



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



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September 30, 2021

TO: Supervisor Hilda L. Solis, Chair
Supervisor Holly J. Mitchell
Supervisor Sheila Kuehl
Supervisor Janice Hahn
Supervisor Kathryn Barger

FROM: Alex Garcia, Supervisor *AG*
Zoning Enforcement Special Projects

ADVISORY PANEL REPORT ON BOARD MOTION REGARDING THE OIL AND GAS STRIKE TEAM FOR UNINCORPORATED LOS ANGELES COUNTY (MARCH 29, 2016 – AGENDA ITEM NO. 12)

On March 29, 2016, the Los Angeles County Board of Supervisors (Board) passed a motion instructing the Director of Regional Planning, in coordination with the Fire Chief, Director of Public Health, and Director of Public Works to convene a Strike Team to assess the conditions, regulatory compliance and potential public health and safety risk associated with existing oil and gas facilities in unincorporated Los Angeles County. The Board instructed the Strike Team to report back on a biannual basis with a summary of its findings and any recommendations on legislative and regulatory positions that the Board should consider.

The Board also requested that a five-member Advisory Panel be established, comprised of one appointee from each Supervisor with an expertise in oil and gas exploration and production, to work in conjunction with the Strike Team to assess the team's findings and recommendations. The appointed Advisory Panel members are:

- First District Board Office appointee – Julia May
- Second District Board Office appointee – John Fleming
- Third District Board Office appointee – Timothy O'Connor
- Fourth District Board Office appointee – Matt Rezvani
- Fifth District Board Office appointee – R. Rex Parris

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Typically, following a Strike Team meeting, the Advisory Panel meets to discuss the Strike Team's latest report. A report with the Advisory Panel's assessment is provided to the Board within 30 days after the Strike Team's report is submitted to the Board. The Advisory Panel's comments are then addressed in the next Strike Team report.

The recently submitted Strike Team report, Report No. 10/Phase II – Report #5, is the Strike Team's final report. Given that there will be no subsequent report, we held a joint Strike Team/Advisory Panel meeting on September 15, 2021 to discuss the final report and the Advisory Panel's assessment of the report. At this meeting the Strike Team passed a motion directing staff to address the Advisory Panel's comments in the final report accordingly. The Advisory Panel members who participated in the meeting were:

- First District Board Office appointee – Julia May
- Second District Board Office appointee – John Fleming
- Third District Board Office appointee – Timothy O'Connor

This submittal is the Advisory Panel's assessment of the Strike Team's tenth and final biannual report. It includes written comments from Advisory Panel members appointed by the First, Second, and Third Supervisorial Districts. The Advisory Panel report can be accessed on DRP's web page at planning.lacounty.gov/oil-gas/strike.

Should you have any questions about this report, please contact Diana Gonzalez, Zoning Enforcement Special Projects section, at dgonzalez@planning.lacounty.gov.

AG:dg

Attachment: https://planning.lacounty.gov/assets/upl/project/oil-gas_advisory-comments-report10.pdf

c: Executive Office, Board of Supervisors
Chief Executive Office
County Counsel
Department of Public Works
Department of Public Health
Fire Department

FIRST DISTRICT
ADVISORY PANEL MEMBER
JULIA MAY
COMMENTS

Sept. 2, 2021

To: Los Angeles County Oil & Gas Strike Team and Advisory Committee members

From: Julia May, First District Advisory Committee Member and Senior Scientist, Communities for a Better Environment

Re: **Recommendations on Draft Final Report of Strike Team -- Oil and Gas Assessment Project Phase II – Report Number 5 (Biannual Report 10), County of Los Angeles, September 2021**

These are my recommendations to the Los Angeles County Strike Team on the draft final report. I first want to thank Supervisor Solis for her leadership in environmental justice and for appointing me to the committee, the Board of Supervisors for enacting this Strike Team, the Strike Team itself, the other Advisory Committee members, and the staff and consultants for extensive and important work. I also strongly advise certain follow-up and modifications. I may submit additional recommendations on findings and discussions at the upcoming Sept. 15th Strike Team hearing. The following summary highlights big picture issues, with more details included below:

