NATIVE AMERICAN HERITAGE COMMISSION

NAHC HEADQUARTERS
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April 1, 2025

Kenneth Warner
Los Angeles County Department of Regional Planning
320 W Temple Street
Los Angeles CA 90012

Re: 2025031377 Revised Oil Well Ordinance (ROWO) Project, Los Angeles County

Dear Mr. Waner:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements**. If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:

- **a.** A brief description of the project.
- **b.** The lead agency contact information.
- **c.** Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
- **d.** A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).

2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).

- **a.** For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).

3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:

- **a.** Alternatives to the project**.**
- **b.** Recommended mitigation measures**.**
- **c.** Significant effects**.** (Pub. Resources Code §21080.3.2 (a)).

4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:

- **a.** Type of environmental review necessary.
- **b.** Significance of the tribal cultural resources.
- **c.** Significance of the project's impacts on tribal cultural resources.
- **d.** If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).

5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).

6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:

- **a.** Whether the proposed project has a significant impact on an identified tribal cultural resource.
- **b.** Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:

a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or

b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:

a. Avoidance and preservation of the resources in place, including, but not limited to:

i. Planning and construction to avoid the resources and protect the cultural and natural context.

ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.

b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:

i. Protecting the cultural character and integrity of the resource.

ii. Protecting the traditional use of the resource.

iii. Protecting the confidentiality of the resource.

c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.

d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).

e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).

f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:

a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.

b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.

c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf.

Some of SB 18's provisions include:

1. Tribal Consultation: If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. No Statutory Time Limit on SB 18 Tribal Consultation. There is no statutory time limit on SB 18 tribal consultation.
3. Confidentiality: Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. Conclusion of SB 18 Tribal Consultation: Consultation should be concluded at the point in which:
  a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: http://nahc.ca.gov/resources/forms/.

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (https://ohp.parks.ca.gov/?page_id=30331) for an archaeological records search. The records search will determine:
  a. If part or all of the APE has been previously surveyed for cultural resources.
  b. If any known cultural resources have already been recorded on or adjacent to the APE.
  c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  d. If a survey is required to determine whether previously unrecorded cultural resources are present.

2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
  b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:

a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.

b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.

4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.

a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.

b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.

c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Andrew.Green@NAHC.ca.gov.

Sincerely,

Andrew Green

Andrew Green
Cultural Resources Analyst

cc: State Clearinghouse

Chris Kilpatrick
P.O. Box 8534
La Crescenta, CA 91224
April 7, 2025

Los Angeles County Department of Regional Planning
Attn: Ken Warner
320 W. Temple Street, Floor 13
Los Angeles, CA 90012
ordinance@planning.lacounty.gov

Subject: Public Comment on the Revised Oil Well Ordinance (Project No. PRJ2025-000212)

Dear Mr. Warner,

I am writing as a private citizen to express my strong opposition to the proposed Revised Oil Well Ordinance, which would phase out oil production in unincorporated Los Angeles County by reclassifying existing wells as nonconforming uses.

While this ordinance does not directly impact the Crescenta Valley, where I serve in local government, I want to be clear that I am not speaking on behalf of the Crescenta Valley Town Council, and no vote has been taken. I am offering this comment in a personal capacity because the broader implications of this policy affect the entire region.

There are thousands of oil wells in Los Angeles County, and they continue to provide substantial economic value—including middle-class jobs, local tax revenue, and domestic energy production. These wells are part of the infrastructure that supports our economy and the communities that rely on it.

Regardless of political viewpoint, it is a fact that fossil fuels remain the backbone of our economy and the primary source of energy. Phasing out local production does not reduce demand—it only shifts supply to out-of-county and out-of-state sources, increasing costs, reducing oversight, and creating greater environmental risk through long-distance transport.

This ordinance also introduces the serious risk of well abandonment. When production is forced to shut down without a viable transition plan, maintenance stops, and wells are left to decay—resulting in greater environmental liabilities over time, not fewer.

If the concern is compliance, then focus on enforcing existing laws. Eliminating a lawful, regulated industry through zoning is a blunt instrument with far-reaching consequences.

I strongly urge that the Environmental Impact Report include a full and honest assessment of all impacts of this ordinance—including economic displacement, loss of local revenue, increased emissions from imported energy, and the very real environmental consequences of premature well abandonment.

This ordinance may be well-intended, but as written, it risks doing more harm than good—economically, environmentally, and operationally.

Respectfully,

Chris Kilpatrick

CIPA

California Independent Petroleum Association
1001 K Street, 6th Floor
Sacramento, CA 95814
Phone: (916) 447-1177
Fax: (916) 447-1144

April 26, 2025

Mr. Ken Warner
LA County Planning
Ordinance Studies Section
320 West Temple Street, Floor 13
Los Angeles, CA 90012

Re: Notice of Preparation: Revised Oil Well Ordinance, Project No. PRJ2025-000212

Dear Mr. Warner,

The California Independent Petroleum Association (CIPA) hereby submits the following scoping comments to inform the LA County Department of Regional Planning Environmental Impact Report (EIR) for the proposed Revised Oil Well Ordinance (ROWO), Project No. PRJ2025-000212. We ask that these comments be made part of the records of proceedings for the ROWO.

CIPA represents approximately 300 independent oil and gas operators, service and supply companies, as well as royalty owners throughout the State of California who supply the crude oil and natural gas necessary for California's residents to commute to work and school, repair roads and other infrastructure, heat and cool their homes, and keep the lights turned on.

As you are aware, the County of Los Angeles' (LA County) previous attempt to adopt a so-called oil ordinance was challenged in court and resulted in a settlement whereby LA County agreed to rescind that ordinance. CIPA looks forward to LA County's fulfillment of its settlement obligations and expects that the County will complete ordinance rescission in a timely manner. As LA County is well aware, the Courts have repeatedly confirmed that the state regulations pre-empt local government rulemaking regarding the operation of oil wells.[1] We understand that, in advancing the ROWO, LA County is attempting to adopt a revised version of its original oil ordinance under the auspices of AB 3233. CIPA notes that: (1) AB 3233 does not resolve the

[1] *See Chevron U.S.A. Inc. v. County of Monterey* (2023) 15 Cal.5th 135; *Warren E&P, Inc. v. City of Los Angeles*, 23-STCP00060 (March 21, 2025).

matter of legal preemption; and (2) does not protect local governments from takings claims from affected operators and royalty owners. While CIPA appreciates that LA County understands the controversial nature of the ROWO and will be preparing an EIR to analyze the environmental impacts of the ROWO, we are dismayed at LA County's attempt to narrowly limit its disclosure of environmental impacts to preclusion of access to mineral resources. The initial study published with the notice of preparation improperly and inaccurately dismisses every single other resource category under Appendix G of the CEQA Guidelines. The following comments identify specific topics of environmental concern that LA County should study in the EIR and provide public disclosure of the full environmental impacts of its decision-making.

An EIR Must Include an Accurate and Supported Statement of Project Objectives

CEQA Guidelines Section 15124(b) requires that a "project description shall contain a statement of objectives sought by the proposed project. A clearly written statement of objectives will help the lead agency develop a reasonable range of alternatives to evaluate in the EIR….The statement of objective should include the underlying purpose of the project and may discuss the project benefits." The project description published in the Notice of Preparation and the initial study specifically excludes any statement of objectives to which any potentially identified alternatives will be compared. The project background provided in the initial study lists the numerous agencies with regulatory oversight of oil production operations, along with recent statewide legislative actions that further regulate and limit oil production. Thus, the project background itself discloses the fact that the ROWO seeks to occupy a field that is already fully occupied by the state and other affiliated agencies and will therefore be subject to a determination of legal preemption once more.

The EIR must include a clearly written statement of objectives for the ROWO that includes a well-supported description of the need for the ROWO given the extensive existing regulatory framework for oil and gas production, and the lack of any identified and unmitigated environmental impacts within the Baldwin Hills Community Standards District (CSD) after 17 years of continuous monitoring, reporting, and oversight by LA County Department of Regional Planning.

EIR Must Include Accurate, Non-Hypothetical Baseline Setting

CEQA Guidelines Section 15125 (a)(3) specifies that "an existing conditions baseline shall not include hypothetical conditions, such as those that might be allowed, but have never actually occurred, under existing permits or plans, as the baseline". Here, LA County, inappropriately assumes that the existing conditions baseline with respect to Air Quality presently exposes disadvantaged communities/the public to unique health hazards attributable to oil and gas operations in LA County. This is demonstrably false.

While notably not discussed in the project description, CIPA notes that the great majority of active oil fields in LA County are located outside of any SB 535 designated disadvantaged communities.[2] This includes the active oil fields in the Santa Clarita Valley (up through the Castaic Area), as well as the Inglewood, Cheviot Hills, Beverly Hills, San Vincente, Salt Lake, Torrence, Whittier, Sansinena, Long Beach, Seal Beach, Huntington Beach, and Newport oil fields. While there is reference to protection of public health in the 2021 Board Motion, the November 2020 Health Risk Assessment Report for the Baldwin Hills CSD evaluated potential human health risks from current operations (drilling 1 well per year on average) and future worst-case scenario operations (drilling of 46 new wells per year) and found that: 1) the current operations scenario does not exceed Air District significance thresholds for acute, cancer or chronic hazards at the fenceline or any sensitive receptor locations; 2) worst-case future year scenario exceeded Air District significance thresholds for cancer risk at the fenceline and was below thresholds for acute, chronic and cancer risk at all sensitive receptors; and 3) drilling scenarios up to 25 wells drilled per year were below all significance thresholds.[3] This health risk assessment report complements LA County Department of Public Health's February 2011 Inglewood Oil Field Community Health Assessment which likewise concluded that there were no statistically significant differences in: 1) overall mortality rates for all causes of death, 2) the mortality rates for any of the leading causes of death or premature death, 3) in the rates of low-birth-weight births, nor 4) in the number of birth defects in the Inglewood Oil Field communities compared to Los Angeles County, after adjusting for age and race/ethnicity. The study also concluded that there was no evidence of elevated rates of acute myelogenous leukemia (the type of cancer most often linked to petroleum projects) in the Inglewood Oil Field communities compared to Los Angeles County as a whole. What's more notable is that the data used to inform this assessment is from the time period before the enactment of the Baldwin Hills CSD. While Los Angeles County announced its intention to once again conduct a new study to focus on health impacts of the Inglewood Oil Field in 2021, the results of this study are still unpublished four years later.

The most direct and relevant monitoring study conducted in Los Angeles County—the Study of Neighborhood Air near Petroleum Sources (SNAPS) at the Inglewood Oil Field—documents the fact that there are no elevated levels of criteria pollutants attributable to oil operations. CARB's SNAPS program placed air monitors on both the west and east sides of the Inglewood Oil Field, supplemented by mobile monitoring throughout the community. The air quality results, which cover data through March 2024, found that all detected compounds were below National Ambient Air Quality Standards (NAAQS) or OEHHA's acute health reference exposure levels. Pollutants of concern, including VOCs, benzene, and black carbon, were measured and found not to pose acute health threats in the area.[4] These findings directly contradict the assertion that continued oil production poses a disproportionate health risk to nearby residents, and exposes LA County's so-called environmental baseline for what it is—a hypothetical assumption that has already been disproved by numerous qualified assessments. The above-described published studies and the current data collected by the SNAPS program must be described in the EIR to present the baseline setting against which the Project is compared, and not a

[2] https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40
[3] https://planning.lacounty.gov/wp-content/uploads/2022/10/bh_health-risk-assessment-report.pdf
[4] https://gis.carb.arb.ca.gov/portal/apps/storymaps/stories/09390e3ad9994177b4c23b17532c0380

hypothetical—demonstrably false—baseline of potential health impacts for which the County has no evidence to support such a claim.

Similarly, with regard to all other resource categories, LA County must incorporate all existing monitoring data and reports related to the Baldwin Hills CSD since its implementation in 2008, for which no unmitigated adverse impacts to the physical environment have been documented. Under CEQA Guidelines, the baseline setting is set at the time that the Notice of Preparation is published which is a baseline that includes ongoing implementation of the Baldwin Hills CSD. It is inappropriate, arbitrary and capricious that the project description in the initial study references the findings of the Baldwin Hills CSD EIR which evaluated a baseline setting over 17 years ago prior to the adoption of the CSD, in order to falsely paint a picture of existing adverse conditions.

Reasonably Foreseeable Indirect Impacts

CEQA defines a "project" as an activity that (1) is a discretionary action by a governmental agency and (2) will either have a direct or reasonably foreseeable indirect impact on the environment. (Pub. Res. Code, § 21065.). LA County's initial study improperly avoids any discussion of the reasonably foreseeable indirect impacts of the proposed ROWO. The realities of crude oil demand and energy production and distribution in California (and LA County) are such that the following information and conclusions are not speculative, but reasonably foreseeable and inevitable outcomes of the ROWO and MUST be disclosed and evaluated in the EIR.

1. Increased Imports of Oil to Local Ports and Associated Tanker and Tanker Truck Traffic

Every barrel of oil not produced in-state must be tankered into California, primarily into the Ports of Los Angeles and Long Beach to meet demand. There are no interstate pipelines that carry foreign crude oil, and railing and trucking oil is expensive and impractical. As a result, increased tankering of foreign oil is the inevitable result of any curtailment of in-state production and a reasonably foreseeable indirect impact of the Project. Californians consume over 1.8 million barrels of crude a day.[5] Despite the state's efforts to transition to alternative fuels, oil consumption in California has not decreased. Accordingly, since the data shows that demand is not decreasing, if LA County adopts the ROWO, the oil produced in Los Angeles County that is currently sent to the local refineries will need to be made up for by either production at other California fields, or imported via tanker to the Ports. According to the CalGEM WellSTAR data dashboard, average monthly production of crude oil in Los Angeles County in 2023 was 1,116,635.5 barrels. According to the documentation associated with the Stanford produced OPGEE model which is used by the California Air Resources Board to calculate the carbon intensity of oil produced in California and imported into California from elsewhere, the standard tanker which delivers crude to California has a capacity of 22,500 tons. This equates to 153,926 barrels of oil (1 ton equals 6.08 barrels of oil equivalent). Accordingly, if production of oil from Los Angeles County is eliminated, it is reasonably foreseeable that this

[5] https://www.eia.gov/state/?sid=CA#tabs-1

would result in 7 to 8 additional tankers of crude oil coming into the local ports each month. All foreseeable impacts resulting from the use of these additional tankers must be disclosed and evaluated in the EIR.

The anticipated increase of approximately 84-96 additional tanker calls per year represents a 4.4% increase in annual port vessel traffic for the Ports of Los Angeles and Long Beach. Each of these tankers generates emissions of harmful pollutants, including particulate matter (PM_{10} and $PM_{2.5}$), diesel particulate matter (DPM), nitrogen oxides (NO_x), sulfur oxides (SO_x), hydrocarbons (HC), carbon monoxide (CO), and greenhouse gas emissions measured as carbon dioxide equivalent (CO_2e). The cumulative emissions from these additional tankers will directly contribute to air quality degradation to the greater Long Beach area, which is within the South Coast Air Basin that is already designated as non-attainment under State and Federal Clean Air Acts for ozone and particulate matter. Increased port activity also means greater use of tugboats, auxiliary engines, trucking of crude to refineries, and increased idling times, compounding the emissions impacts. These emissions are not only harmful on a regional scale—they also have localized consequences for communities living adjacent to the ports. In contract to the census tracts surrounding active oil fields that are not disadvantaged communities, the census tracts at the Ports and along the freeways which are used to transport products from the Ports to their ultimate destinations have been identified by CalEnviroscreen 4.0 as Senate Bill 535 Disadvantaged Communities.[6] Therefore, the EIR must evaluate the indirect impacts of the Project on air quality, including a human health risk assessment of the increased emissions of tankers and associated tanker trucks on the disadvantaged communities surrounding the Ports of Long Beach and Los Angeles. The EIR must also evaluate the indirect impacts of the Project on traffic and transportation, as it relates to the increased tanker truck traffic on local roadways and the already extremely impacted highways surrounding the Ports, including but not limited to, the 405 and 710 freeways.

