



Los Angeles County Department of Regional Planning

Planning for the Challenges Ahead



Dennis Slavin
Acting Director

October 26, 2017

TO: Supervisor Mark Ridley-Thomas, Chairman
Supervisor Hilda L. Solis
Supervisor Sheila Kuehl
Supervisor Janice Hahn
Supervisor Kathryn Barger

FROM: David Muñoz, Acting Supervising Regional Planner *DAM*
Zoning Enforcement West

**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 (DRP), in coordination with the Fire Chief, Interim Director of the Department of Public Health, and Director of the Department 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 Strike Team's third biannual report was submitted to the Board on September 28, 2017.

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 in order to assess the team's findings and recommendations and to provide a report to the Board on this assessment no later than 30 days after the Strike Team's report is submitted to the Board. The Advisory Panel public meeting was held on October 24, 2017, to discuss this assessment of the Strike Team's report.

This report addresses the Advisory Panel's assessment of the Strike Team's third biannual report. This report includes the written comments from Advisory Panel members from the First, Third, and Fourth Supervisorial Districts. The Advisory Panel report can be accessed on DRP's web page at planning.lacounty.gov/oil-gas/strike.

Board of Supervisors
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The next Oil and Gas Strike Team report to the Board is due on March 29, 2018, and the Advisory Panel report will follow no later than 30 days after that date. Should you have any questions about this report, please contact Timothy Stapleton, Zoning Enforcement – West Area Section, at tstapleton@planning.lacounty.gov or (213) 974-6453.

DM:ts

Attachment: planning.lacounty.gov/assets/upl/project/oil-gas_advisory-panel_20171026-report.pdf

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

FIRST DISTRICT
ADVISORY PANEL MEMBER
JULIA MAY
COMMENTS

Summary Comments, Julia May, Advisory Panel, re: 3rd Report of Oil & Gas Strike Team

– This investigation accomplished important work, but major gaps remain requiring follow-up

1. Inventory work – **The overall County Strike Team investigation accomplished very important and detailed documentation of many essential extraction facility characteristics** (such as physical makeup, and various health and environmental risk factors).¹ This was a major effort, but the work is not yet finished in identifying and requiring necessary measures to protect public health.
2. Setbacks – **The 3rd report also added important recommendations for future protections, including of foremost importance, setbacks from residences and sensitive uses** for both new and existing facilities, based on health & environmental risk. However, this is based on incentives, rather than on mandatory requirements.²

→ Highest Priority Change: - **As fundamentally important for health and safety, setbacks should be mandatory, not incentive-based, and set at least at 2500 feet** (less than half a mile). Studies show people living within ½ mile of a drill site have increased health risks, including respiratory, neurological and reproductive harms.³ Phase-out of oil & gas facilities near neighbors should be the goal – extraction operations are inherently incompatible with residential neighborhoods. **The 3rd Report should at minimum recommend evaluating mandatory setbacks, and evaluating 2500 feet including existing facilities, which would also harmonize County requirements with those being considered at the City of Los Angeles.**

3. Discretionary permitting – **The report recommendation to set up discretionary permitting instead of by-right permitting is important, and needs expeditious implementation.** This is also one of the original major goals of the Supervisor’s Strike Team motion.
4. Evaluate harmonizing LA County & LA City environmental assessment requirements: The County should evaluate including in County requirements, the strongest City of LA measures for environmental, health and safety assessment for Oil & Gas permitting.
5. Other important issues including Air Monitoring, Odor Prevention, Neighbor Surveys, Best Available Control Technology, and Hazardous Material Use and Transport, and others, require follow-up – I appreciate that the 3rd report now includes recommendations made by myself, other Advisory Panel members, and members of the public, for follow-up to add known measures to improve Health & Safety.⁴ (For example, see Advisory Panel members including Timothy O’Connor, Andrew Weissman, and Matt Rezvani on needed improvements in monitoring, leak detection, and orphaned or abandoned wells,⁵ as well as my previous comments. All panel members also made useful oral comments which staff generally memorialized in the 3rd report.)
 - **Air Monitoring Requirements** – The report states “*An updated code should include requirements for monitoring to document that offsite air quality impacts are within applicable standards and to take measures to reduce impacts as appropriate.*” (p. 134). This is helpful, but follow-up should identify specific monitoring regulatory activities and studies at the AQMD, identify best monitoring practices including real-time monitoring of hydrocarbons (including methane), sulfur compounds, particulate matter, as well as plate sampling for oil deposition through the air nearby. Newer methods include a variety of Optical Sensing and other techniques that are being evaluated by the Air Districts and the State; **the County should record options and set best practice standards in the next round.** (These are too many to go into in detail in this Summary.)

