concerns that are attached to this letter. We appreciate the BHRCA's and County's efforts to mitigate impacts of the Segment C trail to the active IOF. We look forward to continuing working with you in an effort to provide for the trail in a manner that meets the needs of the BHRCA's, County, FM O&G and IOF landowner needs, and request a meeting at your earliest possible convenience to do this.

E26

Please do not hesitate to give me a call directly should you have any questions regarding these comments.

Sincerely,



Laura Vlk
Senior EH&S Specialist

LV/Encls

Cc: Steve Rusch, Vice President EH&S and Government Affairs
Thomas Beron, Vice President & Assistant General Counsel
John Martini, Director Government Affairs
Jennifer Cox, Manager Land
David Rose, Manager EH&S
Amy Forbes, Gibson Dunn
Jim Clarke, Mayor, City of Culver City
Matthew Feldhaus, County of Los Angeles
Karly Katona, County of Los Angeles
Ana Straabe, Baldwin Hills Regional Conservation Authority

ATTACHMENT 1

CULVER CITY RESOLUTION DATED 10/27/2014

MEETING DATE: 10/27/14

AGENDA ITEM: (1) Consideration of a Request from the County of Los Angeles for the City of Culver City to Adopt a Resolution: (A) Acknowledging that a Certain Portion of the Proposed Park to Playa Trail Immediately Adjacent to Culver City Residential Properties Located at 3920 Lenawee Avenue and 5908, 5912, 5916, 5920 and 5924 Stoneview Drive, will not be Considered in Defining the 400-Foot Setback Requirements for Oil Drilling Operations, as Proposed in the Discussion Draft Oil Drilling Regulations for the City's Portion of the Inglewood Oil Field; and (B) Acknowledging Baldwin Hills Regional Conservation Authority's Commitment to Locating this Portion of the Park to Playa Trail as Far as Feasibly Possible from City Residences and Provide Other Mitigations to Reduce Related Impacts; and (2) If Desired, Adoption of a Related Resolution.

ATTACHMENTS

	<u>Pages</u>
1. Proposed Resolution (including map of Trail Segment)	1-6
2. Vicinity Map of City Residences	7
3. September 22, 2014 letter from County Supervisor Mark Ridley-Thomas	8-10

RESOLUTION NO. 2014-R _____

1
2
3 A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
4 CULVER CITY, CALIFORNIA (1) ACKNOWLEDGING THAT A
5 CERTAIN PORTION OF THE BALDWIN HILLS REGIONAL
6 CONSERVATION AUTHORITY'S (BHRCA) PARK TO PLAYA
7 TRAIL IMMEDIATELY ADJACENT TO CULVER CITY
8 RESIDENTIAL PROPERTIES, WILL NOT BE CONSIDERED
9 IN DEFINING THE 400-FOOT SETBACK REQUIREMENTS
10 FOR OIL DRILLING OPERATIONS AS PROPOSED IN THE
11 DISCUSSION DRAFT OIL DRILLING REGULATIONS FOR
12 THE CITY'S PORTION OF THE INGLEWOOD OIL FIELD;
13 AND (2) ACKNOWLEDGING BHRCA'S COMMITMENT TO
14 LOCATING THE TRAIL AS FAR AS FEASIBLY POSSIBLE
15 FROM CITY RESIDENCES AND PROVIDE OTHER
16 MITIGATIONS TO REDUCE RELATED IMPACTS.

17
18 WHEREAS, the Baldwin Hills Regional Conservation Authority (BHRCA), a
19 joint powers authority between the County of Los Angeles (the "County") and the Santa
20 Monica Mountains Conservancy, is in the process of constructing the Park to Playa Trail
21 Project (the "Trail Project"), which is envisioned as a regional trail that will seamlessly
22 connect the greater Baldwin Hills Parklands to the Pacific Ocean; and

23
24 WHEREAS, a portion of the proposed trail for the Trail Project is located
25 immediately adjacent to the southerly property lines of the residential properties located at
26 3920 Lenawee Avenue and 5908, 5912, 5916, 5920 and 5924 Stoneview Drive, further
27 identified as beginning at La Cienega Boulevard and continuing westerly approximately
28 500 feet to the easterly boundary of the future Los Angeles County Stoneview Park and
nearly directly in a southerly direction from the southerly property lines of Lots 17-22 of
Tract 22611 (the "Trail Segment"), as depicted on the map attached to this Resolution as
Exhibit "A"; and

1 WHEREAS, the Trail Segment was originally proposed to be approximately
2 10 to 15 feet from the FMOG fence located south of the Culver City residences located at
3 3920 Lenawee Avenue and 5908, 5912, 5916, 5920 and 5924 Stoneview Drive (the "City
4 Residences"); and

5 WHEREAS, in an effort to mitigate potential impacts created by the users of
6 the Park to Playa Trail on Culver City residents and in response to concerns expressed by
7 those residents, the City requested the Trail Segment be located as far south from the City
8 Residences as feasibly possible; and

9
10 WHEREAS, BHRCA has also received concerns from Freeport-McMoRan Oil
11 & Gas (FMOG), the oil operator for the adjacent Inglewood Oil Field (the "Oil Field"), that a
12 southern alignment of the Trail Segment, if considered a "sensitive use" by the City of
13 Culver City in future oil drilling regulations, would restrict FMOG's ability to drill on the
14 Culver City portion of the Oil Field; and

15
16 WHEREAS, in response to the various concerns expressed by Culver City
17 residents and FMOG, County Supervisor for the Second District, Mark Ridley-Thomas, in a
18 letter to the Mayor of Culver City dated September 22, 2014 (attachment to this Resolution
19 as Exhibit "B"), requested that the City Council "adopt a resolution...to confirm that the
20 Park to Playa Trail segment immediately adjacent to residential housing within Blair Hills
21 will not be considered a sensitive use as part of future City regulations."; and

22
23 WHEREAS, the County's request focuses on the Trail Segment, described
24 above, that is part of the larger Blair Hills segment of the proposed Trail Project (Segment
25 C). All other segments of the Trail Project do not run through property that is subject to
26 third party mineral rights; and

1 WHEREAS, in consideration of the City granting the County's request,
2 BHRCA has proposed to move the Trail Segment to a location approximately 50 to 75 feet
3 from the FMOG fence located south of the City Residences; and

4 WHEREAS, the City is agreeable to the County's request in order to reduce
5 the potential impacts on City Residences from the immediately adjacent Trail Segment,
6 with the understanding that such an accommodation shall apply solely to the Trail Segment
7 and the City maintains its authority to regulate setback requirements for the remainder of the
8 Oil Field.
9

10 NOW, THEREFORE, the City Council of the City of Culver City DOES
11 HEREBY RESOLVE as follows:

12 1. The City Council hereby acknowledges that the Trail Segment, as
13 described and identified herein and depicted on the map attached to this Resolution, will
14 not be considered in defining the 400-foot setback requirements for oil drilling operations
15 applicable to a "developed area" or "sensitive developed area", as proposed in the
16 Discussion Draft Oil Drilling Regulations for the City's Portion of the Inglewood Oil Field¹,
17 based on the foregoing recitations and the following findings:
18
19
20
21

22
23 ¹ The Discussion Draft Oil Drilling Regulations for the Culver City Portion of the Inglewood Oil Field ("Draft
24 Regulations") requires that drilling or redrilling be conducted at least 400 feet from Developed Areas. Further,
as proposed in the Draft Regulations, any slant drilling of a deep-zone or mid-zone well within 800 feet of a
Sensitive Developed Area shall require additional plans and approvals. The Discussion Draft Regulations
define "Developed Area" and "Sensitive Developed Area" as follows:

25 **"Developed Area.** Any lot or parcel of land containing any residential, recreational (e.g. public park),
26 institutional (e.g. school), commercial, industrial or office structure, or used for residential, recreational,
institutional, commercial, industrial or office purposes. This definition does not include structures that serve
administrative functions in the Oil Field."

27 **"Sensitive Developed Area.** A lot or parcel that contains a single or multi-family residence, park,
28 school, or health care facility."

1 a. The length of the Trail Segment (approximately 500 feet) that
2 may be permitted within the 400-foot setback from oil drilling operations is de minimis when
3 compared to the entirety of the Trail Project;

4 b. The Trail Segment is unique in nature, as it is the only portion of
5 the Trail Project that borders in such close proximity to residential properties;

6 c. The goal of providing an exception for the Trail Segment from
7 proposed setback requirements is to strike a balance between potential impacts on City
8 Residences from the immediately adjacent Trail Segment and the interests of the Park to
9 Playa Trail users in having a contiguous, safe and efficient pedestrian connector between
10 the greater Baldwin Hills Parklands and the Pacific Ocean;

11 d. On balance, given the City's experience of impacts to other
12 Culver City residents from park users (i.e. Hetzler Road), the balance weighs in favor of
13 creating the largest feasible buffer between the Culver City Residences and the Trail
14 Segment;

15 e. The Park to Playa Trail would be allowed to be located within
16 the proposed 400-foot setback requirement for drilling operations for this Trail Segment
17 only, and such setback requirement (or any setback provided for in any ordinance adopted
18 by Culver City) would remain applicable for all other portions of the Oil Field; and

19 f. The impacts of locating the Trail Segment within the proposed
20 setback requirement would be mitigated by the measures described in Supervisor Ridley-
21 Thomas' September 22nd letter: "BHRCA is committed to incorporating the feedback
22 provided by Blair Hills residents on the trail design, including planting a landscaping buffer
23 with mature trees and shrubs, incorporating visual screening on the pedestrian bridge over
24
25
26
27
28

1 La Cienega Boulevard, and incorporating trail signage that reminds users to be respectful
2 of the Stoneview property owners.”

3 2. The City Council hereby acknowledges and accepts BHRCA's
4 commitment to:

5 a. Locate the Trail Segment as far as feasibly possible from City
6 residences, taking into consideration topographical and other engineering limitations; and

7 b. Provide other mitigations to reduce related impacts, including,
8 but not limited to, planting a landscaping buffer with mature trees and shrubs, incorporating
9 visual screening on the pedestrian bridge over La Cienega Boulevard, and incorporating
10 trail signage that reminds users to be respectful of the adjacent property owners.
11

12 3. Nothing in this Resolution abrogates or waives the City Council's
13 authority to conduct the required public process, including consideration of any
14 environmental analysis, when deliberating on and adopting future oil drilling regulations for
15 the Culver City portion of the Oil Field.
16

17 4. The City Clerk is hereby directed to transmit a copy of this Resolution
18 to the Baldwin Hills Regional Conservation Authority Board and the Los Angeles County
19 Board of Supervisors.

20 APPROVED and ADOPTED this _____ day of _____ 2014.
21
22

23 _____
24 MEGHAN SAHLI-WELLS, MAYOR
City of Culver City, California

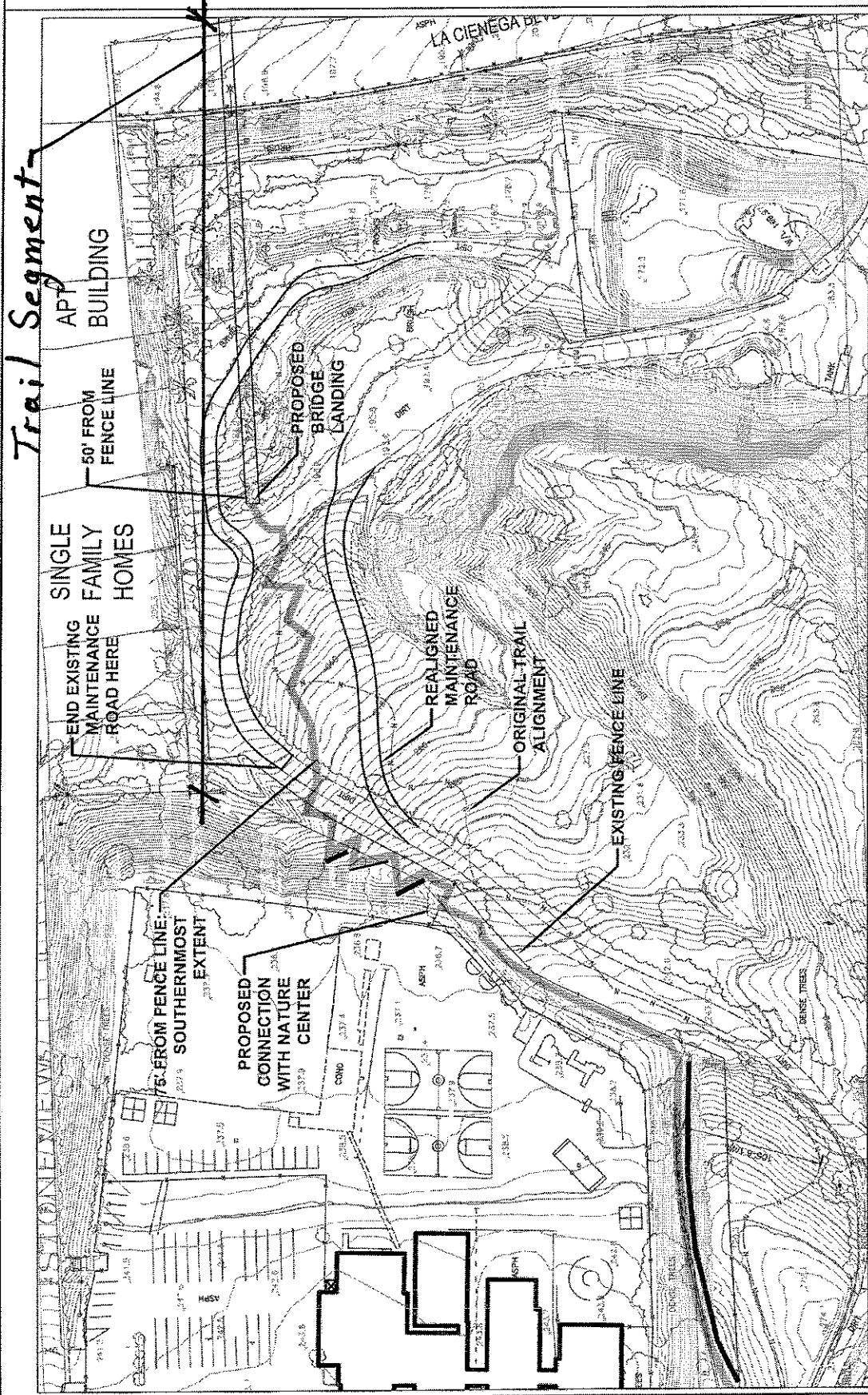
25 ATTEST:

APPROVED AS TO FORM:

26
27 _____
28 MARTIN R. COLE, City Clerk
A14-00829


CAROL A. SCHWAB, City Attorney

Trail Segment-

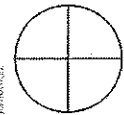


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BLAIR HILLS
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Park to Playa Trail

Los Angeles, CA

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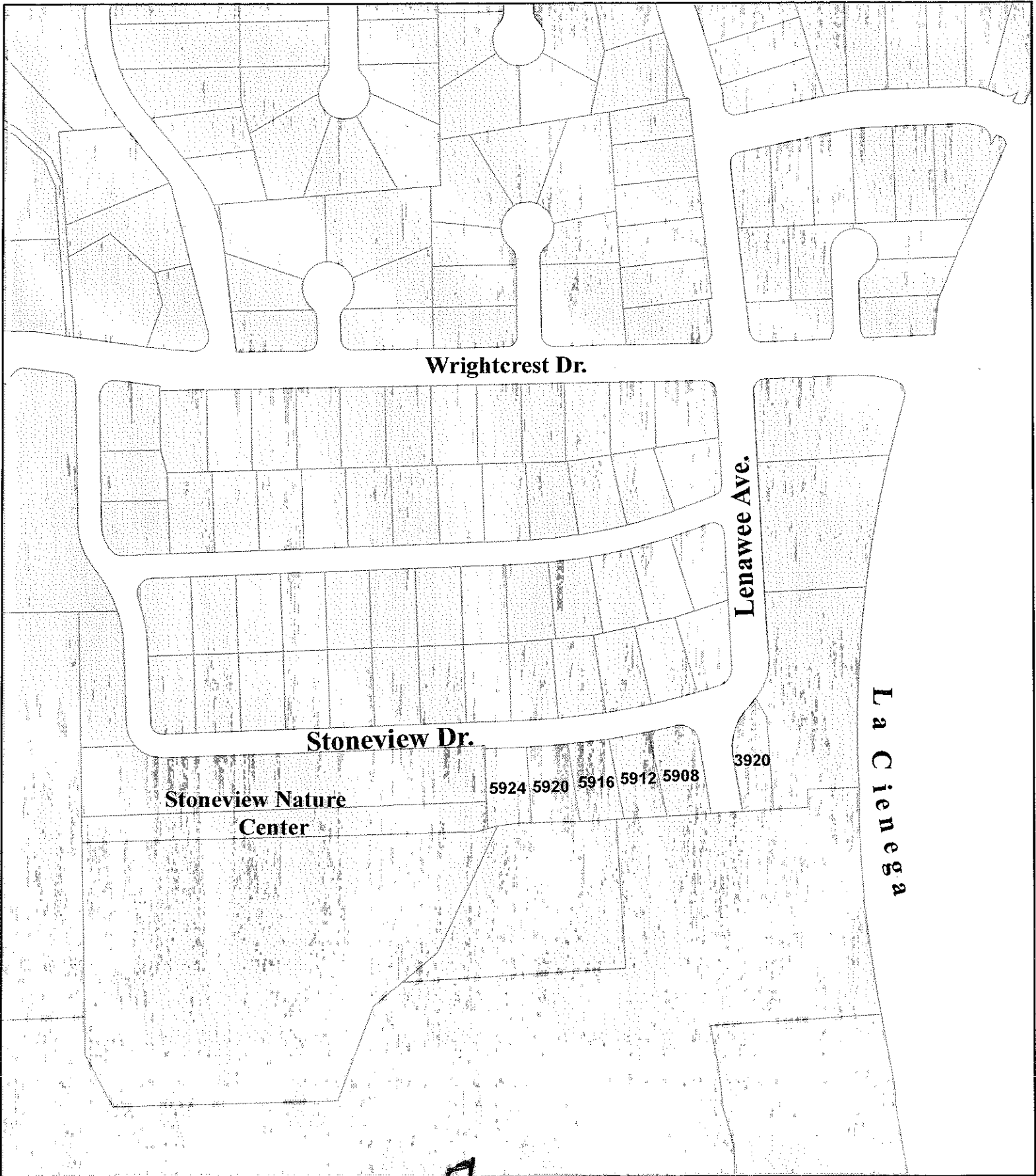
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Attachment 2 Vicinity Map





**BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES**

866 KENNETH HAHN HALL OF ADMINISTRATION / LOS ANGELES, CALIFORNIA 90012 / (213) 974-2222

MARK RIDLEY-THOMAS
SUPERVISOR, SECOND DISTRICT

RECEIVED
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CITY OF LOS ANGELES

September 22, 2014

Mayor Meghan Sahli-Wells
City of Culver City
9770 Culver Boulevard
Culver City, Calif. 90232

Dear Mayor Sahli-Wells:

RE: PARK TO PLAYA TRAIL ALIGNMENT IN BLAIR HILLS

On June 17, 2014, my staff and members of the Park to Playa Team, met with representatives from the Blair Hills community as well as the City of Culver City (City) to discuss "Segment C", the Blair Hills segment of the proposed Park to Playa Trail, which is envisioned to run over 13 miles, connecting the greater Baldwin Hills Parklands to the Pacific Ocean. This trail will be the first regional trail built in the Second District, and promises to be a unique recreational amenity for residents in Culver City and the entire sub-region.

While all other segments of the trail are either under construction or have been completed, the Baldwin Hills Regional Conservation Authority (BHRCA) Board, which is overseeing the development of the trail, postponed the finalization of the Blair Hills "Segment C" alignment (which will connect the Kenneth Hahn State Recreation Area to the State of California Scenic Overlook Park), to fully vet concerns raised by Blair Hills homeowners, the Inglewood Oil Field (IOF) operator Freeport McMoRan (FMOG), as well as IOF land and mineral owners.

Since the inception of these discussions, homeowners, specifically those residing on Stoneview Drive, articulated that they would like to see the trail placed as far south from their homes as feasible. Alternatively, FMOG and the IOF land and mineral owners expressed concern that a southern alignment of the trail, if considered a "sensitive use" by Culver City, would restrict their ability to drill on the Culver City-portion of the IOF. This concern is based on the possibility that, as part of the City's future regulatory ordinance, a buffer will be imposed, similar to Los Angeles County's Community Standards District (CSD) that restricts drilling from taking place within a specified distance from sensitive uses on the perimeter of the field.

Over the past six years, I have welcomed the City's adoption of land use regulations to oversee oil drilling and operations on the city-portion of the IOF. I understand that

although the drilling moratorium expired years ago, the City is still at the initial stages of finalizing a long-term Specific Plan document which will be used to regulate the IOF, and at earliest, will not finalize such a plan until Fall 2015.

The absence of a definitive timeline for completing this process poses a significant challenge for finalizing the alignment of Segment C, because without an adopted regulatory document, it is unclear whether the trail will be considered a sensitive use by the City that will trigger a buffer from drilling activities.

I write to request the City Council adopt a resolution at an upcoming Council Meeting to confirm that the Park to Playa Trail segment immediately adjacent to residential housing within Blair Hills will not be considered a sensitive use as part of future City regulations. This action would be based on the following rationale:

- **Consistency with Culver City Municipal Code.** Chapter 11.12.105 of the Culver City Municipal Code prohibits a well hole within 300 feet of any major public street, sidewalk, or highway; within 100 feet of the outer boundary of the parcel of land; within 100 feet of any steam boiler building or source of ignition; and within 300 feet of any school buildings or other places of public assemblage. These regulations do not state that a trail is considered a place of public assembly. Rather, Chapter 17.7 specifically defines assembly as permanent structures for clubs, lodges, private meeting halls, and places of worship. Additionally, the proposed trail is not considered a major public street, sidewalk or highway. Chapter 9.08 defines a street to include all streets, parkways, highways, avenues, lanes, alleys, courts, places, squares, curbs, or other public ways in the City which have been or may later be dedicated and opened for public use. Chapter 17.7 defines a street as "a public thoroughfare accepted by the City, which affords principal means of access to abutting property, including an avenue, place, way, drive, lane, boulevard, highway, road, and any other thoroughfare, except an alley" as defined in the Zoning Code.
- **Consistency with State Regulations.** The State of California defines "critical well" as one within 300 feet of a building intended for human occupancy not needed for oil field operations, within 100 feet of a public street or highway or within 100 feet of a public recreation facility such as a golf course, amusement park, picnic grounds, campgrounds or another area of periodic high-density population [14 Cal. Code of Regulations section 1720]. Moreover, the state regulations on "critical wells" don't prohibit them but relate to safety devices required on them [14 Cal. Code of Regulations section 1724.3]. Finally, the regulations require that wells be located 75 feet from an "outer boundary line". Again, that would not seem to apply to a trail traversing the field.
- **Consistency with Los Angeles County CSD Settlement Agreement.** Moreover, the County does not believe the trail is a sensitive use. A sensitive developed area was defined in the CSD litigation settlement agreement, to which the City was a

signatory, as a parcel containing "a single or multi-family residence, existing park, school or health care facility," which pointedly does not include a trail. In addition, with appropriate protection of the trail and any wells, the two uses are not incompatible as reflected by the fact that other jurisdictions allow passive recreation near active oil wells.

FMOG has indicated that they are amenable to considering a trail with a more southerly alignment, as long as the trail is not considered a sensitive use by the City for purposes of imposing a buffer. Specifically, if the City moves forward as proposed above, BHRCA will be able to place the trail up to 75 feet south of the current fence line.

In addition, BHRCA is committed to incorporating the feedback provided by Blair Hills residents on the trail design, including planting a landscaping buffer with mature trees and shrubs, incorporating visual screening on the pedestrian bridge over La Cienega Boulevard, and incorporating trail signage that reminds users to be respectful of the Stoneview property owners.

Bringing resolution to this matter will be a victory for your Blair Hills constituents, who have requested that our offices work collaboratively to resolve this issue.

Our efforts to finalize the Blair Hills alignment have already been significantly delayed. To maintain our schedule, we must finalize this alignment by October 15, 2014.

My office welcomes the opportunity to finalize this matter with a resolution or three-party Memorandum of Understanding between BHRCA, the City and Freeport McMoRan. Please contact Karly Katona at (213) 974-2222 to discuss next steps.

Thank you for your consideration.

With hope,



MARK RIDLEY-THOMAS
Supervisor, Second District

- C: Members of the Culver City Council
Charles Herbertson, Culver City Department of Public Works
Carol Schwab, Culver City Attorney
Blair Hills Neighborhood Association

ATTACHMENT 2
E27
“The BHRCA Parcel”

Pg.	Section	FM O&G Comment
2-1	2.1	To accurately reflect existing conditions, the following text must be changed as follows: “The proposed trail would run through the <u>project site</u> BHRCA-owned surface property at the northern end of the active Inglewood oilfield.
4-15	4.3.2 (b); Regional Construction Emission; paragraph 3	To accurately reflect existing conditions, the following text must be changed as follows: “A crane will likely be necessary on both the KHSRA and <u>the Segment C project site</u> BHRCA-owned surface property .
4-30	4.4.2(a) 3rd paragraph	To accurately reflect existing conditions, the following text must be changed as follows: “...a total of 3.58 acres would be impacted by the project of the 27.90-acre area that includes <u>the Segment C project site</u> BHRCA-owned surface parcel , portions of the Baldwin Hills Scenic Overlook...”
4-59	4.8.1 Wildfire	To accurately reflect existing conditions, the following text must be changed as follows: “...which is located across La Cienega Boulevard, east of the BHRCA parcel <u>Segment C project site</u> ”
Appendix B-1	Page 1 1st Paragraph	Revise the description of the “BHRCA parcel” so that it accurately differentiates BHRCA owned property that is not a part of the active Inglewood Oil Field from BHRCA owned property that is a part of the active Inglewood Oil Field.
Appendix B-1	All	Wherever the term “BHRCA parcel” appears, change it to “the project site” to prevent any misleading information about the surface boundary of the active Inglewood Oil Field - a portion of which is within BHRCA owned surface area.

ATTACHMENT 3
“Other Corrections”

Pg.	Section	FM O&G Comments
4-2	Checklist for Environmental Factors Potentially Effected	This checklist includes “Mineral Resources” but the box is not checked. It should be checked.
4-93	4.11.2 (a); 1 st paragraph, 2 nd sentence	To accurately reflect existing conditions, the following text must be changed as follows: “The trail would not go through areas that are subject to ongoing oil and gas exploration, production, processing, and associated activities, <u>but will come within 25 feet of areas that are subject to ongoing oil and gas exploration, production, processing and associated activities.</u> ”
4-93	1 st paragraph, last sentence	To accurately reflect existing conditions, the following text must be changed as follows: <u>“Culver City has been undergoing internal review of its draft ordinance since 2006 and there is no known set timeline for the adoption of this draft ordinance.</u> ”
4-93	4.11.2 Impact Analysis (a); 2 nd paragraph	To accurately reflect existing conditions, the following text must be changed as follows: <u>“The County concludes that the proposed trail is also not considered a place of public assembly and would not conflict with current regulations for oil, gas and hydrocarbons in the Culver City Municipal Code. While this is the County’s conclusion, there are no current regulations adopted by Culver City consistent with this conclusion and nothing in the Culver City Municipal Code prohibits the City from finding that the Segment C trail is a place of public assembly. The project would also not change the setback areas for wells that may be drilled in the Culver City portion of the Inglewood oilfield, under existing Culver City regulations. However, if Culver City adopts the proposed new regulations, the project would change the setback areas for wells that may be drilled in the Culver City portion of the Inglewood oilfield and would result in a potentially significant impact by the loss of drilling rights that could not be mitigated. Therefore to ensure that the impacts are less than significant, a mitigation measure must be added to condition project implementation on Culver City’s legislative confirmation that the setback would not apply in a manner that would impact oil drilling.”</u> ”
4-94	Paragraph 1	To accurately reflect existing conditions, the following text must be changed as follows: Add the following sentence to the end of Paragraph 1:

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Pg.	Section	FM O&G Comments
		<u>"BHRCA's surface rights are burdened by existing rights to extract the oil and gas resources, which rights are dominate to BHRCA's rights to use the surface. As such BHRCA has a legal obligation to accommodate oil and gas exploration, production, processing and associated activities on the surface of the project site."</u>
4-94	Paragraph 2	To accurately reflect existing conditions, the following text must be changed as follows: <u>"The project would be a surface use and would not restrict rights to underlying resources, under existing Culver City regulations. However, unless the project is prohibited from being opened to the public until such time as Culver City adopts regulations exempting the Segment C trail from its proposed new setback regulations, the project will have a significant impact by a loss of a known mineral resource. No dedication of easement is needed for the trail since it would be located within 500 feet of the ground surface of the project site BHRCA-owned surface parcel. The Segment C trail alignment passes through an existing drill site and near other existing drill sites (south and west of the Stoneview Nature Center). The trail itself is within the existing 100-foot setback for drilling purposes under Culver City regulations. Which places the trail within 25 feet, in some places, of existing locations where drilling may occur. Drilling is allowed within 100 feet of the residential properties to the north of the project site. While a drill site is currently located near the trail alignment (east of Stoneview Nature Center), drilling in this area is not allowed due to required setbacks by the City of Culver City."</u>
4-94	Paragraph 3	To accurately reflect existing conditions, the following text must be changed as follows: The last sentence should be stricken. <u>"In the long term, the proposed trail would not directly or permanently displace, prevent, preclude, or limit adjacent oil and gas exploration, production, processing, or associated activities in the Inglewood Oilfield."</u>
4-94	Paragraph 4	To accurately reflect existing conditions, the following text must be changed as follows: <u>"The BHRCA adopted a resolution to relocate the one-acre drill site located east of the Stoneview Nature Center to an alternative location on the Dabney-Lloyd Lease, the surface of which is owned by the BHRCA, subject to existing oil and gas lease rights. Existing Culver City regulations prohibit drilling within the northerly 100 feet of said one-acre drill site, allow drilling on the remainder of the drill site. While no drilling can occur at the current drill site under existing and proposed Culver City regulations. The relocation of the drill site would provide the oilfield operator with the ability to drill on a different location on the Dabney-Lloyd Lease BHRCA-owned surface property, under existing Culver City regulations. However, under the proposed Culver City regulations, even the relocated drill</u>