1. **The County should provide the public with a 30-day comment period after the Sept. 15th hearing to ensure meaningful public engagement and participation.** This will give LA County staff the opportunity to evaluate diverse comments, incorporate changes, and bring a stronger final report back to the Board of Supervisors for follow-up consideration. The COVID-19 pandemic disrupted timelines for this extensive investigation and prevented important recommendations from appearing in prior reports. As a result, detailed conclusions and recommendations have only become available during the last month. Also, it is not clear whether the public has access to this most recent draft report—only final reports are currently available on the County webpage.¹ Providing a comment period for the public after the Sept. 15th Hearing will help ensure the best result, as this report covers thousands of oil and gas facilities in widely varying circumstances around the County.
2. **The LA County Strike Team investigation of hazards from Oil and Gas facilities and activities in unincorporated LA County put a spotlight on previously inaccessible or unavailable data, including information buried in hard copy files.** This investigation covered hazards associated with oil drilling and production, odorous and hazardous H₂S gas in wells, history of blowouts or leaks, proximity to neighbors, CalEnviroScreen Score, well pressure, and other factors. It also included data and evaluation of pipeline risks, oil and gas storage, hazardous chemicals used in oil and gas extraction, and more.

This was time-consuming work, and it brought the state of data far forward. I commend the staff and consultants for pulling together immense amounts of data that was in extreme disarray. However, there are still key categories that this investigation did not cover (e.g. seismic risks need to be addressed). It also appears that the final report is not truly cumulative, leaving out findings and recommendations from earlier reports regarding ongoing drilling operations.
3. **A major downside is that the process focused too much on risk mitigation, rather than pollution prevention,** especially regarding options for phaseout of these hazardous operations over time.
4. **Because of new developments, the County is now behind the times compared to, for example, state and other requirements that can eliminate hazards** (such as Governors' Executive Orders and efforts regarding fossil fuel phaseout, as well as state-wide Just Transition goals for jobs). The final County Report should reference and incorporate these goals and policies.
5. **The Strike Team's investigation revealed the dangers inherent in Oil and Gas extraction operations and highlights the growing need for the County to align with state and local policies regarding eliminating reliance on fossil fuels.** Local governments like Culver City and the City of LA are leading the charge to phase out incompatible land uses near sensitive receptors by working to prohibit new oil

¹ <https://planning.lacounty.gov/oil-gas/strike>

drilling operations and phasing out existing drill sites city-wide. I urge the County to add recommendations for a plan to transition away from oil and gas towards a clean energy future, with a commitment to creating good high-road jobs for workers, and proper site remediation.

6. **The following comments list additional details that should be included in the County’s final Report.**

Additional Details

A. State-wide efforts toward extraction phaseout should be referenced and incorporated by the County.

California governors have set fossil fuel phaseout measures through state Executive Orders and additional measures (for example, Governor Jerry Brown’s Executive Order B-55-18 to achieve carbon neutrality no later than 2045 and Governor Gavin Newsom’s recent Executive Order N-79-20). State carbon neutrality requirements have also been evaluated in in state modeling scenarios.

The initial State of California Greenhouse Gas Scoping Plan modeling done for the California Air Resources Board (CARB) assumed that in order to meet state goals, energy demand from oil extraction would need to be cut from 90% to 100% by 2045.² This report and modeling states that this is the *minimum* required by prior California Governor Brown's Executive Order. Many cities and communities such as Culver City and LA City are now approaching a much more expeditious phaseout. The state report found:

This study evaluates scenarios that achieve carbon neutrality in California by 2045. These scenarios are designed to align with California’s Executive Order B-55-18 [from Governor Brown], which calls on the state to, “achieve carbon neutrality as soon as possible, and no later than 2045, and to achieve and maintain net negative emissions thereafter.” Specifically, the scenarios evaluated here achieve at least an 80% reduction in greenhouse gases from 1990 levels by 2045. As stated in the Executive Order, this level of greenhouse gas reduction should be considered the minimum level of reductions needed in the state. More rapid carbon reductions that achieve carbon neutrality prior to 2045 may be considered in future analyses by the California Air Resources Board. [p. 1, emphasis added]

More recently, Governor Newsom instructed CARB to evaluate pathways for the state to achieve carbon neutrality by 2035—in advance of the initial 2045 target.³ In addition, Governor Newsome issued a directive to ban new fracking permits in California by 2024.

Los Angeles County is considered a leader of forward-thinking environmental analysis. At minimum, LA County should reference and require state requirements regarding phaseout. These requirements are not only necessary to prevent health and safety risks in the County, but also because of the extreme acceleration of negative climate impacts that demands a fossil fuel phaseout to safeguard future generations.

For example, as California was ravaged by wildfires, drought, and extreme heat this year, the Intergovernmental Panel on Climate Change (IPCC) issued their Working Group 1 report. This recent IPCC report referred to the state of the climate crisis as “code red.”⁴ For frontline communities facing unprecedented heat waves and cloaked by wildfire smoke, their health is being impacted right now. And given the unprecedented extremes around the country (115°F in the Pacific Northwest, floods and fires across the U.S.), a county like Los Angeles which is a center of extraction, must directly confront its own contribution to the increasingly catastrophic disaster.

