2025 CALIFORNIA LAND RECYCLING CONFERENCE *TRANSFORMING LAND, EMPOWERING COMMUNITIES*

The Climate is Changing: Oil Production Site Redevelopment for Community-Serving Investment

- Markus Niebanck
 Amicus Strategic Environmental Consulting
- Bz Zhang
 Los Angeles Neighborhood Land Trust
- Jake Storms, Esq.
 Cox Castle & Nicholson LLP
- Perry Hughes, Esq.
 Cox Castle & Nicholson LLP











Panel and Takeaways

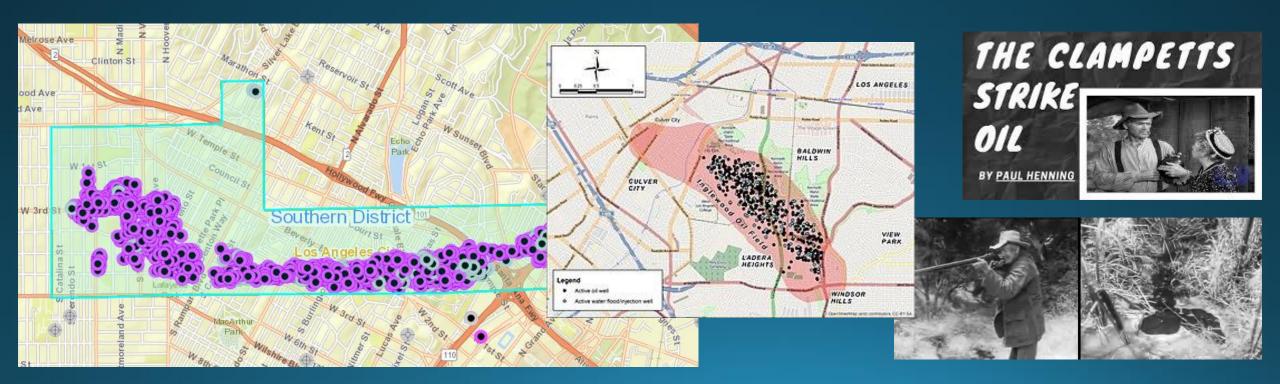
Presenters will walk us through:

- High-level understanding of increasing development pressure on current/historic oil production property.
- An oil production to housing/community amenity project headed by LANLT (Bz).
- High-level fundamentals anyone contemplating a project like this should be familiar with. Reducing the "unknown unknowns" (Jake).
- What happens when things don't go the way folks had hoped (Perry).



Inglewood (Baldwin Hills), LA Oil Fields

- Los Angeles City Oil Field biggest CA producer at the turn of the 20th century.
- Baldwin Hills still America's largest urban oil field.
- The LA urban landscape "grew up around" oil.



Long Beach, 1948





Angelenos adapted, until they didn't

- Perhaps your well was disguised. Many were not.
- Climate, activism, justice, redevelopment pressure oil is migrating out of the LA Basin.











https://www.citizenoftheplanet.com/vista-hermosa

Oil departs, redevelopment begins

- West Jefferson and smaller oil production property redevelopment is happening now and Baldwin Hills will happen as well. Someday.
- Developer and community partner process-understanding is the foundation for safe and sustainable redevelopment projects.