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Pg.	Section	FM O&G Comments
		<u>site would become unavailable for drilling and would, therefore, result in a potentially significant impact that could not be mitigated."</u>
4-94	Paragraph 6	<p>To accurately reflect existing conditions, the following text must be changed as follows:</p> <p><u>"Culver City's existing regulations do not allow drilling of a well along the Segment C trail alignment, which is 50 to 75 feet from the northerly boundary line of the Dabney-Lloyd Lease. However, the existing regulations do allow drilling within 26 to 51 feet of the Segment C trail alignment. Thus, under existing regulations, underlying mineral resources would continue to be available for extraction from the same locations that they are available without the proposed trail. However, if the proposed new regulations in Culver City are adopted without exempting the Segment C trail from the proposed definition of Development Areas, then the underlying mineral resources on the Dabney-Lloyd Lease would no longer be available for extraction and would result in a significant impact on a known mineral resource. Since the project does not propose or include oil or gas drilling activities and the existing drill site cannot be used under existing Culver City regulations, the project would not lead to environmental impacts related to changes in oilfield activities. No loss of availability of a known mineral resource would occur."</u></p>
4-95	Paragraph 1; beginning with the 2 nd full sentence	<p>To accurately reflect existing conditions, the following text must be changed as follows:</p> <p><u>"And while the use of the proposed trail would be recreational in nature, it does not propose a public park and would not involve the concentration of people and the length of use that is generally associated with recreational activities that occur in parks and developed recreational facilities (e.g. , game fields). However, Culver City's proposed definition of 'Developed Areas' includes any land that is used for recreational purposes, without regard to the concentration of people or the length of use. Thus, the trail could be interpreted as either as not being a 'Developed Area' or as being a 'Developed Area' under the proposed regulations. and thus, would not change future oil drilling operations in the Inglewood Oilfield. In October 2014, the City of Culver City adopted a resolution that portions of the proposed trail (under Phase 2) would not be considered in defining the 400-foot setback from a Developed Area. However, that resolution is not binding on the City and given that Culver City has not yet adopted the proposed regulations, and given that the City's draft of the proposed regulations does not exempt the Segment C trail from the definition of Developed Area, the impacts from the Segment C trail must be analyzed assuming that the 400-foot setback will apply to move the boundary line from 100 feet from the northerly edge of the project site to the southerly boundary of the entire parcel on which the</u></p>

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Pg.	Section	FM O&G Comments
		<u>project site sits. Such analysis, must result in a finding of a direct and significant loss of a known mineral resource.</u>
4-95	Paragraph 4	This entire paragraph should be stricken, as it is not factually correct. But for the Segment C trail, there would be not potential Developed Area on the project site. The site is currently developed only with existing oil and gas facilities and drilling is currently allowed under existing regulations. If the Segment C trail is constructed and opened the public without binding laws in Culver City to exempt the trail from any future setbacks the City might impose, a loss of a known mineral resource will occur. Moreover, as discussed above in our comment letter, the mineral resources underlying the project site cannot be effectively developed by horizontal, directional or slant drilling.
4-95	4.11.2 (b); 1 st paragraph; beginning at 2 nd sentence	To accurately reflect existing conditions, the following text must be changed as follows: “ The proposed trail will impact would not impact the future use of nearby oil pads. While the trail will would go through a drill site that is located east of the Stoneview Nature Center, this drill site is located <u>partly</u> within the required setback areas established by existing Culver City and DOGGR regulations, <u>but greater than half of the drill site is not within the required setback areas.</u> <u>Whether or not the regulations in Culver City are changed is uncertain.</u> <u>The City has been discussing such regulations for many years and there is not timeline for completion of the City’s process.</u> Thus, it is <u>uncertain unlikely that whether</u> future oil and gas drilling would <u>or would not</u> be allowed or would occur in this area.”
4-95	4.11.2 (b) 2 nd paragraph, 1 st sentence	The first sentence of this paragraph should be stricken entirely, as it is not factually correct. “As indicated above, no impact on ongoing oil and gas production activities in the Inglewood Oilfield would occur with the project.”
4-96	Paragraph 1, beginning with the 1 st full sentence	To accurately reflect existing conditions, the following text must be changed as follows: “The project has been located away from and designed to prevent impacts on nearly oil and gas exploration, production, processing, and associated activities, <u>on the assumption that the City of Culver City will exempt the Segment C trail from any future setbacks in its oil and gas regulations.</u> <u>The project includes relocation of an access road to maintain oilfield access and fencing to separate the oilfield activities from the trail. If, and only if, Culver City adopts regulations exempting the trail from any future setback requirement for oil and gas operations within the City,</u> the project would not <u>significantly</u> affect access to and the availability of the underlying oil and gas resources. No impact would occur, <u>if Culver City will enact legislation exempting the Segment C trail from any future setback requirements imposed on oilfield operations. If</u>

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		<u>Culver City does not enact such legislation, the Segment C trail will result in the loss of a known mineral resource.</u>
4-96	4.11.3	To accurately reflect existing conditions, the following text must be changed as follows: <u>"If, and only if, Culver City adopts regulations exempting the trail from any future setback requirement for oil and gas operations within the City, no significant adverse impacts related to the loss of a known mineral resource would occur. Accordingly, Mitigation Measures have been put in place to insure that the Segment C trail is not constructed or opened to the public until such time as Culver City adopts regulations so exempting the trail.</u>
4-115	4.15.1 Existing Recreational Facilities; paragraph 3	This paragraph describes the Culver City Park and the facilities therein, but fails to include the existing oil production facilities in the park. To accurately reflect existing conditions, the following text must be changed as follows: The sentence beginning with "It is developed with three softball diamonds....should be amended to add the phrase "and three existing oil and gas production sites – Well Site 'A' and Well Site 'B'" to the description.

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Comment Letter E: Freeport-McMoRan Oil and Gas (FM O&G)

(September 28, 2016)

Response E1: The Revised IS/MND addressed some of the comments that were raised by the FM O&G letter dated January 22, 2016, to the extent that those comments required changes to the IS/MND for Segment C.

Response E2: Section 4.11 of the Revised IS/MND addresses the project's potential impacts on Mineral Resources. The project is a surface use and is not expected to have a significant impact on underlying oil and gas resources. As stated on pages 4-94 to 4-97 of the Revised IS/MND, the proposed trail would not go through areas that are subject to ongoing oil and gas exploration, production, processing, and other associated activities. The City is responsible for regulating and restricting oilfield drilling and associated activities on the project site, which is located within the City's jurisdictional boundaries. BHRCA is a separate public agency that has no control over the City. The City's setback requirements are not being revised by the project, as BHRCA has no legal authority to revise the rules or regulations of another agency.

Specifically, Chapter 11.12 of the City's Municipal Code outlines the City's requirements for obtaining an oil, gas, or hydrocarbon well permit and for operating such well. The City's existing regulations allow the drilling of only one well or well hole for every five full acres for each oil-producing zone in the operating unit. Chapter 11.12.105 prohibits a well hole within 300 feet of any major public street, sidewalk, or highway; within 100 feet of the outer boundary of the parcel of land; within 100 feet of any steam boiler building or source of ignition; and within 300 feet of any school buildings or other places of public assemblage. These regulations do not state that a trail is considered a place of public assembly. Rather, Chapter 17.7 of the City's Municipal Code specifically defines "assembly" as a permanent structure for clubs, lodges, private meeting halls, and/or places of worship. Moreover, the City is in the process of updating its drilling regulations and anticipates releasing an environmental impact report for the updated regulations/ordinance (Ordinance) early next year. In the City's draft Ordinance, a buffer from sensitive uses and developed areas is proposed; however, there is also a provision that allows for drilling within the buffer should the environment, public health, safety, and welfare be preserved. In the spirit of good-faith cooperation, the County of Los Angeles (County) and BHRCA have provided Culver City with comments to their draft Ordinance requesting that they exclude the entire proposed trail from setback requirements to oil drilling operations. These comments are memorialized in a resolution, which is anticipated to be considered at the November 14, 2016, City Council Meeting.

The project would not serve to modify the location of any major public street or the outer boundary of a parcel of land. The trail is not considered a place of public assembly. Thus, the project would not change the regulatory setting under which FM O&G operates.

Response E3: The Revised IS/MND does not assume that the relocation of the drill site is in place, as stated on page 3-5. The documentation related to the relocation of the drill site has not been agreed to or signed by all parties. BHRCA continues to work with the stakeholders to finalize this agreement prior to the start of construction for Segment C.

The City is in the process of updating its drilling regulations and anticipates releasing an environmental impact report for the updated regulations/ordinance (Ordinance) early next year. In the City's draft Ordinance, a buffer from sensitive uses and developed areas is proposed; however, there is also a provision that allows for drilling within the buffer should the environment, public health, safety, and welfare be preserved. In the spirit of good-faith cooperation, the County and BHRCA have provided Culver City with comments to their draft Ordinance requesting that they exclude the entire proposed trail from setback requirements to oil drilling operations. These comments are memorialized in a resolution which is anticipated to be considered at the November 14, 2016, City Council Meeting.

Response E4: The Revised IS/MND does not assume that the proposed Ordinance will allow the same oilfield operations. Pages 4-96 to 4-97 discuss the proposed Ordinance and the changes in the regulations, as they may affect the area where the proposed trail would be located. However, it concludes that BHRCA cannot speculate on the implications of this draft Ordinance in the Revised IS/MND and cannot even confirm if the setback requirements that would be adopted by the City would be the same as the ones in the draft Ordinance. However, in the spirit of good-faith cooperation, the County and BHRCA have provided Culver City with comments to their draft Ordinance requesting that they exclude the entire proposed trail from setback requirements to oil drilling operations. These comments are memorialized in a resolution which is anticipated to be considered at the November 14, 2016, City Council Meeting.

Response E5: The proposed trail has been realigned to minimize intrusion into the active Inglewood Oilfield; to mitigate geotechnical concerns on steep-sloped portions of the properties; and in response to coordination efforts and cooperation between BHRCA, FM O&G, and other stakeholders. Since the proposed Ordinance has not been adopted by the City and BHRCA has no authority over City actions and operations, the Revised IS/MND need not speculate on the impacts of a future condition or a future regulation on FM O&G operations, much less require mitigation for a future condition. As stated above, in the spirit of good-faith cooperation, the County and BHRCA have provided Culver City with comments to their draft Ordinance requesting that they exclude the entire proposed trail from setback requirements to oil drilling operations. These comments are memorialized in a resolution which is anticipated to be considered at the November 14, 2016, City Council Meeting.

Response E6: The recommended mitigation measure is an action for the City and, as stated above, BHRCA cannot require the City to adopt a regulation; provide an exemption to a City requirement; or revise a City regulation. This mitigation measure would have to be presented by FM O&G to the City of Culver City for consideration, as it directly relates to oilfield operations. In addition, in the spirit of good-faith cooperation, the County and BHRCA have provided Culver City with comments to their draft Ordinance requesting that they exclude the entire proposed trail from setback requirements to oil drilling operations. These comments are memorialized in a resolution which is anticipated to be considered at the November 14, 2016, City Council Meeting.

Response E7: As stated under Response E6, BHRCA has no authority to exclude the trail from the Culver City's definition of recreation and public park, nor does it provide an express exemption for the Segment C trail. Also, the project is not specifically prohibited under the existing and proposed Ordinance. However,

in the spirit of good-faith cooperation, the County and BHRCA have provided Culver City with comments to their draft Ordinance requesting that they exclude the entire proposed trail from setback requirements to oil drilling operations. These comments are memorialized in a resolution which is anticipated to be considered at the November 14, 2016, City Council Meeting.

Response E8: The Revised IS/MND is not required to analyze project impacts to a future scenario (under which the City has adopted new regulations for oilfield operations). The Revised IS/MND also cannot provide mitigation for a future potential impact. BHRCA can impose a condition on the project on its own volition but, under CEQA, the future environmental setting where the City has adopted its proposed regulations could not be used as the basis of analyzing the environmental impacts of the project on the existing environment and requiring mitigation.

Response E9: As stated in the comment letter, Culver City has been undergoing internal review of its draft Ordinance since 2006 and the draft regulations have not been adopted since they released the language of the draft ordinance in 2013. The impacts of this draft Ordinance on FM O&G operations would have to be evaluated in an environmental document that would be prepared by the City. The proposed Segment C would not be impacted by this draft ordinance and, as previously stated, the Revised IS/MND need not analyze the impacts of the project on a future condition or regulation.

As proposed and described in the Revised IS/MND, the trail would go through the active portions of the Inglewood Oilfield, but it would only run along the oilfield's northern edge, where no oil and gas operations are currently occurring or allowed. Based on multiple discussions with the oilfield landowners and operator, the trail has also been realigned away from active oilfield activities to specifically prevent disturbances, alterations, or conflict with oilfield activities. Since the project would not directly or permanently displace, prevent, preclude, or limit adjacent oil and gas exploration, production, processing, or associated activities in the Inglewood Oilfield, there would be no loss of availability of a known mineral resource in the Inglewood Oilfield.

Response E10: The legal description of the proposed trail alignment has been provided to FM O&G and the proposed drill site identified, but discussions between parties are ongoing and the documentation related to the relocated drill site has not been agreed to or signed by all parties. The proposed trail has been realigned to minimize intrusion into the active Inglewood Oilfield and to mitigate geotechnical concerns on steep sloped portions of the properties. BHRCA also continues to work with the stakeholders on the size and location of this drill site and will finalize the agreement on the drill site relocation prior to the start of construction for Segment C.

Response E11: As stated on page 4-96 of the Revised IS/MND, the City's proposed regulation is under review and revision and only the draft Ordinance is available for review at this time. The draft Ordinance includes a provision that would allow for consideration of an exception to drilling within the setback area, provided that the setback reduction will not be detrimental to the public health, safety and welfare, or the environment.

The City adopted a resolution that the eastern section of the proposed trail (Phase 2 of Segment C) would not be considered in defining the 400-foot

setback in their draft Ordinance. Thus, the trail would not expand the setback area within the eastern section of the site beyond the limits that may be required by the proposed regulations. However, in the spirit of good-faith cooperation, the County and BHRCA have provided Culver City with comments to their draft Ordinance requesting that they exclude the entire proposed trail from setback requirements to oil drilling operations. These comments are memorialized in a resolution which is anticipated to be considered at the November 14, 2016, City Council Meeting.

Response E12: Regarding the existing drill site, as discussed on pages 4-94 through 4-96 of the Revised IS/MND, drilling activities are not allowed in the area proposed for the trail alignment due to the setback requirements of current City regulations. The City regulations do not allow drilling of a well along the Segment C trail alignment, which is 50 to 75 feet from the northern property line. Thus, underlying mineral resources would continue to be available for extraction from the same locations that they are available without the proposed trail. The existing drill site would be within the 300-foot setback from existing recreational facilities. Therefore, no drilling at the existing drill site would be allowed. The project would not change this condition.

The proposed Ordinance, if adopted, will establish a 400-foot setback from parcels developed with a residential, recreational, institutional, commercial, industrial, or office structure and a 75-foot setback from public roads. The existing drill site is located within the proposed setback areas of the City. Thus, no change to FM O&G's ability to utilize the existing drill site would occur with the proposed regulations.

The new drill site location is currently under review and revision by FM O&G and may be impacted by the proposed Ordinance. As the property deed indicates, the easements on BHRCA-owned surface property, including an easement over a drill site, may be moved. Also, relocating the drill site to another area where drilling would continue to not be allowed would be similar to existing conditions and does not constitute an impact. However, BHRCA continues to work with the stakeholders to finalize the agreement pertaining to the relocation of the drill site prior to the start of construction for Segment C. The documentation that formalizes the verbal agreements made during previous meetings with FM O&G and BHRCA is still being prepared, reviewed, and revised. This agreement will be signed by both parties prior to the start of construction.

Since the project would not directly or permanently displace, prevent, preclude, or limit adjacent oil and gas exploration, production, processing, or associated activities in the Inglewood Oilfield, there would be no loss of availability of a known mineral resource in the Inglewood Oilfield.

As proposed, and described in the Revised IS/MND, the majority of the trail would not go through the active portions of the Inglewood Oilfield and would run along the oilfield's northern edge, where no oil and gas operations are currently occurring or allowed. Based on multiple discussions with the oilfield landowners and operator, the trail has also been realigned away from the active oilfield activities to specifically minimize disturbances, alterations, or conflict with oilfield activities.

In accordance with CEQA and the State CEQA Guidelines, if the Initial Study (IS) prepared for a project finds there would be less than significant impacts after implementation of mitigation measures (if necessary) or changes to the way a project is designed and/or implemented, then a Mitigated Negative Declaration (MND) is the appropriate CEQA documentation. If the IS finds there would be potential impacts that require further analysis or that significant impacts would remain after all feasible mitigation is enacted, then an Environmental Impact Report (EIR) is required. The Revised IS/MND for Segment C concludes that significant adverse impacts would occur with the project, but compliance with existing regulations and the implementation of mitigation measures outlined in the Revised IS/MND would avoid and/or reduce these impacts to less than significant levels. Thus, the project qualifies for an MND and an EIR is not required.

As stated above, BHRCA continues to work with Lloyd Properties and FM O&G on the size and location of the drill site and will finalize the agreement on the drill site relocation prior to the start of construction for Segment C. Also, in the spirit of good-faith cooperation, the County and BHRCA have provided Culver City with comments to their draft Ordinance requesting that they exclude the entire proposed trail from setback requirements to oil drilling operations. These comments are memorialized in a resolution which is anticipated to be considered at the November 14, 2016, City Council Meeting.

Response E13: As indicated in Response E3 above, the existing drill site is located within the existing and proposed setback areas in City regulations, where no oil drilling is allowed. No change to FM O&G's ability to utilize the existing drill site would occur with the project. The proposed Ordinance allows slant drilling in order to locate the top hole as far away (at least 800 feet) from sensitive developed areas. Thus, it is expected that slant drilling will be feasible, even if it will require more wells.

Response E14: Comment noted.

Response E15: The proposed Ordinance does not specifically define trails as a recreational use, and the proposed trail is only a secondary (accessory) use of the parcel that contains a detention basin (Phase 1 of Segment C). The City has the authority to interpret its Ordinance, once adopted, and may consider the proposed trail a recreational use of the parcel and may measure the proposed setback areas from the proposed trail or the parcel of the trail. As such, FM O&G is correct in that the City has not legally confirmed that the setback requirements do not apply to the trail since the Ordinance is currently only in draft form and has not been adopted. Since the interpretation and implementation of the City's proposed oilfield regulations will only occur upon adoption of the Ordinance, assuming it does not change over the current language in the draft Ordinance, analysis of the proposed setback would only occur under a future condition that need not be analyzed as part of the existing environmental setting in the Revised IS/MND. However, in the spirit of good-faith cooperation, the County and BHRCA have provided Culver City with comments to their draft Ordinance requesting that they exclude the entire proposed trail from setback requirements to oil drilling operations. These comments are memorialized in a resolution which is anticipated to be considered at the November 14, 2016, City Council Meeting.

- Response E16:** As provided in Attachment 1 of Comment Letter E, the City has adopted a resolution that Phase 2 of the proposed trail would not be considered in defining the 400-foot setback in the City's proposed ordinance. Thus, the trail would not expand the setback area within Assessor's Parcel Numbers (APNs) 4202-014-905 and 4202-014-907, assuming the City reaffirms this resolution upon adoption of the proposed Ordinance. The western section of the site was not part of the resolution and it is the City's right to interpret and measure the required setback. BHRCA, as a separate legal entity, has no authority to require a different interpretation or implementation. However, in the spirit of good-faith cooperation, the County and BHRCA have provided Culver City with comments to their draft Ordinance requesting that they exclude the entire proposed trail from setback requirements to oil drilling operations. These comments are memorialized in a resolution which is anticipated to be considered at the November 14, 2016, City Council Meeting.
- Response E17:** Section 15125 of the State CEQA Guidelines defines the environmental setting as the description of the physical environmental conditions in the vicinity of the project site as they exist at the time the environmental analysis is commenced and to be used to determine whether changes to the baseline conditions brought about by the project would be a significant impact. Since the City of Culver City has not adopted their draft ordinance, the Revised IS/MND cannot speculate on the potential impacts of Segment C as may be associated with a future condition, nor can BHRCA require mitigation for such future potential impact. BHRCA also cannot revise Culver City's regulations; however, in the spirit of good-faith cooperation, the County and BHRCA have provided Culver City with comments to their draft Ordinance requesting that they exclude the entire proposed trail from setback requirements to oil drilling operations. These comments are memorialized in a resolution which is anticipated to be considered at the November 14, 2016, City Council Meeting.
- Response E18:** BHRCA recognizes the rights of other parties to underlying mineral resources on the site, and the proposed project does not propose to restrict, block, or remove the rights of individual entities afforded by agreements that have been established among various parties. BHRCA owns the surface rights to the property up to 500 feet below the surface, which it intends to develop with the proposed trail. Lloyd Properties reserves the rights to all oil, gas, other hydrocarbon substances, and all minerals lying below a depth of 500 feet from the surface, and has an easement over a drill site; an access easement to the drill site; and other pipeline and drainage easements. The easements are non-exclusive, and improvements can be made to the surface as long as they do not interfere with rights to extract mineral resources. The easements may also be moved if they interfere with BHRCA's use of the property. Since the project would not directly or permanently displace, prevent, preclude, or limit adjacent oil and gas exploration, production, processing, or associated activities in the Inglewood Oilfield, there would be no loss of availability of a known mineral resource in the Inglewood Oilfield.
- Response E19:** RR 4.8-4 is only a summary of the regulations in Chapter 326 in Title 32 of the Los Angeles County Code. As stated on page 4-111 of the Revised IS/MND, no direct access or emergency access to the trail would be provided or would be available from the adjacent areas to the south that are subject to active oilfield operations. Also, access roads within the oilfield operations would not have connections to the trail and would not be utilized by the trail users. However, BHRCA is working with FM O&G and other adjacent landowners to

establish an accommodation agreement to allow for construction equipment to pass through the access roads within the active oilfield, if necessary, and on potential emergency access.

- Response E20:** The eastern segment of the proposed trail would be located within 50 to 75 feet of the northern property line of the Segment C site. BHRCA has provided FM O&G with a draft legal description of the proposed trail alignment but discussions are still ongoing between the parties to refine this alignment. A revised legal description for the final alignment will be provided to FM O&G in the next few days and would be part of the accommodation agreement/Memorandum of Understanding (MOU) that is currently being developed between BHRCA/County and FM O&G.
- Response E21:** The agreement related to the relocation of the drill site has not been finalized or signed by all parties. BHRCA continues to work with the stakeholders to finalize this agreement prior to the start of construction for Segment C.
- Response E22:** Ramboll Environ's findings that 4 out of the 25 plant species listed by BonTerra Psomas as having "potentially suitable" or "marginal potentially suitable" habitat do not, in fact, have potential to occur on site is inconsistent with BonTerra Psomas' original analysis of the biological resources on the site. As stated on page 4-26 of the Revised IS/MND, BonTerra Psomas' determination of potentially suitable (or marginal potentially suitable) habitat for these four special status plants was based on all or some combination of the following factors: (1) site records in the region of the project site; (2) soils mapped on the site; (3) vegetation mapped on the site; and (4) field conditions. BonTerra Psomas has reassessed these species' potential to occur on the site and has found that these initial findings remain appropriate because of site records in the region; soils on the site; vegetation on the site; and field conditions during site surveys. Thus, the potential for these four species to occur in the area is considered appropriate. However, none of these four species were observed during focused surveys of the site.
- Response E23:** Exhibit 4-10 in the Revised IS/MND was taken from the Recirculated Draft Kenneth Hahn State Recreation Area General Plan Amendment and EIR and shows the designated Management Zones in this document. Exhibit 4-10 has been revised to show the Management Zones at the KHSRA, Baldwin Hills Scenic Overlook, and the project site; it also includes the boundaries of the active Inglewood Oilfield.
- Response E24:** The text revisions proposed in Attachment 2 have been made to the referenced pages in the Revised IS/MND, as outlined in Section 6.0 below.
- Response E25:** Some of the text revisions proposed in Attachment 3 have been made to the Revised IS/MND where they merely clarify the discussion but do not change the significance findings of the project impacts and where they do not require mitigation for impacts that may occur under a future condition or regulation. Responses E28 to E48 below discuss the changes made to the Revised IS/MND and these changes are listed in Section 6.0 below.
- Response E26:** Comment noted. BHRCA will continue to work with stakeholders on the proposed Segment C trail.

- Response E27:** These text changes have been made to the referenced pages in the Revised IS/MND and Appendix B1, as outlined in Section 6.0 below.
- Response E28:** BHRCA does not agree that the project would have significant adverse impacts on Mineral Resources. Thus, the box for Mineral Resources is not checked.
- Response E29:** The suggested phrase has been added to page 4-94 of the Revised IS/MND, as outlined in Section 6.0 below.
- Response E30:** The suggested phrase has been added to page 4-94 of the Revised IS/MND, as outlined in Section 6.0 below.
- Response E31:** The paragraph has been revised on page 4-94 of the Revised IS/MND to preface the paragraph that this is BHRCA's conclusion and a sentence added to state that "there is nothing specific in the Culver City Municipal Code that explicitly defines a recreational trail as a place of public assemblage or that defines a place of public assemblage to include recreational trails", as outlined in Section 6.0 below.
- Response E32:** A paragraph has been added on page 4-96 that discusses an interpretation of the proposed Culver City Ordinance but concludes that this discussion is speculative since the proposed Ordinance has not been adopted by the City since it was first considered in 2006. A mitigation measure will not be added to address this item.
- Response E33:** The terms of the purchase agreement for the BHRCA-owned surface property, and the rights of the parties thereto, are outlined in the document signed by affected parties.
- Response E34:** The Revised IS/MND cannot require mitigation for a future condition, as discussed in Responses E5 and E15 above.
- Response E35:** The suggested sentence has been added to page 4-95 of the Revised IS/MND, as outlined in Section 6.0 below. However, the last sentence has not been added since the existing Culver City regulations do not allow drilling within 100 feet of the parcel boundary.
- Response E36:** The phrase "In the long term" has been deleted on page 4-95 of the Revised IS/MND, but the conclusion on project impacts to oilfield operations is retained.
- Response E37:** The suggested phrase about the Dabney-Lloyd Lease has been added to page 4-95 of the Revised IS/MND, as outlined in Section 6.0 below. However, the suggested sentence is revised to read as follows: "As indicated above, existing Culver City regulations do not allow drilling within 100 feet from the outer boundary of the parcel of land and thus, would not allow drilling on the northern and eastern 100-foot portions of the existing drill site."
- Response E38:** The findings of the Revised IS/MND do not indicate that significant impacts that cannot be mitigated will occur with the project, as they relate to Mineral Resources. Also, the suggested text is a conclusion that is based on a future condition/regulation that need not be analyzed under CEQA or the State CEQA Guidelines.

- Response E39:** Changes to this paragraph in the Revised IS/MND have been made to state that Culver City's existing regulations do not allow drilling of a well within 100 feet of the outer boundary of the parcel of land and thus, would not allow drilling along the Segment C trail alignment, which is 50 to 75 feet from the northern property line, or other areas within 100 feet of the residential parcels to the north and the Stoneview Nature Center parcel to the west.
- Response E40:** A discussion of the possible interpretation of Culver City's draft Ordinance has been added to page 4-95 of the Revised IS/MND, as outlined in Section 6.0 below. However, the implementation of the proposed Culver City regulations, once adopted, are not under the purview of BHRCA, and the Revised IS/MND need not analyze the impacts of a project on a future unknown condition or regulation.
- Response E41:** The definition of Developed Area in the draft Ordinance has been added to page 4-96 of the Revised IS/MND, as outlined in Section 6.0 below.
- Response E42:** Several sentences have been added to page 4-96 of the Revised IS/MND to state that BHRCA cannot ascertain if the resolution is binding in the City, as outlined in Section 6.0 below. However, the Revised IS/MND need not consider the project impacts of this future regulation, nor would it assume that impacts on a future condition/regulation would be significant.
- Response E43:** This paragraph has been retained since it discusses the potential impacts associated with the relocation of the drill site.
- Response E44:** The suggested text revisions have not been made because, as discussed on pages 4-94 through 4-97, the existing drill site is currently located near the trail alignment (east of the Stoneview Nature Center), and drilling in this area is not allowed due to the existing required setbacks by the City of Culver City, which are set at 300 feet of any major public street, sidewalk, or highway; within 100 feet of the outer boundary of the parcel of land; within 100 feet of any steam boiler building or source of ignition; and within 300 feet of any school buildings or other places of public assemblage. Thus, no drilling is allowed within 100 feet of the northern and western portions of the drill site.
- Response E45:** The discussion in Section 4.11, Mineral Resources, of the Revised IS/MND supports this conclusion. This sentence will not be deleted.
- Response E46:** The planning of the Segment C trail does not rely on BHRCA's assumption that the project would be exempt from setback requirements in future Culver City regulations. The Revised IS/MND discusses the proposed regulations, but does not assume that the City will use the trail in defining setback requirements adopt or revise its regulations. Since the draft Ordinance has not been adopted since it was first considered in 2006, it would be speculative to discuss the final form or language of the Ordinance when it is finally adopted or the impacts of the future regulation of FM O&G's oilfield activities and operations. In addition, the project will not result in the loss of known mineral resources since it is a surface use that would not change the conditions under which FM O&G operates, as discussed in Responses E3 and E12 above.
- Response E47:** Since the proposed regulation has not been adopted by the City and BHRCA has no authority over City actions and operations, the Revised IS/MND need not speculate on the impacts of a future condition or a future regulation on FM

O&G operations (which is not the proposed trail project), much less require mitigation for a future condition. Exemption of the trail from future setback requirements of oilfield operations is an action for the City and, as stated above, BHRCA cannot require Culver City to adopt a regulation; provide an exemption to a Culver City requirement; or revise a Culver City regulation. This request would have to be presented by FM O&G to the City for consideration, as it directly relates to oilfield operations.

Response E48: A sentence has been added to page 4-115 of the Revised IS/MND to note that well sites are present at Culver City Park, as outlined in Section 6.0 below.

8033 Denrock Avenue
Los Angeles, CA 90045
September 19, 2016

COMMENT LETTER F

Ms. Josephine Alido
BonTerra Psomas
225 South Lake Avenue, Suite 1000
Pasadena, CA 91101

Dear Ms. Alido,

Regarding Segment C of the Park to Playa Trail as presented in the Revised Initial Study/Mitigated Negative Declaration (August 2016), I have grouped my comments under three headings below. Supporting my recommendations are 11 attached photos. I have been doing volunteer trail work in California State Parks and elsewhere for almost 20 years, including the last year at Baldwin Hills Scenic Overlook.

ELIMINATE THE STAIRS

The area immediately below the BHSO parking lot is steep, narrow, and easily degraded by human activity. It is not an appropriate location for another developed outdoor exercise area like the stairs at BHSO. Hetzler Road and the stairs already at BHSO, as well as two routes leading up to the old reservoir site at Kenneth Hahn SRA, all provide nearby steep, paved climbs for park users who desire that experience.

Also, the trail and stairs leading to/from the BHSO parking lot are designed to be in such close proximity that they will turn into one wide path, with no vegetation in between -- especially given the plan not to install post-and-cable fencing along Segment C. Moreover, below the parking lot it seems as though the stairs and outsloped trail will drain water onto each other. This will no doubt cause erosion and maintenance problems.