² [Achieving Carbon Neutrality in CA \(Oct 2020\)](#), PATHWAYS Scenarios Developed for the California Air Resources Board, E3, Table 1., p. 24

³ <https://www.gov.ca.gov/2021/07/09/governor-newsom-holds-virtual-discussion-with-leading-climate-scientists-on-states-progress-toward-carbon-neutrality/>

⁴ <https://news.un.org/en/story/2021/08/1097362>

B. Wilmington Oil Spill report includes certain incorrect information, also relevant to risk screening for crude oil pipelines in unincorporated areas

I appreciate the inclusion of important new detail on the Wilmington Oil Spill due to a pipeline rupture in a residential area in 2014, as I recommended earlier. However, there are some inaccurate implications that need to be corrected. The report stated:

According to the Los Angeles Police Department, the seeping oil did not pose a threat to the public. Despite odor complaints, authorities received no medical calls, and tests showed no health hazards. (p. 85)

First, while it is interesting that the Police Department was involved, that department is not the one that would be qualified to evaluate health hazards. More importantly, the report is wrong in implying there were no health hazards based on these two sentences.

The report failed to show key information regarding what kind of testing was done and at what time (for example, H₂S or other hazardous sulfur gases present in crude oil are difficult to monitor, and must be monitored at the right times and locations to detect the worst impacts, using appropriate methods and quality assurance). It is also unclear whether the testing included a range of VOCs as well as a range of hazardous sulfur compounds, or any specifics on pollutants tested. It is unknown who performed the testing, which is critical to ensure accuracy and objectivity. For example, if testing was performed by Phillips 66, there would be a major conflict of interest that could bias the results.

Because of the absence of this specific kind of data in the report regarding whether there are hazardous sulfur gases carried with crude oil in pipelines, other parts of the report downgraded risk level for crude oil pipelines compared to other materials. It would be very helpful to know if such data is available, or if this is one more unknown risk. (That is not to underestimate the great deal of work that was carried out to improve the available data on pipelines, which was appreciated.)

While it is reasonable to add an additional risk point to pipelines carrying liquids more volatile than crude oil as the risk screening method has done, it is also important to determine whether hazardous sulfur gases are present in crude oil in pipelines. H₂S is a deadly gas, which kills many workers in the country during accidental exposures. This is especially concerning after the County found that a relatively small earthquake may have caused the Wilmington rupture. This is something which could occur on a much wider scale when “the Big One” hits.

It was striking that the reporting on the Wilmington spill ignored first-hand descriptions of severe smells experienced by the County’s own Janice Hahn, U.S. Representative at the time. She stated: “The harsh, crude oil smell is not only horrible, but can also be potentially harmful to the neighborhood residents and environment.”⁵ I personally recall her describing feeling ill during this event when speaking publicly about it.

Such severe smells indicate that significant levels of hydrogen sulfide may have been present. It was wrong for the report to emphasize no health impacts, when there was no evaluation of health impacts reported by community members, such as nausea or headaches, other than lack of medical reports. A lack of medical complaints does not necessarily indicate no health impacts, especially in areas where community members may not have easy health care access.

The report should be corrected to address these gaps.

⁵ Crack in idle Phillips 66 pipeline spews crude oil onto Wilmington streets, Press-Telegram from Sandy Mazza, Daily Breeze, 03/18/14, <http://www.pesstelegram.com/general-news/20140318/crack-in-idle-phillips-66-pipeline-spews-crude-oil-onto-wilmington-streets>

C. Notes on CalEnviroScreen findings

It was surprising to see that unlike most other analyses, this report frequently did not find that communities of color were necessarily the very highest impacted areas. Upon reflection, I noted that this is due to the nature of this report, which evaluates unincorporated areas of the County. This means that areas such as Wilmington, part of the City of LA which has extremely high concentrations of oil wells in close proximity to neighbors and a very high CalEnviroScreen score, is entirely excluded. It is important for the County to note in the CalEnviroScreen scoring sections, that because the report addresses unincorporated areas, it specifically excludes many communities of color that are highly impacted by Oil and Gas operations as found by CalEnviroScreen, which skews this screening score.