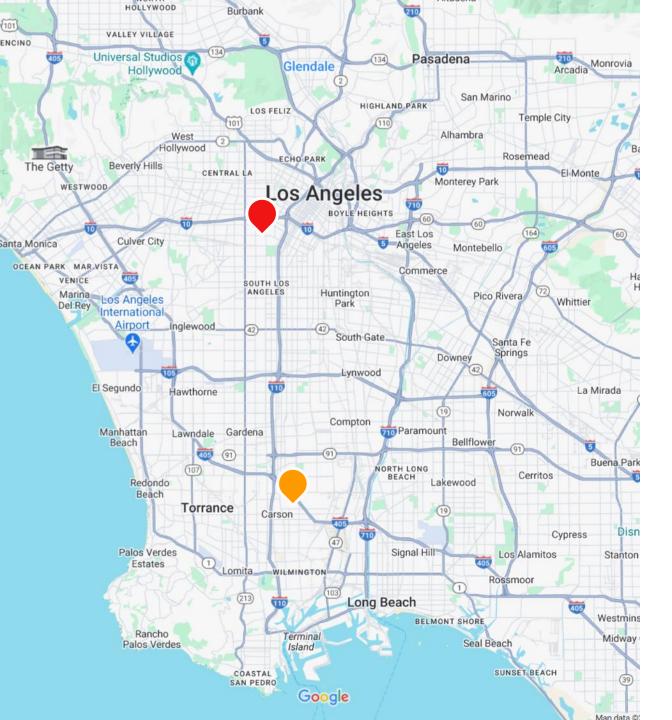


Los Angeles Neighborhood Land Trust

Health & justice through parks & gardens

- Founded in 2002
- 30 Parks & Gardens / 22 acres
- Serving 500,000 in LA County

Bz Zhang, AIA, NOMA / bzhang@lanlt.org



Jefferson Park & Affordable Housing Project

Los Angeles, California

- 1.86-acre former oil drilling site
- 2018: shut down by community partner,
 RCP, & communities
- 2023: acquired by LANLT





Jefferson Park & Affordable Housing

COMMUNITY PARTNERS:

- Redeemer Community Partnership (RCP)
- Stand Together Against Neighborhood
 Drilling Los Angeles (STAND-LA) coalition
- Neighborhood Housing Services of LA County (NHS)*

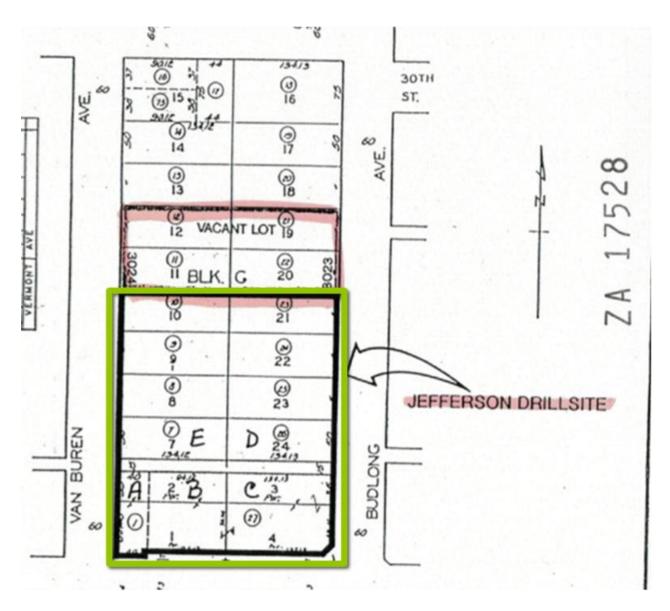
PUBLIC PARTNERS:

- Asm. Reggie Jones Sawyer (CA 57), \$10m,
 acquisition
- CA State Parks, \$5.8m, park development
- CA DTSC, ECRG, \$500k, remediation planning



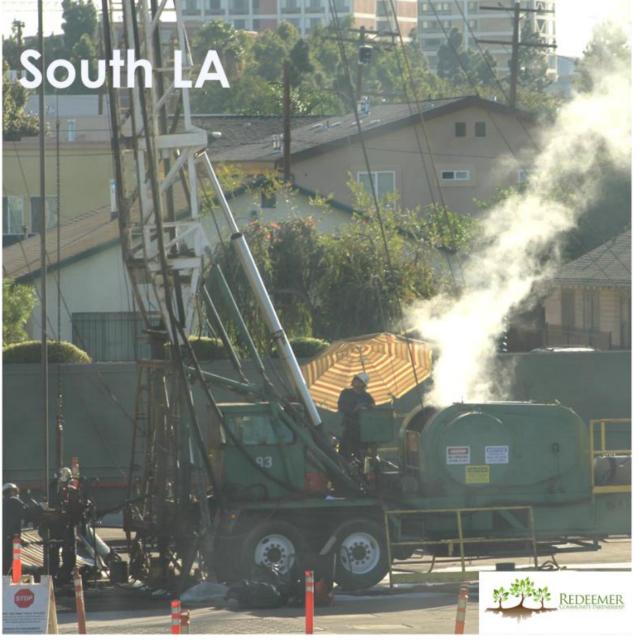
^{*}on deck, awaiting community input to refine scope



