F1

The two short stair segments just above the nature center appear to anticipate people cutting between the switchbacks and the trail above. Still, concrete stairs are certainly not natural and are misplaced in an area where native habitat is being restored. The RIS/MND does not explain why stairs were incorporated into the trail design; if they will help protect natural resources, please explain how. The money to build stairs would be better spent on fencing.

RE-ROUTE SEGMENT C TO ELIMINATE AS MANY SWITCHBACKS AS POSSIBLE

Switchbacks, in addition to creating drainage problems on trails, are often cut by park users. This creates visual blight and more drainage and erosion problems. Photo 001 is a 2009 aerial view of BHSO; Photo 002 is a c. 2015 aerial with switchback cuts circled. Photos 003 and 004 are close-ups of the switchback circled in yellow in Photo 002.

F2

Instead of the trail to/from the BHSO parking lot going down to the flat area below before turning east, the trail should traverse the adjacent hillside. See Photo 005 for my proposed alignment for the trail to/from the BHSO parking lot. The trail can begin a few feet lower than

it currently does, because just before the trail goes downhill there is a slight rise that can be eliminated. See Photo 006 for a view of that area, just south of the BHSO parking lot.

Realigning the trail further up the hillside as I've suggested will have the additional benefit of leaving more habitat intact and not bisected by human activity. Oak trees or large native shrubs could be planted above the trail to provide privacy for the nearby residences.

F2

In addition, perhaps the western part of Segment C can terminate further east at the nature center property to eliminate at least one switchback on that part of the trail alignment. The two proposed switchbacks there, with segments closely parallel, will likely be cut in many places if built as designed.

INSTALL POST-AND-CABLE FENCING ALONG ON THE ENTIRE ROUTE OF SEGMENT C

The failure to install post-and-cable fencing at BHSO has resulted in switchbacks being cut, an ever-increasing spider web of unmaintained social trails, habitat loss and fragmentation, visual blight, and erosion. Photo 007 shows where BHSO visitors cut paths through a flower bed to make a shortcut from the trail to the road. The trail in Photo 008 will soon be undermined by shortcuts on the sandy hillside. Photo 009 (c. 2015) shows some of the trails created or widened by park users.

F3

Post-and-cable fencing will not keep everyone on the trail. However, it is the most daunting obstacle available and should be used all along Segment C, whose secluded location will further embolden visitors to go off trail. Without fencing, the existing network of social trails near Segment C will expand, trash will be more widespread, plants will be trampled, and animals will be scared off. Photo 010 compares the segment of the stairs at BHSO that has post-and-cable fencing (marked in red) and relatively little erosion along it with the erosion along rest of the unfenced stairs, a segment of which is shown close-up in Photo 011.

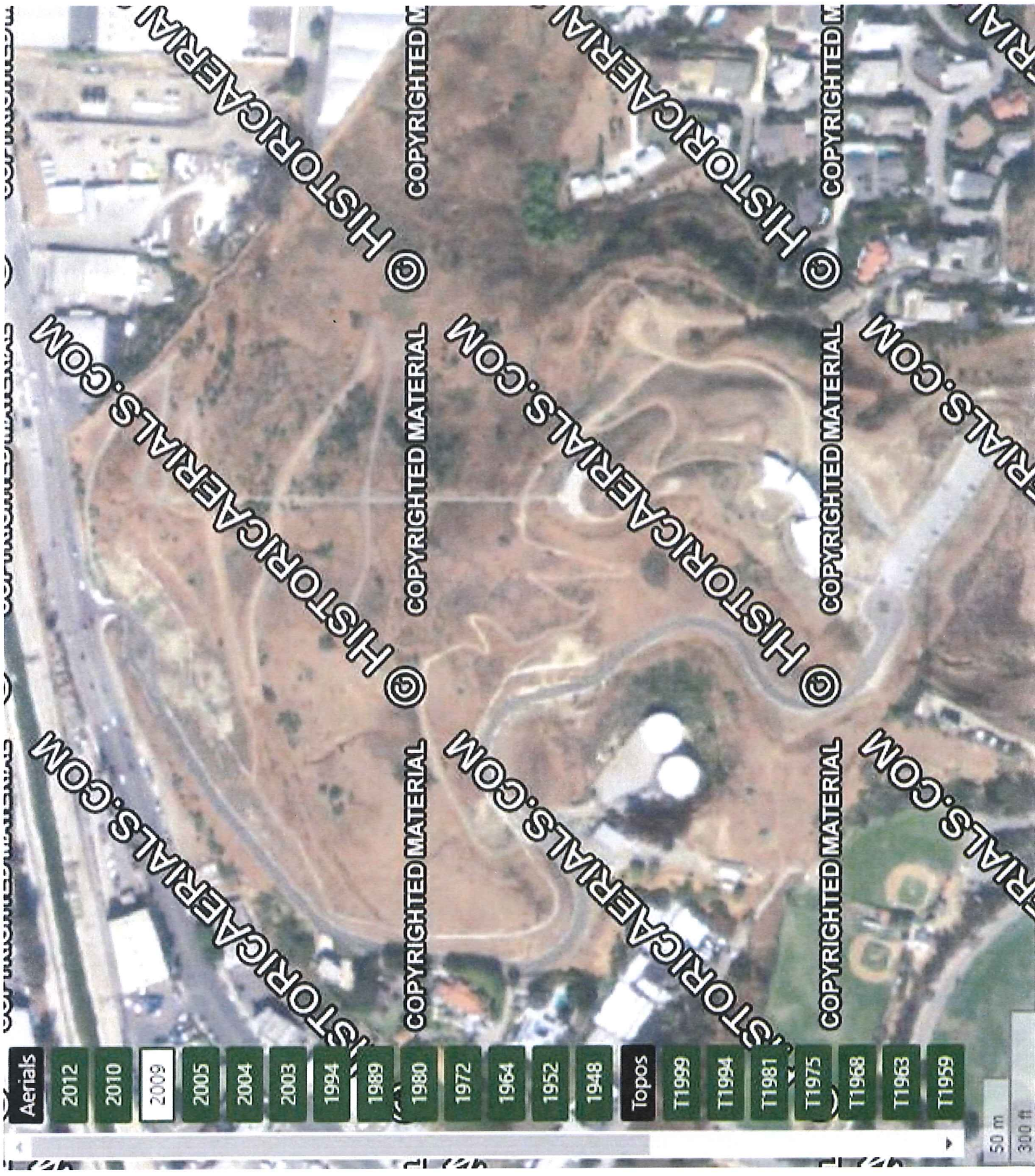
Please do not build Segment C as currently proposed. The unfenced alignment will not protect natural resources, the stairs are unnatural and unnecessary, and the dual trail-stair segment below the BHSO parking lot cannot be maintained.

F4

Thank you for your time,



Mike Davison



Aerials

2012

2010

2009

2005

2004

2003

1994

1989

1980

1972

1964

1952

1948

Topos

T1999

T1994

T1981

T1975

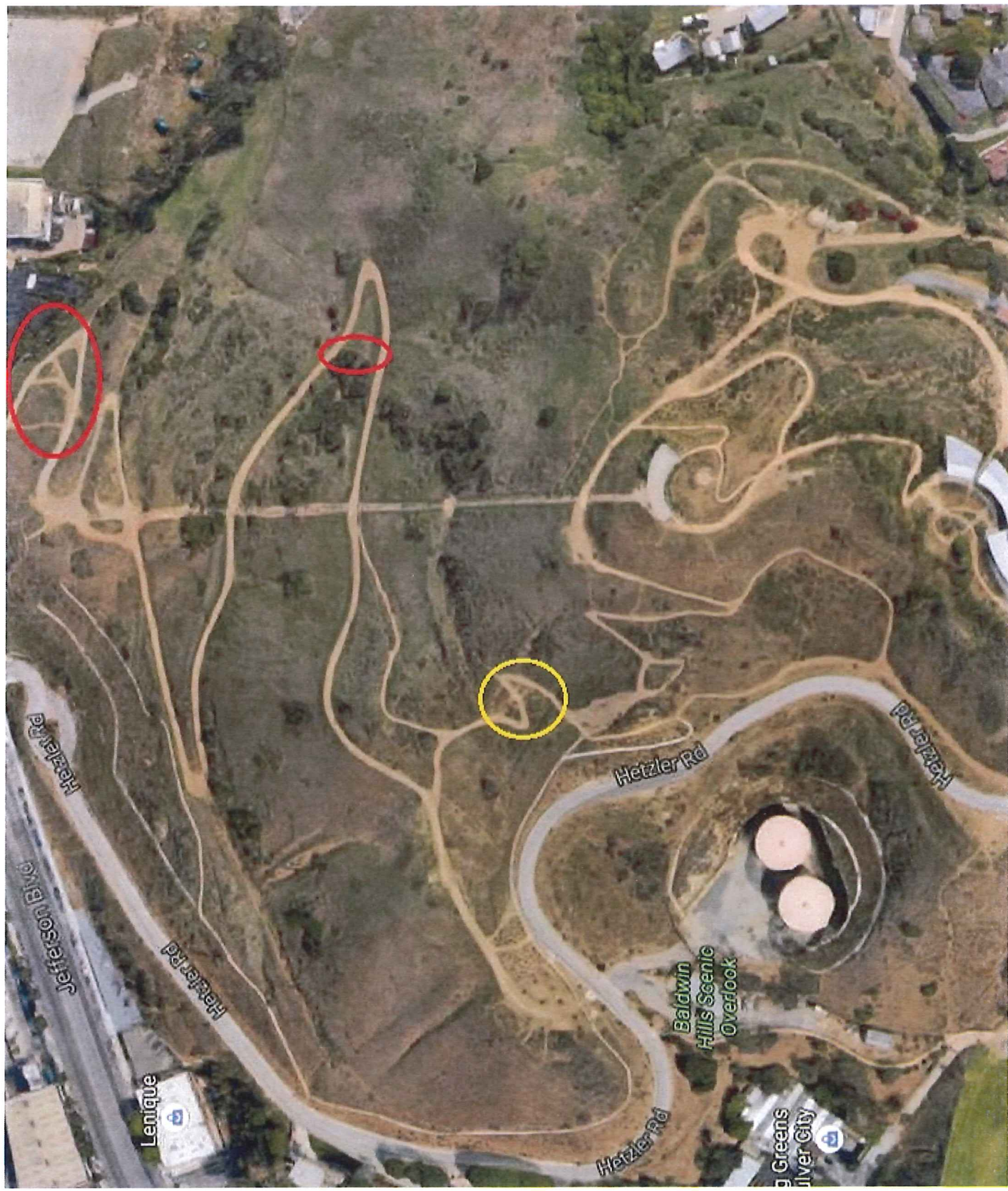
T1968

T1963

T1959

50 m

300 ft



BITSO
C-2015

002

Switchbacks that have been cut are circled. Photos 003 and 004 show the area in the yellow circle.

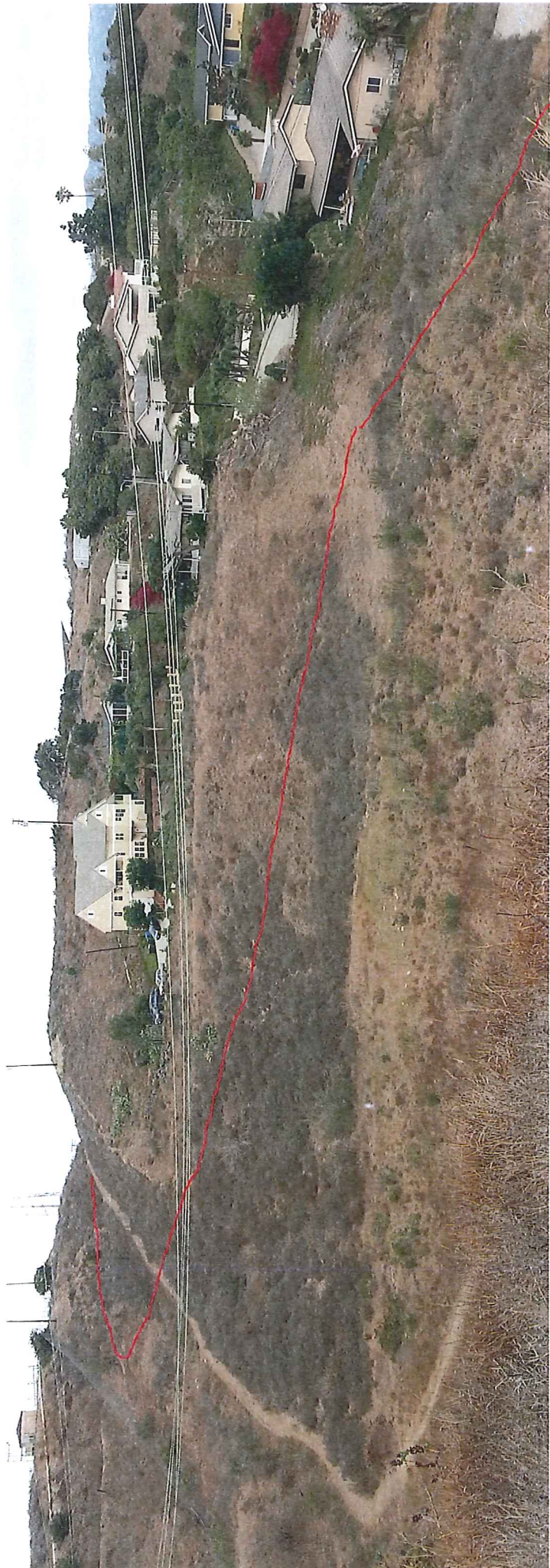


Original Trail in Blue — Saddleback Cuts in Red

BHSD 2016



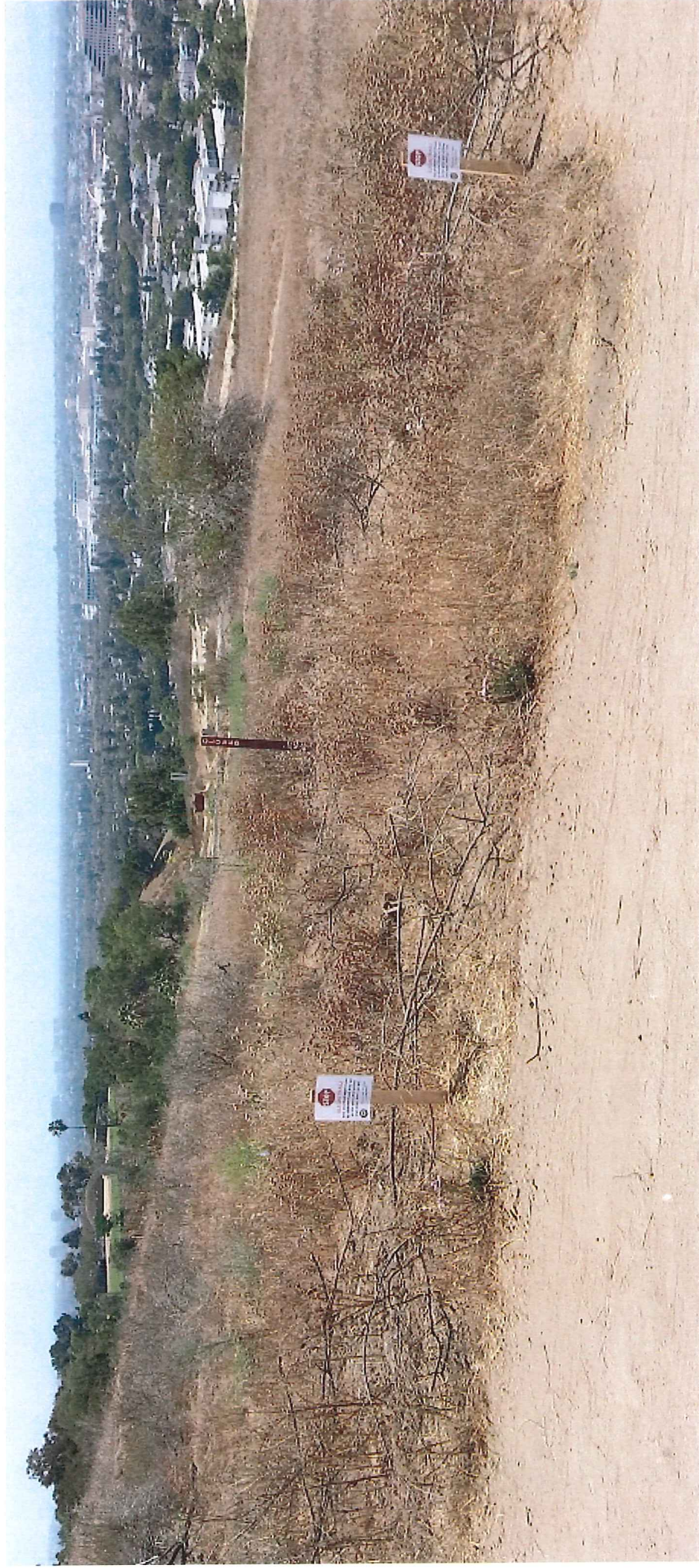
Original Switchback Re-established by Fencing - BHTSO 2016



Another Alignment from BHSO Parking Lot



Drain marked in red and high area South of BHSO Parking lot that can be cut down so trail starts from a lower point.



Social trails made through flower bed as shortest to Hetzler Rd. beyond.

BHSD 2016

BHSD 2016



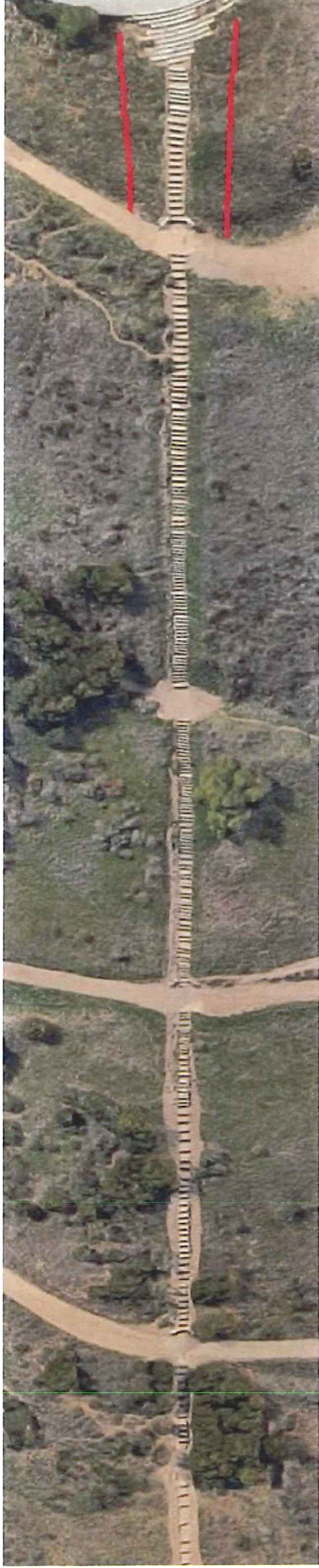
Five CLOSED signs installed to stop people from making shortcuts from trail to road. The trail along the Sandy hillside is being undermined by these shortcuts, and retaining walls will have to be built to hold up the trail edge.

009

BHSD
c-2015



Official trails widened and Social trails created by park visitors not restricted by post-and-rail fencing.



Stairs marked in red are lined by post-and-cable fencing, and there is little damage on either side of those stairs. The other stairs are unfenced and have trails and more erosion alongside.

BHSD c. 2015



011

BHSD
2015

Unfenced stairs at BHSD with adjoining hiking trail(s) and erosion.
The proposed dual trail/stairs segment below the BHSD Parking lot will
look like this — only worse!

Comment Letter F: Mike Davison

(September 19, 2016)

- Response F1:** As recommended, the proposed stairway from the Baldwin Hills Scenic Overlook has been eliminated. The proposed stairs west of the Stoneview Nature Center have also been eliminated, and the trail has been realigned to tie into the Nature Center at the southeastern boundary of the Nature Center. Exhibit 3-1 has been revised in the Revised IS/MND to show these changes.
- Response F2:** As recommended, the proposed trail has been realigned to eliminate the switchbacks west of the Stoneview Nature Center and to reduce the number of switchbacks to be provided as the trail connects to the Nature Center.
- Response F3:** As recommended, the project has been revised to include the installation of post and cable fencing along Phase 1 of the trail. This change has been reflected in Section 3.0 on page 3-2 and other pages of the Revised IS/MND.
- Response F4:** As noted above, changes to the project have been made in response to the comments raised.

From: Pekka Rautionmaa <pekka.rautionmaa@gmail.com>
Sent: Tuesday, September 27, 2016 2:47 PM
To: Josephine Alido
Cc: blairhills@outlook.com
Subject: Segment C of the proposed Park to Playa Trail- Overlook to Nature Center Trail location #2015121007

To:
Josephine Alido
Bon Terra Psomas
225 South Lake Avenue, Suite 1000
Pasadena CA 91101

Jalido@psomas.com

I live on top of the hill at 7015 Wrightcrest Dr, Culver City CA 90232 at last house on the left next to State park. Park is directly west of my house and
I now am especially writing to you for the concern that the planned trail should not go on near the top of the ridge, near my and Mr. Davis house, (Exhibit 2-2-, close to letter B) but straight from the Overlook Parking lot (letter P) directly to the proposed trail, through the little canyon, next to the Cell Phone tower. **G1**

Concerns:

1-If all the visitors suddenly start walking behind our houses, i believe that it will create possibility to thief's to enter our houses as has happened before. So this is huge safety concern. **G2**

2-Secondly, the noise and comfort factor is huge issue here. If there are people all the time looking into your house inside and making all noises and yelling at you does make our living difficult. They will see directly into our bathrooms and shower units from the top of the ridge. **G3**

Please let me know that you have received my and my neighbors concerns, and let me know how you have worked this out. I am here to help anytime. **G4**

Thank You,

Pekka Rautionmaa
7015 Wrightcrest Dr
Culver City CA 90232
310-266-6966
pekka.rautionmaa@gmail.com

Sent: September 27th 2016.

Comment Letter G: Pekka Rautionmaa

(September 27, 2016)

- Response G1:** The proposed trail alignment would not be going on top of the ridge, but would go from the southern parking lot at the Baldwin Hills Scenic Overlook, southeast down through the canyon, as shown on the revised Exhibit 3-1.
- Response G2:** The trail alignment has been revised to be located farther south of the existing residences, as shown on the revised Exhibit 3-1. Also, post and cable fencing will be provided along Phase 1 of the trail to keep users on the trail and to deter them from walking in adjacent areas. Section 4.14, Public Services, of the IS/MND addresses the potential for crime and the demand for police services.
- Response G3:** As stated above, the trail alignment has been revised/realigned to be located farther south. Also, post and cable fencing would be provided along Phase 1 of the trail to keep users on the trail and to deter them from walking in adjacent areas. The trail would also be closed during the evening and nighttime hours and would prevent noise impacts on residents. Section 4.12 of the Revised IS/MND addresses the potential impacts related to noise from construction and use of the trail.
- Response G4:** Residents, property owners, and other stakeholders will continue to be informed about the project through the BHRCA website, including public notification of future public hearings.

From: davischas@aol.com
Sent: Tuesday, September 27, 2016 10:14 PM
To: Josephine Alido
Cc: blairhills@outlook.com; pekkautionmaa@hotmail.com
Subject: Impact of the Proposed Park to Playa Trail.

My family lives at 7009 Wrightcrest Drive, adjacent and north and west of the proposed Park to Playa Trail. We have concerns pertaining to the proposed Park to Playa Trail.

- In Exhibit 4-3, the proposed trail starting from the parking lot should remain as is and not deviate eastward toward the apex of the hill towards the homes on Wrightcrest Dr. and/or Blair Hills. Visitors on the top of that hill are actually able to see inside the windows of the homes and backyards of the adjacent to the park which could lead to safety hazards and increased crime. Additionally, the proposed steps would attract constant noise and traffic in that area and certainly an overflow of visitors waiting to climb the stairs on multiple occasions through-out the day. **H1**
- The continuation of the trail from west to east, as indicated in Exhibit 4-4 should remain as is, that is, with the path of the existing trail. That would avoid the intrusion of hikers in continually close proximity of the Blair Hills residential homes. **H2**

Thank you for your consideration of the above concerns.

Charles and Mary Davis
Blair Hills Property Owners
310-837-5495
310-213-1668

Comment Letter H: Charles and Mary Davis

(September 27, 2016)

Response H1: The trail alignment shown in Exhibit 4-3 does not deviate eastward towards the apex of the hill. The trail would go through the existing canyon in that area. The proposed stairs in this location have been eliminated. In addition, the trail alignment in the detention basin has been revised to be located farther south of the existing residences. Also, post and cable fencing would be provided along Phase 1 of the trail to keep users on the trail and to deter them from walking in the adjacent areas. Section 4.14, Public Services, of the Revised IS/MND addresses the potential for crime and the demand for police services. Section 4.12 of the Revised IS/MND addresses the potential impacts related to noise from construction and use of the trail.

Response H2: The trail alignment has been revised to be located farther south of the existing residences, as shown in the revised Exhibit 3-1 and in the revised Exhibit 4-4. Also, post and cable fencing would be provided along Phase 1 the trail to keep users on the trail and to deter them from walking in adjacent areas.

Charles J. Moore

Lawyer

2057 Amherst Drive, South Pasadena, California 91030

626.824.6061

chjomo2@gmail.com

September 28, 2016

Ms. Josephine Alido

BonTerra Psomas

225 South Lake Avenue, Suite 1000

Pasadena, CA 91101

VIA HAND DELIVERY

Re: Revised Initial Study and Mitigated Negative Declaration for Segment C of the Park to Playa Trail Project

Dear Ms. Alido:

We represent the Vickers Group, one of the land owners in the Inglewood Oil Field. On behalf of the land owners, we have reviewed the revised initial study/mitigated negative declaration for the proposed Segment C of the Park to Playa Trail project. This letter explains the Vickers Group's concerns about deficiencies in the revised initial study/mitigated negative declaration.

We agree with the issues raised by the Operator of the Inglewood Oil Field and support the comments of the Operator regarding this project: The project has potentially significant impacts to oil and gas resources; the project lacks sufficient authority and agreements on the Oil Field to implement the project; and the project descriptions regarding the active Oil Field are inaccurate.

11

Therefore, we are hereby adopting and incorporating the September 28, 2016 letter of the Oil Field Operator, Freeport-McMoRan Oil & Gas, as our own responses and comments.

Furthermore, we also agree with the issues raised by the other land owners in their comment letters regarding the revised initial study/mitigated negative declaration. There are inadequate details for security, emergency access, maintenance, and safety for this isolated public trail within the working Inglewood Oil Field.

12

Thank you for the important opportunity to express our concerns about the revised environmental document for Segment C. We look forward to working with you further regarding the proposed project.

Very truly yours,


Charles J. Moore

Comment Letter I: Charles J. Moore

(September 28, 2016)

Response I1: Responses to comments from FM O&G are provided under Comment Letter E.

Section 4.11 of the Revised IS/MND addresses the project's potential impacts on Mineral Resources. As stated on page 4-94 of the Revised IS/MND, the proposed trail would not go through areas that are subject to ongoing oil and gas exploration, production, processing, and other associated activities. As indicated, there are existing Culver City regulations that regulate and restrict oilfield drilling and associated activities on the project site, which is located within the jurisdictional boundaries of the City of Culver City. BHRCA is a separate public agency that has no control over the City. The City's setback requirements are not being revised by the project, as BHRCA has no legal power to revise the regulations of another agency, nor can it require the City to do so.

The proposed trail is allowed under the existing and proposed Culver City regulations for oil drilling activities. Since BHRCA owns the surface rights to the property up to 500 feet below the surface, with Lloyd Properties reserving rights to all oil, gas, other hydrocarbon substances, and all minerals lying below a depth of 500 feet from the surface, BHRCA has the authority to propose and construct a trail on the site. It is noted that the City of Culver City adopted a resolution that the eastern section of the proposed trail (Phase 2 of Segment C) would not be considered in defining the 400-foot setback. Thus, the trail would not expand the setback area within the eastern section of the site beyond the limits that may be required by the proposed regulations. However, in the spirit of good-faith cooperation, the County and BHRCA have provided Culver City with comments to their draft Ordinance requesting that they exclude the entire proposed trail from setback requirements to oil drilling operations. These comments are memorialized in a resolution which is anticipated to be considered at the November 14, 2016, City Council Meeting.

Based on the comments from FM O&G, changes have been made to the project description in the Revised IS/MND based on the comments and the responses to the comments, as appropriate, and these changes are listed in Section 6.0 below.

Response I2: Comments from other land owners are addressed below under Comment Letter J (Cone Fee Trust), Comment Letter K (Baldwin Stocker, LLC), Comment Letter L (Marie Engh), Comment Letter M (Gibson Dunn), and Comment Letter N (Lloyd Properties).

As stated on page 4-111 of the Revised IS/MND, no direct access or emergency access to the trail would be provided or would be available from the adjacent areas to the south that are subject to active oilfield operations. Also, access roads within the oilfield operations would not have connections to the trail and would not be utilized by the trail users. The alignment of the western portion of Segment C has also been aligned to be located away from active oil and gas wells and away from abandoned wells. Existing and relocated fences and a CMU wall would be provided along Phase 2 of the trail to prevent trespassing into the adjacent oil and gas production activities to the

south and the residential uses to the north. Post and cable fencing would be provided along Phase 1 to keep users on the trail.

As discussed on page 4-111 of the Revised IS/MND, persons on the trail during construction and use may require emergency services. Access to the western portion of the trail under Phase 1 would be through the Baldwin Hills Scenic Overlook (western end) and Stoneview Nature Center (eastern end).

Access to the eastern portion of the trail under Phase 2 would be through the Stoneview Nature Center (western end) and KHSRA (eastern end). Construction access from La Cienega Boulevard to the site may also be available, with an option for access through the Moynier property, if approved by the affected landowners. BHRCA is working with FM O&G on the establishment of an accommodation agreement to allow for construction equipment to pass through the access roads within the active oilfield, if necessary.

Several access points would be used by emergency fire and paramedic personnel that need to reach persons on the trail in the event of an emergency. To facilitate emergency response, trail marker signage with global positioning system (GPS) coordinates and emergency call box stations could be provided, and the switchback landings would be designed to accommodate a stretcher and provide all-terrain vehicle (ATV) access during emergencies. The County Sheriff's Department would provide police protection and law enforcement services to Segment C and would enforce County regulations on the use of the trail, parks, and adjacent public areas in the unincorporated County areas and under County management (RR 4.14-1).

Access for the Culver City Fire Department to the western end of the trail would be through Duquesne Avenue and Jefferson Boulevard and into the Baldwin Hills Scenic Overlook. Access for the Los Angeles County Fire Department to the eastern end of the trail would be through La Cienega Boulevard and into the KHSRA. Access to the trail would also be available through the Stoneview Nature Center.

As stated above, an accommodation agreement/memorandum of understanding (MOU) is currently being developed between BHRCA/County and FM O&G to address temporary construction and emergency access through the Inglewood Oilfield, among other issues. The agreement would be finalized prior to the start of construction for Segment C.