With regard to greenhouse gas emissions and climate change, the EIR must disclose that existing oil production operations in Los Angeles County are covered by the California Air Resources Board's Cap-and-Trade program, as well as the South Coast Air Quality Management District rules which limit greenhouse gas emissions. The EIR must compare the Project to this existing baseline setting and not falsely characterize the purported Project-related beneficial impacts to greenhouse gas emissions. Cap-and-trade is a market-based regulation that is designed to reduce GHGs from multiple sources, including operators of petroleum and natural gas systems facilities (Section 95852(h)). The program sets a firm limit, or cap on GHG emissions from all sources in the cap-and-trade program and minimizes the compliance costs of achieving AB 32 goals. The initial cap was established in 2013 for the electrical sector and any large industrial source (including oil and gas production activities) emitting more than 25,000 $MTCO_2e$ per year, which includes a total of 450 entities statewide. The cap declines approximately 5 percent each year for the period 2021 through 2031, reducing the overall volume of GHGs that can be emitted by covered entities each year. Note that California's cap-and-trade program does not capture the GHG emissions from other sources such as universities

[6] https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40

or municipalities, regardless of the volume of GHGs emitted. Compared to oil production emissions which are covered by the cap-and-trade program, the Port of Long Beach GHG emissions associated with cargo handling equipment alone were 133,039 $MTCO_2e$ in 2022, and the reported GHG emissions in 2022 for the University of California Los Angeles were 212,687 $MTCO_2e$. Similarly, City of LA Metro conducted an analysis of GHG emissions anticipated to result from proposed expansion of lane miles on freeways in the LA region (which began in 2017) and found that the work is expected to induce 2.6 million to 10.1 million $MTCO_2e$ GHG emissions between 2017 and 2047 (average mobile GHG emissions of 337,033 $MTCO_2e$/year).[7] Accordingly, the EIR must evaluate the reasonably foreseeable indirect impacts to greenhouse gas emissions of increased port activities and increased tanker truck traffic that would result from the Project.

2. Redevelopment of Existing Oil Fields

The EIR must evaluate the reasonably foreseeable indirect impact of redevelopment of the Inglewood Oil Field and all other oil production lands that would be affected by the Project. While any specific redevelopment proposals would be appropriately evaluated in detail in a project-specific CEQA document, EIR must provide a good-faith attempt to disclose the potential impacts of the range of likely redevelopment activities that would occur if the Project is adopted, including new housing and commercial spaces and/or public parks.

As evidenced by the following, the most speculative of all outcomes of the Project is that the oil fields would remain vacant and undeveloped, conserved in perpetuity in their current state in order continue providing beneficial coastal sage scrub and shrub scrub habitat for biological resources.[8]

- The oil and gas industry provides approximately $10.1 billion in state and local taxes and other revenue in Los Angeles County.[9] The impact of these revenues are most intense in Supervisorial District 4 – which has large oil and gas production operations.[10] In addition, according to recent economic assessments by the LA Economic Development Corporation, the industry supports an estimated 33,169 direct jobs and over 118,000 indirect and induced jobs within the County. This translates to a total of 151,490 jobs and approximately $15.1 billion in labor income. It is reasonably foreseeable that LA County would seek to replace the lost revenue and labor income from oil field operations through construction activity, new commercial job opportunities, as well as property taxes and sales taxes that would be realized only through future redevelopment.
- Los Angeles County's housing shortage is getting worse – recent studies confirm that the County is over 400,000 units short of the affordable housing it needs to meet demand.[11] On March 25, 2025, the LA County Board of Supervisors adopted a goal to increase the

[7] https://www.cityofsignalhill.org/612/Current-Projects
[8] https://baldwinhillsnature.bhc.ca.gov/native-shrubs/
[9] https://laedc.org/research/reports/oil-gas-in-california/
[10] https://www.wspa.org/wp-content/uploads/Oil-and-Gas-Industry-Contributions-to-LA-County-.pdf
[11] https://chpc.net/wp-content/uploads/2024/05/Los-Angeles_Housing_Report.pdf

current level of affordable housing production, from a baseline of 1,700 units in FY 23-24 to a target of 2,400-2,600 units in 2030.[12] It is reasonably foreseeable that LA County would seek to use the land currently occupied by active, legally-operating oil production operations to fulfill its affordable housing needs.

- Following the 2023 Settlement Agreement between Sentinel Peak Resources and the City of Culver City, the City of Culver City noted that it acknowledges its support for the thoughtful redevelopment of the Inglewood Oil Field to transition to certain compatible land uses, including, but not limited to, residential, commercial and recreational uses, and access, and is receptive to working collaboratively with the County in an effort to create a coordinated review process and timeline for the Inglewood Oil Field Redevelopment process.[13]
- In 2016, the Baldwin Hills Conservancy proposed additional segments of its Park-to-Playa trails which included portions of the Inglewood Oil Field, and published an Initial Study/Mitigated Negative Declaration evaluating the effects of converting the oil field to recreational use.[14] The Baldwin Hills Conservancy has also published the Kenneth Hahn State Recreation Area General Plan Amendment which clearly identifies that once oil operations extraction operations at the Inglewood Oil Field cease, the land may become available for park purposes (i.e., to expand the boundaries of the state recreation area).[15] Therefore, it is reasonably foreseeable that all oil fields affected by the Project could be acquired by a land conservancy and converted to park space.

The County has already assessed at a program-level the types of impacts that would occur from future redevelopment in its 2022 Housing Element PEIR[16], which could be incorporated by reference into the subject EIR. The Site Inventory included as Appendix A to the Housing Element provides an estimate of maximum density allocation and population capacity for each parcel identified by the County. This same formula could be utilized to estimate the maximum density of dwelling units and expected population of future redevelopment at all currently operating oil fields in LA County that would be affected by the Project. The Housing Element PEIR identified potentially significant and unavoidable impacts related to air emissions, cultural resources, noise and vibration (including a permanent increase in ambient noise levels), and traffic and transportation.

In addition to these resource categories, the EIR must evaluate the impacts to biological resources that would result from redevelopment of currently operating oil fields. The EIR must accurately describe the existing baseline setting for biological resources including the ecological functions currently provided by oil fields across Los Angeles County, particularly the Inglewood Oil Field. Despite their industrial nature, many of these sites are large open spaces that support ongoing habitat restoration and provide important corridors for wildlife movement within a

[12] https://homeless.lacounty.gov/responsive-regional-plan/
[13] https://www.culvercity.org/News/IOF-Settlement-Agreement
[14] https://bhc.ca.gov/webmaster/arc/documents/Segment%20C%20Park%20to%20Playa%20Trail%20IS-MND.pdf
[15] https://bhc.ca.gov/webmaster/arc/documents/introduction.pdf
[16] https://planning.lacounty.gov/wp-content/uploads/2022/11/Housing_final-peir.pdf

fragmented urban landscape. The Inglewood Oil Field, for example, includes native habitat restoration areas supporting Coyote Bush Scrub, Costal Sagebrush Scrub, Cottonwood Trees, Native Grassland, Interior Live Oak Woodland, Riparian Scrub, Willows, and Disturbed Riparian Scrub. These habitats support species such as burrowing owls, red-tailed hawks, and various pollinators.

With regard to the reasonably foreseeable outcome of conversion to park space, the development of the Kenneth Hahn State Recreation Area included development of numerous soccer fields, grassy play areas and structures. If oil field lands are prematurely decommissioned and converted into conventional urban parks—like Kenneth Hahn State Recreation Area—they could introduce greater human activity, water-intensive landscaping, and lighting that disrupts nocturnal wildlife. Additionally, replacing open oil field space with developed park infrastructure may interrupt wildlife connectivity between the Baldwin Hills and other natural areas, further degrading biodiversity in an already urban-constrained ecosystem. Therefore, the EIR must include an evaluation of the anticipated impacts to biological resources, as well as other impacts related to water demand, pesticide/herbicide use, stormwater runoff, elevated ambient noise levels and traffic associated with park use.

Issues that Must be Addressed in the EIR

1. New Sources of Light and Glare

The initial study arbitrarily states that "existing oil production operations in unincorporated Los Angeles County often involve nighttime lighting for safety and operational purposes, as well as infrastructure (e.g., storage tanks, pipes) that can reflect sunlight and create glare during the day. By phasing out and removing oil wells and associated facilities, the project is anticipated to reduce these existing sources of artificial light and glare, thereby improving nighttime visibility and diminishing daytime glare conditions." The EIR must accurately describe the existing baseline setting of Los Angeles County which has significant nighttime light pollution as well as glare from the existing heavily developed land areas. The EIR must also properly evaluate the reasonably foreseeable significant and unavoidable increases in new sources of light and glare that will undoubtedly result from transitioning legally-permitted oil production operations to any other land use by the County.

2. Exposure of Sensitive Receptors to Substantial Pollutant Concentrations

As described above, the EIR must evaluate the significant and unavoidable indirect effects of the Project in exposing sensitive receptors to substantial pollutant concentrations as a result of the reasonably foreseeable redevelopment of any oil field sites, as well as increased volume of tankers at local ports and tanker truck traffic on local highways.

3. Adverse Effects to Biological Resources

Oil fields in Los Angeles County provide some of the last areas of open spaces and native habitat in the unincorporated County, including habitat for sensitive species (e.g., the Montebello Oil Field provided some of the highest quality habitat for the California coastal gnatcatcher in Los Angeles County, and former oil fields in the Santa Clarita Valley contain the

San Fernando Valley spineflower). The EIR must evaluate the potential significant and unavoidable indirect effects of the Project on sensitive resources, sensitive natural communities.

4. Impacts to Archaeological and Paleontological Resources

It is surprising that the initial study describes the potential archaeological and paleontological resources of oil fields within the County as low given that the Baldwin Hills CSD EIR describes the potential as high and incorporates a mitigation measure requiring a paleontological monitoring for all ground-disturbing activities. The EIR must reconcile the baseline setting description to accurately characterize the potential for such resources within the oil field environment, given the large amount of undeveloped open space that is common within oil fields, and assess the potential for impacts to such resources given the reasonably foreseeable future uses of such lands.

5. Impacts of the Replacement of an Energy-Providing Land Use with Energy-Consuming Land Uses

The initial study inaccurately states that Project would not replace oil production operations with any greater energy-intensive operations and therefore, the Project would result in a decrease in energy consumption. This assumption is arbitrary and capricious and not based in reality. The State and County's efforts to replace oil and natural gas with electric resources mandates that any land use that replaces the oil fields will absolutely increase energy consumption and require additional energy resources. The EIR must evaluate the reasonably foreseeable significant and unavoidable increases in energy consumption that will occur as a result of the indirect impacts of the Project.

6. Increases in Greenhouse Gas Emissions

As described above, the Project would result in the reasonably foreseeable indirect impact of increased Port activities. Evaluations of Port greenhouse gas emissions reveal that it is a substantial source of greenhouse gas emissions in the County, and that it is not subject to the same greenhouse gas regulations as all oil and gas production operations in the County. The EIR must evaluate and disclose the reasonably foreseeable increases in greenhouse gas emissions that would result from the Project.

7. Impacts to Water Resources

As described above, it is reasonably foreseeable to anticipate that if oil production operations cease, the lands would be redeveloped into recreational, residential or commercial land uses, all of which would have a much greater water demand, as well as generate a greater volume of stormwater, likely contaminated with pesticides and other chemicals common in roadway runoff. The EIR must evaluate the reasonably foreseeable significant impacts to water resources that would occur as a result of the indirect impacts of the Project.

8. Conflicts with Existing County Land Use Policy

The EIR must disclose and evaluate the Project's conflicts with existing County policies. In particular, the proposed amendments to the General Plan for the Project directly conflicts with Goal C/NR 10 of the Conservation and Natural Resources Element: Locally available mineral resources to meet the needs of construction, transportation, and industry[17], including the following policies:

- Policy C/NR 10.1: Protect MRZ-2s and access to MRZ-2s from development and discourage incompatible adjacent land uses.
- Policy C/NR 10.2: Prior to permitting a use that threatens the potential to extract minerals in an identified Mineral Resource Zone, the County shall prepare a statement specifying its reasons for permitting the proposed use, and shall forward a copy to the State Geologist and the State Mining and Geology Board for review, in accordance with the Public Resources Code, as applicable.
- Policy C/NR 10.5: Manage mineral resources in a manner that effectively plans for access to, development and conservation of, mineral resources for existing and future generations.
- Policy C/NR 10.6: Require that new non-mining land uses adjacent to existing mining operations be designed to provide a buffer between the new development and the mining operations. The buffer distance shall be based on an evaluation of noise, aesthetics, drainage, operating conditions, biological resources, topography, lighting, traffic, operating hours, and air quality.

In addition, the Project directly conflicts with the entirety of the Baldwin Hills CSD and attempts to present an inaccurate and hypothetical baseline of oil field operations without 17 years of continued regulatory oversight through the CSD. The EIR must evaluate how the obvious conflict with these policies which the County previously adopted for the purpose of avoiding or mitigating an environmental effect would create a significant environmental impact (preclusion of mineral resources and all associated reasonably foreseeable indirect impacts as previously described).

9. Increased Noise Pollution, Increased Traffic, and Conflicts with Transportation Plans

As described above, it is reasonably foreseeable to anticipate that if oil production operations cease, the lands would be redeveloped into recreational, residential or commercial land uses. In addition, it is reasonably foreseeable that Port activities would increase. Accordingly, the EIR must evaluate the reasonably foreseeable significant and unavoidable impacts of these indirect effects of the Project on increased ambient noise levels, increased traffic, and conflicts with County transportation plans.

10. Indirect induced population growth

The initial study blatantly ignores the fact that elimination of an industrial land use would open up large swaths of land to provide housing for LA County's population. Therefore, it is arbitrary and capricious that the initial study did not evaluate the indirect effects of the Project on inducing population growth. The EIR must evaluate the reasonably foreseeable significant and unavoidable effects of the project on population growth, and accordingly, public services and utilities to accommodate such growth.

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[17] https://planning.lacounty.gov/wp-content/uploads/2022/11/9.0_gp_final-general-plan-ch9.pdf

11. Wildfire

Several of the oil fields in LA County are located in areas designated as very high severity fire zones. Furthermore, the disastrous fires that raged through LA in January 2025 demonstrated just how quickly and easily wildfires can spread from areas of known fire danger to entire neighborhoods well outside of designated fire zones. As described above, it is reasonably foreseeable to anticipate that if oil production operations cease, the lands would be redeveloped into recreational, residential or commercial land uses. The EIR must evaluate the potentially significant and unavoidable impacts of the indirect effects of the Project in placing greater concentrations of people (residents and/or recreationalists) in these very high severity fire zones.

12. Cumulative Impacts

The EIR must consider the cumulative effects of the Project in combination with all other oil-production related ordinances currently proposed by the City of Los Angeles, as well as those that are proposed prior to publication of the Draft EIR. The EIR must also evaluate the cumulative effects of the Project in combination with past, present, and reasonably foreseeable future actions to curtail oil production in California on access to mineral resources, reduction in energy supply, the need to require the construction and/or expansion of utility services (e.g., electricity and natural gas) to meet the energy needs of Los Angeles County.

13. Alternatives

Although a statement of project objectives was not provided in the initial study or Notice of Preparation, assuming that the County objectives in drafting the ROWO are to improve public health and reduce the potential presumed environmental impacts of continued oil and gas production, the County should evaluate a Project Alternative that would apply all conditions of the Baldwin Hills CSD to all other active oil and gas operations in the unincorporated County. Such an alternative would effectively mitigate all presumed (and demonstrably false) environmental effects of oil production not already addressed by the existing regulatory environment, and would avoid all direct and indirect significant impacts identified previously in this letter.

Conclusion

We look forward to reviewing the County's EIR which we expect will have thoroughly evaluated and disclosed all of the issues raised in this scoping comment letter in accordance with State CEQA Guidelines. Should you have any questions related to any of the comments above, or anything related to production in the County, please contact me directly.

Sincerely,

Rock Zierman
CEO

Capitol Matrix Consulting
Analysis, Advice, Advocacy

April 24, 2025

Ken Warner
LA County Planning, Ordinance Studies Section
320 West Temple Street, Floor 13
Los Angeles, CA 90012

Dear Mr. Warner,

This letter presents my input on the environmental issues and concerns that should be considered in the Environmental Impact Report (EIR) related to the Revised Oil Well Ordinance, Project Number PRJ2025-000212 (Ordinance). The Ordinance would deem all wells or production facilities operating within the boundaries of the Baldwin Hills Community Standards District (CSD) to be a non-conforming land use, and it would require all wells within the CSD to be plugged and abandoned by no later than December 31, 2030.