DRILLING DE LA DELLA DE LA DELLA DE LA DELLA DEL

Thank you!

Bz Zhang, AIA, NOMA / bzhang@lanlt.org

Jefferson Park & Affordable Housing Project



The Climate is Changing –
Oil Production Site
Redevelopment for CommunityServing Investment





So You Think the Property Has An Oil Well? What to do?

- Don't Panic!
- Information is key.
- Don't assume -- either way!
- The Faster you start diligence the better.

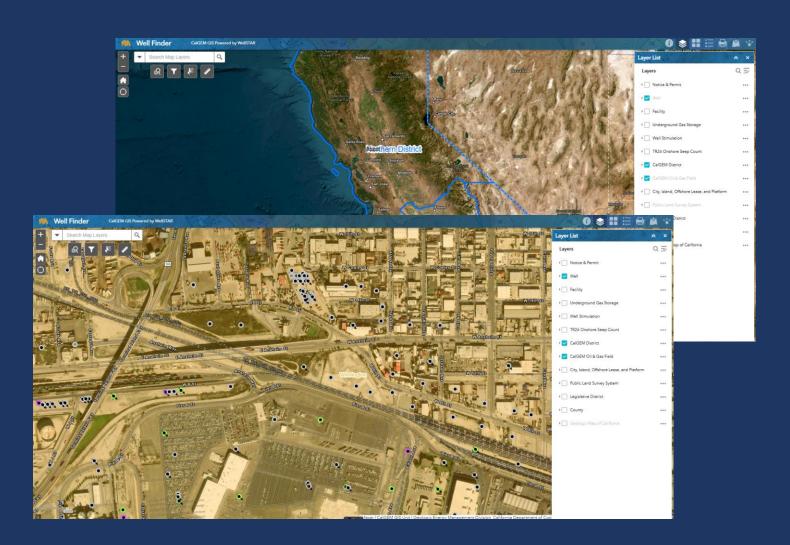
Pre-Closing

- Review Your Title Report!
 - Are there Severed Minerals?
 - Do the Severed Minerals have Surface Access Rights?
 - Will the Minerals be Severed?
 - Are there Oil and Gas Leases?
 - Extant/Expired?
 - Work with the Title Company.
 - ALTA 35 Endorsement Coverage.
 - If you have Plans, ALTA 35.3 "LUD".
 - Especially if You will have Financing.



Pre-Closing

- Is there Evidence of Oil Wells?
 - CalGEM's Well Finder Site.
 - Find The Property.
 - Click on the Dots.
 - Gather the Well Info.
 - » Status (Idle, P&A)
 - » Operator of Record
 - Pull the Well Records.
 - Yellow is an Oil Field.
 - Well Locations are Notoriously Off.





Pre-Closing

- BMP: If There are Multiple Wells, look for Subsurface Pipelines.
- If You have Your Proposed Design:
 - Are any Buildings Located over Existing Wells?
 - Expect to Reabandon these Wells.
 - Are any Improvements Located in "Close Proximity" to Existing Wells?
 - 10x10x50 "Rule": "Ten (10) feet of separation on two sides of the well, fifty (50) feet of separation on the third side of the well, and the remaining side of the well open, with an unobstructed vertical clearance for well service and rig access."
 - Signal Hill Ordinance § 16.24.050
 - Long Beach Ordinance § 18.87.030
 - You may have to Reabandon these Wells.
- BMP: If the Seller is the Operator of Record, Negotiate Post-Closing Obligations Up Front and Record at Closing (i.e., a SURGE Agreement).