Cone Fee Trust

Liz K. Gosnell, Trust Agent
2245 E. Colorado #620
Pasadena, CA 91107
626.533.3730 lgosnell@charter.net

September 27, 2016

VIA ELECTRONIC MAIL (Jalido@psomas.com)

Ms. Josephine Alido
BonTerra Psomas
225 South Lake Avenue, Suite 1000
Pasadena, CA 91101

Dear Ms. Alido:

I am the Trust Agent for Cone Fee Trust ("CFT"), one of the land owners in the Inglewood Oil Field ("IOF"). We have reviewed the August 2016 Revised Initial Study/Mitigated Negative Declaration ("IS/MND") for the Proposed Segment C of the Park to Playa Trail ("P2P") project on the Baldwin Hills Regional Conservation Authority (BHRCA). We appreciate the efforts of all parties involved having included us in the process and the attempt to address and respond to our previous comment letter.

As an overview, the IS/MND continues to be plagued by one primary problem: the continued presentment of the IS/MND as a substitute for an EIR remains without support under any controlling factual or legal standard. Our willingness to comment again on the County's IS/MND is not to be considered CFT's acceptance of the County's approach as appropriate or permitted under the facts or the law. CFT will continue to emphasize the overall objection to the County's IS/MND and urge the County to suspend its efforts to side-step a plainly required EIR process. **J1**

With respect to the latest submission concerning the IS/MDN, CFT has the following comments:

First, Segment C portion of The Park to Playa Trail is being assessed with an inadequate territory MND in lieu of an EIR, resulting in the scope of review being much too limited to realize the full impacts to the project that exist just beyond the encompassed properties of review. For example, the review only includes the adjoining properties instead of a larger radius of land that would expand the scope of territory and more accurately and substantively address the extensive and varied issues present and either not addressed at all or only superficially commented upon in the IS/MND. The current limited territory excludes the Los Angeles County properties that make up a portion of the IOF - one of our country's largest urban oil fields. The justified inclusion of the neighboring properties would bring in the Baldwin Hills Community Standard District CSD (Attachment 1) and its corresponding immensely detailed EIR along with all the regulations for working in close proximity of properties in Los Angeles County's Very High Fire Hazard Severity Zone (VHFHSZ). **J2**

By expanding the radius, the land to be included in the MND, the Impacts would be greatly altered for the Park to Playa Segment C Project. The Impacts are now all falling into the "Less than Significant with Mitigation" down to the "No Impact" categories – characterizations which are wholly inadequate from a factual assessment standpoint and completely insufficient under applicable California law. **J3**

Exhibit 2-3 Aerial Photograph (See Attachment 2) shows that a majority of BHRCA parcel for the P2P along with all properties to the South and West are active surface of the Inglewood Oil Field solidifying the need to include the rules of the oilfield as governed by the LA County CSD to this property and in turn the P2P. As part of an active oil field, this project cannot be reviewed with blinders on ignoring the stringent well planned laws that exist less than 750 feet to the South of the property. **J4**

Second, an expanded review that would begin to be consistent with applicable EIR assessment requirements, including property just 800 feet away, would require significantly altered Impacts that are very likely to lead to the withdrawal of the **J5**

IS/MND. Samples of the assessments that were not undertaken or, at best, were only superficially but not materially assessed include the following:

- 1) **Fire Hazard:** The close proximity of properties within Los Angeles County's Los Angeles County's Very High Fire Hazard Severity Zone (VHFHSZ) (see Attachment 3 – Culver City VHFHSZ Map) and the need for all the construction and maintenance requirements related to this designation to be included in the MND, highlights that the IS/MND is substantively deficient. The VHFHSZ and related fire laws would reduce the allowance of planting on the property to halt the production of "kindling" for possible fires that could spread into the Inglewood Oil Field and would also require no replanting and an extensive signage plan for the general public while utilizing the trail through an active oil field. **J6**
During construction of Phase 2, the BHRCA parcel containing the P2P is surrounded by VHFHSZ but the only site listed is on page 4-69 with a Less than Significant Impact while all requirements of Chapter 32 of the LA County Code that regulates activity in hazardous fire areas including but not limited to fire protection equipment, water supply (water truck), fire breaks, warning signs, brush removal, and adequate access. **J7**
These same extensive requirements should be in place during the trails use to take every step to reduce wild fire along this unmanned trail.
Further increasing the fire risk on property adjacent to the IOF (and for which there is no credible Fire Life Safety Plan provided), the BHRCA objective to revegetate is objectionable and should be revised to remove any call for the revegetation of indigenous plants and special habitat plants on the property. Such proposed actions are not permitted for a number of reasons. First, as noted above, revegetation (including, without limitation, planting the highly flammable sagebrush or similar plants) increases the fire risks on property adjacent to the IOF. As discussed above, the IS/MND has not established or even substantively discussed plans concerning fire life safety or evidenced any effort to consult with and obtain the written input of the applicable fire agencies. Second, the purported gnatcatcher assessment from BonTerra is wholly flawed. For example, and without limitation, the information which the study relies upon is not actionable for purposes of suggesting that, in this property use setting (for example increasing a purported habitat is prudent or justified or is not clearly outweighed by the fire risks described above). Further, the BonTerra assessment is not specific, presents no actionable volume of any alleged presence of such birds (allegedly observing 3 birds 2 years ago is clearly not actionable, even if correct) and is belied by the surveyors' disclosures in real time to this landowner's designated representative at every gnatcatcher survey incident that nothing was found. Third, the effort to relitigate the terms and conditions of the CSD and settlement of concerning the IOF this parcel is a part of is improper as Culver City was a party to those enactments and obtained the benefits thereof and has no basis for circumventing same. **J8**
- 2) **Security:** The Security Response and Trail Maintenance description does not provide an adequate detailed plan for either of these items including but not limited to trail access. This subject has often been highlighted to your and the County's attention as there are a myriad of security, safety and fire life safety hazards attendant to running a trail through the area of the IOF depicted in the drawings and, further, doing so with little or no meaningful discussion or analysis of the panoply of substantial risks of harm to person and property associated therewith. The design of the trail is, also, in and of itself a maintenance abyss – no reasonable and expeditious plans and protocols are offered to address what would be the significant maintenance and safety needs associated with an isolated trail within the working oil field and along uneven, steep and very difficult to access terrain. **J9**
- 3) **Access:** There is no detailed access plan for how to get vehicles, equipment and supplies to the locations during Phase 1 and Phase 2 Construction, for Maintenance or during Fire or Medical Emergencies. We have been raising this issue for several years, yet the County continues to give Fire and Medical Emergency access zero planning which effectively and inappropriately ignores the single largest set of risk factors effecting not only the immediate IOF area but areas and property in the vicinity. Again, Chapter 32 of the LA County Code regulating activities in **J10**

hazardous fire areas has extensive requirements including access. A road in from public streets for Emergency and maintenance vehicles is mandatory.

Construction Phase 1: It is my understanding from Josephine Alido of BonTerra Psomas that they plan to access from either Stoneview Nature Center or from The Outlook. This is a very unrealistic plan considering there are not construction vehicle worthy roads and that the grade down from Stoneview restricts what vehicles can even use this route to reach the construction site. **J11**

Construction Phase 2: This includes the installation of the bridge requiring a myriad of large construction vehicles. Access to this Phase with all this equipment is not possible. We have suggested that access from Blair Hills Park is the best point of entry due to the proximity to public roads. Access traversing the IOF from any of its gates is not an option with external traffic issues and internally the legal ramifications, the need for constant escort within the field and the potential of landowners not authorizing access to their property to reach the construction site. **J12**

Maintenance, Fire and Medical Emergencies: We have asked through years of meeting for this project for a written plan for response and have yet to receive anything. The Park to Playa Trail Segment C needs an access portal that does not include the IOF and that can be utilized by all vehicles that need access to the trail. **J13**

- 4) Special Status Plants: 3.1 Project Objectives - One of BHRCA stated objectives for the Park to Playa Trail is to restore native coastal scrub habitat along the trail while Exhibit 2-3 acknowledges that a major portion of the BHRCA owned surface land that constitutes segment C is designated as Active Surface within the Inglewood Oil Field. In addition to the fire hazard of expanding plants, at no time should the restoration of the coastal scrub habitat or any other special status plant species be included in this project. Knowingly planting any plants that would restrict, hinder or add additional cost to the drilling rights of the operator of the Inglewood Oil Field are a violation of the mineral right agreements. **J14**

- 5) Hydrology and Water Quality: While currently the Draft MND acknowledges the existence of the Dabney Lloyd catch basin/retention basin in the Phase 2 construction located below the south east corner of the BHRCA property, they list it as having a Less than Significant Impact. Construction of the bridge is approximately 120' from one in the catch basin system of the IOF.

The system of catch basins within the IOF are highly regulated with an extensive agreement in place with LACRWQC overseeing water within the IOF. The field is held to the highest standards with extensive ramifications for violations including but not limited to fines and more. The simplistic use of Best Management Practices during construction are far below the standard utilized in the IOF daily. At all times during planning, permitting, construction and maintenance, the oil operator and land owners from the IOF and the LACRWQC are to be included in addition to the responsible party groups listed in the MND so that the extensive requirements in place for the IOF are included in the Park to Playa Trail Segment C project to insure the LACRWQC requirements and the protection of the catch basins in the field are included in the process with all construction of Phase 2 scheduled outside of the rainy season and having an extensive sandbag system around the IOF basin. **J15**

As a landowner in the IOF, we are not authorizing access across our property to reach the Park to Playa Trail Segment C. All issues included in the Freeport McMoRan Oil and Gas LLC listed in their comment letters to this and previous IS/MND for Park to Playa Trail Segment C are incorporated herein. As our oil and gas operator in the IOF, FMO&G notes numerous inaccurate references and assumptions being made in the IS/MND drafts regarding the process of oil and gas extraction, existing legal rights of oil and gas operator and other conflicts with the conclusions offered by the County. All issues included in the letters from the Cone Fee Trust and the other IOF landowners listed in their comment letters to this and previous IS/MND for Park to Playa Trail Segment C are incorporated herein. **J16**

The P2P team has chosen to limit the scope of its analysis artificially ignoring many potential offsite impacts to the IOF and the general public. Lack of proper access is a health hazard for those using the trail and a potential disaster in an emergency response situation. **J17**

We welcome an in-person discussion of these issues or your written substantive feedback. As the subject matter of these issues has been communicated to your attention and that of the County for many years, we are concerned that the decision to repeatedly present an IS/MND that is defective in numerous and material respects is not grounded in an appropriate purpose. The points we raise derive from fundamental issues connected to ownership's property rights and broad health and safety issues, which are neither meaningfully addressed in the IS/MND or simply not addressed at all. There is a pathway for a future potential trail but it is through Stoneview, not through the IOF. We encourage the County to suspend and withdraw the IS/MND, proceed (if it is to proceed at all) with a full, lawful EIR that does not circumvent the clear and legally untenable piece-mealing that has been underway and respects the IOF owners' rights and the public interest. **J18**

Sincerely,

CONE FEE TRUST

A handwritten signature in dark ink, appearing to read "Liz K. Gosnell", written over the printed name.

Liz K. Gosnell, Trust Agent






Attachment 1 = CSD



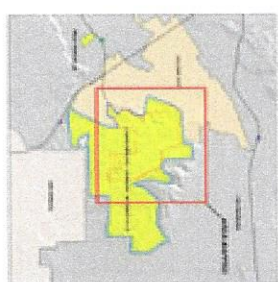
Los Angeles County

BALDWIN HILLS CSD

LEGEND:

-  Baldwin Hills CSD
-  Incorporated Area
-  Kenneth Hahn State Recreation Area
-  Parcels
-  Unincorporated Area

VICINITY MAP



Attachment 2 - Exhibit 2-3 Aerial Photograph



Aerial Photograph

Segment C of the Park to Playa Trail

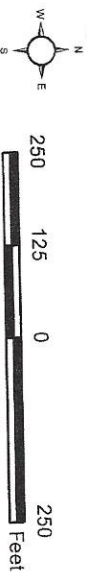
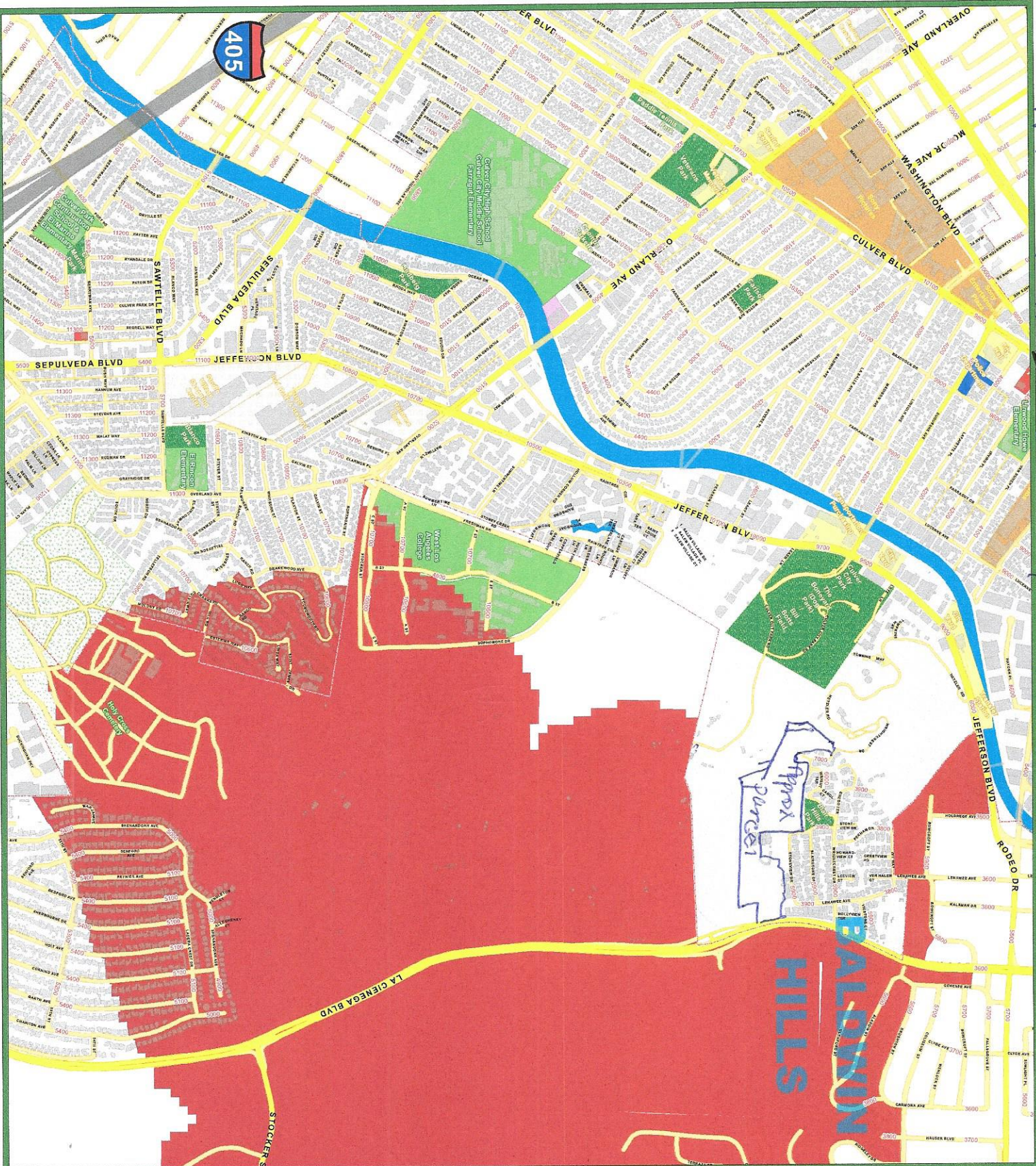



Exhibit 2-3

Aerial Source: LAR-IAC 2014


Attachment 3 - Culver City VHFHSZ MAP





Culver City
FIRE DEPARTMENT
VERY HIGH FIRE HAZARD
SEVERITY ZONES
(VHFHSZ) MAP

LOCATION MAP



LEGEND

 VHFHSZ	 Police Dept
 VHFHSZ Culver City	 Studio
 Local Responsibility Area (LRA)	 Hotel
 City Boundary	 Hospital
 Major Street	 Park
 Street	 Shopping
 Bridge	 School
 City Facility	 Library
 Fire Station	 Cemetery
	 Water Body

MAP INFORMATION

SCALE: 1" = 1,000'

DATE: JAN. 13, 2012

FILE SOURCE: MapSource

MAP PROJECTION: CALIFORNIA STATE PLANE

DATE: MAY 1983

ELIPSOID: GRS 83

MAGNETIC DECLINATION: 13 DEGREES 5 MINUTES EAST

ANNUAL DECLINATION: 5 MINUTES WEST

MEAN SEA LEVEL: 5 FT 10 INCHES

VERTICAL DATUM: NAVD 83

DISCLAIMER

This map is for informational purposes only. It is not intended to be used for legal or financial purposes. The City of Culver City is not responsible for any errors or omissions in this map. The City of Culver City is not responsible for any damages or losses resulting from the use of this map.

THE CITY OF CULVER CITY

INFORMATION TECHNOLOGY DEPARTMENT

GEOSPATIAL INFORMATION SYSTEM

CULVER CITY, CA 90230

TEL: (310) 559-5975

Comment Letter J: Cone Fee Trust

(September 27, 2016)

Response J1: An Initial Study (IS)/Mitigated Negative Declaration (MND) is an appropriate document for the subject project. The Revised IS/MND has been prepared legally in accordance with CEQA and the State CEQA Guidelines. As stated on page 1-2, in reference to Section 15063(c) of the State CEQA Guidelines identifying the purposes of an IS, which include using it as a basis for preparing an Environmental Impact Report (EIR) or Negative Declaration and to modify the project to enable it to qualify for a Negative Declaration. Since the Revised IS/MND for Segment C finds that the project would have fewer than significant impacts after the implementation of mitigation measures, an MND is the appropriate CEQA documentation. An EIR is required only if the IS finds that there would be significant impacts that require further analysis or that impacts may remain significant after all feasible mitigation is enacted. This decision process is reflected in the checklist determination presented on page 4-2 of the Revised IS/MND. As the Lead Agency, BHRCA did not sidestep the decision to prepare an EIR since the whole of the evidence in the record demonstrates that the project would not have significant impacts after the incorporation of mitigation. As such, preparing the Revised IS/MND was not a substitute for an EIR; rather, after a thorough IS, it was determined that an MND is the required, relevant document.

The Revised IS/MND for Segment C concludes that significant adverse impacts would occur with the project, but compliance with existing regulations and the implementation of mitigation measures outlined in the Revised IS/MND would avoid and/or reduce these impacts to less than significant levels. Thus, the project qualifies for an MND, not an EIR, as the appropriate CEQA documentation.

Response J2: The discussion of the environmental setting in the Revised IS/MND is in accordance with Section 15125 of the State CEQA Guidelines, which defines the environmental setting as the physical environmental conditions in the vicinity of the project from both a local and regional perspective. The physical scope of potential environmental effects is generally defined by the project site limits and the areas to be disturbed or affected by the proposed project. Thus, the conditions of adjoining or other properties in the vicinity of a site are discussed where relevant to each environmental threshold. However, the discussions of air quality and greenhouse gases address regional conditions, while public services are based on the service boundaries of the affected agencies. Also, the project does not propose land acquisition or activities and oilfield operations similar to those occurring in the active Inglewood Oilfield. Rather, the project proposes a surface use that would be located near the northern end of the active oilfield and within the City of Culver City. Thus, expanding the project area to include all of the oilfield that is located outside Culver City (in the unincorporated area of Los Angeles County) or other properties that are subject to the Baldwin Hills Community Standards District (which does not apply to the project site or the parcels in Culver City) into the discussion of the environmental setting is not relevant to the potential impacts of the project and is beyond the scope of the Revised IS/MND.

Additionally, the Revised IS/MND addresses the cumulative environmental impacts of the project in Section 4.18, Mandatory Findings of Significance, which discusses the project's potential for cumulative impacts when

considered in combination with the effects of other planned, proposed, under construction, or related projects in the vicinity.

No part of the subject parcels within the City are designated as a Very High Fire Hazard Severity Zone (VHFHSZ). As shown on Exhibit 4-8 in the Revised IS/MND, the portion of the project site within a VHFHSZ is east of La Cienega Boulevard in the City of Los Angeles. The requirements for construction and operation of the project fully and accurately reflects the on-site and nearby fire hazard zones. Brush fire hazards are discussed on pages 4-70 and 4-71 of the Revised IS/MND, and existing regulations related to brush fire hazards in the County and City of Los Angeles are identified for compliance by the project.

As a good faith effort, BHRCA does plan to implement VHFHSZ regulations during construction for the workers and to install permanent signage related to notification of fire hazards.

Response J3: Expanding the project area to include lands outside Culver City (and in the unincorporated area of Los Angeles County to the south) or other private properties in the Inglewood Oilfield that are subject to the Baldwin Hills Community Standards District (which does not include the project site or the parcels in Culver City) would not change the impacts of the proposed trail, which would occur in Culver City and would largely be confined to the limits of the project area. As discussed throughout the Revised IS/MND, the trail would not have impacts that would affect areas farther from the site or that would affect other Cities or County areas beyond the limits of the environmental setting identified in the Revised IS/MND.

Response J4: While the boundaries of the active Inglewood Oilfield include portions of the project site, the rights to all oil, gas, other hydrocarbon substances, and all minerals lying below a depth of 500 feet from the surface are owned by private entities; BHRCA owns the surface rights to the property and up to 500 feet below the surface, except for easements, and only proposes a surface use of the site for the proposed project. As discussed further under Response J2 above, the Revised IS/MND discusses the conditions of adjoining or other properties in the vicinity of the site as relevant to each environmental issue. As proposed, the trail would go through the northern edge of the active portion of the Inglewood Oilfield, but would not go through areas where active oil and gas wells are located. Also, the trail would not pass through areas where future oil and gas wells may be located and drilled, but would only run along the oilfield's northern edge, where no oil and gas operations are currently occurring or allowed due to existing Culver City-mandated setbacks. Also, it would be located outside (and more than 600 feet from) the unincorporated area of Los Angeles County that is subject to the regulations in the Baldwin Hills Community Standards District. Thus, it is not subject to the rules of the Baldwin Hills Community Standards District, nor will the project affect uses and activities in Los Angeles County.

Response J5: As analyzed in the Revised IS/MND, the project would not result in significant adverse impacts to the oilfield operations located 800 feet to the south since fences and CMU walls would separate the trail from adjacent oilfield operations. As stated above, the project proposes a surface use, consistent with BHRCA's rights to the property, and would not restrict rights to underlying mineral resources. The Revised IS/MND was prepared in accordance with

CEQA and the State CEQA Guidelines and, as discussed under Response J1, an EIR is not required for the project.

Response J6: Fire hazards during both construction and operation of the project are addressed in Section 4.8, Hazards and Hazardous Materials. As shown on Exhibit 4-8 following page 4-64 of the Revised IS/MND, the portion of the project site situated within a VHFHSZ is limited to the area east of La Cienega Boulevard; the portion of the project site west of La Cienega Boulevard is not designated as a VHFHSZ. Regardless of the VHFHSZ designation, the project would comply with the Los Angeles County Code that outlines the requirements for all construction and maintenance activities in hazardous fire areas (RR 4.8-4) and requires signs posted along the trail that outline prohibitions on open flames and open burning, smoking, flaming or glowing objects (RR 4.8-5). Compliance with these regulations would prevent significant impacts related to wildfire hazards.

As a good faith effort, BHRCA does plan to implement VHFHSZ regulations during construction for the workers and to install permanent signage related to notification of fire hazards.

Response J7: As shown on Exhibit 4-8 in the Revised IS/MND, the portion of the project site within a VHFHSZ is east of La Cienega Boulevard, and RR 4.8-4 requires the project to comply with applicable County regulations during construction and maintenance activities in hazardous fire areas.

As a good faith effort, BHRCA does plan to implement VHFHSZ regulations during construction for the workers and to install permanent signage related to notification of fire hazards.

Response J8: BHRCA and the County met with various fire and police agencies (including the Los Angeles County Fire Department, Culver City Fire Department, Culver City Public Works Department, and Los Angeles County Sheriff's Department) on June 13, 2016, to address the project's emergency services and fire protection and police protection demands. Pages 4-110 to 4-111 and 4-127 of the Revised IS/MND present a summary of the discussions related to emergency response and access. Revegetation with appropriate native plant species is proposed as part of the project to restore vegetation in areas that would be disturbed by construction activities. The proposed revegetation would only occur in areas where existing vegetation is present and that would be disturbed by construction activities. This revegetation would prevent future wind and water erosion of exposed soils and is not intended to create brush fire hazards. The proposed revegetation would not increase the fire hazard in the project area because the area for revegetation is negligible relative to the total vegetation in the vicinity and the vegetation would not be placed within the fuel modification zone of any structure. Additionally, revegetation is a standard requirement to reduce adverse impacts due to vegetation removal to implement a project and is intended to restore existing vegetation, rather than create a different biological environment. This revegetation is not expected to pose a fire threat to properties in the vicinity of the Segment C trail. Revegetation of coastal sage scrub habitat under MM 4.4-3 is needed to replace the permanent loss of sagebrush scrub either on site or at a suitable off-site location. The proposed on-site location is within the proposed 25-foot easement of the trail alignment, along the Finley property, north of fence line.

During the first California gnatcatcher survey for the Segment C project, BonTerra Psomas Biologists detected California gnatcatchers in juvenile form (based on feather wear and feather morphology) during the non-breeding season. Due to the frequency of sightings, it was concluded that California gnatcatchers may have been using the area for temporary habitation for at least a six-week window. The Biologists concluded that a determination of residency was inconclusive based on the sporadic sightings and the potential that the birds could be dispersing juveniles passing through the project area.

Due to the inconclusiveness of the non-breeding season survey, the Biologist decided the best course of action would be to halt the current survey and return during breeding season for more definitive results. BonTerra Psomas submitted a letter to the U.S. Fish and Wildlife Service (USFWS) in December 2014 describing the preceding results as required by the guidelines of the California Department of Fish and Wildlife. The Biologists returned to the site in March and April 2015 during breeding season, and no California gnatcatchers were identified during the six-week survey period. BonTerra Psomas submitted a letter to the USFWS in June 2015 indicating that no California gnatcatchers were observed or detected on the project site during focused surveys. When BHRCA decided to update the environmental document in 2016 and prepare a Revised IS/MND, the Biologist stated that additional biological surveys would not be required due to the lack of detection during the 2015 breeding season. No additional filings are required with the USFWS.

All focused surveys for coastal California gnatcatcher were conducted by Biologists who hold the necessary permit and according to guidelines established by the USFWS. Section 4.4, Biological Resources, in the Revised IS/MND reflects all biological resource surveys and literature reviews performed for the project site to date (i.e., not just the most recent [2015] focused survey for this species).

Regarding the Baldwin Hills Community Services District (CSD), the project site is not part of this CSD and thus, is not subject to the standards and regulations in the CSD. BHRCA also has no authority to implement, revise, litigate, or impose the standards in the CSD. While the City of Culver City was part of the CSD settlement, the Segment C trail project has no direct impact on the CSD that applies to the unincorporated area of the County and is not applicable to areas within the City of Culver City.

Response J9: Security, safety, emergency access, and response are addressed in the Revised IS/MND. As stated on page 4-111 of the Revised IS/MND, no direct access or emergency access to the trail would be provided or would be available from the adjacent areas to the south that are subject to active oilfield operations. Also, access roads within the oilfield operations would not have connections to the proposed trail and would not be utilized by the trail users. The western portion of Segment C has been aligned to be located away from active oil and gas wells, and post and cable fencing along Phase 1 of the trail would deter users from walking in adjacent areas. An existing chain-link fence would prevent trespassing into the active oilfield area. A new barbed-wire fence will be provided according to California Department of Conservation, Division of Oil, Gas and Geothermal Resources (DOGGR) regulations along the western portion of the trail where the new trail alignment penetrates existing fence lines south of the Stoneview Nature Center. Existing and relocated

fences and a CMU wall would be provided along the eastern portion of the trail to prevent trespassing into the adjacent oil and gas production activities to the south and the residential uses to the north, respectively. A gate would also be provided at the bridge landing at the KHSRA to prevent access to the Phase 2 trail during the hours when the park is closed.

As discussed on page 4-111 of the Revised IS/MND, persons on the site during construction and trail users may require emergency services. Access to the western portion of the trail under Phase 1 would be through the Baldwin Hills Scenic Overlook (eastern end of the Overlook) and Stoneview Nature Center (southeastern end of the Nature Center). Access to the eastern portion of the trail under Phase 2 would be through the Stoneview Nature Center (eastern end of the Nature Center) and KHSRA (western end of the park). These access points would be used by emergency fire and paramedic personnel that need to reach persons on the trail in the event of an emergency. To facilitate emergency response, trail marker signage with GPS coordinates and emergency call box stations could be provided and the switchback landings could be designed to accommodate a stretcher and provide ATV access during emergencies. The County Sheriff's Department would provide police protection and law enforcement services to Segment C and would enforce County regulations on the use of the trail, parks, and adjacent public areas in the unincorporated County areas and under County management (RR 4.14-1).

Access from the Culver City Fire Department to the western end of the trail would be through Duquesne Avenue and Jefferson Boulevard and into the Baldwin Hills Scenic Overlook. Los Angeles County Fire Station 58 is located southeast of the site, and access from this fire station to the eastern end of the trail would be through Fairfax Avenue and La Cienega Boulevard and into the KHSRA. Access would also be available for the Culver City Fire Department and the Los Angeles County Fire Department through the Stoneview Nature Center on Stoneview Drive.

As discussed on page 3-4 of the Revised IS/MND, maintenance of the proposed trail would be provided by the County of Los Angeles, which currently provides maintenance to the KHSRA. Maintenance activities would include trash collection and disposal; vegetation trimming; minor repaving of the trail surface; graffiti removal; upkeep of the pedestrian bridge, and walls; and replacement of signs, kiosks/panels, fences, and related trail elements. The trail improvements at the Baldwin Hills Scenic Overlook would be subject to maintenance by California Department of Parks and Recreation's park maintenance workers. The trail improvements at the KHSRA would be maintained by the County of Los Angeles, as provided by the current maintenance crew at the park. The Los Angeles County Department of Public Works will maintain the bridge. An accommodation agreement/memorandum of understanding (MOU) is currently being developed between BHRCA/County and FM O&G to address temporary construction and emergency access through the Inglewood Oilfield, among other issues. Operations and maintenance activities will also be included in the accommodation agreement.

As noted above in Response J8, BHRCA and the County have met with various fire and police agencies to address emergency services and the fire protection and police protection demands of the project and the recommendations (i.e., ATV access, GPS indicators, trash cans, dog waste stations, trail marker

signage, emergency call boxes, and knox boxes) were added as project features to facilitate emergency response.