In its Initial Study, the County found that a full EIR is warranted because the proposed restrictions would result in the loss of a valuable local mineral resource. However, it also asserted that the Ordinance *would not* have significant environmental impacts in other areas covered under CEQA law. Most notably, the Initial Study claimed that the revision would have less-than-significant direct or indirect impacts on global greenhouse gas emissions, and that the Ordinance would have less-than-significant impacts on air quality in the Los Angeles region. The Initial Study proposed that the full EIR limit its detailed analysis to the mineral loss category, and that it merely indicates why the effects in other potential EIR categories – including greenhouse gas emissions and air quality – were determined to be less-than-significant.

My Comments

I believe that the Initial Study took an overly narrow view of the environmental impacts of the Inglewood Oil Field's closure, focusing primarily on impacts in areas immediately adjacent to the field. The approach failed to account for the far-reaching impacts that the production shutdown will have on the County. This is because California already consumes three times the amount it produces each year. Thus, any oil not produced locally will have to be imported for many years into the future, even under California's increasingly unrealistic assumptions about a transition to renewable energy. [1,2] California is an energy island, with no pipelines connecting the state to other oil producing or refining regions of the U.S, and extremely limited shipments by rail due to safety and environmental concerns related to rail shipments of crude oil into the state. Given these limitations, most, if not all, the additional imports will be waterborne imports from Alaska or foreign nations, some over 15,000 miles away. That oil will then need to be offloaded in Southern California ports that already face major challenges with respect to congestion and air pollution. For these reasons, it is important the EIR's analysis spell out the full ramifications of the loss in locally supplied crude through several studies that address:

- **The loss in jobs resulting from the shutdown of Inglewood oilfield.** Based on public information available from Sentinel Peak Resources, about 80 workers are directly employed by the company to work in the oilfield, along with an additional 100 to 150 contractors who support Sentinel Peak's operation. When multipliers are considered, I estimate that Inglewood field operations directly and indirectly support about 600 jobs in Los Angeles County. The oil and gas jobs are high-paying, and most are available to workers with high-school and technical degrees. The EIR should include a study of job losses resulting from the shutdown and include the impact of these losses on disadvantaged communities in the County. The study should also identify "just-transition" programs and funding available from the state of California or the County of Los Angeles to help the workers transition to other comparable-paying jobs.

- **The capacity of the Southern California ports to accommodate replacement crude from abroad.** Specifically, the EIR should include a study of whether adequate port infrastructure is in place to offload, store, and transport the additional crude or refined products that will be needed to replace losses from Inglewood Field, and if not, what investments would need to be made, and whether such investments are feasible.

- **The risks posed by greater reliance on imports for crude or refined product.** A key benefit of California production is that it provides reliable flow of a known slate of crude oil to refiners, which have optimized production around these slates of crudes. A shutdown of local production will make refiners more dependent on imports from foreign countries, which is always a challenge given time delays (routes of up to 15,000 miles taking several weeks from producing regions to California ports), the need to find slates of crude oil that replicate California crudes, and fluctuating market conditions. In current markets, import dependence has even greater risks, given global tensions related to tariff policies and other

[1] Current federal policies, recent State actions, and California government budget shortfalls are likely to slow the pace of the energy transition, leading to continued strong demand for petroleum in the State. Factors leading to a slower energy transition include California's withdrawal of its waiver request from the Environmental Protection Agency (EPA) for its Advanced Clean Fleets (ACF) regulation, as well as federal efforts to rescind EPA waivers previously granted for its Advanced Clean Cars II (ACC II) and the Advanced Clean Trucks (ACT) regulations. Other factors include (1) current federal interest in cutting federal subsidies for electric vehicles, chargers, grid expansion, and other infrastructure funds needed to support the rapid energy transition envisioned by the Scoping Plan; (2) concerns about energy transition's effect on already-high energy costs in California; and (3) the lack of State government resources available to support the transition due to California's major ongoing budget deficits.

[2] It also should be noted that crude production from Inglewood Field would last for many years, absent a shutdown of the field. According to a U.S. Geological Survey (USGS) conducted in 2012, the Inglewood Oil Field had known recoverable reserves (equal to total production-to-date plus remaining reserves) of 430 million barrels. The USGS's mean estimate for remaining recoverable reserves was 230 million barrels. Even after accounting for the depletion that occurred due to extraction between 2012 and early 2025, the field still has over 200 million in recoverable reserves, or about one-half of its original total. This implies that the field could continue to provide oil (and associated gas) to the Southern California regions for decades to come, assuming that operators were allowed to make investments in replacement wells and other field operations needed to sustain production over time.

geopolitical factors. The EIR should include a study of the supply risks associated with greater dependence on oil import. The study should include the consequences of supply disruptions on gasoline and other refined product prices in Los Angeles County.

- **The impact on Southern California refiner operations.** The EIR should include a study of the challenges posed by the loss of a reliable local source of crude on refinery operations. The study should include a determination about whether the loss of Inglewood oil production will further raise refiner costs and increase the risk of additional refinery shutdowns in the region. This is extremely important given that refined fuel markets are already tightly balanced, and losses of additional refineries would have potentially devastating impacts on the region. The EIR should include a study of the impacts of such developments on gasoline and other refined fuel prices. The study should also address the impacts of any increase in gasoline prices on economically disadvantaged communities.

Environmental impacts. Replacement of locally produced oil will have significant environmental impacts, which should be studied in the EIR. These include:

- **Congestion and pollution in California's already crowded ports.** The EIR analysis should include a study of the impacts of additional crude or refined product imports on the air quality in communities (including disadvantaged communities) located around the ports. According to the South Coast Air Quality Management District, the Los Angeles/Long Beach port complex emits around 100 tons of nitrogen oxides each day, making it the largest fixed source of smog and particulate-forming pollution in Southern California.

- **Greenhouse gas emissions.** Crude oil production from the Inglewood oil field uses electrical power, is collected on-site, and is sent via pipeline to local refineries in Southern California.[3] The field is also among the most regulated in the world. These factors are responsible for the relatively low carbon intensity of oil produced by this oil field.[4,5] Replacement of this oil will likely come from leading exporters of crude oil to California, such as Iraq and Ecuador, which have fewer environmental standards and are up to 15,000 miles away from Southern California ports. It is also the case that California has established a goal of carbon neutrality by 2045, and many of its policies are aimed at reducing global emissions. Given these factors, the EIR should include a study of how the replacement Inglewood Oil Field production with foreign crude will affect the net amount of greenhouse gas emissions. The study should measure both reduction from the closure of Inglewood Field, and the offsetting increase from drilling, production, and shipments from oversea sources of crude.

- **Impacts related to imports of refined product.** Finally, if the Ordinance were to contribute to a loss of additional refineries in Southern California, the increase in imports of

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[3] The Inglewood oil field is also subject to multiple levels of federal, state, and local regulations, making it one of most regulated fields in the world.
[4] Source: *Calculation of 2022 Crude Average Carbon Intensity Value, Low carbon Fuel Standard Crude Oil Cycle Assessment. August 3, 2023.* https://ww2.arb.ca.gov/sites/default/files/classic/fuels/lcfs/crude-oil/2022_Crude_Average_CI_Calculation_initial.pdf.
[5] Crude oil carbon intensity measures emissions associated with the production and transport of crude oil supplied to California refiners. Carbon intensity (measured as grams of CO_2 per megajoule of energy) was 10.06 for Inglewood, or 26 percent less than the 12.69 average from all California refinery sources. It is also 37 percent lower than the carbon intensity of Alaska crude and nearly 20 percent lower than crude oil from Iraq, which was the leading non-U.S. source of imports during 2024.

refined product would have far-reaching environmental impacts that would need to be evaluated. There are relatively few out-of-state merchant refiners that can produce gasoline meeting California's reformulated fuel standards. Most are in Europe and Asia, up to 15,000 miles from California. Most of these refiners are also far from their respective sources of crude oil inputs. For these reasons, the EIR should include a study of the environmental consequences of replacing local crude production with imports of refined products. The study should account for emissions associated with long-distance shipments of crude oil from oilfields to the refineries as well as the shipments of refined product from the refineries to Southern California ports. It should also review the environmental standards that apply to foreign producers and refiners involved in the shipments.

Sincerely,

Brad Williams
Senior Partner and Chief Economist
Capitol Matrix Consulting

Attachment: Author's Biography and Contact Information

Author Biography

Brad Williams joined Capitol Matrix Consulting (CMC) in 2011 as its senior partner and chief economist after a nearly 33-year career in state government. During the 12 years at CMC, Mr. Williams has advised clients on development of statewide ballot initiatives; prepared numerous economic studies; and represented clients in public hearings, editorial board meetings, press conferences, and other public and private venues. His work has involved projects in numerous areas, including oil and gas, renewable energy, education, taxation, state and local government finances, pensions, agriculture, and health care.

During this period, Mr. Williams has prepared dozens of statewide and regional studies for the California oil and gas industry. These have included the industry's direct and indirect impacts on statewide and regional economies, as well as evaluation of the impacts of laws, regulations, and general plan updates on oil production, gasoline prices and availability, and jobs in the industry. Mr. Williams has also presented testimony before regional boards and commissions on oil industry-related impacts of proposed regulatory changes.

During his career in state government, Mr. Williams served in the non-partisan California Legislative Analyst's Office as its chief economist and Director of Economic and Fiscal Forecasting, where he was responsible for: the office's economic and budget-related forecasts; financial modeling of budget scenarios for legislative leaders; analyses of ballot and legislative budget proposals; and preparation of studies relating to revenue volatility, the impacts of the state's spending limit, and fiscal challenges facing local governments. He was also a key spokesman for the office, frequently providing testimony to the legislature, presenting at state and national conferences, and appearing on CNBC and other television and radio programs. In his government career, Mr. Williams also served as consultant in the Assembly Appropriations committee; as an advisor to State Treasurer Kathleen Brown and State Controller Kathleen Connell; and as the executive director of the Commission on State Finance – an agency responsible for preparing short- and long-term forecasts of the state's economy and financial situation.

Based on a detailed Wall Street Journal comparison of economic projections made by banks, universities, and other forecasters over the full decade of the 1990s, Mr. Williams was recognized by the Journal as the most accurate forecaster of California's economy for that period. He was also recognized by the Journal as one of the first economists in the U.S. to recognize and measure growing volatility in state government revenues starting in the late 1990s, reflecting shifting income distributions and state governments' rising dependence on income taxes on capital gains.

Mr. Williams received his BA and MA in economics from the University of California, Davis.

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April 24, 2025

Ken Warner
LA County Planning Ordinance Studies Section
320 West Temple Street, Floor 13
Los Angeles, CA 90012

Via Email: ordinance@planning.lacounty.gov

Subject: Written Comments Regarding Notice of Preparation of an Environmental Impact Report for the Revised Oil Well Ordinance (ROWO) Project (Project No. PRJ2025-000212)

Dear Mr. Warner:

Please find below comments from the City of Culver City ("City") presented in response to the Notice of Preparation (NOP) of an Environmental Impact Report (EIR) regarding the Los Angeles County ("County") Revised Oil Well Ordinance (ROWO) project (the "Project"). The City has reviewed the NOP and Initial Study and has identified a number of topics that should be addressed in the EIR.

The Project includes Amendments to County Title 22 that would, generally, prohibit any new oil wells, establish existing oil operations as nonconforming uses, and require phaseout of all nonconforming oil uses subject to a 20-year amortization period, throughout the unincorporated County, except within the Coastal Zone. In addition, the Project includes Amendments to the Baldwin Hills Community Standards District ("Baldwin Hills CSD") to align its provisions with corresponding amendments to Title 22, including a targeted 20-year amortization phaseout period.

The Baldwin Hills CSD regulates the approximate 1,000-acre Inglewood Oil Field (IOF), which is a large active urban oil field located partially within the eastern portions of Culver City and unincorporated County. Because of its partial inclusion within the City and its interface with much of the City's eastern perimeter, Culver City has long held interest in the operations and management of the IOF. Culver City has taken steps to phase out oil extraction activities within the City portion of the IOF requiring that all active, idle and unplugged wells with Culver City be plugged and abandoned by 2029 and that the oil lease sites returned to as near a natural condition as practical.

In addition, approximately 400 acres of the IOF within the adjacent unincorporated County lies within the Culver City's planning sphere of influence. Culver City recently adopted a General Plan Update ("General Plan 2045"), which reinforces the City's goals and objectives concerning oil and gas related activities within the IOF and advances strategies that ensure a safe and effective phaseout of the IOF and just transition toward potential future uses.

City's Comments to the NOP

Project Description

- The Project Description should provide a clear accounting of the number of active/idle/plugged/other wells and the year a well was plugged, if known, covered by the Project, and indicate the total area in acres of oil leased land that will be subject to decommissioning and restoration. The Project Description should distinguish that same information specific to the IOF.
- The Project Description should identify all proposed requirements and/or assumptions pertaining to the timing and phasing of all well plugging and abandonment and lease site restoration activity that will be necessitated in compliance with the proposed ROWO Project. The Project Description should distinguish that same information separate and specific to the IOF. Note that the IOF is largest concentration of oil activity within the County and it is embedded within the Baldwin Hills and Culver City communities. The description of project activities and impacts should acknowledge that conditions and assumptions relative to the IOF may be different that those applicable to other oil uses throughout the County.
- The Project Description should also identify how the abandoned oil uses and/or properties will be managed and monitored following the phaseout of those oil uses. For example, please include description of how methane from plugged/abandoned wells would be monitored and described how properties will be managed to ensure the integrity of the plugged wells are maintained.
- To the extent it may be reasonably and/or foreseeably known, the Project Description should identify potential future uses of land where oil uses will be phased out.

Land Use Effect

- Approximately 400 acres of the IOF lies within the Culver City planning sphere of influence. The City's General Plan 2045 considers a framework for the safe and effectively-managed phaseout of the IOF operations. The EIR should evaluate land use impacts associated with phaseout of the IOF in the context of consistency with relevant goals and objectives of the Culver City General Plan 2045, as appropriate.
- The EIR should address how the County will coordinate with the City (and other agencies) to promote compatibility between plugging/abandonment/restoration activities and the surrounding areas, including the Culver City community. In addition, the EIR should address compatibility of known or reasonably foreseeable uses of the IOF with the surrounding communities.

Biological Resources and Cultural Resources Effects

Construction activity associated with plugging and abandoning wells and site remediation/restoration work, including removal of all above and below grade facilities and infrastructure, will involve disturbance of soils. Some portions of the IOF contain patches of native vegetation. Cultural resources may be present within the upper surfaces of the IOF. Potential impacts should be evaluated and appropriate mitigation measures, if any, should be identified to ensure that proposed construction activity associated with phasing out oil and gas uses at the IOF will not harm existing biological resources and/or cultural resources. In addition or alternatively, requirements of the BH CSD that serve to mitigate potential impacts to biological and cultural resources should be specifically identified as part of the project description and assumptions.

Hazards and Wildfire Effect

- Much of the IOF is mapped as a Very High Fire Hazard Safety Zone. The introduction of new equipment and personnel during the well plugging and abandonment procedures and decommissioning activities may increase the risk for fire hazard. The potential increased risk of wildfire during decommissioning activities should be addressed in the EIR.
- Following decommissioning of the IOF, there is potential for the land to remain vacant. Once oil activities are removed, there would no longer be personnel on-site to routinely monitor the vast area of the IOF for potential risks and incidents that could result in wildfires. The IOF is surrounded by established residential communities that would be greatly at risk from wildfires originating from the vacant IOF properties. The potential increased risk of wildfire and risk to adjacent communities following decommissioning and natural restoration and revegetation of the IOF should be addressed in the EIR.

Cumulative Effect

As noted above, the IOF encompasses a relatively high concentration of oil and gas facilities within an area surrounded by developed communities. With an estimated 600+ wells to be plugged and abandoned over a 20-year amortization/phaseout period, significant construction activity associated with closing down the IOF is anticipated on an annual and ongoing basis for several decades. The unique circumstances of the IOF, considering the volume of wells to be plugged and abandoned and its urban location, should be evaluated in the EIR specifically in context to a 20-year cumulative effect on the immediate surrounding communities.

No Project Alternative

The No Project analysis for the IOF should include specific explanation of the role of the BH CSD and its ongoing regulation of the IOF and expectations for continuous regulation, monitoring and reporting.