Community organizations have been in the forefront of carrying out both high and low-tech monitoring for decades, demonstrating that there is no longer any reason for this area to continue unaddressed, especially by regulators with greater resources.⁶ The SCAQMD is now in the process of various new air monitoring studies and additional regulation, including for the oil and gas industry, and the State will be as well, in response to recent legislation. **This does not mean that all gaps will be filled by other regulators, but it means the County can take advantage of information developed by these agencies. The County should ensure that Oil & Gas operations are required to carry out best monitoring practices.**

- **Odor Prevention Plans** – AQMD’s Rule 1148.1 requires Odor Mitigation Plans, but only after multiple confirmed odor events impacting neighbors.⁷ **The County should evaluate and adopt such a measure as a requirement for all Oil & Gas facilities.** This would reduce not only odors, but also air pollution in general, including odorless toxic emissions.
 - **Best Available Control Technology (BACT) – Evaluation is needed on tightest BACT standards for all equipment including but not limited to fugitive components and complete enclosure and control of operations.** Recently, the City of LA required adding a complete enclosure at the Jefferson drill site, and additional requirements.⁸ The County should perform a formal top-down BACT evaluation, as defined by EPA, to identify best technologies in practice, and require for all drilling operations.⁹
 - **Survey or interview of neighbors is crucial, regarding their experience of smells, health impacts, noise, shaking, and other impacts – these are not well-documented in existing Air District or other data.** Adding this step was recommended by Advisory Panel members but hasn’t yet been carried out, although staff did include this as a recommendation for the future. The Air District itself identified lack of accurate emissions inventories for extraction operations.¹⁰ At the same time, it is well-established that extraction operations can cause significant and harmful emissions of toxics, criteria pollutants, and greenhouse gases, so it will be crucial to supplement the County investigation with surveys of neighbors’ experience.
 - **Requirements to restrict use of hazardous chemicals, including evaluating banning deadly hydrogen fluoride, which is now being considered by the SCAQMD in oil refining operations.** Hazardous chemicals are widely used even in conventional drilling operations during in the region for well maintenance and other activities, and are trucked through the middle of neighborhoods and stored onsite, near homes and schools. Please see my previously cited September 2016 comments, which identified dozens of hazardous chemicals routinely used in oil drilling operations.
 - **Oil & Gas pipelines** – The network throughout the County is extensive (in incorporated and unincorporated areas) presents hazards, has had spills, moves between jurisdictions, and appears to be expanding. This needs additional County evaluation.
 - **The need for follow-up on Orphaned & Abandoned wells** is important, as previously discussed. (Also see comments of fellow Advisory Panel members.)
6. Risk factor weight – Risk factors should not have been based solely on well pressure or current H2S presence. With lateral drilling and many wells drilled from one location, current conditions may change. While current characteristics are useful to know, proximity to neighbors should be more highly weighted as a risk factor.

7. Correct legal inaccuracies and complete legal evaluations identified in the report:

- **For example, the referenced Appendix A inaccurately states “*DOGGR retains exclusive jurisdiction over all subsurface oil and gas activities in California including well stimulation techniques, such as hydraulic fracturing.*”** (Appendix A, p. 3) This isn’t entirely accurate. For instance, the County, Cities, and Air District are evaluating or have already regulating fracking and related Enhanced Oil Recovery (EOR) techniques and chemical usage and reporting inside wells.¹¹ These also have above-ground impacts, including hazardous material transport risks and potential air emissions, which is the reason the SCAQMD began requiring reporting of chemical usage for these activities. **The SCAQMD also found that many so-called conventional drilling techniques carried out the same activities used in fracking (such as maintenance acidizing).**¹²
- **Complete legal evaluations in order to carry out above recommendations, including discretionary permitting, setbacks, and other health & safety protections.** Also see submitted CBE comments regarding legal authority of the County.¹³

Thanks are in order to the County Strike Team, Staff and Consultants for the hard work, and particularly to Supervisors Solis and Ridley-Thomas for setting this taskforce in progress, as well as to all Supervisors and other Advisory Panel members. Follow-up activities will be crucial in meeting health goals.