Response J10: As discussed on page 4-122 of the Revised IS/MND, construction staging would occur at the Baldwin Hills Scenic Overlook, the KHSRA, Stoneview Nature Center, and on the project site. Construction equipment access to the western portion of the trail under Phase 1 would be through the Baldwin Hills Scenic Overlook (eastern end at the Overlook's parking lot) and Stoneview Nature Center (southeastern end of the Nature Center). Access to the eastern portion of the trail under Phase 2 would be through the Stoneview Nature Center (eastern end of the Nature Center) and KHSRA (western end of the park via the proposed bridge). BHRCA is also working with FM O&G and, possibly, the owner of the Moynier property on the establishment of an accommodation agreement to allow for construction equipment to pass through the access roads within the active oilfield, if deemed appropriate. Please see Response J6 above for a discussion of wildfire hazards and Response J9 for emergency response and associated access.

Response J11: As indicated above, construction access to the western portion of the trail under Phase 1 would be through the Baldwin Hills Scenic Overlook (eastern end at the Overlook's parking lot) and Stoneview Nature Center (southeastern end of the Nature Center). Due to the limited trail improvements proposed on this portion of the trail (e.g., at-grade trail, signs, post and cable fencing), the need for construction access can be accommodated by connections from the Baldwin Hills Scenic Overlook and the Stoneview Nature Center to the project site.

Response J12: As indicated above, construction access to the eastern portion of the trail under Phase 2 would be through the Stoneview Nature Center (eastern end of the Nature Center) and KHSRA (western end of the park via the proposed bridge). In addition, pedestrian bridge construction over La Cienega Boulevard may be accommodated by construction equipment and crew on the public right-of-way of La Cienega Boulevard. An option for access through the Moynier property is being considered, if approved by the affected landowners. BHRCA is also working with FM O&G on the establishment of an accommodation agreement to allow for construction equipment to pass through the access roads within the active oilfield, if necessary. This agreement will require approvals from affected landowners, as necessary.

Response J13: Access to the trail would be provided by connections to the Baldwin Hills Scenic Overlook, KHSRA, and Stoneview Nature Center. As stated on page 4-111 of the Revised IS/MND, no direct access or emergency access to the trail would be provided or would be available from the adjacent areas to the south that are subject to active oilfield operations. Also, access roads within the oilfield operations would not have connections to the proposed trail and would not be utilized by the trail users. However, an accommodation agreement is currently being developed between BHRCA/County and FM O&G to address temporary construction and emergency access through the Inglewood Oilfield, among other issues. Please refer to Response J9 above for further information about emergency response and associated access.

Response J14: Revegetation of coastal sage scrub habitat under MM 4.4-3 is needed to replace the permanent loss of sagebrush scrub either on site or at a suitable off-site location. A proposed on-site location is within the 25-foot proposed trail

easement, along the Finley property, north of fence line. No special status plants are proposed for revegetation, but MM 4.4-4 calls for revegetation that incorporates the use of native plant species and avoids the use of exotic plant species that are known to be highly invasive. It is noted that not all native plants are special status plants. The proposed revegetation would only occur in areas where existing vegetation is present and that would be disturbed by construction activities. This revegetation would prevent future wind and water erosion of exposed soils and is not intended to restrict drilling rights. As discussed further in Response J8 above, the proposed revegetation would not increase the fire hazard in the project area, but is intended to return the areas to existing conditions.

Response J15: The Lloyd Basin is located outside the project site boundaries, and runoff from the trail would not be conveyed to the basin or catch basins and channels upstream of the basin. Implementation of the Storm Water Pollution Prevention Plan (SWPPP) that includes Best Management Practices for construction of the project (as required under RR 4.9-1) is consistent with all applicable State Water Quality Control Board regulations and appropriate for construction of a trail and pedestrian bridge. The SWPPP would be developed and implemented by the design-build contractor for Phase 2 of the project, as called out under RR 4.9-1. BHRCA and the County will continue to work with and inform stakeholders on the proposed Segment C trail, including coordination with FM O&G to avoid conflicts with the requirements of the Municipal Separate Storm Sewer System (MS4) Permit for the Lloyd Basin. The County will provide a copy of the MS4 Permit for the Lloyd Basin to the design-build contractor, and the contractor would have to develop the SWPPP for the project to comply with the MS4 Permit requirements.

Response J16: As stated on page 4-111 of the Revised IS/MND, no direct access or emergency access to the trail would be provided or would be available from the adjacent areas to the south that are subject to active oilfield operations. Also, access roads within the oilfield operations would not have connections to the proposed trail and would not be utilized by the trail users. However, BHRCA is working with FM O&G on the establishment of an accommodation agreement to allow for construction equipment to pass through the access roads within the active oilfield, if necessary; on potential emergency access through the oilfield; operations and maintenance activities on the trail; and other issues. This agreement will require approvals from landowners as necessary.

While the previous IS/MND for Segment C was circulated for public review, the Revised IS/MND replaced the previous IS/MND and is serving as the environmental document for the project. Thus, the previous IS/MND is no longer applicable or relevant. The Revised IS/MND addressed some of the comments that were submitted during public review period for the previous IS/MND to the extent that those comments raised appropriate changes to the previous IS/MND. Also, there is no requirement for comments provided on a previous IS/MND to be addressed individually.

Comments from the oilfield operator and other land owners are addressed above and below under Comment Letter E (FM O&G), Comment Letter I (Charles J. Moore), Comment Letter K (Baldwin Stocker, LLC), Comment Letter L (Marie Engh), Comment Letter M (Gibson Dunn), and Comment Letter N (Lloyd Properties).

Response J17: Expanding the project area to include lands outside Culver City (and in the unincorporated area of Los Angeles County to the south) or other private properties in the Inglewood Oilfield that are subject to the Baldwin Hills Community Standards District (which does not apply the project site or the parcels within Culver City) would not change the impacts of the proposed trail, which would occur in Culver City and would be largely confined to the limits of the project area. Also, see Responses J2 and J3 above.

Response J18: The Revised IS/MND has been prepared in accordance with CEQA and the State CEQA Guidelines, which establish the environmental setting and baseline conditions, as well as the extent of analysis to determine the potential adverse environmental impacts of a project. Please refer to Response J1.

Since BHRCA owns the surface rights to the property up to 500 feet below the surface, BHRCA has the authority to propose and construct a surface trail on the site. Also, BHRCA-owned surface property was originally purchased from Lloyd Properties with the specific intent to provide restoration, open space, viewshed, and recreation through the site. Segment C would implement this ongoing proposal for the use of BHRCA parcel.

As stated in Response J2 above, the Revised IS/MND for Segment C concludes that significant adverse impacts would occur with the project, but compliance with existing regulations and the implementation of mitigation measures outlined in the Revised IS/MND would avoid and/or reduce these impacts to less than significant levels. Thus, the project qualifies for an MND, and an EIR is not required.

The environmental impacts of the larger Park to Playa Trail project were analyzed in an IS/MND prepared in 2013 (State Clearinghouse [SCH] No. 2013011021). At that time, Segment C was part of the project and its impacts were also analyzed in that IS/MND. The separation of Segment C in the IS/MND subsequently prepared in 2015 (SCH No. 2015121007) was only made in response to comments received from nearby residents, oilfield landowners, and the oilfield operator who wanted a different alignment for Segment C. Thus, the subsequent IS/MND for Segment C does not fall under the concept of piece-mealing, but only provides additional analyses of impacts that were not addressed in the 2013 Park to Playa Trail IS/MND. As stated above, the Revised IS/MND replaces the previous IS/MND for Segment C due to changes in the project alignment and phasing.

BHRCA continues to work with the stakeholders to finalize all agreements prior to the start of construction for Segment C. The final agreements are still being prepared, reviewed, and revised, but will be signed by all parties prior to the start of construction.

BALDWIN STOCKER, LLC
785 Turkey Hill Road
Corinth, VT 05039
802-439-9144
spanier1@mac.com

Jonathan G. Spanier
President

September 28, 2016

VIA EMAIL

Ms. Josephine Alido
BonTerra Psomas
225 South Lake Avenue, Suite 1000
Pasadena, CA 91101

VIA ELECTRONIC MAIL (Jalido@psomas.com)

**Re: Revised Initial Study and Mitigated Negative Declaration
for Segment C of the Park to Playa Trail Project, August, 2016
(Revised MND).**

Dear Ms. Alido:

We are writing with respect to the above captioned matter as a private property owner of approximately 120 acres in the Inglewood Oil Field (IOF).

We fully agree with and support the comments and recommendations of Freeport McMoran Oil & Gas (FMOG) as set forth in their letter to you. Specifically, but not limited to, the following:

1. The statement on page 3-1 that your objective is “to avoid disruption of adjacent oil and gas production facilities and activities”. However, your expansion of the Segment C trail to the southwest side of the Stoneview site that encroaches onto the active oil field is inconsistent with that position.

K1

K2

2. Segment C construction prior to all agreements being in place would violate existing private owner rights to "known mineral resources". Such rights have been created since the establishment of the IOF and have been acknowledged and accepted by the governmental agencies which must approve the Revised MND. **K3**
3. The statement on page 4-95 that "directional drilling or slant drilling will continue to allow extraction of underlying oil and gas resources from a proposed drill site that is located further south of the existing or relocated drill site" is incorrect. Due to the underground structure of the IOF, as explained by FMOG, slant drilling would require many more newly drilled wells to recover the same amount of oil as the current vertical drilling plan. Is the County prepared to underwrite the cost of this new drilling? **K4**
4. Exhibit 4-10 is another attempt to blur the distinction between privately owned land and County owned parkland; and, thereby limit the future use of our private property. We urge you to revise this Exhibit and to seriously reconsider whether, among other things, you have protected the legal rights of private landowners to an accurate and fair statement of the facts. **K5**
5. All issues and comments included in the FMOG comment letters to this and previous IS/MND for Park to Playa Trail Segment C and from other IOF landowners are incorporated herein. **K6**

Sincerely,

Tom & Spence

Comment Letter K: Baldwin Stocker, LLC

(September 28, 2016)

Response K1: Responses to comments from FM O&G are provided below under Comment Letter E.

Response K2: As proposed, the trail would go through the active portions of the Inglewood Oilfield, but would run along the oilfield's northern edge where no oil and gas operations are currently occurring or allowed. This area is also within the setback area of the existing Culver City regulations where no oil drilling is allowed. In light of past discussions with various stakeholders, the trail has been moved almost entirely away from the adjacent oilfield and realigned to run along the eastern and southern edges of the Stoneview Nature Center property and just west of the western edge of the Nature Center property; only a small portion of the trail would dip into the adjacent oilfield (no more than 50 to 75 feet). Further, as the Stoneview Nature Center is under construction north of the site, the 300-foot setback pursuant to Chapter 11.12 of the Culver City Municipal Code required for well locations from a public park applies. The Phase 1 trail alignment would be through a detention basin where no oil drilling activities are existing or allowed and would include the connection to the Stoneview Nature Center that would pass through the active portion of the Inglewood Oilfield, approximately 50 feet south of the Nature Center. The Phase 2 alignment of the proposed trail would be located within 50 to 75 feet of the northern property line at the eastern section of the site. As such, the proposed trail would only be located in this eastern section where oil wells are currently not permitted. The trail alignment has been determined based on balancing various design and environmental constraints and other factors, such as oilfield interests and neighborhood needs and concerns.

BHRCA recognizes the rights of other parties to underlying mineral resources on the Segment C site, and the proposed project does not propose to restrict, block, or remove the rights of individual entities afforded by agreements that have been established among various parties. BHRCA owns the surface rights to the property up to 500 feet below the surface. The project would be a surface use and would not restrict rights to underlying resources. No dedication of easement is needed for the trail since it would be located within 500 feet of the ground surface of BHRCA-owned surface property. While an existing drill site is currently located near the proposed trail alignment, drilling in this area is not allowed due to required setbacks by Culver City.

The oil and gas resources in the Inglewood Oilfield are being extracted from reservoirs located 800 to 10,000 feet below the ground surface. The project would not affect this use. In the long term, the proposed trail would not directly or permanently displace, prevent, preclude, or limit adjacent oil and gas exploration, production, processing, or associated activities in the Inglewood Oilfield.

Response K3: BHRCA continues to work with various stakeholders to finalize all agreements prior to the start of construction for Segment C. The final agreements are still being prepared, reviewed, and revised but will be signed by all parties prior to the start of construction.

- Response K4:** BHRCA recognizes the rights of other parties to underlying mineral resources on the site, and the proposed project does not propose to restrict, block, or remove the rights of individual entities afforded by agreements that have been established among various parties. Section 4.11 of the Revised IS/MND addresses the project's potential impacts on Mineral Resources. As stated on page 4-94 of the Revised IS/MND, the proposed trail would not go through areas that are subject to ongoing oil and gas exploration, production, processing, and other associated activities. Since vertical drilling is not currently allowed along the trail alignment by Culver City regulations, the project would not affect oil drilling activities at the drill site. The proposed Culver City regulations would also prohibit oilfield drilling and associated activities on the trail alignment. However, the proposed regulations allow slant drilling to access underlying oil and gas resources and to locate the top hole as far away (at least 800 feet) from Sensitive Developed Areas. Thus, it is expected that directional or slant drilling would be an option to FM O&G for the extraction oil and gas resources underlying the project site regardless of the proposed construction of the Segment C trail.
- Response K5:** Exhibit 4-10 in the Revised IS/MND was taken from the Recirculated Draft Kenneth Hahn State Recreation Area General Plan Amendment and EIR and shows the Management Zones as designated in the Recirculated Draft Kenneth Hahn State Recreation Area General Plan Amendment and EIR. Exhibit 4-10 has been revised to show the Management Zones at the KHSRA, Baldwin Hills Scenic Overlook, and the project site and includes the boundaries of the active Inglewood Oilfield.
- Response K6:** Responses to comments from FM O&G are provided above under Comment Letter E. Comments from other landowners are addressed under Comment Letter I (Charles J. Moore), Comment Letter J (Cone Fee Trust), Comment Letter L (Marie Engh), Comment Letter M (Gibson Dunn), and Comment Letter N (Lloyd Properties). The Revised IS/MND is serving as the environmental document for the project and the previous IS/MND is no longer applicable or relevant. Thus, no responses to comments on the previous IS/MND are necessary. However, page 1-2 of the Revised IS/MND states that changes to the IS/MND for Segment C that address some of the public comments received during the public review period for that document have been incorporated into this Revised IS/MND, where appropriate.

From: ArrowDevelopment@aol.com
Sent: Wednesday, September 28, 2016 4:37 PM
To: Josephine Alido
Subject: Objection to Initial Study / Mitigated Negative Declaration

Ms. Alido

My name is Marie Engh , I am a 90 year old co-owner of what is termed the Moynier property , in short I own along with family members a portion of the Inglewood Oil Field . Due to complications of age I have asked my son , John Engh , to communicate to you my sentiments regarding the revised August 2016 Initial Study/ Mitigated Negative Declaration (IS/MND) .

As I understand it , the IS/MND was drafted as a substitute for a fully developed Environmental Impact Report as it relates to the Park to Playa Trail, Segment C and other activities . I do not support the Park to Playa Project and having said this I further disagree if you are going to study and plan the project to side step a full Environmental Impact Report and implement the IS/MND . **L1**

You and your firm are professionals in the field of land planning , land consulting and engineering land projects . Why as a 90 old citizen landowner unskilled in your trade , am I finding concerns with your plan as it relates to :

* Security Response and Trail Maintenance , the description seems inadequate . This trail runs through some tough territory / terrain in the Inglewood Oil Field and safety issues seemed to have been ignored or unrealistically presented . **L2**

* Fire Related Issues , again I am a novice but it seems you have side stepped the issues all the way around when it comes to planning for a fire event / catastrophe during construction and after completion of the project . I disagree with the fact that the MND does not include a comprehensive discussion or guidelines to follow, related to the fire risks in association with this high fire risk area . **L3**

* Access Issues , I am not in favor of granting access onto or across our property to reach the Park to Playa Trail Segment C areas . How do you plan on getting all your vehicles and supplies to your Phase 1 and 2 construction areas ? There is no access plan . This seems to be very poor and inefficient planning . What about emergencies ? Again not spelled out . **L4**

The 3 items noted above are my main objections so I will not go into my concerns over the historical project design , habitat , animal life, water issues // hydrology and basically my overall objection to the entire Park to Playa project . **L5**

A FULL ENVIRONMENTAL IMPACT REPORT IS NECESSARY TO EXPLORE ALL THE ISSUES RELATED TO THE PARK TO PLAYA TRAIL SYSTEM , if it moves forward at all . **L6**

Thanks for reviewing this memo .

Marie Engh
 Land Co-Owner / Moynier Property
 9062 Mahalo Drive
 Huntington Beach CA.92646

Comment Letter L: Marie Engh
(September 28, 2016)

Response L1: An Initial Study (IS)/Mitigated Negative Declaration (MND) is an appropriate document for the subject project. In accordance with CEQA and the State CEQA Guidelines, if the IS prepared for a project finds there would be less than significant impacts after implementation of mitigation measures (if necessary) or after changes to the way a project is designed and/or implemented, then an MND is the appropriate CEQA document. If the IS finds there would be significant impacts requiring further analysis or that impacts may remain significant after all feasible mitigation is enacted, then an Environmental Impact Report (EIR) is required. This decision process is reflected in the checklist determination presented on page 4-2 of the Revised IS/MND. As the Lead Agency, BHRCA did not sidestep the decision to prepare an EIR since the whole of the evidence in the record demonstrates that the project would not have significant impacts after the incorporation of mitigation measures. As such, preparing the Revised IS/MND was not a substitute for an EIR, but rather, after a thorough IS, it was determined that an MND is the appropriate environmental document.

The Revised IS/MND for Segment C concludes that significant adverse impacts would occur with the project, but compliance with existing regulations and the implementation of mitigation measures, as outlined in the Revised IS/MND, would avoid and/or reduce these impacts to less than significant levels. Thus, the project qualifies for an MND as the appropriate CEQA documentation.

Response L2: Security, safety, and emergency response are addressed in the Revised IS/MND. As stated on page 4-111 of the Revised IS/MND, no direct access or emergency access to the trail would be provided or would be available from the adjacent areas to the south that are subject to active oilfield operations. Also, access roads within the oilfield operations would not have connections to the trail and would not be utilized by the trail users. The alignment of the western portion (Phase 1) of Segment C has also been set to be located away from active oil and gas wells and from abandoned wells. Post and cable fencing would also be provided along Phase 1 of the trail to keep users on the trail. Existing and relocated fences and a CMU wall would be provided along the eastern portion (Phase 2) of the trail to prevent trespassing into the adjacent oil and gas production activities to the south and the residential uses to the north.

As discussed on page 4-111 of the Revised IS/MND, persons on the trail during construction and use may require emergency services. Access to the western portion of the trail under Phase 1 would be through the Baldwin Hills Scenic Overlook (eastern end of the Overlook's parking lot) and the Stoneview Nature Center (southeastern end of the Nature Center). Access to the eastern portion of the trail under Phase 2 would be through the Stoneview Nature Center (eastern end of the Nature Center) and the Kenneth Hahn State Recreation Area (KHSRA) (western end of the KHSRA via proposed bridge). These access points would be used by emergency fire and paramedic personnel that need to reach persons on the trail in the event of an emergency. To facilitate emergency response, trail marker signage with global positioning system (GPS) coordinates and emergency call box stations could be provided and the switchback landings could be designed to accommodate a stretcher and to

provide ATV access during emergencies. The County Sheriff's Department would provide police protection and law enforcement services to Segment C and would enforce County regulations on the use of the trail, parks, and adjacent public areas in the unincorporated County areas and under County management (RR 4.14-1).

Access for the Culver City Fire Department to the western end of the trail would be through Duquesne Avenue and Jefferson Boulevard and into the Baldwin Hills Scenic Overlook. Access for the Los Angeles County Fire Department to the eastern end of the trail would be through La Cienega Boulevard and into the KHSRA. Access would also be available through the Stoneview Nature Center. Construction access from La Cienega Boulevard to the site may also be available, with an option for access through the Moynier property, if approved by the affected landowners. In addition, BHRCA is working with FM O&G and other landowners to establish an accommodation agreement to allow for construction equipment to pass through the access roads within the active oilfield, if necessary.

As discussed on page 3-4 of the Revised IS/MND, maintenance of the proposed trail would be provided by the County of Los Angeles, which currently provides maintenance at KHSRA. The at-grade section of the trail will consist of compacted earth and/or decomposed granite and is not expected to require major maintenance. The pedestrian bridge would also be maintained by the County. Maintenance activities would include trash collection and disposal; trimming of vegetation; minor repaving of the trail surface; graffiti removal; upkeep of the pedestrian bridge and walls; and replacement of signs, kiosks/panels, fences, and related trail elements. The trail improvements at the Baldwin Hills Scenic Overlook would be subject to maintenance by California Department of Parks and Recreation's park maintenance workers. The trail improvements at the KHSRA would be maintained by the County of Los Angeles, as provided by the current maintenance crew at the park.

Response L3: Fire hazards during both construction and operation of the project are addressed in Section 4.8, Hazards and Hazardous Materials, under Threshold 4.8(h). As shown on Exhibit 4-8 in the Revised IS/MND, the portion of the project site located within a Very High Fire Hazard Severity Zone (VHFHSZ) is east of La Cienega Boulevard. The portion west of La Cienega Boulevard is not designated as a VHFHSZ. The analysis of wildfire hazards is presented on pages 4-70 and 4-71 of the Revised IS/MND, and the guidelines for construction and operation of the project to reduce wildfire hazards discussed in the analyses are presented as RR 4.8-4 and RR 4.8-5. As concluded on page 4-71, impacts related to wildfire hazards would be less than significant through compliance with existing regulations.

Response L4: As stated on page 4-111 of the Revised IS/MND, no direct access or emergency access to the trail would be provided or would be available from the adjacent areas to the south that are subject to active oilfield operations. Also, access roads within the oilfield operations would not have connections to the trail and would not be utilized by the trail users. However, an accommodation agreement is currently being developed among BHRCA, FM O&G, and other landowners to address temporary construction and emergency access through the Inglewood Oilfield. The agreement would be finalized prior to the start of construction for Segment C.

Response L5: The Revised IS/MND addresses potential project impacts on biological resources (Section 4.4), hydrology and water quality (Section 4.9), and other environmental issues (Sections 4.1 through 4.18), as required by CEQA and the State CEQA Guidelines.

Response L6: The project qualifies for an MND and an EIR is not required. Please refer to Response L1 above.

In accordance with CEQA and the State CEQA Guidelines, the Revised IS/MND for Segment C has been prepared to analyze the potential impacts of construction, use, and maintenance of Segment C on all environmental issues. The Revised IS/MND provides responses to all checklist questions, in addition to a discussion of the existing environmental setting for each issue area and a comparison with the findings of the IS/MND for the larger Park to Playa Trail project. The Revised IS/MND concludes that significant adverse impacts would occur with the project, but compliance with existing regulations and the implementation of mitigation measures, as outlined in the Revised IS/MND, would avoid and/or reduce these impacts to less than significant levels. Section 15063(c) of the State CEQA Guidelines identifies one purpose of an Initial Study as enabling the Lead Agency to modify a project, mitigating adverse impacts before an EIR is prepared, thereby enabling the project to qualify for a Negative Declaration or Mitigated Negative Declaration. The Revised IS/MND for Segment C identifies the environmental impacts of the project and identifies existing regulations that the project would have to comply with. In addition, it identifies mitigation measures to reduce or avoid the significant adverse impacts of the project. Since the significant adverse impacts of the project would be avoided or reduced by compliance with existing regulations and the implementation of mitigation measures to less than significant levels, the project would incorporate the necessary features to comply with existing regulations and implement the mitigation measures.

From: Champion, Douglas M. <DChampion@gibsondunn.com>
Sent: Wednesday, September 28, 2016 5:17 PM
To: Josephine Alido
Cc: garyb@peakviewadvisors.net; MSN:Wingfield, Jane
Subject: Revised Initial Study/Mitigated Negative Declaration - Segment C of Park to Playa Trail
Attachments: Lloyd Properties January 21 2016 Leter to BonTerra Psomas.pdf

Ms. Alido,

I am writing with reference to the captioned IS/MND (SCH No. 2015121007) on behalf of Lloyd Properties ("Lloyd"), the owner of sub-surface oil, gas, and other hydrocarbon and mineral rights in the Inglewood Oil Field ("IOF"), and associated rights to a reserved drill site area, adjacent to the Stoneview Nature Center. The surface of the oil field and the fee interest underlying the reserved drill site area are currently owned by the Baldwin Hills Regional Conservation Authority ("BHRCA"), subject to a lease of the surface and mineral extraction rights held by the operator of the IOF, Freeport-McMoRan Oil & Gas ("FMOG").

M1

The revised IS/MND continues to inadequately address the issues raised in Lloyd's previous letter dated January 21, 2016, a copy of which is reattached here for your convenience. Lloyd's willingness to agree to relocate its reserved drill site and associated access easement was expressly predicated upon oil and gas operations being able to continue notwithstanding the implementation of Segment C. However, if Lloyd's reserved drill site is relocated but rendered unusable due to pending Culver City regulations, then the relocation of the reserved drill site becomes infeasible. As such, the impacts to oil and gas operations are not mitigated and are significant and unavoidable, thus requiring the preparation of an Environmental Impact Report ("EIR"). Accordingly, we would expect the IS/MND to include a specific mitigation measure requiring that Culver City confirm and agree to maintain any exemption from applicable setback requirements that would adversely impact Lloyd's reserved rights.

M2

Simply put, Lloyd is unwilling to relocate the reserve drill site if the implementation of the Segment C trail conflicts with the aforementioned reserved rights related to oil and gas operations.

M3

Best Regards,

Douglas M. Champion

GIBSON DUNN

Gibson, Dunn & Crutcher LLP
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Tel +1 213.229.7128 • Fax +1 213.229.6128
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This message may contain confidential and privileged information. If it has been sent to you in error, please reply to advise the sender of the error and then immediately delete this message.

Comment Letter M: Gibson Dunn

(September 28, 2016)

Response M1: BHRCA agrees with the statements related to the rights and easements on BHRCA parcel. The property deed indicates that Lloyd Properties reserves the rights to all oil, gas, other hydrocarbons, or minerals lying 500 feet or more below the surface of the property and has an easement over a drill site; an access easement to the drill site; and other pipeline and drainage easements. The easements are nonexclusive, and improvements can be made to the surface as long as they do not interfere with rights to extract mineral resources. The easements may also be moved if they interfere with BHRCA's legal rights and use of the property. This is discussed on pages 4-95 and 4-96 of the Revised IS/MND.

Response M2: Responses to the comments in the letter from Lloyd Properties is provided in Comment Letter N below.

Project impacts on Mineral Resources are addressed in Section 4.11 of the Revised IS/MND. As discussed on pages 4-94 through 4-97, the existing drill site is currently located near the trail alignment (east of the Stoneview Nature Center), and drilling in this area is not allowed due to the setback requirements of current Culver City regulations. Since the existing drill site is located within the existing and proposed setback areas of Culver City, no change to the ability of FM O&G to utilize the existing drill site would occur with the project. Drilling in this area would also not be allowed under the proposed Culver City regulations.

The property deed indicates the easements on the property, including an easement over a drill site, may be moved. As stated on page 4-95 of the Revised IS/MND, BHRCA has agreed to the relocation of the drill site. The new drill site location is currently under review and revision by FM O&G and continuing discussions are being made regarding the size and location of this drill site. Page 3-5 of the Revised IS/MND states that the agreement between FM O&G and BHRCA, including details of the relocated drill site, must be approved prior to the start of construction.

If the draft Culver City ordinance is adopted as is, the relocated drill site may be partially or totally within the proposed setback area. However, this is the same case as the existing drill site, which is located within the proposed setback area, even with the City's adopted resolution.

Thus, relocating the drill site to another area where drilling would also not be allowed would be similar to existing conditions and would not be called an impact of the project. The potential for the proposed drill site to be subject to limitations pursuant to Culver City's proposed ordinance is unrelated to, and notwithstanding, implementation of the project.

Regardless, Section 15125 of the State CEQA Guidelines defines the environmental setting as the description of the physical environmental conditions in the vicinity of the project as they exist at the time the environmental analysis is commenced and is used to determine whether changes to these baseline conditions brought about by the project would be a significant impact. Since the City of Culver City has not adopted their draft ordinance, the Revised IS/MND cannot speculate on the potential impacts of

Segment C as may be associated with a future condition, nor can BHRCA require mitigation for such future potential impact. BHRCA also has no legal authority to revise Culver City regulations. Therefore, the Revised IS/MND addresses impacts to the existing environment and need not address the potential impacts of the project on a future environmental condition or regulation.

Response M3: The agreement related to the relocation of the drill site has not been finalized or signed by all parties. BHRCA continues to work with the stakeholders to finalize this agreement prior to the start of construction for Segment C.

LLOYD PROPERTIES

21600 Oxnard Street, Suite 1040
Woodland Hills, California 91367
(818) 444-7177

January 21, 2016

VIA ELECTRONIC MAIL AND OVERNIGHT DELIVERY

Ms. Josephine Alido
BonTerra Psomas
225 South Lake Avenue, Suite 1000
Pasadena, California 91101
JAlido@psomas.com

**Re: Initial Study/Mitigated Negative Declaration (“IS/MND”) for Segment C of
the Park to Playa Trail Project**

Dear Ms. Alido:

Lloyd Properties (“Lloyd”) is the owner of sub-surface oil, gas, and other hydrocarbon and mineral rights in the Inglewood Oil Field (“IOF”), and associated rights to a reserved drill site area, adjacent to the Stoneview Nature Center. The surface of the oil field and the fee interest underlying the reserved drill site area are currently owned by the Baldwin Hills Regional Conservation Authority (“BHRCA”), subject to a lease of the surface and mineral extraction rights held by the operator of the IOF, Freeport-McMoRan Oil & Gas (“FMOG”). The interests of Lloyd and BHRCA in the IOF are set forth in a Grant Deed dated December 5, 2001 and recorded in the Official Records of Los Angeles County, California as Document Number 01-2415029 (the “Grant Deed”). Pursuant to the terms of the Grant Deed, Lloyd excepted and reserved unto itself and its successors and assigns a “Drill Site,” a “Drill Site Easement,” an “Access Easement,” and a “Pipeline and Utility Easement,” each as more particularly described in the Grant Deed (collectively, the “Drill Site Rights”).

N1

Prior to the circulation and comment period for the IS/MND, there have been continuing discussions amongst Lloyd, BHRCA, FMOG, and the County of Los Angeles regarding the appropriate alignment for the Segment C trail. As part of these discussions, the parties have recognized the need for an agreement to relocate Lloyd’s Drill Site Rights as to ensure that the activities related to the Park to Playa trail are implemented in a way that minimizes potential impacts to IOF operations. This relocation agreement is also referenced in BHRCA’s Resolution

N2

No. 14-07, dated December 9, 2014, which authorized the Chairperson of the Governing Board of BHRCA to execute, upon approval as to form by County Counsel, all documentation required in connection with “the relocation of the existing drill site to the alternate location.”¹

As of the date hereof, this documentation has not been finalized by the parties and remains outstanding, and would need to be completed prior to start of construction on Segment C. Absent a signed relocation agreement, the Segment C trail alignment set forth in the IS/MND cannot legally be implemented and would be in direct conflict with Lloyd’s ability to exercise its Drill Site Rights in their current locations. The IS/MND does not mention this fact.