Alternate Amortization or Decommissioning Period Alternative

The Project Description should identify assumptions for the annual rate of phasing out oil uses over a 20-year period. However, as the schedule for plugging and abandoning wells, and decommissioning and restoring the lease sites, may be at the discretion of the oil field operators, it's possible that the schedule for well closures could be different than what the County assumes for analysis. Such differences may result in differing cumulative effects, especially within the IOF which has a larger number of wells. At least one Alternative to the Project should consider a scenario where the pace of well closures is consolidated (or perhaps expanded) over time. For example, 600 well closures spread equally would yield 30 well closures per year (on average) over a 20-year period. However, if the operator delays and concentrates well closures until the last 5 years of the 20-year phaseout period, then on average as many as 120 wells could result each year, potentially resulting in significant impacts such as greenhouse gas emissions and noise related to demolition and decommissioning of the wells. The cumulative effects between these alternate scenarios would be different.

Green Energy Project(s) Alternative

The Initial Study indicates that the Project would result in a significant impact for Mineral Resources. The EIR should evaluate at least one Alternative to the Project that may serve to reduce or avoid those impacts. One alternative would be a project that could serve to replace energy needs that would be displaced due to restrictions to extract oil and gas resources.

Thank you for the County's consideration of the City's comments. Please do not hesitate to contact Gabriel Barreras, Senior Planner, at Gabriel.Barreras@culvercity.org or (310) 253-5776 should you have questions or require clarification.

Sincerely,

Mark E. Muenzer

Mark E. Muenzer
Planning and Development Director

Copy:

Emily Stadnicki, Current Planning Manager, City of Culver City
Heather S. Baker, City Attorney, City of Culver City

From: Tim
To: DRP Ordinance Studies
Subject: CSD Amendment comment/question...
Date: Saturday, April 26, 2025 5:33:50 PM

Thank you for the opportunity to present my comment/question.

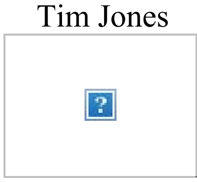
I have served as a Community Advisory Panel and UCLA Health Study committee member for over 3 years. A primary concern that I have voiced and have not received a satisfactory response is, "Who is responsible for the complete remediation for the 1000+ acres of land at the oil field end of life (EOL)?

I'll just list several facts/statements that make this question as important to you as it is to me.

1. The remediation costs vary depending on the intended land use. If land is to be used for housing developments, the cost is substantially greater than for park and/or open green-space use.
2. Discussions at previous Community Advisory Panel (CAP) meetings suggested that there is, or is supposed to be. a Bond to cover the cost of remediation.
3. The amount of the Bond has not been confirmed, but is rumored to be $6,000,000.
4. During the 4/24/25 CAP meeting, the Sentinel Peaks Resources representative stated that there are approximately 600 oil wells on the Inglewood Oil Field.
5. During the 4/24/25 CAP meeting, the City of Los Angeles Petroleum Administrator from the Office of Petroleum and Natural Gas Administration referenced documents that indicate the low side of remediation is from $250,000 to $300,000 per oil well. The math is very easy, 600 x $250,000 = $150,000,000; and very disturbing.

Can we get a clear understanding within this Amendment of who will be financially responsible, to what degree, for how long, and what needs to be done now while the company is still viable and generating revenue?
Thank you for your time and attention.

Tim Jones



My child is the one in white...

"It is easier to build strong children than to repair broken men", Frederick Douglass

From: Perfecto Lopez
To: DRP Ordinance Studies
Cc: P L
Subject: Fw: Revised Oil Well Ordinance
Date: Thursday, March 27, 2025 10:14:28 PM

Hello LA County Planning,

There are areas in Santa Clarita with oil wells that have not been properly plugged / sealed which are contaminating water for wildlife. These polluting wells have been forgotten about for years.

Specifically speaking, in Towsley Canyon (Stevenson Ranch), there are various wells that are spewing oil all year around. When walking through the trails, I have to pick up my dog so she does not get full of oil. The odors are strong and running springs are being heavily contaminated, which is sad to see.

These oil wells need to be properly sealed.

Companies that operate wells need to be held responsible for active management, clean-up, and proper closure.

It would be appreciated to discuss this topic during your upcoming meeting.

Regards,

P. Lopez

----- Forwarded Message -----
From: LA County Planning <ordinance@planning.lacounty.gov>
To: "pettto@yahoo.com" <pettto@yahoo.com>
Sent: Thursday, March 27, 2025 at 06:42:39 PM PDT
Subject: Revised Oil Well Ordinance

REVISED OIL WELL ORDINANCE

Dear Stakeholders,

The County of Los Angeles Department of Regional Planning is initiating an Environmental Impact Report (EIR) for the proposed Revised Oil Well Ordinance (ROWO), Project No. PRJ2025-000212. This project proposes regulations for oil wells and production facilities within unincorporated Los Angeles County.

The project includes:

1. Amendments to Title 22 – Planning & Zoning: Prohibits new oil wells and production facilities, designates existing wells without approved discretionary permits as nonconforming with a 20-year amortization period, and establishes performance standards for site maintenance, well plugging, and site restoration. Additionally, within Title 22, amendments to the Baldwin Hills Community Standards District (CSD) ensure

consistency with countywide oil well prohibitions and performance standards during the amortization period.

2. Amendments to Title 12 – Environmental Protection: Removes noise exemptions for oil wells, subjecting them to standard County noise control regulations.

3. Amendments to the General Plan: Supports sustainability and environmental justice goals by revising the Land Use Element, Conservation and Natural Resources Element, and Safety Element to prohibit new oil well operations and remove designations that support oil production activities.

The complete Notice of Preparation (NOP) and Initial Study (IS) for this project are now available for review at **https://planning.lacounty.gov/long-range-planning/revised-oil-well-ordinance/**.

We invite you to provide input on the environmental issues and concerns that should be considered in the EIR. The County will conduct a virtual public scoping meeting for the purpose of soliciting oral and written comments from interested parties as to the appropriate scope and content of the EIR on Thursday, April 17, 2025 at 6:00 PM – 7:00 PM (Pacific Time) via Zoom, accessible from the project webpage linked above.

Language access services will be provided in Spanish, Cantonese, and Mandarin. Additional language services can be arranged upon request with at least seven business days' notice to **ordinance@planning.lacounty.gov**.

The public comment period for this NOP begins today, March 27, 2025, and ends April 26, 2025.

Please direct written comments to:
Ken Warner
LA County Planning, Ordinance Studies Section
320 West Temple Street, Floor 13
Los Angeles, CA 90012
Tel: (213) 974-6432
Email: **ordinance@planning.lacounty.gov**

We encourage all interested parties to participate in this process and share their insights on the scope and content of the EIR.

Warm regards,
LA County Planning

ordinance@planning.lacounty.gov
(213) 974-6432

April 26, 2025

Submitted via email to: ordinance@planning.lacounty.gov

Ken Warner
LA County Planning
Ordinance Studies Section
320 West Temple Street, Floor 13
Los Angeles, CA 90012
Tel: (213) 974-6432

Subject: Revised Oil Well Prohibition Ordinance and General Plan Amendment

Dear Mr. Warner:

Hills For Everyone (HFE) submits these comments to the County of Los Angeles on the proposed Revised Oil Well Prohibition Ordinance and General Plan Amendment. We are pleased to see the County take seriously the impacts of oil on our planet and align its policies with that of California's net zero carbon neutrality goals.

By way of background, HFE is a 47-year-old non-profit organization that established Chino Hills State Park (CHSP) and is still working to conserve the remaining natural lands in the Puente-Chino Hills Wildlife Corridor at the juncture of Los Angeles, Orange, San Bernardino, and Riverside Counties. We have documented numerous properties in need of preservation, and several of these have oil operations onsite that could benefit from this revised ordinance and amendment.

Our comments are as follows:

1. Support for Phase-Out and Land Restoration Measures:

HFE commends Los Angeles County for taking bold and necessary steps to prohibit new oil well development and designate existing wells as nonconforming uses. We strongly support the ordinance's emphasis on well abandonment and land restoration, which aligns with long-term conservation and environmental justice goals.

2. Prioritization of Permanent Land Conservation Post-Abandonment:

We encourage the County to incorporate policies or incentives that prioritize the permanent protection of lands post-remediation, especially those with ecological, recreational, or cultural significance. Once oil production ceases and remediation is completed, these lands should be considered for conservation acquisition or public open space designations, ensuring their long-term stewardship and preventing future incompatible development.

3. Coordination with Conservation Organizations:

We respectfully request that the County establish a formal mechanism for collaborating with conservation-focused non-profits and land trusts during the planning and implementation phases of site restoration. Such partnerships can ensure that, after appropriate remediation, restored and ecologically valuable lands provide public benefit in perpetuity.

4. Transparent and Inclusive Planning for Amortization Periods:

The proposed 20-year amortization period for existing wells is a significant transition. We encourage the County to provide clear guidelines and milestones for operators to follow, with regular public updates. Transparency in how these sites are monitored and assessed for progress will build public trust and accountability.

5. Environmental Justice Considerations:

Many oil operations are located near historically marginalized communities. We support the County's efforts to remove noise exemptions and enforce stronger environmental protections, and we urge the County to prioritize the restoration and conservation of these lands to benefit community health and well-being.

6. Clarification on Post-Amortization Land Use Designations:

We request clarification on how land use designations will change once oil production ceases. Specifically, we encourage the County to consider amending zoning codes to preclude future industrial or extractive uses on these sites, aligning with conservation goals and climate resilience objectives.

Conclusion

Thank you for the opportunity to comment on the County's Revised Oil Well Ordinance and General Plan Amendment. Should you have any questions about our feedback, I can be reached at: (714) 996-1572.

Sincerely,

Claire Schlotterbeck

Claire Schlotterbeck
Executive Director

From: John Kuechle
To: DRP Ordinance Studies
Subject: Inglewood Oil Field: Environmental Impact Report
Date: Sunday, April 20, 2025 6:09:28 PM

Ken Warner,

Although my comment is similar to one expressed by another attendee at last week's scoping meeting, and although I have expressed this thought at several CAP meetings, I nevertheless decided to submit a written comment.

My concern with the contemplated EIR is that it is only considering a part (and a very small part, at that) of the ultimate project.

Unless the land that is currently part of the Inglewood Oil Field will be turned into a giant park (which from everything I have heard is not even close to being a financial possibility), a decision to prohibit oil extraction must necessarily mean that this property will be used for something else. The County does not have the right to prohibit all use of the property, and almost certainly it could not limit the property's use to orange groves or some other agricultural use. Therefore, if the oil field is shut down, the land will eventually be used for some combination of residential, commercial and industrial purposes - all of which will have significant environmental impacts.

Given this, it is not accurate or reasonable to say, as does the Initial Study, that there will be a less than significant increase of (air) pollutants, noise, population growth, or the need for public services and transportation (to pick just a few examples).

I am not that familiar with the case law on piecemealing, but it certainly seems a reasonable argument can be made that this is what is being done here.

When I raised this point a number of months ago at a CAP meeting, a County representative said that he was not concerned with these issues, since any future use of the property would require the preparation of an additional Environmental Impact Report, and the issues could be dealt with then. However, that is not accurate. Since the property owners will have the legal right to make some reasonable use of their property, and since it will not be possible in the future to decide to let them resume using it as an oil field, the County could wind up in a position of having a legal obligation to approve some use even though it might have dramatically greater environmental impacts than the current oil field.

That is why the current EIR should consider <u>all</u> of the impacts that will flow from a decision to prohibit oil drilling.

John Kuechle

KENNETH L. KUTCHER

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April 23, 2025

VIA EMAIL

Kenneth Warner
Los Angeles County Planning
Ordinance Studies Section
320 West Temple Street, Floor 13
Los Angeles, CA 90012
ordinance@planning.lacounty.gov

Re: NOP and Revised Oil Well Ordinance Initial Study
Project No. PRJ2025-000212

Dear Mr. Warner:

I attended the online public scoping meeting for the Environmental Impact Report ("EIR") as to the above-referenced Revised Oil Well Ordinance. I have also reviewed the Initial Study dated March 27, 2025.

I am submitting this response to the Notice of Preparation ("NOP") on my own behalf as an interested individual who resides near the Inglewood Oil Field. This response is filed pursuant to State CEQA Guidelines Section 15082(b).

Enclosed with this response is a copy of the first letter that I wrote on July 7, 2008, with respect to the impact of the Inglewood Oil Field on my neighborhood in Culver Crest. I was also an instrumental part of preparing an initial draft of what became the Baldwin Hills Community Standards District Ordinance ("CSD"). I was also one of the attorneys representing interested parties that challenged the adequacy of the County's EIR for the CSD. (*Community Health Councils, Inc. v. County of Los Angeles,* LASC Case No. BS118023.)

The enclosed letter describes some of the adverse impacts of living next to an active oil field. In my opinion it is long overdue to phase out the operations of the Inglewood Oil Field because it sits smack dab in the middle of a dense urban area that consists of residences, senior care facilities, schools, houses of worship, ballfields, public parks, hiking trails, flora and fauna, neighborhood serving businesses, and other sensitive receptors/uses.

As to the forthcoming EIR, I request that one of the Project Alternatives be not only to adopt the ordinance phasing out all oil field operations in the County but also to rezone the Inglewood Oil Field from Heavy Agricultural A-2 (which seems an anachronistic land use designation at this point) to Open Space consistent with the vision of creating the public park (i.e., One Big Park) as envisioned by State Legislation codified in Public Resources Code Sections 32550, *et seq.*

Open Space zoning would be in furtherance of Public Resources Code Section 32551(d), which reads as follows:

> As one of the last remaining urban open spaces in the County of Los Angeles, the Baldwin Hills, southern Ballona Creek Watershed, and Upper Dominguez Channel area should be held in trust to be preserved and enhanced for the enjoyment of, and appreciation by, present and future generations.

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And Section 32551(e), which reads as follows:

> The Baldwin Hills and Urban Watersheds Conservancy should be created to develop and coordinate an integrated program of resources stewardship so that the Baldwin Hills, southern Ballona Creek Watershed, and Upper Dominguez Channel area is managed for its optimum recreational and natural resource values based upon the needs and desires of the surrounding community.

I also wish to take this opportunity to comment on certain scoping comments expressed by representatives of the Inglewood Oil Field operator and/or landowners during the County's scoping meeting.

It is cynical in the extreme for representatives of this notoriously dirty industry to raise concerns about greenhouse gas ("GHG") emissions and other alleged adverse environmental impacts of ending oil drilling in Los Angeles County. The parade of horribles about importing oil from overseas is nothing but a red herring. The United States is full of oil reserves and operating oil fields. Not only are there ample oil fields in the State of California, but the top five crude oil-producing states as of 2022 were Texas (42.5%), New Mexico (13.3%), North Dakota (8.9%), Colorado (3.7%) and Alaska (3.7%). https://www.eia.gov/energyexplained/oil-and-petroleum-products/where-our-oil-comes-from.php Amortizing and shutting down the oil fields in Los Angeles County will not have any noticeable effect on the importing of oil from foreign countries. (Martin Tillier, "America Produces Enough Oil to Meet Its Needs, So Why Do We Import Crude?," (Mar 8, 2022) https://www.nasdaq.com/articles/america-produces-enough-oil-to-meet-its-needs-so-why-do-we-import-crude.) For oil industry representatives to claim to the contrary is simply specious.

The oil industry claims in this context are the most recent glaring example of the need for CEQA reform as called for by the Little Hoover Commission in its report entitled, "*CEQA: Targeted Reforms for California's Core Environmental Law* (Report #279, May 2024). https://lhc.ca.gov/wp-content/uploads/Report279.pdf As noted in that report:

- Often, CEQA's protections have been most profound in the most disadvantaged and vulnerable communities, those where negative environmental impacts have often been greatest in the past. (p. 7.)

- The state should establish the same standing requirement to file a suit under CEQA as exists under the National Environmental Policy Act, the federal law after which CEQA was in many respects modeled. (p. 6.)

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- CEQA . . . can be used for purposes that have little relationship to environmental protection. Its strong bias toward the status quo means that it can be used to block projects that would help improve the environment. (p. 5.)

- Chris Elmendorf, Martin Luther King Jr. Professor of Law at UC Davis, told the [Little Hoover] Commission that the state should identify projects that are good for the environment and seek to "scale back" CEQA for those projects. (p. 14.)

- In order to limit the use of CEQA for pursuing nonenvironmental goals, the [Little Hoover] Commission recommends strengthening standing requirements to sue for alleged violations of CEQA. (*Id.*)

- The [Little Hoover] Commission further recommends that the Legislature specifically state in statute that the intent of CEQA is environmental protection and that the law should not be used for suits that do not align with this intent. (*Id.*)

- The [Little Hoover] Commission believes that this can help deter some abuse of CEQA, while generally reaffirming CEQA's core purpose and intent. (*Id.*)

I look forward to the issuance of the Draft EIR. Please keep me informed of the County's progress in that regard.