Endnotes:

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

² 3rd Report, [“*The updated code should require that wells and associated facilities have a sufficient buffer zone from residential and other sensitive land uses. This would be determined based on health risk, air quality, noise, odors, aesthetics and other environmental, health and safety, and public nuisance considerations. An incentive program could be developed as part of the new code to encourage oil and gas producers to plug and abandon facilities within the new setback.*”] P. 134, <http://planning.lacounty.gov/oil-gas/strike>

³ McKenzie, L. M., Witter, R. Z., Newman, L. S., & Adgate, J. L. (2012) ***Human Health Risk Assessment of Air Emissions from Development of Unconventional Natural Gas Resources***, Science of the Total Environment, Vol. 424 at 79-87. Peter M. Rabinowitz, et al. (Jan. 2015) [“*Residents living $\leq \frac{1}{2}$ mile from wells are at greater risk for health effects from NGD than are residents living $> \frac{1}{2}$ mile from wells.*”] <https://www.ncbi.nlm.nih.gov/pubmed/22444058> and ***Proximity to Natural Gas Wells and Reported Health Status: Results of a Household Survey in Washington County, Pennsylvania***, Env’tl Health Perspectives, Vol. 123, at 21–26, available at <https://ehp.niehs.nih.gov/1307732/>

⁴ County Memorandum with of Advisory Panel member comments attached, June 20, 2017 To: LA County Wells Strike Team Advisory Panel From: LA County DRP MRS Environmental Subject: LA County Strike Team Biannual Report #2 Advisory Panel Comments <http://planning.lacounty.gov/oil-gas/strike>, also, J. May Comments submitted to LA County, 9/16/2016, *Key issues Staff should consider in developing its evaluation and recommendations on Oil & Gas facilities*, available at County website, available as an attachment in the County website to the Nov. 16, 2016 County report - Advisory Panel Report on Board Motion Regarding the Oil and Gas Strike Team for Unincorporated Los Angeles County, available under Advisory Panel section as http://planning.lacounty.gov/assets/upl/project/oil-gas_advisory-panel_20161116-report.pdf, also other important advisory panel member comments regarding manh of the issues summarized in this comment.

⁵ http://planning.lacounty.gov/assets/upl/project/oil-gas_advisory-comments-report2.pdf

⁶ For example, PBS documented the **low-tech** community monitoring of Communities for a Better Environment’s “Bucket Brigade, in 2002, which started in the 1990’s in the Bay Area, at <http://www.pbs.org/pov/fenceline/the->

[bucket-brigade/](#) CBE also spearheaded the legal and technical requirements for the **high-tech** Optical Sensing Fenceline Monitoring at the former Unocal Rodeo Bay Area refinery Good Neighbor Agreement requirement of Contra Costa County, subsequently watchdogged for accuracy by local residents in Crocket and Rodeo. <http://issues.org/32-2/citizen-engineers-at-the-fenceline/> This required substantial community work on Quality Assurance. Substantial monitoring work has also been done in recent years by community members such as Jesse Marquez of Communities for a Safe Environment (CFASE) in the South Coast, and by many other community efforts.

⁷ <http://www.aqmd.gov/docs/default-source/rule-book/reg-xi/rule-1148-1.pdf>

⁸ *City orders tougher rules for oil drilling site near South L.A. homes*, October, 2017, <http://www.latimes.com/local/lanow/la-me-ln-jefferson-drilling-20171013-story.html>

⁹ EPA's Top Down BACT requirements are as follows: Step 1: Identify all control technologies. This list must be comprehensive and include all "Lowest Achievable Emission Rates" ("LAER"); Step 2: Eliminate technically infeasible options; Step 3: Rank remaining control technologies by control effectiveness; Step 4: Evaluate most effective controls and document results; Step 5: Select most effective option not rejected as BACT. For example, NSR Manual, Table B-1. The U.S. EPA established the top-down analysis process for BACT outlined in the 1990 Draft New Source Review Workshop Manual,⁹ which provided additional required details, at: <https://www3.epa.gov/ttn/naaqs/aqmguide/collection/nsr/1990wman.pdf>