D. Instances of difficulty accessing key data

Gaining access to key data has been a big problem during this investigation. For example, the report found:

As detailed above, obtaining information for the State Fire Marshall's office was problematic and required multiple specific PRA requests. Even after information was received, the information appeared incomplete, and the Strike Team was unable to ascertain the status of some of the pipelines reviewed. In some cases, the inspection records were not up to date as required by the regulations, which mandate yearly inspections. The following recommendations are designed to ensure that the County is able to track the inspection records for the pipelines within the unincorporated areas.

The report follows up with recommendations about improving data access, but this is only part of the picture.

This lack of data access is reminiscent of problems when members of the public attempt to gain access to important public data. When even the County cannot easily access such data, this is an indication that the process is broken. This is another indication that widespread oil and gas operations are not well-controlled and represent not only known, but also widespread *unknown* hazards. In a zone of severe earthquake hazard with high population densities this is very disconcerting, and an additional argument for eliminating hazards, rather than spending years solely gathering data. Data is important, but risk elimination is far better.

E. Results of monitoring and inspections of Abandoned and Idle wells

The inspection and monitoring of high-priority abandoned and idle wells had to be delayed due to the pandemic, but was carried out this year. (*"In-field inspections of the priority abandoned and idle wells were completed over three days from June 15 through June 17, 2021."* p. 47) The investigators reported satisfaction by neighbors that the county was checking these facilities, and the County found no instances of "elevated" emissions (p. 52), except for one case with very low VOC levels (p. 53).

It is heartening that the County generally found upon its first inspection that there are no obvious smells or emissions from wells that are not in use. Because it is well-known that wells that *are* in use have caused repeated and severe odors and emissions, this indicates that the County should first address eliminating the risks from existing operations, but if possible, in parallel with addressing abandoned and idle wells.

However, it is important to consider that one-time monitoring is a snapshot, which cannot determine what happens when conditions change. For example, construction projects, additional drilling and injection wells near abandoned and idle wells, and earthquakes, can all cause changing conditions resulting in new hazards at abandoned and idle wells, that cannot be found during a one-time inspection.

F. Risk Screening Method

While the risk screening methods developed can help to focus mitigation on facilities and activities which might represent a higher risk (based on past history, proximity to neighbors, environmental justice screening which

evaluates cumulative burdens in communities of color, accident history, presence of hazardous gases, high pressures, lack of testing or data, etc.) the report also acknowledges that this is an estimate of risk, and not a crystal ball to perfectly predict where accidents may occur. The concept of addressing the highest risk sources first is logical, but given the large number of sources, it is essential that an expeditious and comprehensive cleanup plan be put in place, so that sources estimated at high risk are addressed quickly, followed by setting a plan to address all sources.

G. Report format is unwieldy

The report format tends to emphasize up front (for instance in the Executive Summary) less important details such as how many meetings were carried out, or who took part), but buries important new recommendations deep inside the report. It is hard to find important report takeaways without re-reading information included from previous reports in this cumulative format. **An additional summary of key takeaways and recommendations would be useful, in order to highlight the important work of the team.**

Thank you again for this opportunity to comment. I look forward to engaging in LA County's future outreach efforts and discussions with Los Angeles-based community partners and impacted community members.

SECOND DISTRICT
ADVISORY PANEL MEMBER
JOHN FLEMING
COMMENTS

September 2, 2021

Diana Gonzalez
Regional Planner, LA County Department of Regional Planning
Zoning Enforcement Special Projects
By E-mail: DGonzalez@planning.lacounty.gov

RE: Comments on Oil and Gas Assessment Project Phase II – Report Number 5, County of Los Angeles, September 2021, Bi-Annual Report Number Ten, Final Report

To Regional Planner Gonzalez and the LA County Oil & Gas Strike Team:

Below are my comments on the Oil and Gas Assessment Project Phase II Final Report (“the report”). I submit these comments in my capacity as the 2nd District Representative on the Advisory Panel to the County Strike Team, but with the backing of expertise I have attained during my time as a Senior Scientist with the Center for Biological Diversity in its Climate Law Institute, working on California oil and gas issues.

Since I am joining the Advisory Panel prior to the Final Report by the Strike Team being finalized, my comments do not have the perspective of the other panelists who have participated since the project’s inception. Thus, the following comments reflect predominantly an earnest reading of the most recent and final report:

1. **Prioritization criteria for abandoned wells is missing consideration of the proximity of geologic faults.** As noted in Appendix A of the report, a panelist previously suggested that the Strike Team consider earthquake impacts on health and safety related to LA County oil and gas infrastructure. The response was that “[p]roximity to an earthquake fault could be added as a criteria for abandoned wells, although the impacts of an earthquake could be felt Countywide and are not necessarily associated with an earthquake fault.”¹ Faults subsequently were not added as a criterion for prioritizing abandoned wells. Yet, the presence of active injection wells is a criterion, because as rightly stated in the report, “active injector wells give rise to the potential for leakage from a well due to the increased reservoir pressures near the injection wells.” What is overlooked, however, is that injection has been definitively linked with seismicity in many areas. Therefore, the presence of a fault paired with injection can lead to greater risks associated with nearby abandoned faults.