N3

The proposed location of Lloyd’s Drill Site Rights was based upon BHRCA’s prior assurances concerning the proposed location of the Segment C trail alignment. While the current proposed trail alignment is generally depicted in the IS/MND, we have not yet received a metes and bounds legal description prepared by a licensed surveyor describing the proposed location of Segment C, nor have we seen a survey sheet plotting both the proposed trail alignment and the relocated Drill Site to confirm that there are no conflicts between the two. To be clear, Lloyd will not agree to relocate the Drill Site Rights to a proposed alternative location if there would be any conflict between the new location and the Segment C trail alignment.

N4

Moreover, the relocation of Lloyd’s Drill Site Rights was proposed so that oil and gas operations could continue notwithstanding the implementation of Segment C. If the Drill Site were to remain in its current location, the trail alignment’s impacts to oil and gas operations would not be mitigated and would be significant and unavoidable, and the IS/MND would be legally inadequate under CEQA, requiring instead the preparation of an Environmental Impact Report. In addition, if the proposed location of the new Drill Site relative to the Segment C trail alignment were to conflict with any setback regulations imposed by Culver City, then again there would be unmitigated impacts to oil and gas operations. Accordingly, we would expect the IS/MND to include a specific mitigation measure requiring that Culver City confirm and agree to maintain any exemption from applicable setback requirements that would adversely impact the Drill Site Rights.

N5

¹ We note that the BHRCA resolution incorrectly states that the Drill Site is currently located on the northern boundary of APN 4204-014-907. The Drill Site is actually currently located on APN 4204-014-905 and is proposed to be relocated to APN 4204-014-907. The resolution does not define the alternate location.

Lloyd Properties looks forward to continuing our collaborative discussions of how best to locate the trail in a way that it does not conflict with each party's respective property rights and oil and gas operations. We appreciate the County's cooperation to date, and are confident that we will come up with a solution that works for all.

Very truly yours,

A handwritten signature in black ink, appearing to read "Gary Brummett". The signature is fluid and cursive, with a large, sweeping loop at the end.

Gary Brummett
President, Lloyd Properties

Comment Letter N: Lloyd Properties

(January 21, 2016)

Response N1: BHRCA agrees with the statements related to the rights and easements on BHRCA parcel.

Response N2: As stated on pages 4-95 and 4-96 of the Revised IS/MND, Lloyd Properties reserves the rights to all oil, gas, other hydrocarbons, or minerals lying 500 feet or more below the surface of the property and has an easement over a drill site; an access easement to the drill site; and other pipeline and drainage easements. The easements are nonexclusive, and improvements can be made to the surface as long as they do not interfere with rights to extract mineral resources. The easements may also be moved if they interfere with BHRCA's legal rights and use of the property.

BHRCA has agreed to the relocation of the existing drill site (refer to page 4-95 of the Revised IS/MND). The relocated drill site location was suggested and identified by FM O&G staff and is proposed in an area where existing wells are present. However, continuing discussions are occurring regarding the size and location of this drill site. Page 3-5 of the Revised IS/MND makes it clear that the agreement between FM O&G and BHRCA, including details of the relocated drill site, must be approved prior to project implementation.

Response N3: The legal description of the proposed trail alignment has been provided to FM O&G, and the proposed drill site identified, but discussions between parties are ongoing and the documentation related to the relocated drill site has not been agreed to or signed by all parties. BHRCA continues to work with the stakeholders on the size and location of this drill site and will finalize the agreement on the drill site relocation prior to the start of construction for Segment C.

The proposed trail would be a ground surface use at the existing drill site, and construction of the natural surface trail would not go beyond ten feet below the ground surface. Excavation for the bridge footings would be the deepest excavation depth, but would be limited in size and are not expected to extend 500 feet below the ground surface. Also, the trail does not introduce a land use that would expand the existing setback requirements of Culver City for oil and gas operations in the area. Underlying mineral resources would continue to be available for extraction from the same locations that they are available without the proposed trail. This is discussed on pages 4-94 through 4-96 of the Revised IS/MND.

Since the project does not propose or include oil or gas drilling activities and the existing drill site cannot be used under existing Culver City regulations, the project would not lead to environmental impacts related to changes in oilfield activities that are not addressed in the Revised IS/MND.

Response N4: BHRCA has provided FM O&G with a legal description of the proposed trail alignment, but discussions are still ongoing between the parties to refine this alignment as well as the location and size of the relocated drill site. It is anticipated that the agreements would be in place prior to the start of construction for the project.

Response N5: Pages 4-95 and 4-96 of the Revised IS/MND addresses Lloyd Properties' rights to all oil, gas, other hydrocarbons, or minerals lying 500 feet or more below the surface of the property. The proposed trail would be a ground surface use and will not affect underlying resources that are 500 feet below the surface. No extraction or use of underlying mineral resources is proposed with the trail, and no active oil or gas well removal is planned. Also, access to underlying mineral resources would continue to be available as no large impervious surfaces or buildings are planned by the project.

Chapter 11.12 of the Culver City Municipal Code outlines the City's requirements for obtaining an oil, gas, or hydrocarbon well permit and for operating this kind of well. The Phase 1 trail alignment (western portion) would pass through a detention basin where no oil drilling activities are existing or allowed and will include a connection to the Stoneview Nature Center, which would pass through the active portion of the Inglewood Oilfield, but no more than approximately 50 feet south of the Nature Center property. The Phase 2 alignment (eastern portion) of the proposed trail would be located within 50 to 75 feet of the northern property line at the eastern section of the Segment C site. As such, the proposed trail would only be located in this eastern section where oil wells are currently not permitted. Thus, underlying mineral resources would continue to be available for extraction from the same locations that they are now available without the proposed trail.

Pages 4-96 and 4-97 of the Revised IS/MND discusses the City of Culver City's proposed new oil drilling regulations that, if approved, will establish a 400-foot setback from parcels developed with a residential, recreational, institutional, commercial, industrial, or office structure and a 75-foot setback from public roads. Under the proposed ordinance, the existing drill site is within the 400-foot setback from residential uses, where oil and gas drilling activities would not be allowed. The proposed trail would be located within this same 400-foot setback. Thus, the proposed regulations would also not allow oil drilling activities at the existing drill site. Since the trail would not expand the setback areas beyond the limits that will be required by the existing and proposed regulations, no change to oilfield activities would occur with the proposed trail.

Response N6: BHRCA is committed to continuing to work with Lloyd Properties and FM O&G on finalizing the agreement related to the legal description of the proposed trail alignment and the relocation of the drill site.

September 28, 2016

From: Eleanor Osgood

4224 Lincoln Ave, Culver City, California 90232

310-839-5420

Care of: Ana Straabe, BHRCA

To Members of the Baldwin Hills Regional Conservation Authority, BONTERRA PSOMA, Mark Ridley-Thomas of the Los Angeles County Supervisors:

Thank you for giving me the opportunity to comment on Section C of the Park-to Playa Trail.

The new trail will transverse a rare and sensitive habitat recognized internationally as Coastal Sage Scrub. Environmental studies that I have read about the Baldwin Hills all include a discussion of this very special habitat:

The Baldwin Hills Master Plan (20002)

- Three natural habitat plant communities native to Southern California are found in the Baldwin Hills: coastal sage scrub, riparian woodlands and grasslands.
- The western portion of the park (west of La Cienega) is "... a substantial Coast Sage Scrub habit needing the greatest amount of protection and restoration.."

CEQA Initial Study 2003

- Baldwin Hills Scenic Overlook:"...is set in a natural environment with a number of sensitive vegetation communities, wildlife, and plants:
- The Baldwin Hills provide a natural habitat where large stands of native coastal sage scrub habitat and associated wildlife occur. Two other distinct vegetation communities, grasslands and riparian woodlands, also occur within the park. These vegetation communities support a diverse number of sensitive plant and wildlife species that have the potential to be impacted by the proposed project. The project area serves as a corridor for wildlife movement. As such, the proposed project may result in impacts to wildlife dispersal and migration corridors (in reference to the Baldwin Hills Scenic Overlook State Park which is contiguous with Partial C and shared the same vegetation).

Revised Initial Study/Mitigated Negative Declaration, Segment C of the Proposed Park to Playa Trail SCH No. 2015121007, August 2016

- The Coastal Scrub communities in the survey area include 28 species of special status. The vegetation types within the community have the potential to support Threatened or Endangered species such as the coastal California gnatcatcher.

The Biologists in the August 2016 Mitigated Negative Declaration Study declared that with mitigation the impact on the project would be insignificant. I cannot see how that could be possible when the new trail as presently designed has no barriers such as fencing or railings to prevent users from going off trail. Dirt bikes and hikers will have unlimited access to the surrounding open space. Experience at other parks in the Baldwin Hills (Kenneth Hahn State Recreation Area; Baldwin Hills Scenic Overlook) has shown that unrestricted use of open space results in significant degradation and erosion of landscape. Landscape degradation, and other human caused incursion into wildlife areas has been a persistent problem throughout the developed recreational areas of the parks in Baldwin Hills on both sides of La Cienega. People go off trail to explore, they take short cuts to reach the top of ridges. Ultimately, the plants gets trampled, the daily activities of wildlife are disturbed and wildlife disappear in spite of thousands of dollars and volunteer hours spent in restoration.

Historically, Section C is not well known by the general public, consequently it has remained an active

O1

O2

Pg. 2
Eleanor Osgood

feeding and nesting area for local birds, reptiles and insects. I have walked and birded this area many times since the opening of the Baldwin Hills Scenic Overlook. I have observed that resident birds such as California towhees, bushtits, song sparrows among others nest in the low shrubs adjacent to the existing trail and that many other birds which are sensitive to human activity such as Western Meadowlark, Lazuli Bunting, American Kestrel, feed in the open grassland habitat that is found in this narrow valley through which the trail transverses.

O2

The big problem as I see it is that the biologists, in making their recommendations, failed to account for the human element: 1. people hunger for urban open space; 2. people lack an understanding of the natural world (which results in---well, we've all seen the results).

In recent years, human activity in the Baldwin Hills has extirpated the Cactus Wren, California Thrasher and possibly the California Quail. Populations of other species, especially breeding species have fallen precipitously. This applies not only to birds but to species of reptiles and insects.

One of the key themes that runs through the Baldwin Hills Master Plan is maintaining a balance between recreational use and the protection of wildlife and habitat. I think we have done a very poor job of doing that. With every new project, wildlife has suffered. Simply planting native plants is not the same as protecting sensitive species from disturbance from recreational activities of humans.

O3

Why do we wait to act only after a species has been Federally listed? We can as a community demonstrate that we value the natural world that we see in the Baldwin Hills. We can pay attention, rather than ignore in the name of recreation the wildlife that live there. We can begin to protect species in advance of them reaching the stage of threatened or endangered. We can design a trail that will set a precedent for future trails that provide a travel corridor for the public.

This particular trail is, a way to get from point A to point B, a way to safely cross over La Cienega. Lots of corridors within the city are designed to prevent users from going "off -trail" by the use of concrete walls, chain linked fences, railings. In the name of protecting a very rare habitat, why can't we do the same here?


Respectfully,
Eleanor Osgood

(A little about myself: I have been a member of the Audubon Society since 1988. I was on the Board of the Los Angeles Audubon Chapter for five years. I have been engage in habitat restoration at Kenneth Hahn State Park for the last three years. I also lead public bird walks both at Kenneth Hahn Park and at Franklin Canyon. I have been a volunteer at the Baldwin Hills Scenic Overlook. My passion is birds, hence my active participation between 1995 and 2000 in the Los Angeles County Breeding Bird Atlas. During that time I surveyed breeding birds throughout accessible parts of the Baldwin Hills. I have also participated in many Christmas Bird Counts focusing my efforts on the Baldwin Hills. I have been a volunteer in the Birds and Mammals Section of the Natural History Museum for 25 years assisting with care of the ornithology collection; in the past 4 years I have been a volunteer and docent at the Natural History Museum working as an interpreter with the public. I live a block away from Ballona Creek and Culver Park. I have lived in Culver City since 1973.)

Comment Letter O: Eleanor Osgood

(September 28, 2016)

- Response O1:** Based on surveys on the project site, observed vegetation communities are mapped in Exhibit 4-3 of the Revised IS/MND. Surveys for the California gnatcatcher and special status plants were also conducted and findings are summarized in Section 4.4, Biological Resources, of the Revised IS/MND.
- Response O2:** BHRCA has reconsidered the proposed trail improvements, and post and cable fencing would be provided along the western portion (Phase 1) of the trail to deter users from walking in adjacent areas. As described in the Revised IS/MND, existing and relocated fences and a proposed concrete masonry unit (CMU) wall would be provided along the eastern portion (Phase 2) of the trail. These would prevent trespassing into the adjacent oil and gas production activities to the south and the residential uses to the north. Also, as discussed in Section 4.14, Public Services, the County Sheriff's Department would provide police protection and law enforcement services to Segment C and would enforce County regulations on the use of the trail, parks, and adjacent public areas in the unincorporated County areas and under County management. Regulatory Requirement (RR) 4.14-1 outlines the activity restrictions and regulations at parks and public areas pursuant to Title 17 of the Los Angeles County Code, which include hours of operation; prohibited activities; use and access restrictions; and fines and penalties. Signs shall be provided along the trail to inform the public of allowable uses and activity restrictions. This RR shall be implemented at both phases of the project. In addition, there are regulations related to permitted activities in State parks that are enforced by the State Rangers at the Baldwin Hills Scenic Overlook (RR 4.14-2); these regulations are related to the use of park facilities, litter, plants and animals, fire, smoking, weapons and traps, fireworks, noise, solicitation, and other activities. This RR is applicable to the western portion of the trail under Phase 1, and the State Rangers would be responsible for monitoring and enforcing these regulations in the western portion, in addition to County Sheriff services.
- Response O3:** The analysis presented in Section 4.4, Biological Resources, accounts for potential indirect impacts due to increased human presence on the project site as a result of project implementation. Specifically, page 4-32 of the Revised IS/MND states that the analysis "addresses 'direct' and 'indirect' impacts. Direct impacts are those that involve the initial loss of habitat or individuals due to vegetation clearing and construction-related activities. Indirect impacts would be those related to impacts on the adjacent remaining habitat due to construction activities (e.g., noise, dust) or operation of a project (e.g., human activity)". Page 4-37 of the Revised IS/MND states "Long-term use of the trail for hiking, walking, jogging and other recreational activities would increase human activity above present levels. However, the proposed landscaping of areas along the trail is expected to provide additional cover for wildlife and result in a beneficial effect on wildlife in the area". Fencing would be provided to prevent access to areas north and south of the eastern segment (Phase 2) of the trail, and post and cable fencing would be provided along the western segment (Phase 1) to separate the trail from adjacent areas. The Revised IS/MND acknowledges that indirect impacts have the potential to result in a significant impact and, as such, identifies mitigation to be enacted during both construction and long-term operation. With the implementation of Mitigation Measures (MMs) 4.4-1 through 4.4-6, the biological resources analysis

concludes that operation of the trail would result in less than significant impacts. It is noted that a finding of less than significant impact after mitigation is not the same as a no impact or a less than significant impact determination.

6.0 CHANGES TO THE REVISED IS/MND

The table below lists the changes to the Revised IS/MND that have been made based on the comments and the responses to the comments. These changes have been incorporated into the Final Revised IS/MND, which is provided under separate cover. Deleted text is shown in ~~strikeout~~ (e.g., ~~delete~~) and added text is underlined.

Page	Paragraph	Sentence	Change
1-3	4th	2nd	Added text to read: Trail improvements would include soil excavation and grading; compaction of native soils for creation of an at-grade trail; provision of fencing and wayfinding/educational and other signs; <u>post and cable fencing along both sides of the western portion of the trail</u> ; planting of a landscaped buffer and concrete masonry unit (CMU) wall along the eastern portion of the trail; restoration and revegetation of disturbed areas adjacent to the new trail; construction of steps from the Baldwin Hills Scenic Overlook and the Stoneview Nature Center to the BHRCA-owned surface property ; construction of a pedestrian bridge over La Cienega Boulevard; and the undergrounding of overhead utility lines along La Cienega Boulevard.
1-3	4th	3rd	Here and throughout Revised IS/MND: Delete references to steps from Overlook and the Nature Center
1-3	4th	3rd	Here and throughout Revised IS/MND: Change southwestern to southeastern gate for the connection of the western portion of the trail to the Stoneview Nature Center.
2-1	1st	2nd	Added text to read: The proposed trail would run through <u>portions of the Baldwin Hills Scenic Overlook and KHSRA, a parcel with a detention basin, owned surface property</u> at the northern end of the active Inglewood oilfield, <u>and across La Cienega Boulevard</u> .
2-2	4th	6th	Revised text to read: The trail has also been moved to be no more than 75 feet from the rear yard fences of residential parcels to the north and would run along the eastern, <u>southern</u> and western edges of the Stoneview Nature Center property, with a portion of the trail running through a portion of the Stoneview Nature Center.
2-2	4th	7th	Revised text to read: The alignment of the western portion of Segment C has also been realigned to be located as far away from active oil and gas wells and away from abandoned wells.
			Exhibit 3-1 has been revised in the Revised IS/MND to show the revised trail alignment.
3-2	1st	2 nd	Revised text to read: The switchback landings <u>have been</u> could be designed to accommodate a stretcher and provide All-Terrain Vehicle (ATV) access to facilitate emergency response to the trail.

Page	Paragraph	Sentence	Change
3-2	3rd	1st	Added text to read: The trail improvements would include an at-grade trail; steps with railings ; retaining walls along the slopes; identification, wayfinding/directional, and regulation signs/trail markers; emergency call box stations; map kiosks and educational panels; trash receptacles/dog waste stations; landscaping with native plants and restoration of habitat in disturbed areas ¹ adjacent to the trail; <u>post and cable fencing along both sides of the western portion of the trail</u> ; access road relocation; new fencing and fence relocation; a CMU wall and landscaped buffer adjacent to select northern residential properties; water line relocation; an irrigation system; and utility line undergrounding.
3-3	1st	1st	Revised text to read: A gate <u>would</u> may be provided at the pedestrian bridge landing at the KHSRA to prevent use during the evening and nighttime hours and at specific times.
3-3	2nd	2nd	Revised text to read: It would be approximately <u>12</u> 8 to 20 feet wide and 13 to 35 feet high.
4-5	3rd	2nd and 3rd	Added text to read: Trail users, park visitors, and employees at the Baldwin Hills Scenic Overlook would also see the new trail, <u>post and cable fencing and walls</u> ; and steps at the southeastern corner of the Overlook when they are at the upper parking lot or other areas at the eastern edge of the Overlook. Workers at the oil wells to the south and residents to the north may also see the trail users, walls, <u>post and cable fencing</u> , steps , and the trails on the slopes but not the at-grade trail at the detention basin.
4-16	4th	2nd	Revised text to read: A crane will likely be necessary on both the KHSRA and <u>the Segment C project site</u> BHRCA owned surface property .
4-22	Table 4-6		Revised acreage of vegetation types
4-33	4th	2nd	Revised text to read: As shown, a total of <u>4.49</u> 4.48 acres would be impacted by the project of the <u>27.86</u> 94 -acre area that includes <u>the Segment C project site</u> BHRCA owned surface parcel , portions of the Baldwin Hills Scenic Overlook and the KHSRA, and the public right-of-way of La Cienega Boulevard.
4-33	4th	3rd	Revised text to read: In addition, <u>0.11</u> 7 acre of ruderal and ornamental areas at the Stoneview Nature Center property would be impacted by the portions of the Segment C trail that would connect to the gates of the Nature Center.

¹ Areas that would be disturbed due to construction equipment, materials, crews, and other similar temporary activities will be restored to their original condition or revegetated with native plants if the area supported vegetation prior to the start of construction.

Page	Paragraph	Sentence	Change
			Exhibit 4-3 has been revised in the Revised IS/MND to show the revised trail alignment.
			Exhibit 4-4 has been revised in the Revised IS/MND to show the revised trail alignment.
4-33	Table 4-9		Vegetation impact areas have been recalculated to reflect the new trail alignment. Acreage on pages 4-33 to 4-35, 4-80 and 4-132 that refer to vegetation impacts in Table 4-9 have been revised to match.
4-37	2nd	After 3rd	Added a sentence after the 3 rd sentence to read: <u>The post and cable fence along both sides of the western portion of the trail under Phase 1 would not restrict wildlife movement.</u>
4-37	4th	After 2nd	Added a sentence after the 2 nd sentence to read: <u>Post and cable fencing would be provided along both sides of the western portion of the trail to deter users from walking on adjacent areas.</u>
4-64	1st	1st	Revised text to read: Exhibit 4-8 shows identified wildfire hazard areas, which is located east of La Cienega Boulevard <u>and east of the Segment C project site.</u>
			Exhibit 4-10 has been revised in the Revised IS/MND to show the KHSRA GPA EIR Management Zones and the boundaries of the active Inglewood Oilfield.
4-94	1st	11th	Added text at start of sentence to read: <u>Culver City has been undergoing internal review of its draft ordinance since 2006 and there is no known set timeline for the adoption of this draft ordinance.</u>
4-94	2nd	2nd	Added text at end of sentence to read: The trail would not go through areas that are subject to ongoing oil and gas exploration, production, processing, and other associated activities, <u>but will come within 25 feet of areas that are subject to ongoing oil and gas exploration, production, processing and associated activities.</u>
4-94	3rd	1st	Added text at start of sentence to read: <u>BHRCA concludes that</u> the proposed trail is also not considered a place of public assembly and would not conflict with current regulations for oil, gas, and hydrocarbons in the Culver City Municipal Code.
4-94	3rd	After 1st	Added a sentence after the 1 st sentence to read: <u>However, there is nothing specific in the Culver City Municipal Code that explicitly defines a recreational trail as a place of public assemblage or that defines a place of public assemblage to include recreational trails.</u>
4-94	3rd	3rd	Added text at end of sentence to read: The project would also not change the setback areas for wells that may be drilled in the Culver City portion of the Inglewood oilfield <u>under the existing Culver City regulations.</u>

Page	Paragraph	Sentence	Change
4-94	3rd	6th	This sentence has been deleted. If the Stoneview Nature Center, Baldwin Hills Scenic Overlook, and Blair Hills Park are considered by the City as places of public assembly, the western portion of the trail would be within the 300-foot setback from these places. The trail itself would not a place of public assemblage.
			Exhibit 4-11 has been revised in the Revised IS/MND to show the revised trail alignment.
4-95	2nd	2nd	Revised "BHRCA-owned surface parcel" to "project site".
4-95	2nd	3rd	Revised sentence to read: <u>The Segment C trail alignment would pass through an existing drill site (east of the Stoneview Nature Center) and near other existing drill sites (south and west of the Stoneview Nature Center). The trail itself would be within the existing 100-foot setback for drilling purposes under existing Culver City regulations and within 25 feet, in some places, of existing locations where drilling may occur. However, while a drill site is currently located near the trail alignment (east of the Stoneview Nature Center) drilling in this area on the existing drill site is not allowed due to required setbacks by the City of Culver City, which include setbacks of 300 feet from any major public street, sidewalk, or highway; 100 feet from the outer boundary of the parcel of land; 100 feet from any steam boiler building or source of ignition; and 300 feet from any school buildings or other places of public assemblage.</u>
4-95	3rd	3rd	Revised "In the long term" to "Thus".
4-95	4th	1st	Revised "BHRCA-owned surface property" to "Dabney-Lloyd Lease, the surface of which is owned by BHRCA, subject to existing oil and gas lease rights".
4-95	4th	After 1st	Added a sentence to read: <u>As indicated above, existing Culver City regulations do not allow drilling within 100 feet from the outer boundary of the parcel of land and thus, would not allow drilling on the northern and western 100-foot portions of the existing drill site.</u>
4-95	4th	3rd	Revised text to read: While no drilling can occur at the current drill site under existing and proposed Culver City regulations, The relocation of the drill site would provide the oilfield operator with the ability to drill on a different location <u>on the Dabney-Lloyd Lease at the BHRCA-owned surface property.</u>
4-95	6th	1st	Revised sentence to read: These Culver City's existing regulations do not allow drilling of a well <u>within 100 feet of the outer boundary of the parcel of land and thus, would not allow drilling along the Segment C trail alignment, which is 50 to 75 feet from the northern property line, or other areas within 100 feet of the residential parcels to the north and the Stoneview Nature Center parcel to the west.</u>

Page	Paragraph	Sentence	Change
4-96	3rd	2nd	Revised the sentence to read: However, the proposed trail would be located within the proposed 400-foot setback from residential uses and the Stoneview Nature Center to the north, which are considered Developed Areas. The proposed regulations' definition of a Developed Area also includes land used for recreational purposes or developed with a recreational structure.
4-96	4th	After 1st	The following sentences have been added to the end of the 1 st sentence to read: BHRCA cannot ascertain if the resolution is binding on the City given that Culver City has not yet adopted the proposed regulations and that the draft regulations do not specifically exempt the Segment C trail from the definition of a Developed Area. Since this draft ordinance is not in place, it would be speculative to discuss the final form or language of the ordinance when it is finally adopted or the impacts of the future regulation on the oilfield activities and operations of FM O&G.
4-97	4th	2nd	Revised the sentence to read: Also, impervious surfaces for the pedestrian bridge, CMU wall and retaining wall foundations, steps to the Overlook and Nature Center, and footings for signs, kiosks/panels, trash receptacles, <u>fence posts,</u> and fences would be limited in size and would not preclude access to underlying oil and gas resources nor interfere with access to and operation of the Dabney Lloyd Basin and the associated stormwater treatment systems required in this basin's operation.
4-102	6th	After 3rd	Added text after the sentence to read: <u>Post and cable fencing would be provided along both sides of the western portion of the trail to deter users from adjacent areas off the trail.</u>
4-109	1st	After 3rd	Added text after the sentence to read: Access from the Culver City Fire Department to the western end of the trail would be through Duquesne Avenue and Jefferson Boulevard and into the Baldwin Hills Scenic Overlook. The Los Angeles County Fire Station 58 is located at 5757 Fairfax Avenue, southeast of the site and access from this fire station to the eastern end of the trail would be through Fairfax Avenue and La Cienega Boulevard and into the KHSRA. Access would also be available for the Culver City Fire Department and the Los Angeles County Fire Department through the Stoneview Nature Center on Stoneview Drive.
4-110	1st	3rd	A sentence has been added at the end of the 3 rd sentence to read: <u>Access to the trail for police protection services will be provided through the Stoneview Nature Center, KHSRA, and Baldwin Hills Scenic Overlook. The design of the trail will accommodate the use of ATVs.</u>

Page	Paragraph	Sentence	Change
4-110	6th	5th	Revised the sentence to read: To facilitate emergency response, trail marker signage with global positioning system (GPS) coordinates and emergency call box stations could be provided and the switchback landings <u>have been</u> could designed to accommodate a stretcher and provide ATV access during emergencies.
4-111	4th	Before 1st	Added text before the sentence to read: <u>Post and cable fencing would be provided along the western portion of the trail to keep users on the trail and deter them from walking on adjacent areas.</u>
4-115	3rd	After 2nd	Added text after the sentence to read: <u>There are also three existing oil and gas production sites, including FM O&G's Well Site A and Well Site B, at the park.</u>
4-121	1st	After 2nd	Added text after the sentence to read: <u>The Metro Crenshaw/LAX Line is also under construction along Crenshaw Boulevard, Florence Avenue, and Aviation Boulevard, with stations at Martin Luther King Jr. Boulevard and Leimart Park, east of the site (Metro 2015).</u>
4-127	3rd	1st	Revised text to read: To facilitate emergency response, trail marker signage with GPS coordinates and emergency call box stations could be provided and the switchback landings <u>have been</u> could be designed to accommodate a stretcher and to provide ATV access during emergencies.
5-8	Metro		Added text after the 1 st Metro reference to read: <u>———. 2015. Crenshaw/LAX Transit Project. Los Angeles, CA: Metro.</u>
1	Appendix B-1		The references to BHRCA parcel on the first page in Appendix B-1 have been revised to the project site or to BHRCA-owned surface property that is part of the active Inglewood Oilfield, as appropriate.

These revisions do not change the analysis or conclusions of the Revised IS/MND. Based on the analysis in the Revised IS/MND, the comments received, and the responses to these comments, no substantial new environmental issues or impacts have been raised that have not been adequately addressed in the Revised IS/MND. Also, no changes to the analysis or conclusions of the Revised IS/MND or new mitigation measures are necessary based on the comments, the responses to the comments, and the revisions to the Revised IS/MND.

7.0 **MITIGATION MONITORING PROGRAM**

Section 21081.6 of CEQA and Section 15097 of the State CEQA Guidelines require a public agency to adopt a Mitigation Monitoring and Reporting Program (MMRP) for assessing and ensuring the implementation of required mitigation measures applied to proposed projects. Specific reporting and/or monitoring requirements that will be enforced during project implementation shall be adopted simultaneously with final project approval by the responsible decision-maker.

The MMRP for Segment C of the Park to Playa Trail consists of regulatory requirements (RRs) and mitigation measures (MMs) from the Revised IS/MND that will reduce or avoid significant environmental effects associated with project implementation.

Table 1 lists the RRs and MMs for Phase 1 of Segment C, and Table 2 lists the RRs and MMs for Phase 2 of Segment C. The RRs and MMs are listed in the first column in the tables below.

The timeframe for implementation of the RR or MM and the agency or party with primary responsibility for implementing the RR or MM are identified in the second column. The contractor for Phase 1 of Segment C is the primary party responsible for implementing the RRs and MMs, but the implementation responsibilities of different parties are called out. The design-build contractor for Phase 2 of Segment C is the primary party responsible for implementing the RRs and MMs, but the implementation responsibilities of different parties are called out.

The monitoring action and the agency or party with responsibility for monitoring compliance are provided in the third column.

The fourth column is left blank for the monitoring party to provide a signature and date when the RR or MM has been completed.

Table 1 lists the RRs and MMs applicable to Phase 1 of the project, including the implementing action and the monitoring action for each RR or MM.

