

FINDINGS

(As Amended by the City Planning Commission at its meeting on September 22, 2022)

Land Use Findings

1. **Charter Finding 556 (General Plan).** In accordance with City Charter Section 556, the proposed Oil and Gas Drilling Ordinance (Ordinance) is in substantial conformance with the purposes, intent, and provisions of the General Plan.

This Ordinance is part of a larger effort to address environmental justice and climate change, in tandem with policies found in the City’s Health, Wellness and Equity Element of the General Plan (Plan for a Healthy Los Angeles, or Health Element). Many of these plans and policies encourage reduction in oil usage, generation of green energy, expansion of electrical infrastructure and include acknowledgement of environmental justice issues. The Ordinance seeks to minimize the cumulative health impacts from incompatible land uses associated with oil drilling. By introducing regulations that would phase out oil activities altogether, the proposed Ordinance is meant to improve the City’s overall livability while addressing long-standing injustices to frontline communities and communities of color disproportionately affected by the health impacts of oil drilling in Los Angeles, as prioritized in various elements of the General Plan.

The proposed Ordinance furthers the following objectives and policies of the General Plan:

Air Quality Element
4.1.1 Coordinate with all appropriate regional agencies the implementation of strategies for the integration of land use, transportation, and air quality policies.
5.1.2 Effect a reduction in energy consumption and shift to non-polluting sources of energy in its buildings and operations.
5.3.1 Support the development and use of equipment powered by electric or low-emitting fuels.
Safety Element
1.1.4 Health/Environmental Protection. Protect the public and workers from the release of hazardous materials and protect City water supplies and resources from contamination resulting from release or intrusion resulting from a disaster event, including protection of the environment and public from potential health and safety hazards associated with program implementation.
1.2.1 Environmental Justice. In keeping with the Plan for a Healthy LA, build a fair, just and prosperous city where everyone experiences the benefits of a sustainable future by correcting the long running disproportionate impact of environmental burdens faced by low income families and communities of color.

1.2.12 Prosperity and Green Jobs. Leverage investments in green infrastructure and systems to create inclusive economic opportunities for the city's workforce.
1.2.2 Renewable Energy. Aggressively pursue renewable energy sources, transitioning away from fossil-based sources of energy and toward 100% renewable energy sources.
1.2.7 Zero Emissions Vehicles. In keeping with the Mobility Plan, work toward zero emissions transportation and goods movement and increase zero emissions infrastructure including charging.
1.2.8 Industrial Emissions and Air Quality Monitoring. In keeping with the Air Quality Element, ensure that every Angeleno can breathe clean, healthy air by addressing air pollution from all sources, with a particular emphasis on prioritizing the health and wellbeing of overburdened families and delivering environmental justice.
Program # 6 Identify, Analyze, and Mitigate Local Oil and Gas Risks.
Conservation Element
Policy 1: continue to encourage energy conservation and petroleum product reuse.
Policy 2: continue to support state and federal bans on drilling in the Santa Monica Bay and on new drilling along the California coast in order to protect the San Pedro and Santa Monica bays from potential spills associated with drilling, extraction and transport operations.
Policy 3: continue to protect neighborhoods from potential accidents and subsidence associated with drilling, extraction and transport operations, consistent with California Department of Conservation, Division of Oil and Gas requirements.
Health, Wellness and Equity Element (Plan for a Healthy Los Angeles)
5.1 Reduce air pollution from stationary and mobile sources; protect human health and welfare and promote improved respiratory health.
5.2 Reduce negative health impacts for people who live and work in close proximity to industrial uses and freeways through health promoting land uses and design solutions.
5.4 Protect communities' health and well-being from exposure to noxious activities (for example, oil and gas extraction) that emit odors, noise, toxic, hazardous, or contaminant substances, materials, vapors, and others.
5.7 Promote land use policies that reduce per capita greenhouse gas emissions, result in improved air quality and decreased air pollution, especially for children, seniors and others susceptible to respiratory diseases.