Evidence of induced seismicity has been documented in numerous states, including California. For example, a published 2016 study linked wastewater injection in the Tejon Oil Field in Kern County to a September 2005 earthquake swarm of three $M \geq 4$ events near the White Wolf Fault.² Meanwhile, in a 2009 USGS report, it was found that an earthquake cluster of 96 events ranging from magnitude 2 to 4.5 occurred in the San Ardo Oil Field in Monterey County between 1967 and 2008. The report acknowledges that some of these earthquakes were likely caused by fluid withdrawal, along with enhanced recovery

¹ The Report, Appendix A.

² Goebel, T.H.W. et al., Wastewater Disposal and Earthquake Swarm Activity at the Southern End of the Central Valley, California, 43 Geophysical Research Letters 1092 (2016).

procedures such as steam and water injection. An earthquake can occur at any time, with or without nearby injection, but since injection can increase earthquake risk, both injection and seismicity should be considered in the context of leakage risks from abandoned wells.

2. **In continuing monitoring of abandoned wells, tests should be done for leakage both at the surface and in the subsurface.** One recommendation by the Strike Team is for CalGEM or the County to continue to evaluate high priority wells on the time scale of every 3 to 5 years so that, if a leak is detected, those wells can be prioritized for plugging and abandonment to today's standards.³ However, these leak tests seem limited to surface leaks rather than those that could occur in the subsurface. According to the report: "The leak test should include sampling with a portable gas detector and a soap bubble test."⁴ This suggests no sort of testing for subsurface contamination from an abandoned well, yet studies have indicated the potential for such contamination to occur. In a 2019 study of Fruitvale Oil Field in Kern County, methane was found in 11 out of 14 groundwater samples. The isotopic signatures of these samples indicated an oil and gas reservoir source, indicating a connection between oil-bearing formations and the overlying groundwater aquifer. The likely cause of the methane was found to be stray gases migrating from the oil reservoir to the groundwater reservoir along some preferential pathway, such as a leaky wellbore.⁵ Groundwater sampling could indicate subsurface migration of gases that would go undetected by surface sampling. Such a detection could lead to remediation of a well before gas migration eventually proceeded to the surface, potentially imperiling public health.
3. **The report's inventory of chemicals used in oil and gas extraction-related activities in Los Angeles does not fully indicate potential harms.** The report relies upon the South Coast Air Quality Management District (SCAQMD) Rule 1148.2 database to characterize chemical use related to oil and gas in Los Angeles County. The result is a fairly exhaustive list of chemicals used, but then the list is pared down to those chemicals designated as acutely toxic or explosive, largely based on the California Code of Regulations (Appendix A to Section 5189 – List of Acutely Hazardous Chemicals, Toxics and Reactive) and the EPA ATF listing of Explosive Chemicals. Thus, out of a conservatively estimated dozens of unique chemicals used in LA County, Table 6.10 seems to suggest that only nine are of any concern related to public health. This is potentially misleading.

First, the Rule 1148.2 database labels certain chemicals as air toxics, where an air toxic is a hazardous chemical that can become either a vapor or particles small enough to be transported through the air. According to a 2017 Center for Biological Diversity study,⁶ at least 38 different air toxic chemicals were used in Los Angeles County between June 2013 and February 2017. It is curious why the report ignores this categorization by the database on which its conclusions on chemical usage otherwise rely. Also, there are other hazardous chemicals lists other than those used by the report that are nonetheless credible. For instance,

³ The Report, at 66.

⁴ The Report, at 63.

⁵ Wright, M.T. et al., Groundwater quality of a public supply aquifer in proximity to oil development, Fruitvale oil field, Bakersfield, California, 106 Applied Geochemistry 82 (2019).

⁶ Fleming, J.C. and Kim, C., Danger Next Door: The Top 12 Air Toxics Used for Neighborhood Oil Drilling in Los Angeles, Center for Biological Diversity (2017), <https://www.biologicaldiversity.org/publications/papers/DangerNextDoor.pdf>.

ethylbenzene and methanol are both on the EPA Hazardous Air Pollutant list, California Air Resources Board's (CARB) Toxic Air Contaminant list, and the California Proposition 65 Chemical list, with ethylbenzene a potential carcinogen and methanol linked to reproductive harm. Meanwhile, 2-butoxy ethanol is on CARB's Toxic Air Contaminant list, and xylene is on both the EPA and CARB lists. Yet, though listed earlier in the chemical usage section, none of these chemicals ended up in Table 6.10, which presumably lists the chemicals of greatest concern. Only focusing on the "acute materials" obfuscates the potential harms of the other chemicals. A full risk assessment of chemicals used in oil and gas operations is warranted.