TABLE 1
PHASE 1 MITIGATION MONITORING AND REPORTING

Regulatory Requirement/Mitigation Measure	Implementing Action	Monitoring Action /Monitoring Party	Sign Off (Signature and Date)
Air Quality			
RR 4.3-1 Project construction shall comply with the South Coast Air Quality Management District's (SCAQMD's) Rule 403, Fugitive Dust, which requires the implementation of best available control measures (BACMs) for any activity or man-made condition capable of generating fugitive dust, including, but not limited to, earth-moving activities; construction/demolition activities; disturbed surface area; or heavy- and light-duty vehicular movement. The BACMs include incorporating soil stabilization measures; watering surface soils and crushed materials; covering hauls or providing freeboard; preventing track-out; limiting vehicle speeds; and wind barriers, among others.	The contractor shall include this RR in the Contractor Specifications (which shall be subject to the approval of the County), and the contractor shall comply with this regulation during construction activities.	County review of the Contractor Specifications during the plan check process. Site inspections by the County Project Manager during construction.	
Biological Resources			
MM 4.4-1 Prior to vegetation clearing and the start of construction activities for Segment C, the contractor shall provide protective fencing around the Southern California black walnut trees in the parking lot of the Baldwin Hills Scenic Overlook. The protective fencing shall be placed along the dripline of the trees. No ground disturbance or other work shall be performed within the fencing limits.	The contractor shall include this MM in the Contractor Specifications (which shall be subject to County approval during the plan check process). The contractor shall implement this MM prior to and during construction activities.	Plan check of protective fencing details by the County. Site inspections by the County Project Manager prior to and during construction.	
MM 4.4-2 In order to avoid impacts on nesting birds and raptors (common or special status), construction activities shall be conducted during the non-breeding season (i.e., generally between September 16 and February 14 for migratory birds; July 1 and January 31 for nesting raptors), to the extent feasible.	The contractor shall include this MM in the Contractor Specifications (which shall be subject to County approval during the plan check process). The contractor shall hire a qualified Biologist to implement this MM, and the Contractor shall comply with the Biologist's recommendations prior to and during construction activities.	County review of the Contractor Specifications during the plan check process. County review of nesting bird survey results prior to construction. Site inspections of fencing around active nests by the County Project Manager during construction.	

TABLE 1
PHASE 1 MITIGATION MONITORING AND REPORTING

Regulatory Requirement/Mitigation Measure	Implementing Action	Monitoring Action /Monitoring Party	Sign Off (Signature and Date)
<p>If project timing requires that construction occur between February 1 and September 15 (incorporating the typical breeding season for migratory birds and raptors), then a pre-construction nesting bird/raptor survey (or multiple surveys) shall be conducted by a qualified Biologist within three days prior to disturbance within 500 feet of the project impact area to determine the presence or absence of active nests. Any nest found during the survey efforts shall be mapped on the construction plans. If no active nests are found, no further mitigation would be required.</p> <p>If an active nest is located within or adjacent to the construction area and the Biologist determines that work activities may impact nesting, s/he shall demarcate an appropriate buffer zone around the nest. The size of the buffer may vary depending on site features, the sensitivity of the species, and the type of construction activity, but shall be designed to prevent disruption of nesting activity. Only limited construction activities (if any) shall be approved by the Biologist to take place within the buffer zone. The buffer zone restrictions shall be suspended once the Biologist determines that nesting activity has ceased and fledglings have left the nest.</p>			
<p>MM 4.4-3 To mitigate for the loss of California brittle bush – California sagebrush scrub, California brittle bush – California sagebrush – coyote brush scrub, and coyote brush scrub/needle grass grassland, prior to issuance of a grading permit, the contractor shall preserve or restore sage scrub habitat either on-site or at a suitable off-site location at a ratio no less than 1:1. Any habitat area proposed for preservation in order to meet the 1:1 criterion shall be located in a permanent open space or shall be dedicated as permanent open space and preserved in perpetuity by the BHRCA. Mitigation areas</p>	<p>The Project Designer shall include this MM in the project plans and Contractor Specifications (which shall be subject to County approval during the plan check process). The Project Designer shall hire a qualified Biologist to implement this MM, and the contractor shall comply with the Biologist's recommendations prior to and during construction activities.</p>	<p>County review of the Contractor Specifications during the plan check process.</p> <p>County review and approval of the Sage Scrub Restoration Program during the plan check process.</p> <p>Site inspections by the County Project Manager during construction/implementation of the Sage Scrub Restoration Program.</p>	

TABLE 1
PHASE 1 MITIGATION MONITORING AND REPORTING

Regulatory Requirement/Mitigation Measure	Implementing Action	Monitoring Action /Monitoring Party	Sign Off (Signature and Date)
<p>shall not be located within fuel modification zones. In addition, it should be noted that type conversion of existing native communities shall not occur (e.g., areas of needle grass grassland, a native vegetation type, shall not be used as a mitigation site for sage scrub restoration).</p> <p>A Sage Scrub Restoration Program shall be prepared and implemented by, or in consultation with, a qualified native plant revegetation specialist. The Restoration Program shall be in accordance with a landscape palette approved by the Los Angeles County Department of Regional Planning (LACDRP). Restoration shall consist of seeding and planting containers of appropriate sage scrub species.</p> <p>If on-site preservation is used to satisfy the mitigation, a qualified Biologist shall mark the limits of sage scrub communities (i.e., California sagebrush scrub, disturbed California sagebrush scrub, California brittle bush – California sagebrush scrub, California brittle bush – California sagebrush – coyote brush scrub, and coyote brush scrub/needle grass grassland) near the construction area. Construction limits shall be flagged in the field, and no earth-moving equipment shall be allowed in these areas.</p> <p>If off-site restoration is used to satisfy the mitigation, the contractor shall hire a qualified Biologist to identify a suitable restoration location near existing sage scrub communities and to prepare and implement a Sage Scrub Restoration Program. The Restoration Program shall include performance standards that shall apply to the revegetation of sage scrub. Revegetation shall be considered successful if the percent cover and species diversity of the restored and/or created habitat areas are similar to the percent cover and species diversity of adjacent existing habitats, as</p>			

TABLE 1
PHASE 1 MITIGATION MONITORING AND REPORTING

Regulatory Requirement/Mitigation Measure	Implementing Action	Monitoring Action /Monitoring Party	Sign Off (Signature and Date)
determined by quantitative testing of existing and restored and/or created habitat areas.			
MM 4.4-4 The proposed landscaping and revegetation for the proposed project shall incorporate the use of native plant species to the maximum extent practicable. The species selected for installation shall be in accordance with a landscape palette approved by the Los Angeles County Department of Public Works (LACDPW). To minimize the potential for invasive, exotic plant species to escape into areas adjacent to the proposed project, the plant palette shall avoid the use of exotic plant species that are known to be highly invasive.	The contractor shall include this MM in the Contractor Specifications (which shall be subject to County approval during the plan check process). The contractor shall hire a qualified professional landscape architect and/or habitat restoration specialist to review the landscape palette prior to installation.	County review of the Contractor Specifications during the plan check process. County review and approval of the landscaping plan during the plan check process. Site inspections by the County Project Manager during construction/revegetation.	
Cultural Resources			
RR 4.5-1 In accordance with Section 7050.5 of the <i>California Health and Safety Code</i> , if human remains are encountered during excavation activities, the County Coroner shall be notified within 24 hours of the discovery. No further excavation or disturbance of the site or any nearby areas reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are or are believed to be Native American, s/he shall notify the Native American Heritage Commission (NAHC) in Sacramento within 24 hours. In accordance with Section 5097.98 of the <i>California Public Resources Code</i> , the NAHC shall immediately notify the persons it believes to be the most likely descendant (MLD) of the deceased Native American. The descendants shall complete their inspection and make a recommendation within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the	The Project Designer shall include this RR in the Contractor Specifications (which shall be subject to the approval of the County), and the contractor shall comply with this regulation upon the discovery of human remains during ground-disturbing activities.	County review of the Contractor Specifications during the plan check process. Site inspections by the County Project Manager and by the County Coroner and MLD if human remains are found.	

TABLE 1
PHASE 1 MITIGATION MONITORING AND REPORTING

Regulatory Requirement/Mitigation Measure	Implementing Action	Monitoring Action /Monitoring Party	Sign Off (Signature and Date)
<p>BHRCA, the disposition of the human remains. The MLD's recommendation shall be followed if feasible, and may include scientific removal and non-destructive analysis of the human remains and any items associated with Native American burials. If the BHRCA rejects the MLD's recommendations, the agency shall rebury the remains with appropriate dignity on the property in a location that would not be subject to further subsurface disturbance (14 <i>California Code of Regulations</i> §15064.5[e]).</p>			
<p>MM 4.5-1 Prior to and during construction activities, an Archaeologist shall be present at the pre-grade conference; shall establish procedures for archaeological resource surveillance; and shall establish, in cooperation with the County and BHRCA, procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of artifacts, as appropriate. The Archaeologist shall monitor ground disturbance in native alluvial sediments and areas where excavation is proposed to be more than 1 foot deep. If archaeological and/or tribal cultural resources are found to be significant, the Archaeologist shall determine appropriate actions, in cooperation with the County and BHRCA, for exploration and/or salvage. Work may proceed in other areas, subject to the direction of the Archaeologist, in cooperation with the County and BHRCA.</p> <p>For any archaeological resource found during ground-disturbing activities, the Archaeologist shall first determine whether it is a "unique archaeological resource" pursuant to Section 21083.2(g) of the <i>California Public Resources Code</i> (PRC) or a "historical resource" pursuant to Section 15064.5(a) of the State CEQA Guidelines. If the archaeological resource is determined to be a "unique archaeological resource" or</p>	<p>Prior to the start of construction activities, BHRCA or the County shall check that the contractor has retained a qualified Archaeologist to implement this MM, including the monitoring of grading activities and the salvage and catalogue of archaeological resources, as necessary.</p>	<p>County approval of the archaeologist to be used for the project.</p> <p>Attendance at pre-grade conference by the County Project Manager to confirm that the archaeologist provides a cultural resources orientation to the construction crew prior to the start of construction.</p> <p>Site inspections by the County Project Manager during construction.</p> <p>Review of the archaeologist report by the County Project Manager at the end of construction.</p>	

TABLE 1
PHASE 1 MITIGATION MONITORING AND REPORTING

Regulatory Requirement/Mitigation Measure	Implementing Action	Monitoring Action /Monitoring Party	Sign Off (Signature and Date)
<p>a “historical resource”, the Archaeologist shall formulate a mitigation plan in consultation with the BHRCA that satisfies the requirements of the above-referenced regulations.</p> <p>If the Archaeologist determines that the archaeological resource is not a “unique archaeological resource” or “historical resource”, s/he may record the site and submit the recordation form to the California Historic Resources Information System at the South Central Coastal Information Center at California State University, Fullerton.</p> <p>The Archaeologist shall prepare a report of the results of any study prepared as part of a testing or mitigation plan, following accepted professional practice. The report shall follow the guidelines of the California Office of Historic Preservation. Copies of the report shall be submitted to the BHRCA and to the California Historic Resources Information System at the South Central Coastal Information Center at California State University, Fullerton.</p>			
<p>MM 4.5-2 During grading and excavation activities, if fossil resources are discovered by the Archaeologist or Archaeological Monitor, Project Engineer, or other parties, ground-disturbing activities in the vicinity of the discovery shall be halted or diverted until a qualified Paleontologist inspects the find and evaluates its significance. Work may proceed in other areas, subject to the direction of the Paleontologist. If determined significant, the Paleontologist shall have the authority to quickly and efficiently salvage and remove the fossil from its locality, as appropriate, before ground-disturbing activities resume in the area. These actions, as well as final mitigation and disposition of the resources, shall be subject to the approval of the BHRCA.</p>	<p>Prior to the start of construction activities, the County shall check that the Project Designer has retained an Archaeologist or Archaeological Monitor to monitor grading and excavation activities. The Project Designer shall include this MM in the Contractor Specifications (which shall be subject to the approval of the County), and the Project Designer shall hire a paleontologist (subject to approval by the County) to comply with this MM upon the discovery of fossil resources during ground-disturbing activities. The paleontologist shall perform the resource evaluation and disposition, as appropriate.</p>	<p>County review of the Contractor Specifications during the plan check process.</p> <p>Site inspections by the County Project Manager during construction.</p> <p>Review of the paleontologist report, if any, by the County Project Manager at the end of construction.</p>	

TABLE 1
PHASE 1 MITIGATION MONITORING AND REPORTING

Regulatory Requirement/Mitigation Measure	Implementing Action	Monitoring Action /Monitoring Party	Sign Off (Signature and Date)
Geology and Soils			
RR 4.6-1 Project design and construction shall comply with Part 2 of Title 24 of the California Code of Regulations (California Building Code), which provides building standards for construction, alteration, moving, demolition, repair, maintenance, and use of all buildings or structures.	The Project Engineer shall include this RR in the Engineering Plans and in the Contractor Specifications. The Project Engineer shall design the proposed trail improvements in accordance with these regulations, subject to review and approval by the County during the plan check process. Approved plans shall be implemented by the contractor.	County review of the Contractor Specifications during the plan check process. Plan check by the County. Site inspections by the County Project Manager during construction.	
RR 4.6-2 In compliance with the California Building Code, the Alquist-Priolo Earthquake Fault Zoning Act, and the Seismic Hazards Mapping Act, a project-specific geotechnical investigation shall be conducted to identify geologic and seismic hazards where structural elements and structures would be constructed and to provide detailed geotechnical design parameters, safety factors, and recommendations to be incorporated into the project plans. The recommendations of the geotechnical report shall be used in the engineering design and construction of proposed structures.	The Project Engineer shall include this RR in the Engineering Plans and in the Contractor Specifications, if required. The Project Engineer shall design the proposed trail improvements in accordance with these regulations, subject to review and approval by the County during the plan check process. Approved plans shall be implemented by the contractor.	County review of the Contractor Specifications during the plan check process. Plan check by the County. Site inspections by the County Project Manager during construction.	
Hazards and Hazardous Materials			
RR 4.8-1 Construction and maintenance activities for the project shall comply with existing regulations regarding hazardous material use, storage, disposal, and transport so that no major threats to public health and safety are created. These regulations include the Toxic Substances Control Act, Hazardous Material Transportation Act, Resource Conservation and Recovery Act, California Hazardous Waste Control Act, Certified Unified Program Agency, and California Accidental Release Prevention Program.	The Project Designer shall include this RR in the Contractor Specifications (which shall be subject to County approval). The contractor shall comply with pertinent hazardous material regulations during construction and maintenance activities on Segment C.	County review of the Contractor Specifications during the plan check process. Site inspections by the County Project Manager during construction.	

TABLE 1
PHASE 1 MITIGATION MONITORING AND REPORTING

Regulatory Requirement/Mitigation Measure	Implementing Action	Monitoring Action /Monitoring Party	Sign Off (Signature and Date)
RR 4.8-2 In accordance with Title 8, Section 1541, of the California Code of Regulations (CCR), persons planning new construction and/or excavations or new utility lines near or crossing existing subsurface installations and lines, high-pressure pipelines, natural gas/petroleum pipelines, electrical lines greater than 60,000 volts, and other high-priority lines, are required to notify the Owner/Operator of the line and to determine the locations of subsurface lines prior to any ground disturbance for excavation. Coordination, approval and monitoring by the Owner/Operator of the line would avoid damage to high-priority lines and the creation of hazards to the surrounding area.	The Project Designer shall include this RR in the Contractor Specifications (which shall be subject to County approval). The contractor shall comply with these regulations during construction activities near or across underground utility lines.	County review of the Contractor Specifications during the plan check process. Site inspections by the County Project Manager during construction.	
RR 4.8-3 In the event that abandoned oil wells are uncovered during construction, the Project Engineer shall consult with the California Department of Oil, Gas and Geothermal Resources (DOGGR) to ensure that these wells were properly abandoned; otherwise, these wells shall be plugged and abandoned in accordance with Chapter 4 of Title 14, Division 2 of the California Code of Regulations. The requirements include filing a notice with the DOGGR; proper use of cement plugs; building/structure setbacks; and provision of vent combs.	The Project Designer shall include this RR in the Contractor Specifications (which shall be subject to County approval). The contractor shall comply with pertinent DOGGR regulations during construction activities on or near abandoned wells.	County review of the Contractor Specifications during the plan check process. Site inspections by the County Project Manager during construction.	
RR 4.8-5 As stated in Division 25 of Article 7 of Chapter 5 of the Los Angeles City Municipal Code, signs shall be posted along Segment C, which outline prohibitions on open burning, smoking, flaming or glowing objects, and open flames.	The Project Designer shall include this RR in the Engineering Plans and in the Contractor Specifications (which shall be subject to County approval). The contractor shall include the required signs in the project plans; shall install the required signs; and shall comply with these regulations during construction and maintenance activities on Segment C.	County review of the Contractor Specifications during the plan check process. Plan check by the County. Site inspections by the County Project Manager during construction.	

TABLE 1
PHASE 1 MITIGATION MONITORING AND REPORTING

Regulatory Requirement/Mitigation Measure	Implementing Action	Monitoring Action /Monitoring Party	Sign Off (Signature and Date)
MM 4.8-2 The Contractor shall prepare and implement a Health and Safety Plan that includes protocols for environmental and personnel monitoring, requirements for personal protective equipment, other appropriate health and safety protocols, and procedures for the handling and disposal of arsenic and petroleum hydrocarbon containing-soils, based on the findings of the Limited Soil Sampling Report by Geocon (dated October 13, 2015).	The Project Designer shall include this MM in the Contractor Specifications (which shall be subject to County approval during the plan check process). The contractor shall comply with this mitigation during construction activities on Segment C.	County review of the Contractor Specifications during the plan check process. County review and approval of Health and Safety Plan during the plan check process. Site inspections by the County Project Manager during construction.	
MM 4.8-3 If stained, discolored and/or odorous soils are encountered during grading or excavation activities, work in the immediate area shall cease and the design-build contractor shall have a sample of the soils analyzed for the presence of contamination. If the results of the testing show that chemical levels are present below regulatory levels, grading and excavation activities may proceed accordingly. Otherwise, remediation and/or removal of the contaminated soils shall be completed prior to continued ground disturbance if chemical levels are above regulatory standards. Remediation and/or disposal shall be conducted with the oversight of applicable regulatory agencies such as the Los Angeles County Fire Department [operating as the CUPA], the South Coast Air Quality Management District (SCAQMD), the California Department of Toxic Substances Control (DTSC), and/or the U.S. Environmental Protection Agency and in compliance with established maximum contaminant levels (MCLs).	The Project Designer shall include this MM in the Contractor Specifications (which shall be subject to County approval during the plan check process). The contractor shall comply with this mitigation during construction activities.	County review of the Contractor Specifications during the plan check process. Site inspections by the County Project Manager during construction.	

TABLE 1
PHASE 1 MITIGATION MONITORING AND REPORTING

Regulatory Requirement/Mitigation Measure	Implementing Action	Monitoring Action /Monitoring Party	Sign Off (Signature and Date)
MM 4.8-4 The Project Engineer shall consult and be required to seek approval from authorities having jurisdiction, including the California Department of Toxic Substances Control (DTSC), the Los Angeles Regional Water Quality Control Board (LARWQCB) and/or the County Fire Department's Health Hazardous Materials Division (HHMD) Site Mitigation Unit (SMU), as appropriate. As part of the approval/permit process, the design-build contractor shall comply with the conditions of approval or permit requirements of these agencies.	The Project Engineer shall include this MM in the Contractor Specifications (which shall be subject to County approval during the plan check process). The contractor shall comply with this mitigation prior to and during construction activities.	County review of agency correspondence and permits during the plan check process.	
Hydrology and Water Quality			
RR 4.9-1 Project construction shall comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No 2009-009-DWQ, NPDES No. CAS000002, or the latest approved general permit). This General Permit requires construction activities (including demolition, clearing, grading, excavation, and other land-disturbing activities) that result in the disturbance of one acre or more of total land area to file and submit a Notice of Intent (NOI); Risk Assessment; Site Map; Storm Water Pollution Prevention Plan (SWPPP); annual fee; and a signed certification statement to the State Water Resources Control Board prior to construction. In order to obtain coverage under the Construction General Permit, a project-specific SWPPP shall be prepared, which shall contain Best Management Practices (BMPs) that would be implemented to reduce or eliminate construction-related pollutants in the runoff. As part of the SWPPP preparation and implementation, the design-build contractor shall also comply with the County of Los Angeles' Construction Site Best Management Practices Manual that	The Project Designer shall include this RR in the Contractor Specifications (which shall be subject to County approval during the plan check process). The contractor shall comply with these State and County regulations, including the filing of the NOI and preparation of the SWPPP prior to construction activities and the implementation of BMPs and other items in the SWPPP during construction activities for the proposed project.	County review of the Contractor Specifications during the plan check process. County review of the SWPPP during plan check. Site inspections by the County Project Manager during construction.	

TABLE 1
PHASE 1 MITIGATION MONITORING AND REPORTING

Regulatory Requirement/Mitigation Measure	Implementing Action	Monitoring Action /Monitoring Party	Sign Off (Signature and Date)
contains the County's requirements for BMPs to include in the SWPPP and the implementation of BMPs during construction.			
RR 4.9-2 In accordance with the storm water regulations of the City of Culver City and the County of Los Angeles, project construction and maintenance shall not involve the discharge of polluting substances (e.g., liquids, solids, gases or other pollutants) that may pose a hazard to humans, animals, plants, and fish into the storm drain system or receiving waters. Also, refuse, rubbish, tin cans, or other matter that may impede, retard, or change the normal direction of the flow of the flood, storm, and other waters or that may be carried downstream by such waters, causing damage and detriment to downstream properties, shall not be placed in or near drainages. Runoff management requirements include good housekeeping practices and BMPs that are consistent with environmental goals.	The Project Designer shall include this RR in the Contractor Specifications (which shall be subject to County approval during the plan check process). The contractor shall comply with this regulation during construction, and the County shall comply with this RR during maintenance activities on Segment C.	County review of the Contractor Specifications during the plan check process. Site inspections by the County Project Manager during construction.	
Noise			
RR 4.12-1 Project construction shall comply with the most restrictive time limits and other applicable noise regulations of the City of Culver City, and County of Los Angeles municipal codes. Construction using any equipment that makes loud noises that would disturb persons in nearby residences (including the operation, repair, or servicing of construction equipment and the jobsite delivering of construction materials) shall be limited to the hours of 8:00 AM to 7:00 PM, Monday through Friday, and from 9:00 AM to 6:00 PM on Saturday. No construction shall be allowed on Sundays or holidays without a permit.	The Project Designer shall include this RR in the Contractor Specifications (which shall be approved by the County during the plan check process), and the contractor shall implement this RR during construction activities.	County review of the Contractor Specifications during the plan check process. Site inspections by the County Project Manager during construction.	

TABLE 1
PHASE 1 MITIGATION MONITORING AND REPORTING

Regulatory Requirement/Mitigation Measure	Implementing Action	Monitoring Action /Monitoring Party	Sign Off (Signature and Date)
<p>MM 4.12-1 As part of construction activities, the contractor shall implement the following:</p> <ul style="list-style-type: none"> a. All construction vehicles or equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers. Mufflers shall be equivalent to or of greater noise reducing performance than the manufacturer's standard. b. Stationary equipment, such as generators and air compressors, shall be located as far from residences and parks as feasible. Where stationary equipment must be located within 250 feet of a residence, the equipment shall be equipped with appropriate noise-reduction features (e.g., silencers, shrouds, or other devices) to limit the equipment noise at the sensitive receptor to an average noise level (L_{eq}) of 65 A-weighted decibels (dBA). c. Equipment maintenance, vehicle parking, and material staging areas shall be located as far away from local residences, as feasible. 	<p>The Project Designer shall include this MM in the Contractor Specifications (which shall be approved by the County during the plan check process), and the contractor shall implement this MM during construction activities.</p>	<p>County review of the Contractor Specifications during the plan check process.</p> <p>Site inspections by the County Project Manager during construction.</p>	
<p>MM 4.12-4 The contractor shall inform and coordinate construction timing with FM O&G to avoid construction of Segment C during any time that drilling operations are ongoing near the proposed trail. If simultaneous construction and drilling activities would occur, arrangements shall be agreed upon so that the cumulative noise levels do not exceed applicable noise regulations and adversely affect adjacent residents.</p>	<p>The Project Designer shall include this MM in the Contractor Specifications (which shall be subject to the approval of the County), and the contractor shall comply with this regulation during construction activities.</p>	<p>County review of the Contractor Specifications during the plan check process.</p> <p>Site inspections by the County Project Manager during construction.</p>	

TABLE 1
PHASE 1 MITIGATION MONITORING AND REPORTING

Regulatory Requirement/Mitigation Measure	Implementing Action	Monitoring Action /Monitoring Party	Sign Off (Signature and Date)
Public Services			
<p>RR 4.14-1 Trail users shall comply with Title 17, Parks, Beaches and Other Public Areas, of the Los Angeles County Code, which outlines the activity restrictions and regulations at parks and public areas. These regulations include hours of operation; prohibited activities; use and access restrictions; and fines and penalties.</p> <p>Signs shall be provided along the trail to inform the public of allowable uses and activity restrictions.</p>	<p>The Project Designer or contractor shall post signs along the trail to inform the public of allowable uses and activity restrictions, with the signs shown on project plans that would be subject to review and approval by the County. The County Sheriff's Department shall be responsible for monitoring and enforcing these regulations on Segment C.</p>	<p>County review and approval of sign details during the plan check process.</p> <p>Site inspections by the County Project Manager during construction.</p>	
<p>RR 4.14-2 Trail users and the construction crew shall comply with Title 14, Division 3 of the <i>California Code of Regulations</i>, which contains regulations related to the use of park facilities, litter, plants and animals, fire, smoking, weapons and traps, fireworks, noise, solicitation, and other activities allowed or prohibited in State parks.</p>	<p>The Project Designer shall include this RR in the Contractor Specifications (which shall be subject to the approval of the County). The contractor shall be responsible for compliance by the construction crew and the State Parks Ranger shall be responsible for monitoring and enforcing these regulations at the Baldwin Hills Scenic Overlook.</p>	<p>Plan check of sign details by the County.</p> <p>Site inspections by the County Project Manager during construction.</p>	
Transportation/Traffic			
<p>RR 4.16-1 In accordance with the City of Culver City and the County of Los Angeles' general construction requirements, temporary traffic control measures shall be implemented in accordance with the Standard Specifications for Public Works Construction (Greenbook) and the County's Additions and Amendments to the Standard Specifications for Public Works Construction (Graybook), which contain standards for maintenance of access, traffic control, and notification of emergency personnel.</p>	<p>The Project Designer shall include this RR in the Contractor Specifications (which shall be subject to County approval during the plan check process). During construction activities, the contractor shall provide temporary traffic control measures in accordance with the Greenbook and Graybook.</p>	<p>County review of the Contractor Specifications during the plan check process.</p> <p>County review and approval of traffic control plan during plan check.</p> <p>Site inspections by the County Project Manager during construction.</p>	

TABLE 1
PHASE 1 MITIGATION MONITORING AND REPORTING

Regulatory Requirement/Mitigation Measure	Implementing Action	Monitoring Action /Monitoring Party	Sign Off (Signature and Date)
RR 4.16-2 Trail improvements shall include the provision of traffic control devices in compliance with the California Manual for Uniform Traffic Control Devices (MUTCD) to ensure traffic safety on streets and highways. The MUTCD includes standards for temporary and permanent signs, markings, and traffic control devices needed to promote pedestrian and vehicle safety and traffic efficiency.	The Project Designer shall include this RR in the Engineering Plans and in the Contractor Specifications (which shall be subject to County approval during the plan check process). The contractor shall implement temporary and permanent traffic control signs in accordance with the MUTCD.	County review of the Contractor Specifications during the plan check process. County review and approval of traffic control plan during plan check. Site inspections by the County Project Manager during construction.	
Utilities and Service Systems			
RR 4.17-1 As stated in Title 31, Green Building Standards Code, of the Los Angeles County Code, at least 65 percent of all construction and demolition debris, soil, rock, and gravel removed from a project site shall be recycled or salvaged. In accordance with Chapter 20.87, Construction and Demolition Debris Recycling and Reuse, of the Los Angeles County Code, a Recycling and Reuse Plan (RRP) must be submitted to the County of Los Angeles Department of Public Works, Environmental Programs Division, after an application for a grading or building permit has been filed. The RRP must contain a project description and the estimated total weight of the project's construction and demolition (C&D) debris, with separate estimates for (1) soil, rock, and gravel; (2) other inert materials; and (3) all other project C&D debris.	The Project Designer shall include this RR in the Contractor Specifications (which shall be subject to County approval during the plan check process), and the contractor shall comply with this regulation during construction activities.	County review of the Contractor Specifications during the plan check process. County review and approval of Recycling and Reuse Plan during plan check. Site inspections by the County Project Manager during construction.	

Table 2 lists the RRs and MMs applicable to Phase 2 of the project, including the implementing action and the monitoring action for each RR or MM.

TABLE 2
PHASE 2 MITIGATION MONITORING AND REPORTING

Regulatory Requirement/Mitigation Measure	Implementing Action	Monitoring Action /Monitoring Party	Sign Off (Signature and Date)
Aesthetics			
MM 4.1-1 Any new light sources that would be installed as part of the project shall provide the minimum lighting levels to meet security and safety purposes; shall be directed downward and away from adjacent residential areas; and shall be shielded, diffused, or indirect to prevent spillover into adjacent residential properties. Also, no flashing, flickering, rotating or moving lights shall be allowed.	The design-build contractor shall prepare a photometric study that shows the proposed light sources and resulting lighting levels to determine if light spillover will extend into adjacent residential properties. If light spillover will occur, the light sources shall be replaced, redesigned, and/or relocated until no light spillover into adjacent residential properties would occur. The lighting plan and results of the photometric study shall be submitted to the Los Angeles County Department of Public Works as part of the plan check process. Upon approval of the photometric study and the project's lighting plan by the County, the project shall be implemented in compliance with the lighting plan.	County review and approval of photometric study and the project's lighting plan during the plan check process.	
MM 4.1-2 The design-build contractor shall ensure that exterior bridge finishes that are made of glass, metals or mirrors are painted, tinted and/or textured so as not to cause glare or flash blindness that could adversely affect the vision of motorists on La Cienega Boulevard and on surrounding roads and of residents in adjacent dwelling units.	The design-build contractor shall submit information on bridge finishes to show compliance with this MM to the Los Angeles County Department of Public Works, as part of the plan check process, for County approval prior to the commencement of any construction activities.	County review and approval of bridge finishes during the plan check process.	
Air Quality			
RR 4.3-1 Project construction shall comply with the South Coast Air Quality Management District's (SCAQMD's) Rule 403, Fugitive Dust, which requires the implementation of best available control measures (BACMs) for any activity or man-made condition capable of generating fugitive dust, including, but not limited to, earth-moving activities; construction/demolition activities; disturbed surface area; or heavy- and light-duty vehicular movement. The BACMs include incorporating soil stabilization	The design-build contractor shall include this RR in the Contractor Specifications (which shall be subject to the approval of the County), and the contractor shall comply with this regulation during construction activities.	County review of the Contractor Specifications during the plan check process. Site inspections by the County Project Manager during construction.	