¹⁰ SCAQMD, Staff Report, Proposed Rule 1148.2 – Notification and Reporting Requirements for Oil and Gas Wells and Chemical Suppliers, April 2013, [*"During the evaluation of hydraulic fracturing for oil and gas well operations, the SCAQMD staff concluded that there are **potential air emissions** associated with hydraulic fracturing from particulate matter during mixing hydraulic fracturing fluids, and hydrocarbons and possibly toxic emissions from flowback fluids that return to the surface. **Upon further analysis, the SCAQMD staff found that drilling and rework operations have similar emission sources as well completion activities such as hydraulic fracturing. The SCAQMD staff evaluated these emissions sources relative to existing rules and regulations. SCAQMD staff found regulatory gaps in existing SCAQMD rules that did not cover these operations.**"*] at p. ES-1, and [*"**The SCAQMD does not have emissions data on the types of oil and gas production activities that are covered under the proposed rule. In a report from the Office of Inspector General, "EPA Needs to Improve Air Emissions Data for the Oil and Natural Gas Production Sector" released February 20, 2013, it was found there are deficiencies in emission data for well completions for oil and gas processes. EPA stated that with limited data, human health risks are uncertain, states may design incorrect or ineffective emission strategies, and EPA's decisions about regulating industry may be misinformed.**"*] at p. 1-3. While the AQMD report also stated that it believed its new regulations would lead to development of better data, this data is still incomplete, and ongoing reporting and monitoring measures are being evaluated. Report available at: <http://www.aqmd.gov/docs/default-source/compliance/rule-1148-2-staff-report.pdf>

¹¹ See, e.g., Measure Z in Monterey (though that was a vote) which bans fracking and limits drilling; Alameda County (vote of supervisors); Santa Cruz, San Benito, Mendocino and Butte counties.

¹² Ibid, SCAQMD staff report

¹³ March 13, 2017, *Recommendations Regarding Updating the Los Angeles County Municipal Code to Protect Public Health, and Comments Regarding Draft Public Report No. 2*, by CBE attorneys Jaimini Parekh and Gladys Limon, available at County website as "CBE" under Public Comments, at: http://planning.lacounty.gov/assets/upl/project/oil-gas_strike-cbe-20170313.pdf

THIRD DISTRICT
ADVISORY PANEL MEMBER
TIMOTHY O'CONNOR
COMMENTS

October 25, 2017

Timothy Stapleton, AICP
Zoning Enforcement West
Department of Regional Planning
320 W. Temple Street
Los Angeles, CA 90012

Re: Comments from Tim O'Connor (District 3 rep.) and EDF on the LA County Oil Well Strike Team's Biannual Report No. 3

Dear Mr. Stapleton and members of the LA County Oil Well Strike Team,

Please accept these comments on the third and final draft of the biannual report of the LA County Oil Well Strike Team report.

We commend your effort to take on the lengthy but necessary task of performing facility assessments; reviewing zoning codes and permitting processes (which haven't been updated since the early 1950's); considering necessary protections for public health and safety; and taking public comment into account in the development of your report. As documented by the Strike Team, this report and its recommendations are but a step in a longer process for the county, one which should culminate in a set of protections for the citizens of Los Angeles County and which can set a positive example for nearby jurisdictions to follow. It is therefore of utmost importance that the Strike Team get their recommendations correct by fully taking into account public health science, law, and technological capabilities to move this effort forward - and pass the necessary zoning code modernizations with utmost speed and vision.

In general, many of the recommendations for zoning changes, additional inspection activities and community outreach are well founded and the County should move forward with utmost speed. At the same time, some of the recommendations (and justifications) deserve additional clarification and focus to ensure the County protects local communities from the risk of exposure while also encouraging producers to do everything they can to maximize the environmental integrity of their operations.

We offer our responses to specific recommendations to the Strike Team report as follows:

- 1. Eliminating by-right drilling and implement discretionary permitting with comprehensive requirements that protect people:** At its core, the ability of local land use and permitting agencies to determine the conditions which must be implemented at production sites to protect the public health and environment makes complete and common sense. The County estimates that currently 85% of the county's oil and gas wells do not require permit-based approval and yet, as shown by the County's survey and inventory conducted by the Strike Team, and in analysis done by entities like Communities for a Better Environment (CBE) and EDF, the county has many production sites located in close

proximity to people, sensitive environmental conditions, bodies of water and much more. Though not all of the facilities located in close proximity to people were a part of the Strike Team’s inventory, which was limited in scope to evaluating only 557 out of the 1,687 wells existing in the entire county, the broader county has thousands of people that do in fact live in alarmingly close proximity to active wells.