4. **Although outside of the purview of present efforts, going forward the County should consider pathways to full fossil fuel phaseout.** Oil and gas production in California has caused an environmental justice and public health crisis. Eighteen percent of the state's population lives within a mile of at least one oil or gas well.⁷ The highest-density oil and gas extraction areas are predominantly located near low-income communities and communities of color.⁸ These communities are disproportionately exposed to the health harms associated with oil and gas extraction such as cancer,⁹ respiratory illnesses,¹⁰ and pregnancy complications. Two recent studies focused on California specifically found associations between proximity to oil and gas production and preterm birth and low birth weight.¹¹ A recent Harvard study found that an estimated 34,000 Californians died prematurely in one year because of fossil fuel pollution.¹² Thus, fully addressing public health risks associated with oil and gas means ending our reliance on oil and gas.
5. **A step along the path to fossil fuel phaseout in LA County would be further characterizing the oil currently produced in LA County.** A complete analysis of public health harms associated with oil and gas is incomplete without a consideration of climate impacts. Through the California Air Resources Board, carbon intensity values for oil produced in California's major oil fields are available – where carbon intensity is the amount of carbon dioxide produced per barrel of oil, a proxy for how "dirty" a given oil is to produce.¹³ Specifically, the carbon intensity values provided by CARB are attributed to the

⁷ Ferrar, K., People and Production: Reducing Risk in California Extraction, FracTracker Alliance (2020), <https://www.fracktracker.org/2020/12/people-and-production/>.

⁸ Ferrar, K., People and Production: Reducing Risk in California Extraction, FracTracker Alliance (2020), <https://www.fracktracker.org/2020/12/people-and-production/>.

⁹ McKenzie, Lisa M. et al., Childhood Hematologic Cancer and Residential Proximity to Oil and Gas Development, 12 PLoS One, e0170423 (2017).

¹⁰ Rasmussen, Sara G. et al., Association Between Unconventional Natural Gas Development in the Marcellus Shale and Asthma Exacerbations, 176 JAMA Internal Medicine 1334 (2016).

¹¹ Gonzalez, D. et al., Oil and gas production and spontaneous preterm birth in the San Joaquin Valley, CA, Environmental Epidemiology (2020); Tran, K. et al., Residential proximity to oil and gas development and birth outcomes in California: A retrospective cohort study of 2006-2015 births, 128 Environmental Health Perspectives (2020).

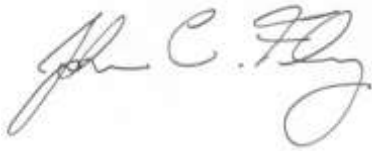
¹² Olalde, Mark, Harvard study links fossil fuels to million of 'premature' deaths, Palm Spring Desert Sun (February 9, 2021), <https://www.desertsun.com/story/news/environment/2021/02/09/harvard-links-fossil-fuels-deaths-california-approves-fracking/4436589001/>; Vohra, K. et al., Global mortality from outdoor fine particle pollution generated by fossil fuel combustion: Results from GEOS-Chem, 195 Environmental Research (2021).

¹³ California Air Resources Board, LCFS Crude Oil Life Cycle Assessment, Final California Crude Average Carbon Intensity Values

emissions from the production and transport of the crude oil supplied as petroleum feedstock to California refineries. Los Angeles County has four oil fields, Placerita, Montebello, Santa Fe Springs, and Inglewood, with carbon intensities (kg CO₂/barrel) higher than the overall state average: 191, 99, 73, and 58 kg CO₂/barrel, respectively, compared to a state average of 47 kg CO₂/barrel. In fact, in terms of carbon intensity, Placerita ranks number three in the entire state. Once again acknowledging that such considerations are outside of the purview of the present effort, future consideration of the dirtiness of oils produced in the County could inform phaseout. Beyond the climate benefits of considering carbon intensity, more carbon-intensive oils are often so because of the need for dirty energy-intensive extraction techniques such as enhanced oil recovery, which come associated with potential public health and environmental harms. So, considering carbon intensity could also help mitigate public health and environmental harms at the community level.

Thank you for considering the above points and for the thoughtful work on the analysis.