Sincerely,

Kenneth L. Kutcher

Enclosure
cc: Holly Mitchell (w/ encl.)
Lola Smallwood-Cuevas (w/ encl.)
Isaac Bryan (w/ encl.)
David McNeill (w/ encl.)
Damon Nagami (w/ encl.)
Michelle Burton (w/ encl.)
John Kuechle (w/ encl.)

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KENNETH L. KUTCHER

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(310) 451-3669
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July 7, 2008

Regional Planning Commission
County of Los Angeles
Department of Regional Planning
320 West Temple Street, Room 1350
Los Angeles, CA 90012

Re: Project No. R2007-00570-(2) (Dr. Fricano)
Baldwin Hills Community Standards District (CSD) and EIR
SCH No. 2007061133
Environmental Case No. RENVT2007-00048
Agenda Date: July 16, 2008
Agenda Item No. 7

Dear Commissioners:

I am a resident of the Culver Crest neighborhood in Culver City. I have a wife and two children.

I am very concerned about certain deficiencies in the opportunity for community involvement concerning the Baldwin Hills Community Standards District. I am requesting an opportunity for more fair involvement in three specific areas:

- As recommended by County Staff, the Planning Commission should set a second hearing within the community on a weekday evening commencing no earlier than 7:00 pm.
- The Planning Commission should move its targeted August 27 hearing on this matter to at least September 10, 2008, if not later.
- The Planning Commission should make an official request that the oil field operator provide a demonstration of the full effect of flaring during the site visit planned for the morning of August 2, 2008.

The reasons for these three requests are explained in greater detail below. But before describing those reasons, a background of the relevant facts and circumstances is necessary to an understanding of these concerns.

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BACKGROUND

Impacted Areas. More than one million residents live within a five mile radius of the Baldwin Hills Oil Field. The Baldwin Hills Oil Field encompasses approximately 750 acres of otherwise undeveloped land. The communities of Ladera Heights, Culver Crest, Blair Hills, Baldwin Hills, Baldwin Vista, View Park, Culver City Creekside and Windsor Hills are adjacent to the Oil Field. Multi-family complexes including Village Green, Cameo Woods, Raintree Townhomes, Raintree Condominiums, Tara Hills, Lakeside Village, Lakeside Villas and The Heather are also adjacent. Various parks, including Kenneth Hahn State Recreation Area, the Ladera Ball Fields, the Baldwin Hills Scenic Overlook, Culver City Park and Norman O. Houston Park, are also located in the immediate area, as is West Los Angeles Community College.

Noxious Emissions. Beginning at about midnight on January 11, 2006, uncontrolled emissions of methane gas and hydrogen sulfide occurred in the Oil Field and permeated the Culver Crest neighborhood in which I live. Many residents evacuated their homes. The City of Culver City received at least 60 complaints that night/morning. Representatives from the South Coast Air Quality Management District ("SCAQMD"), the Culver City Fire Department, the Los Angeles County Fire Department, and the Los Angeles County Health & Hazardous Materials Department were dispatched to the neighborhood at about 4:00 a.m., resulting in Emergency Response Notification #121860. According to the SCAQMD Report:

> "[O]n January 10th at 21:30hrs, [PXP's] crew had encountered a large methane gas pocket (trap) during the drilling activities at a depth of 8850ft. The build up of methane gas immediately occurred during the drilling operation in which a large amount of drilling spoils and other contaminated base material sprayed out from the well head during the shut down process which occurred until nearly 1:30hrs on January 11th.
>
> "Approximately 400 barrels of petroleum contaminated mud was stockpiled inside an adjacent open sump with at least 10 barrels on the ground surrounding the drill rig equipment.
>
> "At 06:00hrs, [Inspector Israel] inspected the sump location and detected a very heavy petroleum odor throughout the location. The nearest residence is less than 1/2 mile south of the drill rig site."

Approximately 500 homes are located in my neighborhood and were impacted by this incident. PXP reported readings of "around 1,500 to 2,000 ppm of hydrocarbons" as a result of this incident. (SCAQMD Air Quality Complaint Report for Complaint No. 181387.)

Once again on February 7, 2006, a similar incident occurred. In addition to residents of Culver Crest, West Los Angeles College also called to complain because this incident occurred at 11:00 in the morning when classes were in session. According to Mr. Steve Rusch of PXP, "[T]here was no gas release and really nothing we could do to prevent it -- it was routine, daytime operations." Nevertheless, this incident resulted in Notice of Violation No. P37137 issued by the SCAQMD to PXP on February 17, 2006 because "[d]ischarge from oil well drilling operation caused nuisance to a considerable number of people."

Another Notice of Violation (#P48802) was issued by the SCAQMD to PXP on May 16, 2006, for "operating Vickers Pit as a sump, failure to maintain cover on Vickers Pit, operating Vickers Pit without control device."

Initial Two Urgency Ordinances. On June 27, 2006, the County Board of Supervisors adopted Urgency Ordinance No. 2006-0050U "to impose additional temporary restrictions on the drilling of new wells and the deepening of existing wells in the Baldwin Hills Zoned District and initiate a zoning study to consider potential additional permanent regulations of these historical oil and gas production operations in that area, including a determination of the appropriate environmental review to be required." (BOS 6/27/06 Meeting Minutes.) This first emergency ordinance was adopted because:

> "[T]he Board of Supervisors finds that there is a current and immediate threat to the public health, safety, or welfare, and that the drilling or deepening of new wells and the approval of any required additional subdivisions, variances, building permits, site plans, or any other applicable entitlements in connection therewith would result in that threat to the public health, safety, or welfare." (Ord. No. 2006-0050U, § 6.)

On August 8, 2006, the Board of Supervisors adopted Ordinance No. 2006-0064U to extend Interim Ordinance No. 2006-0050U because

> "It is now time for the County to undertake additional environmental review and to consider new regulations . . . [W]e must face the fact these activities now operate within the midst of a densely populated urban area . . . The extension will enable the County to undertake essential environmental and zoning studies that will help identify appropriate permanent regulations. [¶] These important studies will necessarily include the active participation and expertise of the State Department of Conservation and the City of Culver City." (BOS 8/8/06 Meeting Minutes.)

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The July 27, 2006 Staff Report indicated:

> "[I]t is recommended that the Interim Urgency Ordinance be extended for ten months and 15 days as provided in [Government Code] Section 65858. This will allow sufficient time for DRP to complete the zoning study, including recommended changes to the Zoning Code if needed." (7/27/06 Staff Report at p. 2.)

Initial Delays for Commencing the EIR. But it was not until eleven months later, on June 28, 2007, that the County issued its Notice of Preparation ("NOP") of an EIR for the Baldwin Hills Community Standards District -- which means that the EIR preparation had only just begun. (*See* State CEQA Guidelines § 15082 ("Immediately after deciding that an environmental impact report is required for a project, the lead agency shall send to the Office of Planning and Research and each responsible and trustee agency a notice of preparation stating that an environmental impact report will be prepared").)

Delays by Plains Explorations and Production Company ("PXP") appear to have been the principal reason that the EIR process was not commenced more promptly. Even though the County and PXP had decided in 2006 that the best way to proceed was to incorporate new regulator provisions for the oil field into a Community Standards District ("CSD"), it was not until March 5, 2007, that PXP finally submitted an application to establish this CSD.[1]

Third and Final Interim Ordinance. As a result of these delays, on May 29, 2007, the Board of Supervisors was required to adopt Ordinance No. 2007-0064, further extending and modifying Ordinance No. 2006-0064. The extension was needed because:

> "County staff is working diligently with a consultant team to prepare an environmental impact report to assess the effect of existing and future oil production activities on the surrounding communities. A community standards district is being drafted to establish permanent land use regulations, procedures and development standards to assure that future oil field operations are compatible with the health and safety

[1] Meanwhile, in May 2007, the State Division of Oil Gas and Geothermal Resources ("DOGGR") revoked 24 permits it had previously issued to PXP due to conflicts of interest and ethical violations by the employee responsible for processing PXP's permit applications. (*See Investigations of Improper Activities by State Employees: July 2006 through January 2007,* California State Auditor (March 2007) I2007-1, Ch. 1.)

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of surrounding residential neighborhoods. These environmental studies and regulations will be prepared with extensive community involvement so that **all** the concerns of residents are addressed. This process, which also includes formal public hearings by the Regional Planning Commission and the Board, will be completed next year.

"In order to provide the greatest protection to the public health, safety and welfare of the Baldwin Hills community, no additional oil well drilling should occur in the next 12 months . . . This will give the County staff and the environmental consultant adequate time to prepare the studies and regulations that will provide the basis of a program to allow oil production in a manner that does not jeopardize the public health, safety and welfare of the community. This program will be extensively reviewed by community members to allow the broadest input from all members." (Meeting Minutes at p. 2; emphasis added.)

According to the timeline dated February 13, 2007, the County planned to release the Draft EIR on August 21, 2007. The first Planning Commission hearing was to occur on October 10, 2007, after the close of the comment period on the DEIR. The Final EIR was to have been completed on December 20, 2007. After release of the Final EIR, the second Planning Commission hearing was to occur on January 2, 2008. The Board of Supervisors were expected to hold two hearings on February 5 and March 4, 2008.

Delays in Drafting the CSD. In a peculiar twist, rather than the County drafting the CSD to be studied in the EIR, the County requested PXP to submit its own draft CSD for the EIR to study.

However, as late as October 23, 2007, PXP's lawyer, Mr. Charles Moore, was corresponding with County Zoning Administrator Ron Hoffman about ground rules restricting the release of PXP's draft CSD to the public:

"I assume that the draft [CSD] will not be treated as a public record and will not be distributed outside the county. Misinformation from an early draft is detrimental to the public process. Can you confirm that the county counsel will support this exemption from any duty to disclose the draft to the public?" (Email from Mr. Moore to Mr. Hoffman dated 10/23/07 @ 8:34 pm.)

On November 29, 2007, the County reiterated the importance of receiving a draft CSD from PXP: "As the applicant for the CSD, I think it's important that you provide us

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with a draft CSD as soon as possible." (Email from Mr. Hoffman to Mr. Moore dated 11/29/07 @ 9:43 am.) On December 10, 2007, PXP's representative indicated that the draft CSD would be submitted "soon." (Email from Mr. Moore to Mr. Hoffman dated 12/10/07 @ 9:53 am.)

On December 20, 2007, the County requested that PXP submit its draft CSD by no later than January 2, 2008. (Email from Mr. Hoffman to Mr. Moore dated 12/20/07 @ 10:08 am.) Mr. Moore appeared confused that this had not already been done by his office: "I have confirmed that my office delivered previously an initial draft ordinance to the county's environmental consultant in an effort to assist him with his tasks." (Email from Mr. Moore to Mr. Hoffman dated 12/20/07 @ 7:57 am.) But what had been sent was only a compilation of ordinances enacted by other jurisdictions to regulate oil field activities. (Email from Mr. Hoffman to Mr. Moore dated 12/20/07 @ 10:08 am ("This is not a draft CSD and does not satisfy the request that we made to you yesterday").)

On December 21, 2007, the County prepared a revised timeline based on submission of PXP's CSD by January 2, 2008. That revised timeline projected a Draft EIR release date of May 1, 2008. However, once again PXP missed the County's deadline for submission of their proposed CSD.

PXP's initial draft CSD was not submitted to the County until January 7, 2008. This was 19 months after the moratorium was first imposed and ten months after PXP filed an application for a CSD. The neighbors had no role in this delay. In fact, the neighbors were completely excluded from the process during this 19-month period.

On January 25, 2008, the County provided PXP with comments on their initial draft CSD. And then it was not until February 15, 2008, that PXP submitted its revised draft CSD to the County for environmental review. (Email from Ms. Dittman to Ms. Lemke dated 2/15/08 @ 2:45 pm.)

Lack of Meaningful Community Involvement. Regrettably, at no time has PXP indicated that consensus would be pursued with its neighbors or with any of the Culver City representatives: "We look forward to advancing the proposed ordinance through further cooperative efforts by the applicant, all consultants and representatives, and the County offices." (Email from Mr. Moore to Mr. Hoffman dated 12/20/07 @ 7:57 am.) Indeed, in February 2008, PXP's representatives even worked to make sure their draft CSD was not shared with representatives of Culver City:

> "We spoke with Culver City yesterday. Of course the representatives asked for any ordinance product we had drafted and we declined, indicated that it was intertwined with County environmental review process. We did not discuss substance. They then suggested a working session with the County before public release of the ordinance. We said we would pass the request along, and you can expect

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> the City [of Culver City] to make that request directly. Their theory is that since this is a legislative process there is no reason why another legislative body cannot become part of the process before public release." Email from Mr. Moore to Mr. Hoffman dated 2/6/08 @ 12:56 pm.

Moreover, while the County indicated to PXP's representatives that the County had its own draft CSD, that document has never been shared with the public despite repeated requests from members of the public. (Email from Mr. Hoffman to Ms. Dittman dated 1/2/08 @ 2:17 pm ("[I]f [PXP's draft] CSD is not given to John [Pierson] by Friday, we will proceed with our version of the CSD").)

In addition, despite repeated requests from members of the public, the screencheck drafts of the EIR that were supplied to PXP were explicitly withheld from members of the public. (Letter from Ms. Lemke to me dated 4/21/08.)

Our requests for a copy of PXP's draft CSD were also rebuffed by the County. However, pursuant to a Public Records Act request made pursuant to Government Code Section 6250, *et seq.*, we eventually received PXP's draft CSD from the County on February 21, 2008.

On June 18, 2008, the community issued its own draft CSD. The next day, the Draft EIR was finally released to the general public. Thus, through no fault of the community, the Draft EIR was not issued until more than eight months after it was originally promised.

REQUESTED ACTIONS

1. <u>In Addition to its August 2nd Hearing, the Planning Commission Should Schedule a Second Community Hearing on a Weekday Evening</u>. County staff has repeatedly assured the community that this CSD would be a community-based process. But at this time, only one local hearing has been scheduled in the community. That hearing is to occur on Saturday, August 2, 2008 at 12:00 noon at West Los Angeles College.

Unfortunately, it is my understanding that only three of the five Planning Commissioners will be available to attend that hearing. While I am aware of the provisions of Section 10 of the Planning Commission Rules of Procedure allowing the two other Planning Commissioners to participate inspite of their absence from the neighborhood meetings and missing residents' testimony, the fact that two of the Commissioners will be unable to attend is very unfortunate. There is no substitute for live testimony, with an opportunity to ask follow up with questions, to view a hearing in its entirety in one sitting, etc.

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Moreover, at the time of the August 2 hearing, the public comment period will still be open on the Draft EIR. Some members of the general public may not yet have had an opportunity to review the Draft EIR in its entirety, since is contains more than 1400 pages.

It is my understanding that both Planning staff and Supervisor Burke support establishing a second special hearing in the neighborhood on a weekday evening for this CSD. I urge the Commission to do so. Section 3 of the Planning Commission Rules of Procedure (Sept. 9, 1999) provides that a special meeting "may be called for any reasonable time by the Commission." The Planning Commission should set a second special hearing in the neighborhood on a weekday evening for this Community Standards District.

2. <u>The Planning Commission's Third and Final Hearing on the CSD Should Be Rescheduled to September 10 or Later</u>. I support Culver City's request that the August 27th hearing should be postponed. If public participation is genuinely desired, August 27 is one of the worst possible weeks of the year to hold a public hearing. August 27 is a very poor date for a hearing of wide public interest such as this CSD because it falls on the Wednesday before the Labor Day weekend. That is a week when many families are out of town for their traditional end-of-summer vacations. Perhaps the only worse week for public participation would be the week between Christmas and New Year's.

Moreover, the August 27 hearing will not satisfy Section 602J of the County's *Environmental Document Reporting Procedures and Guidelines* (Nov. 17, 1987). Section 602J requires:

> "An advisory agency shall also review the Final EIR prior to a recommendation on the project."

The public comment period on the Draft EIR will not close until August 19, 2008. There will not be sufficient time for the County's consultant to prepare the Final EIR by the time of the August 27 hearing. Until the Final EIR has been released, it would be premature for the Planning Commission to hold its final hearing (at which time the Commission must make its recommendations to the Board of Supervisors on the contents of the draft CSD). (Gov't Code § 65855.)

