AGN. NO.

MOTION BY SUPERVISOR MARK RIDLEY-THOMAS AND CHAIR HILDA L. SOLIS

March 29, 2016

PROACTIVE PLANNING AND ENFORCEMENT OF OIL AND GAS FACILITIES OPERATING IN UNINCORPORATED LOS ANGELES COUNTY

On July 28, 2015, the Los Angeles County (County) Board of Supervisors (Board) (MRT/HS) directed the Department of Regional Planning (DRP), in consultation with the Department of Public Health (DPH) to develop an inventory of all oil and gas fields and the associated level of environmental monitoring taking place at those facilities within unincorporated Los Angeles County (the Report). The Report, issued on December 31, 2015, provided a snapshot of the oil and gas wells that are currently in operation based on the records of the State of California Division of Oil, Gas and Geothermal Resources. The Report identified 1,687 oil and gas wells within the unincorporated County, of which 85% are located within zones that allow the use "by right" and 95% are operated by 12 distinct operators.

Of the 1,687 wells, 57% are currently operating under the unprecedented and comprehensive regulatory requirements created by the Baldwin Hills Community Standards District (CSD), which promotes the safe operation of the Inglewood Oil Field (Field). Among its many requirements, the CSD restricts the amount of drilling that is allowed at the Field, requires ongoing monitoring of air quality, groundwater, noise, and seismic activity, establishes setbacks from sensitive areas and landscaping requirements, as well as requires various emergency response protocols and monthly meetings with a community advisory panel.

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While the CSD does provide extensive oversight for over half of the wells within the unincorporated County, the Report found that due to the long history of oil production in the County, in which wells were typically permitted by right, the remaining wells outside of the CSD area are operating with a lack of consistency in permit conditions, and regulations vary from project to project.

Following review of the Report, two critical issues must be addressed. First, the County must be proactive in ensuring that existing oil and gas facilities (including injection and extraction wells, storage facilities and refineries) are operating safely. The County should also enhance the regulatory process for future well sites to ensure that the regulations reflect best practices and current mitigation methods and technologies as well as minimize environmental impacts.

A "Strike Team" comprised of representatives from DRP, DPH, the Fire Department and Department of Public Works should work proactively to complete a comprehensive assessment of the approximately 800 oil and gas wells operated within the unincorporated areas, which are not subject to the rigorous requirements of the CSD. In addition the Strike Team should develop action plans, as necessary, to ensure that these facilities are in compliance with all existing applicable rules and regulations, as well as provide recommendations on additional oversight or operational changes that may be required to ensure a safe operation.

In regards to regulating future well sites, changes should be made to the Zoning Code to appropriately regulate oil and gas drilling activities in all zones and prohibit the use "by right". A required discretionary permit would allow for a baseline of criteria to be met (including setbacks, distance from sensitive uses, monitoring requirements, etc.) in addition to a required Environmental Analysis which could lead to other requirements and mitigations. This action would be consistent with the General Plan, adopted by the Board last year, which supports and encourages additional safety measures for oil and gas extraction.

Recently, there have been too many disastrous examples, including the Aliso

Canyon methane leak in Porter Ranch, and contamination from the ongoing inadequate regulation of the Exide Battery Recycling Facility in Vernon, that highlight the dire environmental, economic and public health repercussions when existing industrial facilities have not been properly maintained or operated to ensure that the health and well-being of its employees and surrounding residents are protected. The significant community disruption, coupled with devastating emissions and potentially toxic exposure to surrounding residents, provides ample justification for why a proactive approach to assessing these types of facilities in the unincorporated area is merited and should be completed in a timely manner.

WE THEREFORE MOVE THAT THE BOARD OF SUPERVISORS:

Direct the Director of the Department of Regional Planning, in coordination with the Fire Chief, Interim Director of the Department of Public Health, and Director of the Department of Public Works to take the following actions:

1. Convene a Strike Team to assess the conditions, regulatory compliance and potential public health and safety risks associated with existing oil and gas facilities in unincorporated Los Angeles County. This assessment should include an inventory of these facilities, an evaluation of compliance with existing permits, review of emergency response plans, onsite visits and safety audits. Sites should be prioritized for further action based on highest health or environmental risks. As sites are prioritized for review, consideration should be given to the age and history of the facility, the proximity of nearby communities (specifically disadvantaged communities) or sensitive populations, and whether the facility is operating using ~~controversial~~ well stimulation techniques <u>consistent with California Senate Bill 4</u> (such as hydraulic fracking);
2. The Strike Team should report back in writing on a bi-annual basis with a summary of its findings and any recommendations on legislative and regulatory positions, and if necessary, legal positions, that the Board of Supervisors should

take to support the overall safety of these facilities in relation to the surrounding communities;

3. As part of its initial report, the Strike Team should provide recommendations on other facilities that should be evaluated as part of the Strike Team's efforts, which may include other industrial uses or pipelines, as well as recommendations on a community input strategy;
4. In consultation with County Counsel, complete an update to the Zoning Code and associated regulations and enforcement protocols to ensure that oil and gas facilities may no longer operate by right in the unincorporated portions of the County, and ensure that the regulations reflect best practices and current mitigation methods and technologies, minimize environmental impacts and protect sensitive uses and populations;
5. Coordinate with cities throughout the County of Los Angeles that may be interested in collaborating on the development of regulatory requirements or protocols for monitoring and evaluating their local oil and gas facilities (potentially including oil extraction facilities currently existing in Montebello and proposed in Whittier) or other potentially environmentally-sensitive uses; and
6. Coordinate with the Chief Executive Officer to ensure that any necessary technical support or resources required in order to facilitate this effort are allocated in a timely manner.

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