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OF ORIGINAL FILED
Los Angeles Superior Court

DEC 01 2003

7 Attorney for Petitioner
8 Citizen's Coalition for a Safe Community

John A. Clarke, Executive Officer/Clerk
M Garcia
BY MARY ARCIA, Deputy

9 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
10 **COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

BY FAX

11 CITIZEN'S COALITION FOR A SAFE
12 COMMUNITY, a California public benefit
13 corporation

Case No.

BS 118056

14 Petitioner,

PETITION FOR WRIT OF MANDAMUS

15 v.

[California Environmental Quality Act
Public Resources Code §§ 21168, 21168.5;
Code of Civil Procedure §§ 1085, 1094.5]

16 COUNTY OF LOS ANGELES, a public entity
17 of the State of California; BOARD OF
18 SUPERVISORS OF THE COUNTY OF LOS
19 ANGELES, the governing board of the
20 COUNTY OF LOS ANGELES; and DOES 1
through 10, inclusive

21 Respondents.

22 PLAINS EXPLORATION AND
23 PRODUCTION COMPANY, a business entity
24 form unknown; and DOES 11 through 20,
25 inclusive.

26 Real Parties-in-Interest

INTRODUCTION

27 1. This case concerns the COUNTY OF LOS ANGELES' (County) attempt to circumvent
28 important environmental review for the development in an oil field near the Baldwin Hills, in Los

PETITION FOR WRIT OF MANDAMUS

Dept. 1

1 Angeles, California, by analyzing the creation of a Community Standards District under CEQA, instead
2 of the impacts of the actual oil field development. The County's process and EIR avoids important
3 environmental analysis and if upheld, will permit the development of over 1,000 oil wells without
4 further substantive environmental review under CEQA.

5 2. The project described in the EIR is the establishment of a "Community Standards
6 District" for a portion of the Inglewood Oil Field located in the Baldwin Hills Zoned District, located in
7 an unincorporated area of the County of Los Angeles. Such Project, Los Angeles County Ordinance
8 2008-0057, commonly called the "Baldwin Hills Community Standards District" (Project) was analyzed
9 with an EIR (SCH No. 2007061133), which was certified by the BOARD OF SUPERVISORS OF THE
10 COUNTY OF LOS ANGELES on October 21, 2008. After certain changes were made, the BOARD
11 OF SUPERVISORS approved the Community Standards District on October 28, 2008. Petitioner
12 alleges, among other things, that the Project's description is inaccurate, misleading and legally
13 inadequate.

14 15 **JURISDICTION AND VENUE**

16 3. Petitioner brings this matter to the court under both Code of Civil Procedure §§ 1085 and
17 1094.5 and both Public Resources Code §§ 21168 and 21168.5. The COUNTY described the project as
18 a quasi-legislative action of enacting a "Community Standards District", but petitioner disputes this
19 characterization, and alleges that the true project is the development of the Inglewood Oil Fields by real
20 party-in-interest PLAINS EXPLORATION AND PRODUCTION COMPANY, and, as such, it is a
21 quasi-judicial action. Respondents abused their discretion regardless of whether the court views the
22 action as a traditional mandamus or administrative mandamus action.

23 4. Venue is proper in the County of Los Angeles, in that the challenged action occurred in
24 the County of Los Angeles, respondents operate and reside in the County of Los Angeles, and project at
25 issue is located in the County of Los Angeles. Venue is proper in that Los Angeles Superior Court
26 Rules, Rule 9.24 requires all cases brought under CEQA to be filed in the Central District of the Los
27 Angeles Superior Court.

PARTIES

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2 5. Petitioners, CITIZEN'S COALITION FOR A SAFE COMMUNITY (CCSC) is a newly
3 incorporated public benefit non-profit corporation that is in the process of seeking Federal and State
4 recognition of its non-profit, tax-exempt status. Once CCSC receives Federal and State tax-exempt
5 status, CCSC will amend this complaint, if necessary, to recognize this change in status.

6 6. The interest that CCSC seeks to protect is germane to its fundamental purpose. CCSC is
7 made up of individuals and community groups that are concerned about the development of the
8 Inglewood Oil Field. CCSC's purpose is to protect the health and welfare of the communities and
9 citizens surrounding the Inglewood Oil Field; encourage resident participation in the local development
10 decision-making process, and, represent its members' interests in these proceeding and future local
11 proceedings that affect the communities which surround the Inglewood Oil Fields. CCSC and its many
12 supporters/members submitted written and oral comments critical of the Project, and the EIR for the
13 Project. CCSC files this litigation on behalf of its board members, supporters and member organizations
14 and individuals, because the costs and risks of litigation is too high for any one individual to bear, and
15 the interests that this litigation seeks to protect benefits to community at large, as opposed to benefiting
16 any one individual.