Without addressing the requirements of Section 602J, Supervisor Burke opposes any postponement of the August 27th Planning Commission hearing. In the Supervisor's July 1, 2008 letter to Culver City Mayor Scott Malsin, she argues against a postponement because "the County wants to keep this project moving forward." This argument is off-target, as is her position that the County has "taken numerous steps to keep community groups and community residents advised and updated." The County had refused to provide the community with PXP's draft CSD until compelled to do so by submission of a formal Public Records Act Request; the County refused to supply the

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community with the screencheck draft EIRs that PXP was shown; the County has refused to provide the community with a County-drafted CSD; and the County has inadvertently delayed the issuance of the Draft EIR for seven months or more.

The County's rush to schedule a final Planning Commission hearing on a date when residents will normally be out of town on vacation means the community process is effectively being short-changed due to prior delays by the applicant, the County and the environmental consultant. As noted above, this Draft EIR was originally slated for release on August 21, 2007. The EIR release date was then postponed to November, then December, then January, then February, then April, then May, and then at least four different dates in June 2008. Now the County wants to collapse the public review and public hearing process to make up for lost ground. This is unfair.

Moreover, PXP is not without fault. PXP did not file its application for this CSD until March 5, 2007 -- more than eight months after the moratorium was first imposed. And then PXP did not file its initial draft of the CSD with the County until January 7, 2008 -- more than 10 months later. And then PXP's current draft of the CSD (i.e., the one that was actually studied in the EIR) was not filed until almost six weeks later.

None of these delays were the fault of the neighborhood, and yet the neighbors are the ones who will be short-changed by an expedited hearing schedule. We are supposed to read a 1400 page EIR, prepare written comments, and attend Planning Commission hearings before the Final EIR is prepared. We are also supposed to respond to a one-sided CSD drafted by the very party to be regulated by the CSD. And the County has steadfastly refused to release its own draft CSD to the community thus far.

Finally, the Department of Regional Planning's *Subdivision and Zoning Procedures* explicitly specify:

> "<u>Before</u> a draft Community Standards District can move forward, it will be necessary for [the applicant] to build community support for the idea . . . Part of [the applicant's] <u>obligation</u> in bringing [a CSD] forward is to demonstrate <u>unanimous</u> (or as close as you can get to it) support for [the applicant's] proposal. [This can be done] by hosting a public workshop to introduce the community standards district concept to the entire community and gather their input as to what issues there are. Then, your Community Standards District committee, with assistance from Department staff, should complete a rough draft. A further community meeting can be held to get input on the draft. Once details have been ironed out, [the Department] will compose a preliminary draft which must be reviewed by [ ] County Counsel. Ideally, consensus building has been an on-going process in your

> community." *Subdivisions and Zoning Ordinances Interpretation and Procedures Manual* (Dep't of Reg'l Planning, 1st ed., June 2007) Technical Manual 2007-1, at p. 154; emphasis added.

This has not yet occurred. Consensus has not been achieved over the details of the CSD. What is more, the County has not yet assisted the community with the drafting of a proposed CSD.

Based on the County's *Zoning Ordinance Procedures Manual*, this application is simply not yet ready for final action by the Planning Commission. The community is ready to participate, but our input has not been incorporated into the drafting and, as a result, consensus has not been achieved. It is therefore premature to schedule the final Planning Commission hearing on this matter. Until this occurs, the Planning Commission simply will not be in a position to make its recommendation to the Board of Supervisors concerning this application.

3. In Advance of its Official Site Visit, the Planning Commission Should Request the Applicant to Arrange to Provide the Commission with a Flaring Demonstration. The Planning Commission has scheduled a site visit for the morning of August 2, 2008. Section 12 of the Planning Commission Rules of Procedure allow for such site visits:

> "Where, during the course of a hearing it appears that one or more Commission members desire to view the subject property, the hearing shall be continued for that purpose."

The community strongly supports this site visit to the Oil Field. Moreover, the Ralph M. Brown Act (Gov't Code §§ 54950, *et seq.*) entitles the community to attend. (Gov't Code § 54952.2(a).) As does Section 12 of the Planning Commission Rules of Procedure: "[A]s a body [the Commission] may view the site and may be accompanied by proponents, opponents, and other interested persons."

Prior to conducting its site visit, the Commission should request that the applicant be prepared to demonstrate the full effect of its flaring activities on the morning of August 2nd. Flaring has been a source of extensive discussion and concern among the community. The Draft EIR states, "There is documented evidence that the vibration and low frequency airborne noise [from flaring] has caused rattling of windows and other items in homes that border the oil field." DEIR at p. 4.9-24. The Draft EIR further states:

> "A review of the flaring records for 2007 through April of 2008 showed large volumes of gas going to the flare on 21 days. It is likely that vibration and low frequency airborne

> noise that affect offsite locations occurred on each of these days." DEIR at p. 4.9-25.

However, the DEIR states:

> "Given that these events are unplanned, it was not possible to measure the level of vibration produced by the gas flare or to evaluate the level of low-frequency airborne noise." DEIR at p. 4.9-24.

It should not be difficult to request that the operator schedule a flaring episode for demonstration purposes during the Commission's site visit.

CONCLUSION

I plan on attending the July 16 hearing to address these concerns and any questions the Commission might have regarding my three requests.

Very truly yours,

Kenneth L. Kutcher

KLK:snk
cc: Supervisor Yvonne B. Burke
Supervisor Gloria Molina
Supervisor Zev Yaroslavsky
Supervisor Don Knabe
Supervisor Michael D. Antonovich
Mike Bohkle
Steve Rusch
Charles Moore
Mayor Scott Malsin
Elaine Lemke
Hal Bopp, State Oil and Gas Supervisor
Rose Hamilton
Russell J. Fricano
Councilmember Bernard Parks
Senator Mark Ridley-Thomas
Speaker Karen Bass
Susana Franco-Rogan
9065/Cor/LAPlanningComm.2001a.KLK

April 25, 2025

Via Electronic Mail

Ken Warner
LA County Planning
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ordinance@planning.lacounty.gov

Re: Project No. PRJ2025-000212 CEQA Scoping Comments

Dear Mr. Warner:

We submit this letter on behalf of our thousands of members and supporters in Los Angeles County who have been advocating to protect the County's residents, its environment, and the climate from oil drilling. We appreciate the opportunity to comment on the County's Notice of Preparation and Initial Study for the proposed Revised Oil Well Ordinance, Project No. PRJ2025- 000212 (the "Project"). As the County conducts its environmental review for the Project, we urge it to consider and analyze the full context of fossil fuel extraction in Los Angeles, some of which is provided below. We believe in doing so, the County's environmental review will find that the Project does not result in significant environmental effects but is environmentally beneficial.

The Project is Environmentally Beneficial

Continued oil and gas drilling is counter to local[1] and State[2] goals to phase out dangerous and dirty fossil fuel extraction to mitigate the climate emergency and protect communities living nearby. The intent of the California Environmental Quality Act (CEQA) is to prevent environmental damage.[3] It runs contrary to this purpose to find that this project—which reduces pollution—results in significant environmental impacts.

Significant environmental effects are defined as "substantial or potentially substantial *adverse* [emphasis added] change[s] in the environment."[4] Once drilling is phased out, the Initial Study notes that sites must be restored to "original condition as nearly as practicable," resulting in environmental and aesthetic benefits.[5] The Project will not result in adverse effects, but will instead have positive impacts on air quality, climate, and local views, to name a few. Projects like these are often exempt from CEQA. Although not utilized here, Class 8 CEQA exemptions (Cal. Code Regs. Tit. 14, § 15308) apply to projects taken by regulatory agencies for the protection of the environment, such as the one here, that do not result in significant environmental impacts.

As the County continues to analyze the Project, we recommend that its many environmental benefits continue to be considered and the purpose of its review be kept in mind. Further, in any alternatives analysis, we urge the County to thoroughly investigate the myriad and significant environmental effects associated with *not* implementing the Project.

Oil Production is in Decline in Los Angeles Independent of the Project

The Initial Study asks if the Project will, "[r]esult in the loss of availability of a known mineral resource..."[6] If the County chooses to consider oil a mineral resource, it must also consider the trends of declining oil production within Los Angeles County and California as a whole. Any loss of access to oil and gas (or any impacts resulting from the end of the lifecycle of oil and gas extraction) must be considered in this context.

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[1] Los Angeles County. 2019. "Our County: Los Angeles Countywide Sustainability Plan." https://ourcountyla.lacounty.gov/wp-content/uploads/2019/07/OurCounty-Final-Plan.pdf.
[2] "Governor Newsom Takes Action to Phase out Oil Extraction in California." 2021. Governor Gavin Newsom. April 23, 2021. https://www.gov.ca.gov/2021/04/23/governor-newsom-takes-action-to-phase-out-oil-extraction-in-california/.
[3] California Public Resources Code, §§ 21000, 21001.
[4] California Public Resources Code, § 21068.
[5] County of Los Angeles Department of Regional Planning. 2025. "Revised Oil Well Ordinance Initial Study." LA County Planning. https://planning.lacounty.gov/wp-content/uploads/2025/03/rowo_initial_study.pdf.
[6] Ibid.

Oil production has been in decline in California for nearly four decades. Between 1985 and 2014, oil production fell by 48%[7] and, between 2014 and 2024, production fell by 49%.[8] Overall, oil production has fallen by 73% since 1985, partly because of greater rates of decline since 2014 (Figure 1). *Notably, much of the decline in oil production is due to geology and economics, not policy. Many existing wells have simply reached their economic limit for production.*

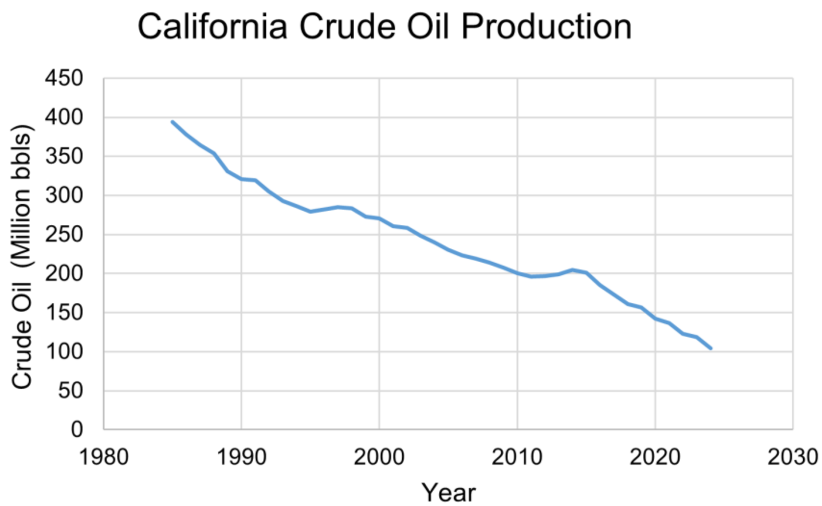

Figure 1: California crude oil production from 1985 to 2024. Data from Energy Information Administration.

Oil drilling is similarly declining within Los Angeles County. Most of the oil wells affected by the Project are within the Inglewood Oil Field, where a new well hasn't been drilled since 2014.[9] Production in the Field has been declining over the last decade, and the operator's annual plans have consistently included plugging and abandonment of wells. In 2015, about 2,377,000 barrels of oil and 1.1 billion cubic feet of methane gas were produced within the Inglewood Oil Field.[10] As of 2024, the Field was producing only 3,500 barrels of oil and 2,100 MCF of methane gas on average daily - approximately 1,277,500 barrels of oil and 766,500 MCF of methane gas in a year.[11] Already, half of the wells within the Inglewood Oil Field have been plugged and

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[7] Purvis, D., There Will Be Blood: Decommissioning California's Oilfields, CarbonTracker (May 2023).

[8] Energy Information Administration, California Field Production of Crude Oil Data (last accessed, April 7, 2025), https://www.eia.gov/dnav/pet/hist/LeafHandler.ashx?n=pet&s=mcrfpca2&f=a

[9] Baldwin Hills Community Services District, *2020 Drilling, Re-drilling, Well Abandonment, and Well Pad Restoration Plan* (2019), p. 5, available at: https://inglewoodoilfield.com/csd-related-plans/##140-155-wpfd-2020; Baldwin Hills Community Services District, *2022 Annual Newsletter and Community Announcement*, p. 7 (2022), available a https://planning.lacounty.gov/wp-content/uploads/2022/11/bh_2022-iof-annual-newsletter.pdf.

[10] Baldwin Hills Community Services District, *2016 Annual Newsletter and Community Announcement*, p. 7 (2016), available at https://inglewoodoilfield.com/csd-related-plans/#140-149-wpfd-2016

[11] Baldwin Hills Community Services District, *2024 Annual Newsletter and Community Announcement*, p. 2 (2024), available at https://inglewoodoilfield.com/csd-related-plans/#140-159-wpfd-2023.

abandoned. The current operator aims to plug and abandon 12 additional wells each year.[12] This decline trend extends to other oil fields within unincorporated Los Angeles County as well. Oil production from fields other than the Inglewood Oil Field, either completely or partly contained within unincorporated LA County, saw an overall decline in oil production of 40% between 2012 and 2023, going from 3,372,000 barrels of oil in total to 1,871,000 barrels (Figure 2).[13] As Sarah Ryker, acting director of the U.S. Geological Survey explained this month, "Almost 150 years since exploration began, the Los Angeles Basin has little remaining undiscovered oil.[14]

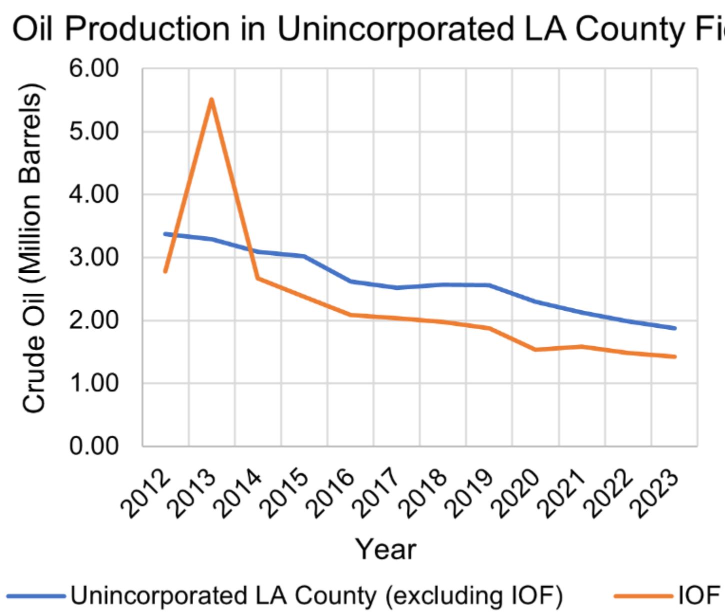

Figure 2: Oil production in Inglewood Oil Field (IOF) and the other oil fields within unincorporated LA County. Note: Some oil fields have wells both in unincorporated and incorporated areas of LA County. Production amounts represent field totals and not just unincorporated LA County production. Data from California Air Resources Board.

As oil production continues to decline in the Golden State, it is important to separate the decline in production associated with the Project from loss of access to oil and gas that would occur as reserves dry. The Project cannot assume full responsibility for loss of access to oil and gas in the

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[12] Sentinel Peak Resources. 2025. "FAQ." Inglewood Oil Field. Inglewood Oil Field. 2025. https://inglewoodoilfield.com/faq/.

[13] Determined using data from California Air Resources Board, LCFS Crude Oil Life Cycle Assessment, Final California Crude Average Carbon Intensity Values
(Last accessed, April 8, 2025), https://ww2.arb.ca.gov/resources/documents/lcfs-crude-oil-life-cycle-assessment

[14] Udasin, Sharon. 2025. "Los Angeles Basin Has Little Untapped Oil Left: USGS." The Hill. Nexstar Media Inc. April 9, 2025. https://thehill.com/changing-america/sustainability/5240962-los-angeles-oil-gas/.

region and state when it is apparent that production is independently in decline. Thus, the Project does not result in a significant environmental impact.

The Economic Impacts of this Ordinance are Net-Positive

When considering whether the Project will "[r]esult in the loss of availability of a locally important mineral resource recovery site,"[15] the County discusses the Project's economic impacts. To the extent that economic impacts are relevant, these impacts are net-positive for County residents. If the County considers oil a mineral resource and does a comprehensive economic analysis, it should find that the Project's economic impacts are not indicative of significant environmental effects.