In a recent analysis, we estimate that in Los Angeles County alone, nearly 14,000 people live within 50 m of an active oil well (defined as a well that has withdrawn oil in the last 18 months).

	Number of people living within specified distances from an actively producing oil and gas well			
	Within 50 m (approx. 160 ft.)	Within 100 m (approx. 325 ft.)	Within 200 m (approx. 650 ft.)	Within ½ mile (2640 ft.)
All California	24,660	65,650	155,290	890,000
Los Angeles	13,960	36,350	88,580	584,580

With greater knowledge of the health risks associated with exposure to oil and gas pollution, it is crucial for land use and permitting agencies to impose responsible measures for public health and environmental protection at oil and gas sites, which begins with eliminating the practice of allowing operators to drill “by-right” without oversight by the County.

We are pleased and heartened to see that the Department of Regional Planning (DRP) will “prepare a zoning code update to ensure that oil and gas facilities may no longer be permitted to operate by-right in the unincorporated portions of the County.” Eliminating by-right drilling is a critical and long overdue step in ensuring proper oversight of facilities and in providing a preliminary and basic layer of protection for people living nearby. We suggest that discretionary, permit-based review and approval of drilling include a comprehensive and thorough checklist of items that operators must meet prior to approval that will ensure better protections including monitoring requirements for noise and air, enclosures, and appropriate setback distances.^{1, 2} We urge that DRP implement this action as expeditiously as possible, and we underscore the importance of conducting “outreach to local jurisdictions interested in collaborating on the development of regulatory requirements or protocols for monitoring and evaluating their local oil and gas facilities.” We think this is critical in information sharing, distribution of best practices and ensuring that other jurisdictions follow the example set by the County in eliminating by-right drilling. We suggest prioritizing communication with jurisdictions nearby with heavy oil and gas operations, and especially those that are in close proximity to population centers.

¹ The City of Los Angeles recently imposed requirements for continuous fenceline air monitoring on the Jefferson Drill Site in South Los Angeles after years of complaints about noise, bad smells and the occasional misting of oil onto cars and homes. <http://www.latimes.com/local/california/la-me-oil-drilling-jefferson-20160125-story.html>

² A 2016 court order against AllenCo in Los Angeles requires the installation a state-of-the-art environmental health and safety monitoring system which includes continuous monitoring at four sampling locations on AllenCo's grounds, though no system has been installed to date since the site has not resumed operations. <https://www.lacityattorney.org/blog/tag/Mike-Feuer>

- 2. Setback distances:** The Strike Team report takes an important step forward by recommending the use of buffer zones, or setbacks. As a tool, setbacks have been adopted in jurisdictions around the nation and have shown to be an effective way to reduce community exposure risk. While the method and details of implementing a setback framework for new and existing oil and gas production sites in Los Angeles are important to work out (e.g. such as what the appropriate distance is, what to do with facilities that fall within that setback distance, etc.), the basic recommendation of instituting a setback buffer zone from residential and other sensitive land uses for new and existing sites is critical and should move forward. Accordingly, EDF sees this as not a question of whether setbacks should be developed (they should), but rather a process of how. EDF also agrees with comments from 1st District Strike Team Advisory Panel member Julia May that creating incentive based setback standards may be inappropriate for this task, though evidence on this issue is important to evaluate further.

On the issue of the size of the setback to be adopted by the county, the report says that distances would be determined based on health risk, air quality, noise, odors, aesthetics and other environmental, health and safety, and public nuisance considerations. However, this framework does not appear to take into account that health literature³ suggests that that a single minimum distance may be appropriate – as opposed to a site-by-site assessment. EDF therefore recommends the Strike team and County evaluate a setback standard based upon a single distance framework, such as that proposed by comments received by 1st District Advisory Panel member Julia May on the report. We agree that by evaluating a mandatory, single-distance setback framework, the County would be harmonizing with current LA City efforts.

- 3. Air monitoring and leak detection:** With the advent of new technology to conduct air monitoring and leak detection at oil and gas production sites, it is more crucial than ever that the County move forward with its recommendation on air monitoring.

While we agree that it is important for the Department of Regional Planning (DRP) to conduct outreach to local jurisdictions to help develop regulatory requirements and protocols for monitoring, we recommend the County first adopt a standard that mandates that monitoring be performed, and then move expeditiously into standards development. In the development of such standards, we support the recommendation for “the creation of a program within the Land Use Regulation Division to continually ensure monitoring and compliance for all oil and gas facilities.” We also support the County prioritizing both monitoring deployment and compliance assurance activities at sites in closest proximity to people.