- Post-Closing(?)
 - CONVINCE THE PERMITTING AUTHORITY (CITY, COUNTY, LA COUNTY FIRE, ETC.) THE WELLS DO NOT NEED TO BE REABANDONED IN ORDER FOR YOUR DEVELOPMENT TO PROCEED.
 - **** \rightarrow How? \leftarrow ***
 - Are the Wells Safe in Their Current State? Are the Wells Leaking?
 - Can Access be Maintained?
 - Recruit a Petroleum Engineer or Enviro Consultant (Ramboll) to Assist.
 - Construction Site Well Review Program (CSWR) Through CalGEM.
 - **RECOMMENDATION ONLY!**
 - Letter is Pro Forma and Recently Revised.

Post-Closing(?)

- Are the Wells Safe?
 - Survey the Wells. Where Exactly are They?
 - GeoTech (GPR) and Likely Excavate the Wellhead.
 - » You Break It, You Own It.
 - Schedule Leak Testing (City/County and CalGEM)
 - If Leaking (Which is Rare), then CalGEM Likely to Contact OofR.
 - If Not Leaking, City/County and CalGEM Sign-Off.
- Can Access Be Maintained?
 - 10x10x50 "Rule".
 - Landscaping and Parking Lots Generally Don't Count Against Access.
 - Negative Easements on Property to Maintain Access.



Post-Closing(?)

- Not Leaking? Good.
- Access Maintained? Good.
- Well Safety Report Drafted by PE or Environmental Consultant.
- Submitted to the Permitting Authority.
- Likely Peer Reviewed.
- If Approved, You May not Have to Reabandon.
- Not Dispositive. Even if You Check All the Boxes, Permitting Authority Can Still Required you to Reabandon.
- Environmental Indemnity Will Be Required If Approved.
- Approval Does Not Alter CalGEM Jurisdiction.



Required to Reabandon or Undertake Surface Modifications?

- Must Become Operator of Record for the Wells.
- Conveyance of Wells from Current Operator of Record.
- Document Filing With CalGEM.
- Bonding.
- Orphaned Wells.
- Filing of Well Plan with CalGEM.
- 4-6 Months at Minimum.
- Average Cost is \$250,000/Well.
- Final CalGEM Sign-Off.





So The Property Has An Oil Well, What's The Worst That Can Happen?

- Cost to abandon the well
- Delay in construction and development
- Increased cost of construction and development
- Increased cost to finance the project
- Delayed opening of development, resulting in lost profit



Hotel Project in Marina del Rey



Due Diligence Failure

Three Separate Geophysical Surveys Consistently Identified Oil Well At Edge of **Property**

May 2008 Survey

"The instrument's response was unequivocal, resulting in very high confidence that here the well was positively located to within ±1 foot"

April 2017 Survey

"the gridded data in this report is now considered to be definitive"

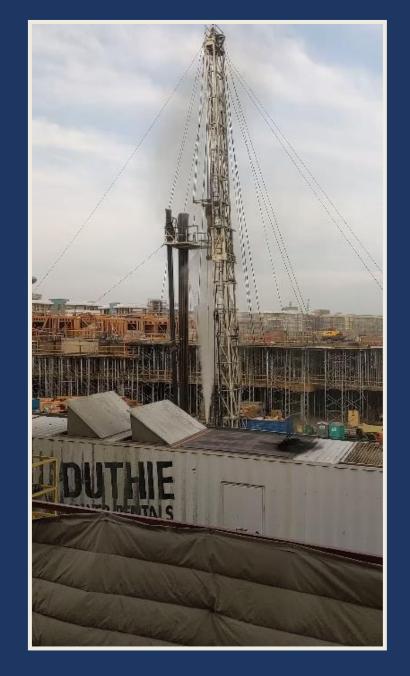


CALGEM00010305



Oil Well From Hell

- Top of well buried fifteen feet below surface due to construction of marina
- Petroleum-impacted soil found at level of well
- Surface casing was thin metal known as "stovepipe casing"
- Competent casing was twenty-five feet below top of well
- Casing throughout well was cut and misaligned
- Old metal chunks and piping left in the well
- Annulus space between casing and soil generally left open
- Hundreds of open perforations in production casing at depth
- High pressure gas still existed in formation