When reflecting on economic impacts, it is critical to consider the Project's broader setting in determining significant effects.[16] The eventual loss of oil and gas access is inevitable in Los Angeles County and phasing out production over time allows for a responsible transition that protects those who will be most impacted.

Further, the County should analyze the Project's positive economic impacts, including positive health impacts. The negative health impacts of living close to oil extraction have been clearly documented. A report published last year from a scientific advisory panel commissioned by the California Geologic Energy Management Division synthesized existing research and concluded that, "As the distance between human-occupied residences and upstream oil and gas development operations decreases, or the density of wells and production volume increases, the likelihood of adverse health outcomes increases."[17] Air pollution from fossil fuel combustion causes higher risk of preterm births, childhood asthma, and cardiovascular disease, and ultimately accounts for 350,000 premature deaths per year in the United States.[18] Reducing fossil fuel extraction, therefore, could result in significant positive economic impacts in reduced healthcare costs statewide.

[15] County of Los Angeles Department of Regional Planning. 2025. "Revised Oil Well Ordinance Initial Study." LA County Planning. https://planning.lacounty.gov/wp-content/uploads/2025/03/rowo_initial_study.pdf.
[16] Cal. Code Regs. Tit. 14, § 15064(b)(1) ("An ironclad definition of significant effect is not always possible because the significance of an activity may vary with the setting. For example, an activity which may not be significant in an urban area may be significant in a rural area").
[17] Shonkoff, Seth B.C., and Rachel Morello-Frosch. 2024. "Public Health Dimensions of Upstream Oil and Gas Development in California: Scientific Analysis and Synthesis to Inform Science-Policy Decision Making." Edited by Joan Casey, Nicole Dezie, Dominic DiGiulio, Stephen Foster, Jo Kay Ghosh, Gretchen Goldman, Robert Harrison, et al. California Geologic Energy Management Division (CalGEM). https://www.conservation.ca.gov/calgem/Documents/Public%20Health%20Panel%20Final%20Report_20240621.pdf.
[18] Wolf, Shaye et al., *Scientists' Warning on Fossil Fuels,* Oxford Open Climate Change, Volume 5, Issue 1, 6 (2025), available at: https://academic.oup.com/oocc/article/5/1/kgaf011/8099165.

Finally, the Project sets a model for other jurisdictions to phase out drilling, and, together, these Projects contribute significantly to global emissions reduction efforts. Fossil fuel use is the primary cause of the climate emergency and phasing out fossil fuel extraction can help save our communities from increasingly expensive climate disasters. The recent fires in Los Angeles County were a terrible reminder of the economic toll associated with continuing to release greenhouse gas emissions into the atmosphere. Preparing for future disasters in LA County communities is estimated to cost local, state, and federal governments a minimum of 12.5 billion dollars through 2040, and this sum does not include costs for disaster recovery.[19]

If the environmental review analyzes economic impacts, it must also include a comprehensive discussion of the positive impacts of phasing out oil drilling.

Thank You

Thank you for the opportunity to participate in the County's CEQA process.

We urge the County to take the aforementioned considerations into account when analyzing the Project and believe doing so will result in a finding of no significant environmental effects associated with the Project.

Should you have any questions, please do not hesitate to contact us.

Sincerely,

Tianna Shaw-Wakeman
Environmental Justice Program Director
Black Women for Wellness

Gladys Delgadillo
Senior Organizer, Climate Law Institute
Center for Biological Diversity

Tyler Earl
Senior Staff Attorney
Communities for a Better Environment

[19] Center for Climate Integrity, and Resilient Analytics. 2024. "Los Angeles County's Climate Cost Challenge." Climateintegrity.org. Center for Climate Integrity. April 2024. https://climateintegrity.org/uploads/media/LACounty-ClimateCosts-2024.pdf.

Paulina Torres
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Natural Resources Defense Council

Emma Silber
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Making Conservation a California Way of Life

April 28, 2025

Ken Warner
LA County Planning
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320 West Temple Street, Floor 13
Los Angeles, CA 90012

RE: Revised Oil Well Ordinance - NOP
Vic. LA-ALL
SCH # 2025031377
GTS # 07-LA-2025-04781

Dear Ken Warner:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above-referenced project. The project includes: i) Amendments to Title 22 – Planning & Zoning of the Los Angeles County Code to prohibit new oil wells and production facilities, designate existing oil wells and production facilities as nonconforming due to use, and modify standards for oil wells during the amortization period; ii) Amendments to the Baldwin Hills Community Standards District (CSD) to be consistent with countywide prohibition of oil wells and production facilities and standards for oil wells during the amortization period; iii) Amendments to Title 12 – Environmental Protection of the Los Angeles County Code to remove noise exemptions for oil wells; and iv) Amendments to the County of Los Angeles General Plan in support of sustainability and environmental justice goals by phasing out oil production in unincorporated Los Angeles County. The City of Whoville is the Lead Agency under the California Environmental Quality Act (CEQA).

After reviewing the NOP, Caltrans has the following comments:

As stated in the Initial Study's Transportation Section, CEQA subsection A, the project's contractors would coordinate with local agencies to ensure compliance with existing roadway standards and traffic management regulations, minimizing disruptions. Measures such as scheduling deliveries during off-peak hours and following established haul routes can further reduce any temporary impact to vehicle, transit, bicycle, or pedestrian circulation. Caltrans supports these measures to limit large truck travel and construction traffic to off-peak commute hours.

Please note that a permit for any heavy construction equipment and or materials that require the use of oversized transport vehicles on State highways. Any work performed within State Right-of-way will require an Encroachment Permit. If construction traffic is expected to cause issues on any State facilities, please submit a construction traffic control plan detailing potential impacts for Caltrans for review.

If you have any questions, please feel free to contact Jaden Oloresisimo, the project coordinator, at Jaden.Oloresisimo@dot.ca.gov and refer to GTS # 07-LA-2025-04781.

Sincerely,

Miya Edmonson

MIYA EDMONSON
LDR/CEQA Branch Chief

cc: State Clearinghouse

manatt

Sigrid R. Waggener
Manatt, Phelps & Phillips, LLP
Direct Dial: 415-291-7413
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April 23, 2025

VIA EMAIL (ORDINANCE@PLANNING.LACOUNTY.GOV)

Mr. Ken Warner, AICP
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KWarner@planning.lacounty.gov

Re: Comments on Notice of Preparation of an Environmental Impact Report and Public Scoping Meeting on the Proposed Revised Oil Well Ordinance, Project No. PRJ2025-000212, Ordinance RPPL2025000276, General Plan Amendment RPPL2025000277, Environmental Plan RPPL2025000284 and State Clearinghouse Number 2025031377

Dear Mr. Warner:

This firm represents Matrix Oil Corporation, Royale Energy, Inc. and RMX Resources LLC (collectively, "Matrix"). Matrix safely and responsibly operates two oil and gas production and processing sites in the County of Los Angeles ("County") commonly referred to as Sycamore Canyon and Sansinena Site 9 (collectively, the "Matrix Sites"). These sites are located within well-established, active oil fields whose boundaries have been delineated by the California Geologic Energy Management Division ("CalGEM").

Matrix appreciates the opportunity to provide comments on the scope of the Environmental Impact Report ("EIR") that the County intends to prepare in support of its Proposed Revised Oil Well Ordinance, Project No. PRJ2025-000212, Ordinance RPPL2025000276, General Plan Amendment RPPL2025000277, Environmental Plan RPPL2025000284 and State Clearinghouse Number 2025031377 (collectively hereinafter referred to as the "Revised Oil Ordinance"). These comments are provided below in sections one and two, and we ask that they be included in the record of proceedings for the Revised Oil Ordinance and, relatedly, the Couty's compliance with the California Environmental Quality Act ("CEQA"). Additionally, we join in the scoping comments submitted by the California Independent Petroleum Association ("CIPA"), and we ask that they too be included in the record of proceedings for the Revised Oil Ordinance.

As you will also note below, this letter raises issues in sections three and four that do not pertain directly to the scoping of the EIR. However, these additional issues are very much related to the County's consideration of the Revised Oil Ordinance and whether: (1) Matrix's fully vested production operations should be excluded from the project—aka the Revised Oil Ordinance—and the EIR's project description; and (2) whether the County can legally advance the Revised Oil Ordinance in light of existing state law that preempts it.

1. The Revised Oil Ordinance EIR Must Comply with CEQA Guidelines Section 15125[1]

"An EIR must include a description of the physical environmental conditions in the vicinity of the project." *See* CEQA Guidelines § 15125(a). A CEQA lead agency "should describe physical environmental conditions as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective." *See* CEQA Guidelines § 15125(a)(1). The project here is the Revised Oil Ordinance, which means that the physical environmental conditions are the *present day* physical circumstances found at *each* of the numerous oil and gas facilities within the County. There are many facilities spread across multiple oil fields in the County, and each has its own *locally* distinct circumstances, which will dictate the nature and severity of environmental impacts resulting from implementation of the Revised Oil Ordinance. The EIR must disclose the environmental conditions at each facility and consider the impacts associated with the wholesale removal of each facility from its current location.

2. The Revised Oil Ordinance EIR Must Consider Impacts to All Affected CEQA Resources

Concerningly, the Notice of Preparation ("NOP") suggests that the only CEQA resource that will be evaluated in the EIR is Mineral Resources. Proceeding with such a limited evaluation would constitute a failure to proceed in the manner CEQA requires. As matter of law, CEQA requires the consideration, analysis and disclosure of all potentially significant environmental impacts of a proposed "project" before that project is adopted. If adopted, the Revised Oil Ordinance would enact a county-wide ban of a land use that has been ongoing for more than fifty (50) years and require the forced removal of thousands of oil and gas wells and supportive production infrastructure. This will clearly and foreseeably impact a host of environmental resource classes as set forth below.

a. Aesthetics

The forced removal of oil and gas facilities across numerous locations in the County paves the way for redevelopment of those lands in some manner. The County is well aware of this fact. As such, the EIR must evaluate the aesthetic impacts associated with transitioning lands previously occupied by low density, low elevation production infrastructure to denser, built

[1] As used herein, "CEQA Guidelines" means and refers to 14 California Code of Regulations §§ 15000 *et seq.*

environments. Simply put, there will be buildings where there weren't previously buildings, and that will have a demonstrable aesthetic impact. The EIR must consider this.

b. Air Quality

Reducing oil and gas production in California, without an associated reduction in oil and gas consumption, will result in an immediate, foreseeable increase in the importation of foreign oil. The increase in foreign oil shipped to California to replace the oil that cannot be extracted under the Revised Oil Ordinance will result in an increase in volatile organic compounds (VOCs) and nitrogen oxide (NOx) emissions from the tanker ships (and, to a lesser extent, trucks) transporting this oil to California ports and refineries. The EIR must evaluate these consequences as well.

c. Biological Resources

The forced removal of oil and gas facilities will impact existing biological resources. Certain oil and gas production facilities provide habitat for threatened and endangered plants and animals, given the low density, low human impact nature of operations. Removal of the facilities will impact these habitats. Additionally, redevelopment of these large sites will curtail their availability for future habitat use. The EIR must consider both streams of impacts to biological resources.

d. Cultural Resources

Redevelopment of the many oil and gas sites throughout the County will disturb locations known to contain paleontological and archeological resources. The EIR must evaluate these impacts.

e. Greenhouse Gas ("GHG") Emissions

As already noted in Air Quality above, the Revised Oil Ordinance will increase foreign oil imports into California. Importation of foreign oil will result in increased GHG Emissions from the tanker ships carrying the oil, as well as the oil itself, which is not climate compliant.[2] This is a potentially significant impact that must also be evaluated in the EIR.

f. Land Use Planning

As part of the Revised Oil Ordinance, the County states that it will revise the County General Plan's Land Use Element, Conservation and Natural Resources Element, and Safety

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[2] By contrast, oil produced in California is climate compliant—meaning that oil produced in the State is produced in compliance with some of the most rigorous GHG reduction programs in the world.

Element to prohibit new oil well operations and remove designations that support oil production activities. This does not resolve the conflict between the proposed Revised Oil Ordinance and the operative County General Plan.

The County's General Plan contemplates continued oil and gas production, whereas the Revised Oil Ordinance clearly purports to shut down such production. As a matter of basic planning law, the County cannot make a handful of changes to the General Plan and declare the Revised Oil Ordinance consistent with the totality of that plan. *See* Gov. Code § 65860(a). Even after the plan changes the County proposes are made, the General Plan will continue to acknowledge the importance of mineral rights, including oil and gas. For example, Table 9.6 identifies a Geologic Inventory of Mineral Resources in the County. (*See* L.A. County General Plan, Chapter 9.) Additionally, land use policies embodied in the General Plan make it a County goal to "Ensure land use compatibility in areas adjacent to mineral resources where mineral extraction and production, as well as activities related to the drilling for and production of oil and gas, may occur." (*See* General Plan, Chapter 17, at Goal LU 7.) Multiple General Plan policies contemplate ongoing oil and gas extraction activities. (*See* General Plan Policies C/NR 11.1, 11.3, 11.4, and 11.5.)

g. Noise

The forced removal of oil and gas facilities will have associated demolition noise impacts that must be considered in the EIR. Additionally, redevelopment of the many oil and gas sites throughout the County will have construction-related noise impacts that must be considered. Redevelopment will also introduce new, permanent sources of ambient noise that were previously not present. This too must be evaluated.

h. Wildfire

Redevelopment will also introduce new, permanent structures in locations where none previously existed. Those structures and the people inhabiting them will be exposed to wildfire risks, and such risks must be evaluated in the EIR.

i. Cumulative Impacts

Finally, the County fails to consider the cumulative impacts that will result from the forced shuttering of all oil and gas operations county-wide. As discussed above, oil and gas production is a long-authorized land use. Its termination will result in cumulatively considerable incremental effects on Aesthetics, Air Quality, Biological Resources, Cultural Resources, Energy, GHG emissions, Noice, Transportation and Wildfire.

3. The Revised Oil Ordinance Should Exempt Matrix's Fully Vested Operations

Matrix operates the Matrix Sites in accordance with existing, fully vested entitlements issued by the County (collectively, the "Matrix Permits"). As such, imposition of the Revised Oil Ordinance would violate Matrix's vested right to continue its lawfully established exploration and production operations. *See Avco Community Developers, Inc. v. South Coast Regional Commission*, (1976) 17 Cal.3d 785; *Hansen Brothers Enterprises v. Board of Supervisors*, (1996) 12 Cal.4th 533 ("Hansen"); *HPT IHG-2 Properties Tr. v. City of Anaheim* (2015) 243 Cal. App. 4th 188, 199; *Malibu Mountains Recreation, Inc. v. County of Los Angeles* (1998) 67 Cal.App.4th 359, 367.

Because the County cannot impose the provisions of the Revised Oil Ordinance on Matrix's vested and ongoing production operations, the County should expressly exempt these operations from the Revised Oil Ordinance and exclude these operations from the EIR's project description and analysis.

4. The Revised Oil Ordinance Is Legally Preempted; AB 3233 Does Not Salvage It

The County's efforts to adopt a Revised Oil Ordinance are preempted by state law. The fact that the California Legislature enacted Aseembly Bill ("AB") 3233 in 2024 does not rescue the Revised Oil Ordinance.

The Revised Oil Ordinance is preempted by state law because the state legislature has expressed a clear intent to occupy the field in regard to the regulation of oil and gas operations. Under California law, "[a] county or city may make and enforce within its limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws." Cal. Const, art. XI, § 7. However, "[i]f otherwise valid local legislation conflicts with state law, it is preempted by such law and is void." *Sherwin-Williams Co. v. City of Los Angeles* (1993) 4 Cal.4th 893, 897, citing *Candid Enterprises, Inc. v. Grossmont Union High School Dist.* (1985) 39 Cal.3d 878, 885. Local legislation conflicts with state law where it "duplicates, contradicts, or enters an area fully occupied by general law, either expressly or by legislative implication." *Id*. Local legislation is "duplicative" when it is coextensive of state law. *Id*. And local law is contradictory where it obstructs or harms state law. *Id.* at 898. Finally, local legislation enters an area that is "fully occupied" by state law when the legislature expressly or impliedly manifested intent to occupy the area. *Id*; *see also Candid Enterprises, Inc.*, *supra*, 39 Cal.3d at 885.