³ McKenzie, L. M., Witter, R. Z., Newman, L. S., & Adgate, J. L. (2012) *Human Health Risk Assessment of Air Emissions from Development of Unconventional Natural Gas Resources*, Science of the Total Environment, Vol. 424 at 79-87. Peter M. Rabinowitz, et al. (Jan. 2015) [“Residents living $\leq \frac{1}{2}$ mile from wells are at greater risk for health effects from NGD than are residents living $> \frac{1}{2}$ mile from wells.”] and <https://www.ncbi.nlm.nih.gov/pubmed/22444058> and *Proximity to Natural Gas Wells and Reported Health Status: Results of a Household Survey in Washington County, Pennsylvania*, Env’tl Health Perspectives, Vol. 123, at 21–26, available at <https://ehp.niehs.nih.gov/1307732/>

With regard to the types of monitors to be deployed, the Strike Team report advises that “fenceline monitoring can be used to identify leaks and unintended or accidental releases at any facility if the same technologies are applied, not just refineries, and could alert communities of potential health and safety issues.” We agree with this observation and call for local air pollution districts, such as the SCAQMD, which is currently considering real-time air monitoring requirements at refineries under Rule 1180, to launch a similar rule for monitoring requirements at production sites. Where real-time monitoring is either infeasible or unsuitable for capturing all pollutants of concern, layered mobile monitoring should be considered as well, and consideration should be given to technologies capable of capturing data with high spatial resolution, low detection limits, and with maximized cost effectiveness.

If efforts by SCAQMD come to fruition on monitoring, we recommend that the County harmonize its efforts on monitoring with requirements for oil and gas pollution monitoring in an SCAQMD rules. However, the fact that SCAQMD may act on monitoring should not stand in the way of the County imposing its own requirements, especially given the slow-moving timeline from the agency.

4. **Storage facilities:** The Strike Team correctly identified that “storage facilities in the oil and gas industry have historically leaked crude products during many years of operations, and substantial damage has occurred as a result of subsequent residential uses being placed in previously contaminated areas,” citing the Carousel Tract in the City of Carson, where residences were built on top of areas previously occupied by leaking storage tanks, as an example for a neighborhood that has acquired significant health burdens due to contaminant exposure. EDF agrees that DRP must include in the new oil code a regulatory framework new and existing storage facilities. While we are pleased to see the proposed action step of including a protocol for leak inspection and detection of existing areas of concern in the updated code, along with remediation strategies and clean up goals, we would like for the Strike Team to propose an enforcement mechanism in order to ensure these companies properly comply.
5. **Other Industrial uses:** We agree with the recommendation to have the Strike Team identify other industrial facilities within the unincorporated County and surrounding communities that may merit additional oversight and review including storage facilities, battery plants, refineries, and other facilities that contain a high risk of harming people living and working nearby. We agree that the Strike Team should conduct Risk Analysis to assess the level of risk that could exist from these facilities and the types of potential mitigation that could be used to remedy potential risks.
6. **Associated Oil and Gas Facilities Outside County Jurisdiction:** The Strike Team staff astutely noted that several of the County’s facility operations cross jurisdictional boundaries, with associated processing facilities, trucking routes and pipelines often being located in adjacent counties or cities. Such was the case in the Strike Team’s own inventory of the Matrix Sansinena, Linn Energy, CRC, Brea Canon, and Breitburn Rosecrans operations, where “some produced oil or gas is transported by pipeline to a processing facility located outside the unincorporated County of Los Angeles jurisdiction in adjacent jurisdictions.”

We agree with the staff recommendation that the Board “consider review of relevant oil and gas facilities located outside County jurisdiction under the parameters of the Project.” However, we do not believe the review should be on a “case by case” basis – rather there should be an automatic review of any and all operations, regardless of location, associated with a core facility located within the County. To this end, EDF also agrees that the Board should work in tandem with other counties and cities to ensure the proper review and inspection of all aspects of facility operations. Additionally, this is a pivotal opportunity for the Board to share this important undertaking and the lessons learned as well as recommendations that result from this Strike Team review process.