Litigation Against the Operators

- Developer brought claims against former operators, Marathon Oil and Dow Chemical
- Litigation was lengthy and costly
- Claims based in Nuisance and Trespass
- Nine months later, still awaiting outcome



Operator's Lease Required Dow To Do The Following:

"Carrying on all operations
... In a <u>careful and workmanlike manner</u>
and in accordance with the laws of the state..."

"On the expiration of the lease ... remove all structures and foreign matter and shall leave the premises in substantially the same condition as existed on the 5th day of February 1929"

3. That Lessee shall carry on all operations on the demised promises in a pareful and workmanlike manner and in accordance with the laws of the State of California and shall keep full records of its operations and of the production of gas, oil and other hydrocarbon substances from said property and sales thereof, and such records and the operations on the property shall at all reasonable times be open to the inspection of Lesson.

8. That on the expiration of this lease or if sconer terminated Leasee shall cuietly and peaceably surrender possession of the premises to Lessor and deliver to it a good and sufficient quitolaim deed and shall fill all sump holes, shall remove all structures and foreign matter and shall leave the premises in substantially the same condition as existed on the 5th day of February, 1929. That in case Lessoe desires to abandon any well and Lessor desires to retain the same, Lessor may notify Lessee to that effect, and thereupon Less' shall leave such casing in the well as Lessor may require, and Lessor shall pay Lessee fifty (50%) per cent of the original cost of such casing on the ground.



Summary of Alleged Damages Stemming from Yearlong Delay Caused by Well

 Cost of Well Reabandonment 	\$11.8 Million
--	----------------

- Cost to Dispose of Petroleum-Impacted Soil \$1.6 Million
- Increased Cost of Construction \$5.2 Million
- Increased Finance Expenses \$14.2 Million
- Lost Income from Delay \$10.7 Million

Total

\$43.5 Million



Lessons Learned

- Never enough due diligence
- Initiate Well Review with CalGEM ASAP Very likely to require reabandonment
- Initiate reabandonment effort ASAP
- When time allows, consider engaging prior operator of well
- Very few tools available for landowners to pursue prior operators
 - Need statutory liability for prior operators similar to CERCLA
 - Need industry funded Reabandonment Fund similar to Underground Storage Tank Fund





Thank You

CONTACT US

LOS ANGELES

2029 Century Park East Suite 2100 Los Angeles, CA 90067 <u>t: 310.284.2200</u>

ORANGE COUNTY

3121 Michelson Drive Suite 200 Irvine, CA 92612 <u>t: 949.260.4600</u>

SAN FRANCISCO

50 California Street Suite 3200 San Francisco, CA 94111 <u>t: 415.262.5100</u>

All information, content, and materials available in this presentation are provided for general informational purposes only and should not be relied upon or construed as legal advice. Cox, Castle & Nicholson LLP (2029 Century Park East, Suite 2100, Los Angeles, CA 90067) is responsible for the content of this presentation. Receipt of this communication, which may be considered attorney advertising, does not establish an attorney-client relationship with Cox Castle and is not a solicitation for legal services.





TOGETHER WE EMPOWER COMMUNITIES THROUGH THE TRANSFORMATION OF BROWNFIELDS

THANK YO

Join the conversation, use #CALRC2025 to share your photos, insights and highlights!

We appreciate your feedback, follow this QR code to submit an evaluation form on Whova.