Sincerely,

A handwritten signature in dark ink, appearing to read "John C. Fleming". The signature is fluid and cursive, with the first name "John" and last name "Fleming" clearly legible, and "C." as a middle initial.

John Fleming, Ph.D.
Second District Representative
Los Angeles County Oil & Gas Strike Team Advisory Panel
(Senior Scientist, Center for Biological Diversity, jfleming@biologicaldiversity.org)

(Accessed September 1, 2021), <https://ww2.arb.ca.gov/resources/documents/lcfs-crude-oil-life-cycle-assessment>; Fleming, J. et al., Killer Crude: How California Produces Some of the Dirtiest, Most Dangerous Oil in the World, Center for Biological Diversity (2021).

THIRD DISTRICT
ADVISORY PANEL MEMBER
TIMOTHY O'CONNOR
COMMENTS

September 2, 2021

Ai-Viet Huynh
Los Angeles County Department of Regional Planning
Department of Regional Planning
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Los Angeles, CA 90012
By email: ahuynh@planning.lacounty.gov

Re: Comments of Tim O'Connor (District 3 rep.) on the Draft LA County Oil Well Strike Team's Biannual Report No. 10 (Phase II, Report No. 5)

Dear Ai-Viet and members of the LA County Oil Well Strike Team,

Please accept these comments on the tenth report of the LA County Oil Well Strike Team (Phase II, Report No. 5).

I again submit comments to the Strike team and DRP in my personal capacity as the 3rd District Representative on the Advisory Panel. Although these comments are my own, they are formed by years of experience working on oil and gas issues in California for my present employer the Environmental Defense Fund, and in prior experience before that.

I would like to again commend the effort maintained by Department staff and experts to make progress on the lengthy but necessary task of conducting a comprehensive evaluation of the oil and gas industry in Los Angeles - in conformance with the direction within the LA County Board of Supervisors March 29, 2016 motion and follow-on September 4, 2018 direction. At this point, it is time to move from evaluation to action in fulfillment of the Board's original motion to engage in a process that protects the health and welfare of the people living in the county.

In support of that effort - to help ensure the work both lays a transparent foundation for appropriate action and considers the most up to date information - please accept these comments and recommendations for inclusion in the Strike Team report.

Overarching comments

At the last meeting of the Advisory Panel, it was stated by DRP and the consultant at MRS that the next report (this report # 10) would be the final report prepared pursuant to the Board's motions. It was also stated that this report would include the final findings and recommendations of the Strike Team as a result of this process - in conformance with the Boards 2016 direction. Now that the report is nearing completion though, it is clear that the recommendations and conclusions included in this final report only pertain to the process involved in Phase II of the process, and do not incorporate observations associated with active oil and gas production, or a consideration of the changed conditions that have emerged since the conclusion of the Phase I occurred some 3 years ago.

As part of the Phase I investigation, the Strike team made numerous observations and recommendations in its Part 3 report on September 26, 2017. These included recommendations for modified zoning and

permitting, and a series of requirements to mitigate site risk, such as monitoring. The following was the main takeaway from those recommendations¹:

“The primary regulatory recommendation derived from the implementation of the Strike Team Project is the preparation of a revised County Zoning Code for oil and gas operations to bring the regulatory framework up to date with existing oil and gas operations and new technological advances and extraction methods. This update was recognized as one of the overall goals of the Strike Team by the Board in its motion, and the need to gain thorough knowledge of the existing oil and gas operations in the unincorporated area of the County of Los Angeles is the initial first step towards a revised County Zoning Code for oil and gas operations.

Staff recommends a review and update to the County Zoning Code for oil and gas facilities and further recommends the updated Zoning Code include requirements to address issues noted”

The recommendations associated with the zoning code changes (including setbacks and monitoring) were the project of numerous site inspections at active oil and gas production sites, desktop evaluations of the records associated with those sites, and a review of regulations and requirements those facilities are subject to.