- 7. Sharing best practices and lessons learned from the Strike Team effort with other jurisdictions:** While this recommendation is sprinkled throughout the report, it is important to explicitly recommend that the Strike Team share with other jurisdictions and agencies the important work done and valuable findings that have been captured as a result of the 18-month endeavor carried out. There will be many opportunities to share these lessons if the recommendations are carried out about sharing planned actions on removing by-right drilling and reviewing associated oil and gas facilities outside of the scope of this project. However, EDF recommends that the Strike Team create some structure around sharing this work in the form of a best practices report, along with the creation of a workgroup with key officials from agencies in jurisdictions throughout California, and the public, that meets periodically.

As a proposed future action, the Strike Team report includes the creation of an ordinance that would include a “review of the DOGGR Renewal Plan on oil and gas well regulation at the State level to determine how the oversight coordinates with current and future County oversight.” This is an important effort, and a working-group could continue to information share and create priorities for coordination among agencies. Currently, the inventory of oil and gas wells, and zoning code regulations are out of date in many jurisdictions across the state. In order for effective actions aimed at properly regulating oil and gas operations in California, it is critical for an accurate inventory of oil and gas wells, and their impacts including proximity to people (and health and safety concerns), be updated. Creating a system for sharing best practices and lessons learned will therefore be critical moving forward.

- 8. In addition to the comments above, EDF also agrees with several of the comments submitted by 1st District Advisory Panel Member, Julia May on 10/19/2017, including comments on sections related to:**

- Odor Prevention Plans
- Best Available Control Technology (BACT)
- Survey or interviews of neighbors
- Requirements to restrict use of hazardous chemicals
- Oil & Gas pipeline evaluation
- Orphaned & Abandoned well further examination

Thank you for considering these comments moving forward.

Sincerely,

Timothy O'Connor

County District 3 Representative, Oil and Gas Strike Team Advisory Panel Member

Director and Senior Attorney, California Oil and Gas Program, Environmental Defense Fund

Irene Burga

Manager, California Climate & Energy for the Environmental Defense Fund

FOURTH DISTRICT
ADVISORY PANEL MEMBER
MATT REZVANI
COMMENTS

Mr. Timothy Stapleton,
AICP Zoning
Enforcement West
Department of Regional
Planning 320 W. Temple
Street
Los Angeles, CA 90012

October 24, 2017

Subject: Los Angeles County Oil and Gas Facility Compliance Review Project
Bi-Annual Report Number Three
Comments by Matt Rezvani – 4th District Advisory Panel member

Dear Mr. Stapleton,

The work of the strike team, staff and the consultant in inspecting and reviewing a great number of oil and gas facilities and wells in unincorporated segments of LA County, as directed by County Board of Supervisors' motion, is commendable. The fact that this 3rd and final report includes all previous reports and inspection results makes the report a valuable document. We particularly appreciate the fact that the report summarizes the comments and recommendations made by various members of the Advisory Panel at several Strike Team and Advisory Panel meetings about other issues and inspection of other facilities.

Considering that previous comments are covered in this report, these comments will be limited to recommendations on potential follow-up works. However, there are some suggestions regarding the format of the report that can improve the report in prioritizing issues for any future follow-up inspections.

- In coordination with oversight agencies such as DOGGR and SCAQMD, the county should create a program for continuous monitoring and compliance, particularly of those facilities identified with gaps in their compliance or those with repeated problems,
- The county should support California Department of Conservation in their efforts to secure even additional funding than what was approved this legislative session for corrective abandoning of orphan oil wells in the communities by DOGGR.
- Potential future county regulations regarding these and other facilities should not duplicate federal, state or local regulations. They can be included by reference. The

county can instead focus its efforts and limited resources on areas where there are regulatory gaps such as zoning and setback issues, as well as inspection of facilities with repeated violations or chronic problems.

- Prior to developing any potential pipeline inspections protocols, the Strike Team should consider consulting California State Fire Marshal regarding their planned annual inspection program that will identify high risk pipelines as required by SB 295, a bill that was introduced by Senator Jackson and enacted in 2015.
- The Executive Summary should have also contained the Recommendations and Conclusions sections (Section 4 and 5) of the report. This would have made it easy for some readers who have limited time to capture the essence of the report with its recommendations by reviewing the Executive Summary.
- A comprehensive list of facilities that either had various gaps in their compliance, repetitive odor issues or some more significant shortcomings would have been helpful to identify repeat violators and to prioritize those facilities for potential future inspections.

Matt Rezvani

Member of the Advisory Panel - 4th District