TABLE 2
PHASE 2 MITIGATION MONITORING AND REPORTING

Regulatory Requirement/Mitigation Measure	Implementing Action	Monitoring Action /Monitoring Party	Sign Off (Signature and Date)
measures; watering surface soils and crushed materials; covering hauls or providing freeboard; preventing track-out; limiting vehicle speeds; and wind barriers, among others.			
Biological Resources			
<p>MM 4.4-2 In order to avoid impacts on nesting birds and raptors (common or special status), construction activities shall be conducted during the non-breeding season (i.e., generally between September 16 and February 14 for migratory birds; July 1 and January 31 for nesting raptors), to the extent feasible.</p> <p>If project timing requires that construction occur between February 1 and September 15 (incorporating the typical breeding season for migratory birds and raptors), then a pre-construction nesting bird/raptor survey (or multiple surveys) shall be conducted by a qualified Biologist within three days prior to disturbance within 500 feet of the project impact area to determine the presence or absence of active nests. Any nest found during the survey efforts shall be mapped on the construction plans. If no active nests are found, no further mitigation would be required.</p> <p>If an active nest is located within or adjacent to the construction area and the Biologist determines that work activities may impact nesting, s/he shall demarcate an appropriate buffer zone around the nest. The size of the buffer may vary depending on site features, the sensitivity of the species, and the type of construction activity, but shall be designed to prevent disruption of nesting activity. Only limited construction activities (if any) shall be approved by the Biologist to take place within the buffer zone. The buffer zone restrictions shall be suspended once the Biologist determines that nesting activity has ceased and fledglings have left the nest.</p>	<p>The design-build contractor shall include this MM in the Contractor Specifications (which shall be subject to County approval during the plan check process). The contractor shall hire a qualified Biologist to implement this MM, and the Contractor shall comply with the Biologist's recommendations prior to and during construction activities.</p>	<p>County review of the Contractor Specifications during the plan check process.</p> <p>County review of nesting bird survey results prior to construction.</p> <p>Site inspections of fencing around active nests, if installed, by the County Project Manager during construction.</p>	

TABLE 2
PHASE 2 MITIGATION MONITORING AND REPORTING

Regulatory Requirement/Mitigation Measure	Implementing Action	Monitoring Action /Monitoring Party	Sign Off (Signature and Date)
<p>MM 4.4-4 The proposed landscaping and revegetation for the proposed project shall incorporate the use of native plant species to the maximum extent practicable. The species selected for installation shall be in accordance with a landscape palette approved by the Los Angeles County Department of Public Works (LACDPW). To minimize the potential for invasive, exotic plant species to escape into areas adjacent to the proposed project, the plant palette shall avoid the use of exotic plant species that are known to be highly invasive.</p>	<p>The design-build contractor shall include this MM in the Contractor Specifications (which shall be subject to County approval during the plan check process). The contractor shall hire a qualified professional landscape architect and/or habitat restoration specialist to review the landscape palette prior to installation.</p>	<p>County review of the Contractor Specifications during the plan check process.</p> <p>County review and approval of the landscaping plan during the plan check process.</p> <p>Site inspections by the County Project Manager during construction/ revegetation.</p>	
<p>MM 4.4-5 Areas under the jurisdiction of the Regional Water Quality Control Board (RWQCB) and the California Department of Fish and Wildlife (CDFW) shall be avoided to the maximum extent practicable. If these areas would be impacted by the proposed project, prior to the approval of the project plans and specifications, the County shall confirm that regulatory permit authorizations from the RWQCB and the CDFW (or authorization to proceed without such permits) have been obtained for the project. Impacts to jurisdictional resources shall be determined considering both permanent and temporary impacts resulting from project construction, as well as long-term maintenance that can disturb the open drainage channel and may be characterized as dredge or fill within jurisdictional waters. The project application shall be obligated to implement/comply with the mitigation measures required by the resource agencies regarding impacts on their respective jurisdictions, which may include restoration, enhancement, replacement, or preservation of on-site or off-site jurisdictional areas at a minimum ratio of 1:1 of the lost jurisdictional value. Habitat preservation, replacement or restoration that would result in no net loss shall be used to offset impacts, as outlined in the permit conditions.</p>	<p>The design-build contractor shall include this MM in the Contractor Specifications (which shall be subject to County approval during the plan check process). The design-build contractor shall obtain the necessary resource agency permits and shall comply with permit conditions prior to and during construction activities.</p>	<p>County review of the Contractor Specifications during the plan check process.</p> <p>County review of resource agency permits or concurrence letter prior to the start of construction.</p> <p>Site inspections by the County Project Manager to determine compliance with permit conditions during construction.</p>	

TABLE 2
PHASE 2 MITIGATION MONITORING AND REPORTING

Regulatory Requirement/Mitigation Measure	Implementing Action	Monitoring Action /Monitoring Party	Sign Off (Signature and Date)
MM 4.4-6 The design-build contractor shall ensure that night lighting, if utilized along the proposed trail, shall be kept to the minimum necessary for public safety. Night lighting shall be directed downward away from adjacent habitat areas and shielding would be incorporated into the lighting design to minimize the increase in ambient light in adjacent areas.	The design-build contractor shall include this MM in the Contractor Specifications (which shall be subject to County approval during the plan check process). The contractor shall implement this MM as part of MM 4.1-1.	County review of the Contractor Specifications during the plan check process. County review and approval of the photometric study and the project's lighting plan during the plan check process.	
Cultural Resources			
RR 4.5-1 In accordance with Section 7050.5 of the <i>California Health and Safety Code</i> , if human remains are encountered during excavation activities, the County Coroner shall be notified within 24 hours of the discovery. No further excavation or disturbance of the site or any nearby areas reasonably suspected to overlie adjacent remains shall occur until the County Coroner has determined, within two working days of notification of the discovery, the appropriate treatment and disposition of the human remains. If the County Coroner determines that the remains are or are believed to be Native American, s/he shall notify the Native American Heritage Commission (NAHC) in Sacramento within 24 hours. In accordance with Section 5097.98 of the <i>California Public Resources Code</i> , the NAHC shall immediately notify the persons it believes to be the most likely descendant (MLD) of the deceased Native American. The descendants shall complete their inspection and make a recommendation within 48 hours of being granted access to the site. The designated Native American representative would then determine, in consultation with the BHRCA, the disposition of the human remains. The MLD's recommendation shall be followed if feasible, and may include scientific removal and non-destructive analysis of the human remains and any items associated with Native American burials. If the BHRCA rejects the MLD's recommendations, the agency shall rebury the remains with appropriate	The design-build contractor shall include this RR in the Contractor Specifications (which shall be subject to the approval of the County), and the contractor shall comply with this regulation upon the discovery of human remains during ground-disturbing activities.	County review of the Contractor Specifications during the plan check process. Site inspections by the County Project Manager, and by the County Coroner and MLD if human remains are found.	

TABLE 2
PHASE 2 MITIGATION MONITORING AND REPORTING

Regulatory Requirement/Mitigation Measure	Implementing Action	Monitoring Action /Monitoring Party	Sign Off (Signature and Date)
dignity on the property in a location that would not be subject to further subsurface disturbance (14 <i>California Code of Regulations</i> §15064.5[e]).			
<p>MM 4.5-1 Prior to and during construction activities, an Archaeologist shall be present at the pre-grade conference; shall establish procedures for archaeological resource surveillance; and shall establish, in cooperation with the County and BHRCA, procedures for temporarily halting or redirecting work to permit the sampling, identification, and evaluation of artifacts, as appropriate. The Archaeologist shall monitor ground disturbance in native alluvial sediments and areas where excavation is proposed to be more than 1 foot deep. If archaeological and/or tribal cultural resources are found to be significant, the Archaeologist shall determine appropriate actions, in cooperation with the County and BHRCA, for exploration and/or salvage. Work may proceed in other areas, subject to the direction of the Archaeologist, in cooperation with the County and BHRCA.</p> <p>For any archaeological resource found during ground-disturbing activities, the Archaeologist shall first determine whether it is a "unique archaeological resource" pursuant to Section 21083.2(g) of the <i>California Public Resources Code</i> (PRC) or a "historical resource" pursuant to Section 15064.5(a) of the State CEQA Guidelines. If the archaeological resource is determined to be a "unique archaeological resource" or a "historical resource", the Archaeologist shall formulate a mitigation plan in consultation with the BHRCA that satisfies the requirements of the above-referenced regulations.</p> <p>If the Archaeologist determines that the archaeological resource is not a "unique archaeological resource" or "historical resource", s/he may record the site and submit the recordation form to the California Historic</p>	<p>Prior to the start of construction activities, BHRCA or the County shall check that the design-build contractor has retained a qualified Archaeologist to implement this MM, including the monitoring of grading activities and the salvage and catalogue of archaeological resources, as necessary.</p>	<p>County approval of the archaeologist to be used for the project.</p> <p>Attendance at pre-grade conference by the County Project Manager to confirm that the archaeologist provides a cultural resources orientation to the construction crew prior to the start of construction.</p> <p>Site inspections by the County Project Manager during construction.</p> <p>Review of the archaeologist report by the County Project Manager at the end of construction.</p>	

TABLE 2
PHASE 2 MITIGATION MONITORING AND REPORTING

Regulatory Requirement/Mitigation Measure	Implementing Action	Monitoring Action /Monitoring Party	Sign Off (Signature and Date)
<p>Resources Information System at the South Central Coastal Information Center at California State University, Fullerton.</p> <p>The Archaeologist shall prepare a report of the results of any study prepared as part of a testing or mitigation plan, following accepted professional practice. The report shall follow the guidelines of the California Office of Historic Preservation. Copies of the report shall be submitted to the BHRCA and to the California Historic Resources Information System at the South Central Coastal Information Center at California State University, Fullerton.</p>			
<p>MM 4.5-2 During grading and excavation activities, if fossil resources are discovered by the Archaeologist or Archaeological Monitor, Project Engineer, or other parties, ground-disturbing activities in the vicinity of the discovery shall be halted or diverted until a qualified Paleontologist inspects the find and evaluates its significance. Work may proceed in other areas, subject to the direction of the Paleontologist. If determined significant, the Paleontologist shall have the authority to quickly and efficiently salvage and remove the fossil from its locality, as appropriate, before ground-disturbing activities resume in the area. These actions, as well as final mitigation and disposition of the resources, shall be subject to the approval of the BHRCA.</p>	<p>The design-build contractor shall include this MM in the Contractor Specifications (which shall be subject to the approval of the County), and the contractor shall comply with this regulation upon the discovery of fossil resources during ground-disturbing activities. The design-build contractor shall hire a paleontologist (subject to approval by the County) to perform the resource evaluation and disposition, as necessary.</p>	<p>County review of the Contractor Specifications during the plan check process.</p> <p>Site inspections by the County Project Manager during construction, if fossil resources are found.</p> <p>Review of the paleontologist report, if any, by the County Project Manager at the end of construction.</p>	
Geology and Soils			
<p>RR 4.6-1 Project design and construction shall comply with Part 2 of Title 24 of the California Code of Regulations (California Building Code), which provides building standards for construction, alteration, moving, demolition, repair, maintenance, and use of all buildings or structures.</p>	<p>The design-build contractor shall include this RR in the Engineering Plans and in the Contractor Specifications. The Project Engineer shall design the proposed trail improvements in accordance with these regulations, subject to review and approval by the County during the plan check process. Approved plans shall be implemented by the contractor.</p>	<p>County review of the Contractor Specifications during the plan check process.</p> <p>Plan check by the County.</p> <p>Site inspections by the County Project Manager during construction.</p>	

TABLE 2
PHASE 2 MITIGATION MONITORING AND REPORTING

Regulatory Requirement/Mitigation Measure	Implementing Action	Monitoring Action /Monitoring Party	Sign Off (Signature and Date)
RR 4.6-2 In compliance with the California Building Code, the Alquist-Priolo Earthquake Fault Zoning Act, and the Seismic Hazards Mapping Act, a project-specific geotechnical investigation shall be conducted to identify geologic and seismic hazards where structural elements and structures would be constructed and to provide detailed geotechnical design parameters, safety factors, and recommendations to be incorporated into the project plans. The recommendations of the geotechnical report shall be used in the engineering design and construction of proposed structures.	The design-build contractor shall include this RR in the Engineering Plans and in the Contractor Specifications. The Project Engineer shall design the proposed trail improvements in accordance with these regulations, subject to review and approval by the County during the plan check process. Approved plans shall be implemented by the contractor.	County review of the Contractor Specifications during the plan check process. Plan check by the County. Site inspections by the County Project Manager during construction.	
Hazards and Hazardous Materials			
RR 4.8-1 Construction and maintenance activities for the project shall comply with existing regulations regarding hazardous material use, storage, disposal, and transport so that no major threats to public health and safety are created. These regulations include the Toxic Substances Control Act, Hazardous Material Transportation Act, Resource Conservation and Recovery Act, California Hazardous Waste Control Act, Certified Unified Program Agency, and California Accidental Release Prevention Program.	The design-build contractor shall include this RR in the Contractor Specifications (which shall be subject to County approval). The contractor shall comply with pertinent hazardous material regulations during construction and maintenance activities on Segment C.	County review of the Contractor Specifications during the plan check process. Site inspections by the County Project Manager during construction.	
RR 4.8-2 In accordance with Title 8, Section 1541, of the California Code of Regulations (CCR), persons planning new construction and/or excavations or new utility lines near or crossing existing subsurface installations and lines, high-pressure pipelines, natural gas/petroleum pipelines, electrical lines greater than 60,000 volts, and other high-priority lines, are required to notify the Owner/Operator of the line and to determine the locations of subsurface lines prior to any ground disturbance for excavation. Coordination, approval and monitoring by the Owner/Operator of the line would avoid damage to high-priority lines and the creation of hazards to the surrounding area.	The design-build contractor shall include this RR in the Contractor Specifications (which shall be subject to County approval). The design-build contractor shall comply with these regulations during construction activities near or across underground utility lines.	County review of the Contractor Specifications during the plan check process. Site inspections by the County Project Manager during construction.	

TABLE 2
PHASE 2 MITIGATION MONITORING AND REPORTING

Regulatory Requirement/Mitigation Measure	Implementing Action	Monitoring Action /Monitoring Party	Sign Off (Signature and Date)
RR 4.8-3 In the event that abandoned oil wells are uncovered during construction, the Project Engineer shall consult with the California Department of Oil, Gas and Geothermal Resources (DOGGR) to ensure that these wells were properly abandoned; otherwise, these wells shall be plugged and abandoned in accordance with Chapter 4 of Title 14, Division 2 of the California Code of Regulations. The requirements include filing a notice with the DOGGR; proper use of cement plugs; building/structure setbacks; and provision of vent combs.	The design-build contractor shall include this RR in the Contractor Specifications (which shall be subject to County approval). The contractor shall comply with pertinent DOGGR regulations during construction activities on or near abandoned wells.	County review of the Contractor Specifications during the plan check process. Site inspections by the County Project Manager during construction.	
RR 4.8-4 As stated in Chapter 326 in Title 32 of the Los Angeles County Code, the contractor shall obtain a permit from the County for all construction and maintenance activities in hazardous fire areas. The contractor shall then comply with the provisions of the permit, including the availability of fire protection equipment; an adequate water supply; creation of fire breaks; installation of warning signs; brush removal; adequate emergency access; fencing; and the use of equipment and machinery with spark arresters.	The design-build contractor shall include this RR in the Contractor Specifications (which shall be subject to County approval). The contractor shall comply with this regulation during construction and maintenance activities on Segment C.	County review of the Contractor Specifications during the plan check process. Plan check by the County. Site inspections by the County Project Manager during construction.	
RR 4.8-5 As stated in Division 25 of Article 7 of Chapter 5 of the Los Angeles City Municipal Code, signs shall be posted along Segment C, which outline prohibitions on open burning, smoking, flaming or glowing objects, and open flames.	The design-build contractor shall include this RR in the Engineering Plans and in the Contractor Specifications (which shall be subject to County approval). The contractor shall include the required signs in the project plans; shall install the required signs; and shall comply with these regulations during construction and maintenance activities on Segment C.	County review of the Contractor Specifications during the plan check process. Plan check by the County. Site inspections by the County Project Manager during construction.	
MM 4.8-1 All construction crew shall wear Flame Resistant Clothing ("FRC") with a Hazard/Risk Category ("HRC") rating of 1, steel toe boots, hard hats, and safety glasses during construction activities at the site, as may be required by FM O&G.	The design-build contractor shall include this MM in the Contractor Specifications (which shall be subject to County approval during the plan check process). The contractor shall comply with this mitigation during construction activities on Phase 2 of Segment C.	County review of the Contractor Specifications during the plan check process. Site inspections by the County Project Manager during construction.	

TABLE 2
PHASE 2 MITIGATION MONITORING AND REPORTING

Regulatory Requirement/Mitigation Measure	Implementing Action	Monitoring Action /Monitoring Party	Sign Off (Signature and Date)
MM 4.8-2 The Contractor shall prepare and implement a Health and Safety Plan that includes protocols for environmental and personnel monitoring, requirements for personal protective equipment, other appropriate health and safety protocols, and procedures for the handling and disposal of arsenic and petroleum hydrocarbon containing-soils, based on the findings of the Limited Soil Sampling Report by Geocon (dated October 13, 2015).	The design-build contractor shall include this MM in the Contractor Specifications (which shall be subject to County approval during the plan check process). The contractor shall comply with this mitigation during construction activities on Segment C.	County review of the Contractor Specifications during the plan check process. County review and approval of Health and Safety Plan during the plan check process. Site inspections by the County Project Manager during construction.	
MM 4.8-3 If stained, discolored and/or odorous soils are encountered during grading or excavation activities, work in the immediate area shall cease and the design-build contractor shall have a sample of the soils analyzed for the presence of contamination. If the results of the testing show that chemical levels are present below regulatory levels, grading and excavation activities may proceed accordingly. Otherwise, remediation and/or removal of the contaminated soils shall be completed prior to continued ground disturbance if chemical levels are above regulatory standards. Remediation and/or disposal shall be conducted with the oversight of applicable regulatory agencies such as the Los Angeles County Fire Department [operating as the CUPA], the South Coast Air Quality Management District (SCAQMD), the California Department of Toxic Substances Control (DTSC), and/or the U.S. Environmental Protection Agency and in compliance with established maximum contaminant levels (MCLs).	The design-build contractor shall include this MM in the Contractor Specifications (which shall be subject to County approval during the plan check process). The contractor shall comply with this mitigation during construction activities.	County review of the Contractor Specifications during the plan check process. Site inspections by the County Project Manager during construction.	
MM 4.8-4 The design-build contractor shall consult and be required to seek approval from authorities having jurisdiction, including the California Department of Toxic Substances Control (DTSC), the Los Angeles Regional Water Quality Control Board (LARWQCB) and/or the County Fire Department's Health Hazardous Materials Division (HHMD) Site Mitigation Unit (SMU), as appropriate. As part of the approval/permit process, the design-	The design-build contractor shall include this MM in the Contractor Specifications (which shall be subject to County approval during the plan check process). The contractor shall comply with this mitigation prior to and during construction activities.	County review of agency correspondence and permits during the plan check process.	

TABLE 2
PHASE 2 MITIGATION MONITORING AND REPORTING

Regulatory Requirement/Mitigation Measure	Implementing Action	Monitoring Action /Monitoring Party	Sign Off (Signature and Date)
build contractor shall comply with the conditions of approval or permit requirements of these agencies.			
Hydrology and Water Quality			
<p>RR 4.9-1 Project construction shall comply with the National Pollutant Discharge Elimination System (NPDES) General Permit for Storm Water Discharges Associated with Construction and Land Disturbance Activities (Order No 2009-009-DWQ, NPDES No. CAS000002, or the latest approved general permit). This General Permit requires construction activities (including demolition, clearing, grading, excavation, and other land-disturbing activities) that result in the disturbance of one acre or more of total land area to file and submit a Notice of Intent (NOI); Risk Assessment; Site Map; Storm Water Pollution Prevention Plan (SWPPP); annual fee; and a signed certification statement to the State Water Resources Control Board prior to construction. In order to obtain coverage under the Construction General Permit, a project-specific SWPPP shall be prepared, which shall contain Best Management Practices (BMPs) that would be implemented to reduce or eliminate construction-related pollutants in the runoff.</p> <p>As part of the SWPPP preparation and implementation, the design-build contractor shall also comply with the County of Los Angeles' Construction Site Best Management Practices Manual that contains the County's requirements for BMPs to include in the SWPPP and the implementation of BMPs during construction.</p>	The design-build contractor shall include this RR in the Contractor Specifications (which shall be subject to County approval during the plan check process). The contractor shall comply with these State and County regulations, including the filing of the NOI and preparation of the SWPPP prior to construction activities and the implementation of BMPs and other items in the SWPPP during construction activities for the proposed project.	<p>County review of the Contractor Specifications during the plan check process</p> <p>County review of SWPPP during plan check.</p> <p>Site inspections by the County Project Manager during construction.</p>	
<p>RR 4.9-2 In accordance with the storm water regulations of the Cities of Los Angeles and Culver City and the County of Los Angeles, project construction and maintenance shall not involve the discharge of polluting substances (e.g., liquids, solids, gases or other pollutants) that may pose a hazard to humans, animals, plants, and fish into the storm drain system or receiving waters. Also, refuse, rubbish, tin cans, or other matter that may impede, retard, or</p>	The design-build contractor shall include this RR in the Contractor Specifications (which shall be subject to County approval during the plan check process). The contractor shall comply with this regulation during construction and the County shall comply with this RR during maintenance activities on Segment C.	<p>County review of the Contractor Specifications during the plan check process.</p> <p>Site inspections by the County Project Manager during construction.</p>	

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PHASE 2 MITIGATION MONITORING AND REPORTING

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change the normal direction of the flow of the flood, storm, and other waters or that may be carried downstream by such waters, causing damage and detriment to downstream properties, shall not be placed in or near drainages. Runoff management requirements include good housekeeping practices and BMPs that are consistent with environmental goals.			
Noise			
RR 4.12-1 Project construction shall comply with the most restrictive time limits and other applicable noise regulations of the City of Los Angeles, City of Culver City, and County of Los Angeles municipal codes. Construction using any equipment that makes loud noises that would disturb persons in nearby residences (including the operation, repair, or servicing of construction equipment and the jobsite delivering of construction materials) shall be limited to the hours of 8:00 AM to 7:00 PM, Monday through Friday, and from 9:00 AM to 6:00 PM on Saturday. No construction shall be allowed on Sundays or holidays without a permit.	The design-build contractor shall include this RR in the Contractor Specifications (which shall be approved by the County during the plan check process), and the contractor shall implement this RR during construction activities.	County review of the Contractor Specifications during the plan check process. Site inspections by the County Project Manager during construction.	
MM 4.12-1 As part of construction activities, the contractor shall implement the following: d. All construction vehicles or equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers. Mufflers shall be equivalent to or of greater noise reducing performance than the manufacturer's standard. e. Stationary equipment, such as generators and air compressors, shall be located as far from residences and parks as feasible. Where stationary equipment must be located within 250 feet of a residence, the equipment shall be equipped with appropriate noise-reduction features (e.g., silencers, shrouds, or other devices) to limit the equipment noise at the sensitive receptor to an average	The design-build contractor shall include this MM in the Contractor Specifications (which shall be approved by the County during the plan check process), and the contractor shall implement this MM during construction activities.	County review of the Contractor Specifications during the plan check process. Site inspections by the County Project Manager during construction.	

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<p>noise level (L_{eq}) of 65 A-weighted decibels (dBA).</p> <p>f. Equipment maintenance, vehicle parking, and material staging areas shall be located as far away from local residences, as feasible.</p>			
<p>MM 4.12-2 If nighttime or Sunday work for pedestrian bridge construction is necessary to avoid lane closures on La Cienega Boulevard during the daytime hours from Monday to Saturday, the design-build contractor shall obtain a permit for nighttime or Sunday construction work from the County Engineer per Section 12.12.050 of the Los Angeles County Code. The design-build contractor shall also request permissions from the Cities of Culver City and Los Angeles for any nighttime and Sunday work. In addition, the noisiest activities (as associated with the construction of bridge foundations and ramps) shall be scheduled, to the extent feasible, between 8:00 AM and 7:00 PM, Monday through Friday and from 8:00 AM to 6:00 PM on Saturdays. Otherwise, noise barriers, equipment enclosures, hospital-grade mufflers and/or other noise reduction measures shall be provided between the noise source and the adjacent residences to ensure that noise from construction activities do not exceed the County's standards for noise levels at residential areas, as generated by mobile and stationary equipment during the hours of 7:00 PM to 8:00 AM on weekdays; from 6:00 PM to 8:00 AM on Saturdays; and all day on Sunday and legal holidays.</p>	<p>The design-build contractor shall include this MM in the Contractor Specifications (which shall be approved by the County during the plan check process), and the contractor shall implement this MM during construction activities.</p>	<p>County review of the Contractor Specifications during the plan check process.</p> <p>Review of the permit from the County Engineer by the County Project Manager prior to the start of nighttime or Sunday construction work.</p> <p>Site inspections by the County Project Manager during construction.</p>	
<p>MM 4.12-3 If caissons or piles are required for the pedestrian bridge foundations, prior to the granting of a building permit, the design-build contractor shall provide a vibration analysis prepared by a registered professional engineer. The vibration analysis shall demonstrate that construction methods to be used would not cause structural damage or substantial annoyance at nearby residences. Criteria for determining</p>	<p>The design-build contractor shall submit the vibration analysis to the County for review and approval during the plan check process, and the contractor shall implement the recommendations in the vibration analysis during construction activities.</p>	<p>County review and approval of vibration analysis during the plan check process.</p> <p>Site inspections by the County Project Manager during construction.</p>	

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Regulatory Requirement/Mitigation Measure	Implementing Action	Monitoring Action /Monitoring Party	Sign Off (Signature and Date)
impact shall be based on the California Department of Transportation's Transportation and Construction Vibration Guidance Manual, the Federal Transit Administration's Transit Noise and Vibration Impact Assessment or similar accepted authority for vibration impacts. In conditions of conflict, the most stringent regulation shall govern.			
MM 4.12-4 The design-build contractor shall inform and coordinate construction timing with FM O&G to avoid construction of Segment C during any time that drilling operations are ongoing near the proposed trail. If simultaneous construction and drilling activities would occur, arrangements shall be agreed upon so that the cumulative noise levels do not exceed applicable noise regulations and adversely affect adjacent residents.	The design-build contractor shall include this MM in the Contractor Specifications (which shall be subject to the approval of the County), and the contractor shall comply with this regulation during construction activities.	County review of the Contractor Specifications during the plan check process. Site inspections by the County Project Manager during construction.	
MM 4.12-5 The design-build contractor shall inform FM O&G in advance of planned caisson or pile driving activities so that FM O&G's ground movement monitoring program can account for any additional ground movement noted during the times when the caissons or piles for the pedestrian bridge are being driven.	The design-build contractor shall include this MM in the Contractor Specifications (which shall be subject to the approval of the County), and the contractor shall comply with this regulation during construction activities.	County review of the Contractor Specifications during the plan check process. Site inspections by the County Project Manager during construction.	
Public Services			
RR 4.14-1 Trail users shall comply with Title 17, Parks, Beaches and Other Public Areas, of the Los Angeles County Code, which outlines the activity restrictions and regulations at parks and public areas. These regulations include hours of operation; prohibited activities; use and access restrictions; and fines and penalties. Signs shall be provided along the trail to inform the public of allowable uses and activity restrictions.	The design-build contractor shall post signs along the trail to inform the public of allowable uses and activity restrictions, with the signs shown on project plans that would be subject to review and approval by the County. The County Sheriff's Department shall be responsible for monitoring and enforcing these regulations on Segment C.	County review and approval of sign details during the plan check process. Site inspections by the County Project Manager during construction.	

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Transportation/Traffic			
RR 4.16-1 In accordance with the Cities of Los Angeles and Culver City and the County of Los Angeles' general construction requirements, temporary traffic control measures shall be implemented in accordance with the Standard Specifications for Public Works Construction (Greenbook) and the County's Additions and Amendments to the Standard Specifications for Public Works Construction (Graybook), which contain standards for maintenance of access, traffic control, and notification of emergency personnel.	The design-build contractor shall include this RR in the Contractor Specifications (which shall be subject to County approval during the plan check process). During construction activities, the contractor shall provide temporary traffic control measures in accordance with the Greenbook and Graybook.	County review of the Contractor Specifications during the plan check process. County review and approval of the traffic control plan during plan check. Site inspections by the County Project Manager during construction.	
RR 4.16-2 Trail improvements shall include the provision of traffic control devices in compliance with the California Manual for Uniform Traffic Control Devices (MUTCD) to ensure traffic safety on streets and highways. The MUTCD includes standards for temporary and permanent signs, markings, and traffic control devices needed to promote pedestrian and vehicle safety and traffic efficiency.	The design-build contractor shall include this RR in the Engineering Plans and in the Contractor Specifications (which shall be subject to County approval during the plan check process). The contractor shall design and construct temporary and permanent signs in accordance with the MUTCD.	County review of the Contractor Specifications during the plan check process. County review and approval of traffic control plan during plan check. Site inspections by the County Project Manager during construction.	
RR 4.16-3 In order to avoid the creation of traffic hazards to vehicles on La Cienega Boulevard, the proposed pedestrian bridge shall have a vertical clearance of at least 17 feet, in accordance with Federal Highway Administration (FHWA) guidelines.	The design-build contractor shall include this RR in the Engineering Plans and in the Contractor Specifications (which shall be subject to County approval during the plan check process) and shall design and build the pedestrian bridge in compliance with this guideline.	County review of the Contractor Specifications during the plan check process. Plan check by the County. Site inspections by the County Project Manager during construction.	
MM 4.16-1 Any temporary and/or partial closure of travel lanes on La Cienega Boulevard shall be scheduled during the nighttime hours from 9 PM to 6 AM of the following day or on Saturdays or Sundays.	The design-build contractor shall include this MM in the Contractor Specifications (which shall be subject to County approval during the plan check process), and the contractor shall comply with this regulation during construction activities for Segment C.	County review of the Contractor Specifications during the plan check process. Site inspections by the County Project Manager during construction.	

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Utilities and Service Systems			
<p>RR 4.17-1 As stated in Title 31, Green Building Standards Code, of the Los Angeles County Code, at least 65 percent of all construction and demolition debris, soil, rock, and gravel removed from a project site shall be recycled or salvaged. In accordance with Chapter 20.87, Construction and Demolition Debris Recycling and Reuse, of the Los Angeles County Code, a Recycling and Reuse Plan (RRP) must be submitted to the County of Los Angeles Department of Public Works, Environmental Programs Division, after an application for a grading or building permit has been filed. The RRP must contain a project description and the estimated total weight of the project's construction and demolition (C&D) debris, with separate estimates for (1) soil, rock, and gravel; (2) other inert materials; and (3) all other project C&D debris.</p>	<p>The design-build contractor shall include this RR in the Contractor Specifications (which shall be subject to County approval during the plan check process), and the contractor shall comply with this regulation during construction activities.</p>	<p>County review of the Contractor Specifications during the plan check process.</p> <p>County review and approval of the Recycling and Reuse Plan during plan check.</p> <p>Site inspections by the County Project Manager during construction.</p>	