Since the end of Phase I in 2017, there have been multiple Executive actions aimed at phasing out oil and gas production practices, and moving the state toward carbon neutrality in the name of climate pollution mitigation.^{2,3} Similarly, there have been reports and findings associated with the 2017 Oil and Gas methane rule passed by the California Air Resources revealing the regularity of leakage of methane and other pollutants from oil and gas infrastructure (including infrastructure in the study region)⁴ Additionally, there were findings by inspections conducted by South Coast AQMD as part of this study that components leaking methane were identified within the study area.⁵ Finally, there have been actions taken by entities in the Los Angeles region to initiate a phase out of oil and gas production in alignment with climate and public health objectives.⁶

I raise these issues not for the purpose of undermining the work that has gone into the Phase II report and its focus studying the integrity and emissions of old non-producing oil wells and pipelines, but to ensure the

¹ Oil and Gas Facility Compliance Review Project Bi-Annual Report Number Three, County of Los Angeles Existing Oil Wells, September 26, 2017 at page 130

² See “Governor Newsom Takes Action to Phase Out Oil Extraction in California, California will work to end oil extraction as part of nation-leading effort to achieve carbon neutrality, Action will halt issuance of fracking permits by 2024”, Apr 23, 2021 at <https://www.gov.ca.gov/2021/04/23/governor-newsom-takes-action-to-phase-out-oil-extraction-in-california/>

³ See “Governor Newsom Announces California Will Phase Out Gasoline-Powered Cars & Drastically Reduce Demand for Fossil Fuel in California’s Fight Against Climate Change ... Order also directs the state to take more actions to tackle the dirtiest oil extraction and support workers and job retention and creation as we make a just transition away from fossil fuels,” Sep 23, 2020 at <https://www.gov.ca.gov/2020/09/23/governor-newsom-announces-california-will-phase-out-gasoline-powered-cars-drastically-reduce-demand-for-fossil-fuel-in-californias-fight-against-climate-change/>

⁴ CARB’s Oil and Gas Methane Regulation 2018 Annual LDAR Summary, October 2020 at <https://ww2.arb.ca.gov/sites/default/files/2020-10/2018%20LDAR%20Summary%2010-14-20.pdf> (revealing that 0.36% of components involved in crude oil production leak methane at quantities greater 10,000 ppm).

⁵ Oil and Gas Facility Compliance Review Project Bi-Annual Report Number Three, County of Los Angeles Existing Oil Wells, September 26, 2017 at page 85

⁶ Culver City Observer “City Council Votes to End Oil Drilling in Culver City by 2026” at <https://www.culvercityobserver.com/story/2021/06/17/news/city-council-votes-to-end-oil-drilling-in-culver-city-by-2026/10243.html>

strike team maintains strong focus on the big issue before it – the 1270 active and 24 new oil production wells in the Unincorporated area of Los Angeles County.⁷ If, as DRP suggested, Report # 10 is the complete culmination of the work of the Strike Team, the report would be deficient in so far as it misses the much bigger point of what to do with active production in the area.

As to the issue of what to do with active production, I encourage the strike team to make a final review of the regulatory conditions that have changed (enumerated in part above), and the scientific evidence that has emerged about climate change since the 2017 Phase I report. As identified by the 6th assessment report release by the IPCC this summer, Climate Change is upon us, and the world is already passing major tipping points from which it cannot return. Evidence of extreme heat, fires, drought, extreme rain deluge is present everywhere, with California facing many of these challenges right now.

As a result, and in conformance with the Board's initial motion to "Convene a Strike Team to assess and report on a biannual basis the conditions, regulatory compliance and **potential public health and safety risks associated with existing oil and gas facilities** in unincorporated Los Angeles County," only one reasonable conclusion can be made with respect to this process – that the Strike team should recommend the initiation of a process to curtail oil and gas production by all legal means available to it. In addition, and until such a result is achieved, the Strike Team should recommend the use of all available protections to prevent and mitigate exposure from oil and gas operations to the people of the region.

Observations on plugged and abandoned wells in Phase II

It is important to note that a considerable amount of high-quality work went into the identification and review of plugged and abandoned wells in the study area. Both the development of the prioritization matrix and well inspection protocols appear to be industry leading efforts. Further, it is important to note that the review of oil and gas wells included in the Phase II report did not identify a significant source of air emission from these wells - a result that is in alignment with other scientific studies on the topic. The comprehensive nature of the audit, including both air monitoring and community interviews is important for providing accuracy and completeness to the review. For this, the study team should be commended.

One issue of note is that for old oil wells studied, the site visits had an extremely low success rate for actually identifying the well head – which may have contributed to the low emissions detection. However, the fact that old wells are buried or otherwise unable to be found should not be the fault of the reviewers, and the presence of air monitoring equipment coupled with community interviews should mitigate most concern.

Thank you for considering these comments moving forward.

Sincerely,

Timothy O'Connor
County District 3 Representative, Oil and Gas Strike Team Advisory Panel
Senior Director and Senior Attorney, Environmental Defense Fund

⁷ County of Los Angeles Oil and Gas Operations Inventory, December 2015, at page 15, <https://planning.lacounty.gov/assets/upl/project/oil-gas-well-report.pdf>