Under Public Resources Code, Section 3106(d), *et seq*, the state has vested complete authority in CalGEM to "supervise the drilling, operations, maintenance, and abandonment of wells so as to permit owners or operators of wells to utilize all methods and practices known to the oil industry for the purpose of increasing the ultimate recovery of underground hydrocarbons and which, in the opinion of the supervisor, are suitable for this purpose in each proposed case."

Pub. Resources Code,§ 3106(b). AB 3233 doesn't negate this express vesting of authority in the State.

The County is well aware of the preemption problem the Revised Oil Ordinance presents. Specifically, the County is aware that the Los Angeles Superior Court recently found that an ordinance nearly identical to the Revised Oil Ordinance was legally preempted. In *Warren E&P, Inc. v. City of Los Angeles*, 23-STCP00060 (March 21, 2025), Judge Curtis Kin ruled that the City of Los Angeles' ("City") oil and gas setback ordinance No 187709 was preempted, because it impermissibly banned "methods of production in existing well." *Warren*, at 11. Judge Kin found that the City's ordinance impermissibly "restricts the [State Oil and Gas] Supervisor's 'express, statutorily-conferred authority to decide what oil production methods are suitable in each case," and therefore was implicitly preempted by Public Resource Code section 3106. *Id*., at 12. Judge Kin further found the City's ordinance preempted because its prohibition on maintenance activities would similarly interfere with the Supervisor's mandatory statutory duty to supervise oil operations "on a way that permits operators to 'utilize all methods and practices'" approved by the Supervisor. *Id*. In his ruling, Judge Kin relied on the California Supreme Court's ruling in *Chevron U.S.A. Inc. v. County of Monterey* (2023) 15 Cal.5th 135, 140 (*Chevron II*), holding that a similar ordinance in Monterey County was likewise preempted.

The County cannot circumvent this preemption issue by relying on AB 3233. The Legislature cannot, and has not, made Public Resource Code section 3106 inoperative, nor has it taken the issue out of the State's hands. Judge Kin, along with the court in *Chevron II*, found that the Supervisor's duty to regulate hydrocarbon extraction and methods and practices was a matter of statewide concern. Thus, the Legislature cannot remove jurisdiction over the matter and assign it to cities or counties, as it has improperly attempted to do with AB 3233.

Sincerely,

Sigrid R. Waggener

From: Michael Monagan
To: DRP Ordinance Studies
Subject: Oil Fields
Date: Thursday, April 10, 2025 11:51:29 AM

At this point If anyone thinks that fossil fuels are the way forward they are either delusional or blinded by money.
Evidence of the Climate Crisis is all around us and can be found in the news every day- hurricanes, tornadoes, flooding, droughts, wildfires, sea level rise, melting ice caps, blistering temperatures, etc, etc.
The sooner the Inglewood Oil Fields are shut down the better. The danger to our health and the health of the planet is ongoing and must be stopped.
Thank you,
Michael Monagan
3341 Fay Ave
Culver City

monagan.com

From:	SSL
To:	DRP Ordinance Studies; Barger Leibrich, Kathryn; Saraiya, Anish; Amy Bodek; Holly J. Mitchell; thirddistrict@bos.lacounty.gov; firstdistrict@bos.lacounty.gov
Subject:	Oil well ordinance
Date:	Friday, March 28, 2025 6:35:28 PM

Dear Gentlepersons;

I know that hatred of gasoline powered automobiles is an affliction rampant among planners. It seems you all can just not tolerate that much choice and freedom for your subjects. That said, have you actually considered what you are doing here?

I mean you know aside from willfully destroying an industry via means that seem somewhat less than just or even constitutional. Do you understand that the little light box contraption you are reading this on is made almost entirely of crystalized petroleum? Do you know most medicines are synthesized from Petroleum? food is basically a petroleum product with the high inputs modern production requires. Most of the clothing you are wearing as you read this is blended and dyed with petroleum products.

You are by attempting to destroy the Los Angeles County petroleum industry making the entire California and United States economies weaker, more dependent of foreign sources and you make it necessary to to pollute more via ocean transportation to meet critical needs for medicine, food, clothing, paint, waterproofing, building rain screens, roofing and more products than one can name.

This is of course yet the latest example of self-righteous classist environmentalism, taking the cleanest most well-run oil wells in the world and closing them because they are "too dangerous" for our first world population to have to be near and then exporting the production to third world and less developed countries. Much as Los Angeles did two decades ago by using environmental policy to shove the once large furniture manufacturing business into China into almost totally unregulated 19th Century style plants that are a net loss for the planet in terms of pollution and a net loss for humanity in terms of working conditions.

if you are going to outlaw the wells, you have a moral obligation to outlaw the products we rely upon for our society to survive. You can't of course do that, so you will take the benefits in the first world and export the costs and dangers to the third. This is nothing less than global enviro racism and classism and this policy is both reprehensible and scientifically wrong.

Sincerely,

Steven S. Lamb
Altadena

From: bobb lynes
To: DRP Ordinance Studies; Barger Leibrich, Kathryn; Saraiya, Anish; Amy Bodek; Holly J. Mitchell; thirddistrict@bos.lacounty.gov; firstdistrict@bos.lacounty.gov; SSL
Subject: Re: Oil well ordinance
Date: Saturday, March 29, 2025 10:12:23 AM

CAUTION: External Email. Proceed Responsibly.

Steve,

Billy Bob Thornton couldn't have said it any better than you just did. I'm sure you've probably seen
the TikTok clips from "Landman". Your message should be plastered on every wall & TV screen in our
once-great nation. Truths many of us have known for YEARS. It HAS to be shared!

Well said, my friend...

Bobb

From: SSL <steve_lamb57@sbcglobal.net>
Sent: Friday, March 28, 2025 6:35 PM
To: ordinance@planning.lacounty.gov <ordinance@planning.lacounty.gov>; Kathryn Barger Leibrich <kbarger@bos.lacounty.gov>; Anish Saraiya <asaraiya@bos.lacounty.gov>; Amy Bodek <abodek@planning.lacounty.gov>; Holly J. Mitchell <hollyjmitchell@bos.lacounty.gov>; thirddistrict@bos.lacounty.gov <thirddistrict@bos.lacounty.gov>; firstdistrict@bos.lacounty.gov <firstdistrict@bos.lacounty.gov>
Subject: Oil well ordinance

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Sincerely,

Steven S. Lamb
Altadena

From:	Douglas Kilpatrick
To:	DRP Ordinance Studies
Subject:	Revised Oil Well Ordinance (ROWO), Project No. PRJ2025-000212.
Date:	Thursday, March 27, 2025 9:44:13 PM

CAUTION: External Email. Proceed Responsibly.

This is a poorly thought out and potentially harmful ordinance as written. Most of us drive oil-fueled vehicles, rely on power generated from oil and use products daily that are made from oil and this is not likely to change anytime soon, if ever.

That oil has to come from somewhere.

Restricting oil production from all of LA County doesn't make sense because there are areas where it is appropriate.

I don't see the need or benefit to any ordinance, especially one that completely restricts this activity everywhere.

Please remember that you represent many people like me who don't subscribe to the hysteria about oil.

Thanks
Doug

From:	Dyer, Greg @ South Bay
To:	DRP Ordinance Studies
Subject:	Revised Oil Well Ordinance
Date:	Friday, March 28, 2025 8:36:34 AM

While I applaud the efforts to better regulate standards for oil well and production facility site maintenance, well plugging, and site restoration (in particular) I am extremely opposed to the prohibition of new oil wells and the closing of existing wells. Until there is an economical and sustainable alternative to oil and gas we should continue to utilize the resources within the County and find better ways to monetize those resources to help pay for our government, roads, and remediation of past and ongoing contamination.

Greg Dyer
937 10th Street
Manhattan Beach, CA

OFFICE OF THE SHERIFF

COUNTY OF LOS ANGELES

HALL OF JUSTICE

ROBERT G. LUNA, SHERIFF

April 29, 2025

Kenneth Warner, Associate Planner
LA County Planning
Ordinance Studies Section
320 West Temple Street, Floor 13
Los Angeles, California 90012

Dear Mr. Kenneth Warner:

REVISED OIL WELL ORDINANCE (ROWO)
NOTICE OF PREPARATION / ENVIRONMENTAL IMPACT REPORT
REVIEW COMMENTS

Thank you for inviting the Los Angeles County Sheriff's Department (Department) to review and comment on the March 2025 Notice of Preparation of an Environmental Impact Report for the Revised Oil Well Ordinance (Project). The Project will amend the Los Angeles County Code and General Plan. Los Angeles County spans approximately 4,083 square miles and is home to 88 cities and unincorporated Los Angeles County areas totaling approximately 2,656 square miles. The Project area hosts a broad range of land use designations, and oil production activities are especially concentrated in areas like the Baldwin Hills Community Standards District area with the Inglewood Oil Field. This Project will provide a mechanism for local communities to work with the County, while the General Plan establishes 11 Planning areas where oil production activities are currently active and/or could potentially expand.

The Department is the proprietor of unincorporated Los Angeles County area location(s) with active oil wells. It would be beneficial to receive confirmation whether the active oil wells at our facility currently conform and/or are approved through a conditional use permit and/or any other discretionary permit. Access to this information should be made available for these locations.

The Project should also require that Construction Traffic Management Plans be prepared to address construction-related traffic congestion and emergency access issues. If temporary lane closures are necessary for the installation of utilities, emergency access should be maintained at all times. Flag persons and/or detours should be provided as needed to ensure safe traffic operations, and construction signs should be posted to advise motorists of reduced construction zone speed limits

The Department has no other comments at this time, but we reserve the right to do so should additional and/or new information become available for the proposed Project.

For future reference, the Department provides the following updated address and contact information for all requests for reviews, comments, law documents, and other related correspondence:

Jennifer Fang, Acting Bureau Director
Facilities Planning Bureau
Los Angeles County Sheriff's Department
211 West Temple Street
Los Angeles, California 90012

Attention: Planning Section

Should you have any questions regarding this matter, please contact me, at (323) 526-5657, or your staff may contact Mr. Ryan Erasmo, of my staff, at (323) 526-5614.

Sincerely,

ROBERT G. LUNA, SHERIFF

Jennifer Fang, Acting Bureau Director
Facilities Planning Bureau

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LONG BEACH CORPORATE OFFICE
P.O. Box 2767, Long Beach, CA 90801
562.595.7401 MAIN
562.426.2730 FAX
www.TERMOCO.com

April 25, 2025

Mr. Ken Warner, AICP
LA County Planning
Ordinance Studies Section
320 West Temple Street, Floor 13
Los Angeles, CA 90012

Via Email: KWarner@planning.lacounty.gov

Re: Comments on the Notice of Preparation of an Environmental Impact Report and Public Scoping Meeting on the Proposed Revised Oil Well Ordinance, Project No. PRJ2025-000212

Dear Mr. Warner,

The Termo Company ("Termo") provides these comments regarding the County of Los Angeles's ("County") proposed Project entitled "Revised Oil Well Ordinance" which includes amendments to Title 22 of the Los Angeles County Code and the General Plan, and the Notice of Preparation ("NOP") and the accompanying Initial Study prepared in connection with this Project (Project No. PRJ2025-000212), issued March 27, 2025.

Termo offers the included comments and reiterates and joins in the comments submitted by the California Independent Petroleum Association, Manatt Phelps & Phillips on behalf of Matrix Oil Corporation, and by Alston & Bird on behalf of Sentinel Peak Resources California, LLC. As discussed in these letters, the analysis in the proposed EIR must include all potentially significant environmental impacts that are reasonably foreseeable consequences of the Project. These consequences include, but are not limited to, the accelerated abandonment of the existing oil fields, the development of land currently used for oil extraction, and the increased importation of oil and gasoline by tanker ships in order to replace the decreased local production. As a result of these foreseeable consequences of the Project, there will be potentially significant impacts to aesthetics, air quality, greenhouse gas emissions, hazards and hazardous materials, traffic and circulation, noise, biological and cultural resources, and conflicts with the County's existing land use plans.

<u>The Revised Oil Ordinance EIR Must Consider Impacts to All Affected CEQA Resources</u>

Based on both data and observations, Termo offers the following areas that the project will have significant effects on, and that the EIR must examine in further detail:

Air Quality

It is reasonable to expect that reducing production of crude oil locally will result in an increase in imports of crude oil through the Ports of Long Beach and Los Angeles. The LA Basin is currently in a non-attainment status for pollutants that will be generated from an increase in shipping and arriving ships into those ports. Additionally, the area around the port remains heavily burdened by air pollution. The action of shutting down production will increase the burden on these communities. The EIR must evaluate these impacts.

Biological Resources

An often-overlooked environmental benefit of oil fields is the preservation of open space and protection of wildlife habitat. In the areas where Termo operates there are abundant deer populations, in addition to mountain lions, bobcats, coyote, and bears along with raptors and other local and migrating birds. These *de facto* protected wildlife areas will be in jeopardy should Termo be forced to shut down oil and gas production and the county designates the land for other uses. This potential impact warrants far greater analysis in the EIR.

Energy

It is reasonable to expect that an increase in imports via ship, rail, or truck will expend more energy in the transport of that oil than trucking oil locally from the production field to refinery. This equates to a decrease in energy efficiency. The IS fails to identify this impact and it should be evaluated in the EIR.

Greenhouse Gas Emissions

The proposed action will directly and indirectly increase GHG emissions due to the increased importation of crude oil from outside the region. Stating that a decline in demand or market forces may offset this impact is magical thinking not grounded in reality or historical data. Foreign sources of crude oil have a higher GHG impact due to a lack of emissions controls thus the action will directly or indirectly increase GHG emissions due to increased production from outside of the region.

Hazards and Hazardous Materials

The proposed action will increase danger to the environment with increased shipping from outside the region. An accident involving a tanker shipping crude oil from overseas could potentially impact thousands of coastal residents.

Wildfire

Termo operates in currently designated as 'very high severity' fire zones. Whatever the future use the County has envisioned for these lands, there is significant potential for an increase in fire risk due to the loss of defensible spaces, access roads, and other wildfire mitigation measures that are a result of oil field operations.

Cumulative Impacts and Alternatives

Based on the foregoing information, it is reasonable to conclude that the cumulative impacts of the proposed ordinance and the subsequent shutdown of oil and gas in Los Angeles County are significant and considerable. These cumulative impacts must be considered, and the EIR should include a No Action alternative.

Legal Preemption and Vested Rights

In its pending lawsuit against the County, Termo has identified the underlying reasons why the Proposed Project is legally improper. The Revised Oil Well Ordinance remains subject to preemption of state law pursuant to the decision by the California Supreme Court in *County of Monterey* (2023) 15 Cal.5th 135 ("*County of Monterey*").) Even the Revised Oil Well Ordinance recognizes the need for compliance with state law. By negating the Oil and Gas Supervisor's statutorily-conferred authority to regulate the operation, maintenance and abandonment of oil and gas wells, the Revised Oil Well Ordinance unlawfully interferes with State law. The adoption of AB3233 did not change the language in section 3106 of the Public Resources Code that was relied upon by the California Supreme Court, and the Supreme Court's determination of the constitutional question of preemption may not be altered absent a constitutional amendment. The Project will also enter into an area fully occupied by state law, and conflicts with the State's regulation of underground injection control wells pursuant to the federal delegation of authority under the Safe Drinking Water Act.

Termo holds vested rights to continue operating its wells pursuant to its existing entitlements and its investment in operations that were permitted by right under the County Code. The County has identified no legitimate interest in terminating these oil and gas operations, nor is there any legitimate interest in eliminating an industry that is already regulated, permitted by various government entities, and contributes to the local economy. The proposed Project interferes with Termo's vested rights to continue to develop oil and gas resources within County land. By purporting to terminate these operations, the County's actions will result in the taking of Termo's vested property rights without the payment of just compensation. Termo had a reasonable investment-backed expectation in the continued extraction of oil and gas resources within its current operations in the unincorporated areas of Los Angeles County. The Revised Oil Well Ordinance has provided no basis for finding that the proposed amortization period is reasonable or otherwise applicable to "diminishing assets" such as oil and gas resources, for which Termo has a vested right. (*See Hansen Bros. Enters. v. Board of Supervisors* (1996) 12 Cal.4th 533.) For these reasons, Termo requests that its operations be exempted from the operation of the Revised Oil Well Ordinance.

Sincerely,

Ralph E. Combs
Manager of Regulatory, Community and Government Affairs
The Termo Company