17 7. The chair of the board of CCSC is Gary Gless. Gary Gless is a local resident who has
18 participated in public meetings on the Baldwin Hills Community Standards District, submitted written
19 and oral comments objecting to the Project and has fully exhausted his administrative remedies with
20 regard to the Project. Gary Gless has standing to challenge this Project in court, but chooses to join
21 forces with other like-minded individuals and organizations under CCSC because the costs of litigation
22 is too high for him to bear, and success would not provide a substantial personal benefit to him.

23 8. Paul Ferrazzi is on the board of CCSC. Paul Ferrazzi is a local resident who has
24 participated in public meetings on the Baldwin Hills Community Standards District, submitted written
25 and oral comments objecting to the Project and has fully exhausted his administrative remedies with
26 regard to the Project. Paul Ferrazzi has standing to challenge this Project in court, but chooses to join
27 forces with other like-minded individuals and organizations under CCSC because the costs of litigation
28 is too high for him to bear, and success would not provide a substantial personal benefit to him.

1 9. Respondent COUNTY OF LOS ANGELES is the public agency with jurisdiction over
2 the land where the Project is located. COUNTY OF LOS ANGELES is identified as the lead agency
3 under CEQA, and has an explicit duty to comply with all the procedural and substantive requirements of
4 CEQA.

5 10. Respondent BOARD OF SUPERVISORS of the COUNTY OF LOS ANGELES is the
6 decisionmaking body of the County of Los Angeles. BOARD OF SUPERVISORS has a duty to deny
7 the Project and refuse to certify the EIR unless it finds that the Project fully complies with procedural
8 and substantive requirements of CEQA. The BOARD OF SUPERVISORS was named as a separate
9 respondent because the BOARD OF SUPERVISORS has the power to approve or deny the Project, and
10 has the power to rescind approval of the Project. Any writ issued will order the Board of Supervisors to
11 rescind its certification of the EIR, and rescind all approvals of the Project.

12 11. PLAINS EXPLORATION AND PRODUCTION COMPANY (PXP) is a business entity,
13 form unknown. It is alleged, on information and belief, that PXP is a foreign company, formed outside
14 of the State of California, with permission to operate within the State of California. It is further alleged,
15 on information and belief, that its local offices are located at 5640 South Fairfax Avenue, Los Angeles,
16 CA 90056. PXP is being named as real party-in-interest, pursuant to Public Resources Code section
17 21167.6.5, in that PXP was the applicant for the Community Standards District. Petitioner alleges on
18 information and belief that PXP owns 100% working interest in all of the oil leases and wells at what is
19 commonly known at the Inglewood Oil Field.

20 12. The true names and capacities of DOES 1 through 10, inclusive, are unknown to
21 Petitioners. Petitioners are informed and believe and thereon allege that each of said Doe parties 1
22 through 10 has jurisdiction by law over one or more aspects of the Project and its approval and that each
23 of said Doe parties 11 through 20 claims an ownership interest in the Project and/or the property that is
24 the subject of this action, or an interest in the actions of the Respondent challenged herein. Petitioners
25 will amend this complaint to set forth the true names and capacities of said Doe respondents and/or real
26 parties-in-interest as soon as the same have been ascertained.

1 **PRELIMINARY ALLEGATIONS**

2 13. Petitioner incorporates all previous paragraphs as if fully set forth.

3 14. Petitioner's members participated in the administrative review process for the approval
4 challenged herein, and submitted detailed written and oral comments setting forth the concerns raised in
5 this action. The issues presented in this action were brought to the attention of COUNTY and real
6 parties-in-interest during the administrative review process by Petitioner's members, members of the
7 public, or both.

8 15. Petitioner's members have exhausted administrative remedies in compliance with Public
9 Resources Code section 21177.

10 16. The notice of determination for the Project was filed with the County Recorder on
11 October 29, 2008. Petitioner commenced this action within 30 days of the filing of the notice of
12 determination in compliance with Public Resources Code section 21167(b), taking into account that the
13 30th day fell on court holidays. (Code Civ. Proc. §§ 12-13.)

14 17. Petitioner has performed all conditions precedent to filing this action in compliance with
15 the requirements of Public Resources Code section 21167.5 by providing respondents with notice of this
16 action prior to filing the lawsuit, and by filing a proof of service with the court at the time of filing this
17 action.

18 18. Within 10 days of filing this Petition, Petitioners will request that respondent CITY
19 prepare a true and correct copy of the record of proceedings for the challenged project. Petitioners
20 reserve the right to request to prepare the record themselves.

21 19. Within 10 days of filing this Petition, Petitioners, will provide the California Attorney
22 General with notice of this action and request that the Attorney General intervene in the action because
23 of the importance of this case to the citizens of the County of Los Angeles and the State of California.

24 20. Petitioner is entitled to attorney's fees pursuant to Code of Civil Procedure section 1021.5
25 in that:

26 a. The successful disposition of this lawsuit will result in the enforcement of
27 important rights affecting the public interest and will confer significant benefits upon the public
28 or large class of persons. Petitioner seeks to enforce provisions of important state and local

1 environmental laws for the benefit of the public, and to rectify certain procedural improprieties
2 which will benefit all future participants in the decision making process employed by the
3 respondents;

4 b. The necessity and financial burden of private enforcement are such as to make the
5 award appropriate; and,

6 c. Such fees will not be paid out of any recovery.

7 21. The actions of respondents herein complained of were arbitrary and capricious and
8 petitioner is entitled to recover attorney's fees pursuant to Government Code § 800.

9
10 **FIRST CAUSE OF ACTION**
11 **VIOLATION OF CEQA**
12 **(CCSC V. ALL RESPONDENTS)**

13 22. Petitioner incorporates all previous paragraphs as if fully set forth herein.

14 23. The Inglewood Oil Field is located in an urbanized area, surrounded by the City of Los
15 Angeles, Culver City and the County of Los Angeles. Various neighborhoods border the oil field,
16 including the neighborhoods of Culver Crest, Windsor Hills, Blair Hills, Baldwin Hills and Ladera
17 Heights. There have been a number of complaints about the current oil field operations, including
18 complaints about noxious fumes coming from the Oil Field.

19 24. On or about August 31, 2004, a substantial blowout occurred at the Oil Field causing a
20 fire and serious injury. PXP was fined by California Division of Oil and Gas and Geothermal Resources
21 for failing to report such accident.

22 25. On or about January 11, 2006, PXP experienced a substantial blowout which resulted in
23 more than 60 complaints about noxious fumes. On or about February 6, 2006, another incident occurred
24 releasing additional noxious gases resulting in additional complaints. It is alleged, on information and
25 belief, PXP has a pattern and practice of failing to report blowouts, spills, leaks, and other accidents at
26 its Inglewood Oil Field.

27 26. PXP wishes to substantially increase oil field operations including drilling and pumping
28 activities utilizing new and enhanced secondary drilling techniques at the Inglewood Oil Field.

1 27. The project is described in the EIR as the formation of a supplemental zoning district
2 establishing additional development standards to address the unique compatibility concerns associated
3 with the Inglewood Oil Field and the surrounding communities. The project description explicitly
4 excludes future oil field development, claiming that future development of the oil field is speculative.
5 The project description also fails to adequately describe current oil field operations.

6 28. The CSD contemplates the issuance of 53 new drilling permits per year through a
7 ministerial process. Over a 1,000 new wells could be developed without further environmental review.
8 In addition, the CSD will allow numerous pumps, tanks, motors, platforms, oil pipelines, a steam plant
9 and other infrastructure and development to be approved without further environmental review and in
10 many cases the approval of such development may occur under solely a ministerial permit. The EIR
11 fails to adequately describe these reasonably foreseeable future projects.

12 29. Petitioner alleges that the COUNTY's EIR is legal inadequate and deficient because the
13 EIR analyzed the CSD instead of the actual Inglewood Oil Field Development project, failed to
14 accurately describe the project, improperly segmented the project; failed to analyze the impacts of the
15 true project or reasonably foreseeable future projects, failed to properly mitigate the impacts of the
16 project and failed to analyze an adequate range of alternatives for the actual project.

17 30. The COUNTY held a number of public meetings on the CSD and EIR. The COUNTY
18 failed to document and respond to a number of the comments made by the public concerning the CSD
19 and EIR. The response to comments that the COUNTY did prepare were inadequate, illogical,
20 perfunctory and failed to be supported by the evidence.

21 31. The COUNTY failed to adequately consult with Native American Organizations
22 concerning their cultural resources and rights which may be affected by the project.

23 32. The COUNTY failed to recirculate the Draft EIR despite substantial changes to the EIR,
24 newly identified impacts and newly described mitigation measures.

25 33. The EIR, as a whole, failed to adequately inform the public and the BOARD OF
26 SUPERVISORS about the project and the impacts of the project.

27 34. Respondents abused their discretion in that they failed to proceed as required by law,
28 failed to make findings required by law, and such findings failed to be supported by substantial evidence.

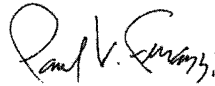
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2 **VERIFICATION**

3 I, Paul Ferrazzi, declare:

4 I am an officer and board member of the CITIZEN'S COALITION FOR A SAFE
5 COMMUNITY, a California non-profit corporation newly organized and existing under the laws of
6 California. Such entity is in the process of seeking federal and California tax exempt non-profit status. I
7 have been authorized to make this verification on behalf of such entity.

8 I have read the foregoing Petition for Writ of Mandamus and know the contents thereof. I
9 declare the allegations contained therein are true to my knowledge, except as to those matters which are
10 alleged on information and belief, and as to those matters I believe them to be true.

11 I declare under penalty of perjury, under the laws of the State of California, that the foregoing is
12 true and correct and that this verification was signed on this 30th day of November, 2008 in Culver City,
13 California.

14 

Digitally signed by Paul Ferrazzi
DN: cn=Paul Ferrazzi, o, ou,
email=razzip1@ca.rr.com, c=US
Date: 2008.11.30 14:53:07 -08'00'

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