Land Use Element – West Adams-Baldwin Hills-Leimert Community Plan
CF20-5 Reduce Greenhouse Gas Emissions. Support efforts to promote the use of clean, renewable energy that is diverse in technology and location to decrease dependence on fossil fuels, reduce emissions of greenhouse gases, and increase the reliability of the power supply. (P143)
LU65-2 Capitalize on Emerging Industrial Sectors Capitalize on rehabilitation and adaptive reuse of existing structures, as well as the introduction of contextual new infill construction in areas such as the Hyde Park Industrial Corridor. Provide land use incentives and standards that facilitate the generation of high wage jobs and training for the community especially within the growing “clean- tech” and “greentech” sectors. (P13, P33, P286)
LU75-1 Discretionary Review. Seek a high level of discretionary review for any changes to, or expansion of, existing oil extraction sites and activities so that the public may remain informed and involved, and so that appropriate environmental review may take place pursuant to the California Environmental Quality Act.
LU75-2 Periodic Review. Encourage regular and periodic discretionary review of any extraction activities involving hazardous materials.
LU75-3 Community Health. Recommend that any extraction technology, including fracking, acidizing, or other technologies that involve potentially hazardous materials, has no negative impacts on public or environmental health. Support comprehensive plans, which strive to stop the release of chemicals from extraction sites into the groundwater or the surrounding environment.
LU75-5 Hazardous Materials. Recommend that any decisions to approve the transportation or use of hazardous materials are based on sound understanding of potential public health impacts, and that adequate study and analysis has been conducted and demonstrated as part of the decision-making record.
LU75-6 Mitigation of Impacts. Encourage adequate mitigation of noise, odor, glare, vibration, and aesthetic impacts. Support efforts to discourage continuous around-the-clock drilling.
M12-3 Priority Parking for Alternative Fuel Vehicles. Encourage new commercial and retail developments to provide prioritized parking for shared vehicles, electric vehicles and vehicles using alternative fuels. (P209)
M12-4 Connections for Electric Vehicles. Encourage new construction to include vehicle access to properly wired outdoor receptacles to accommodate zero emission vehicles and plug-in electric hybrids. (P109)
Land Use Element - Harbor Gateway Community Plan
Oil wells should be landscaped and maintained in an attractive condition,

especially where adjacent to residential uses.
Improved bus service should be provided to more directly connect the various commercial, residential and industrial areas of this and adjacent communities.
Land Use Element - Wilmington Harbor City Community Plan
1-2.1 Locate higher residential densities near commercial centers and major transit routes, where public service facilities, utilities, and topography will accommodate this development.
1-6.1 The enlargement of nonconforming, incompatible commercial and industrial uses within areas designated on the Plan map for residential land use shall be prohibited, and action shall be taken toward their removal on a scheduled basis in conformance with Section 12.23 of the Municipal Code.
3-5.1 Regulate oil extraction activities and facilities in such a manner to enhance their compatibility with the surrounding community.
3-5.3 Require, after January 1, 2000, that all drilling sites and oil production activities comply with the rules and regulations pertaining to urbanized areas. Alternatively, in the case of drilling sites and other oil production activities within a previously established drilling district, such sites and activities shall comply by January 1, 2000 with an Ordinance to be initiated which will (a) govern the maintenance and landscaping of drilling sites and other oil production activities; and (b) provide a program for the abandonment of drilling sites that no longer serve a useful function.
3-5.4 Seek the consolidation of surface oil extraction operations to free land for other uses, where feasible, to increase compatibility between oil operations and other land uses.
Objective 10-1 To encourage improved local and express bus service through the Wilmington Harbor City community, and encourage park-and-ride facilities to interface with freeways, high occupancy vehicle (HOV) facilities, and transit routes.
Objective 11-1 To pursue transportation management strategies that can maximize vehicle occupancy, minimize average trip length, and reduce the number of vehicle trips.

The General Plan establishes growth and development policies by providing a comprehensive long-range view of the City as a whole. Although the Conservation Element provides a map of the various oil fields in the City and discusses petroleum as a resource, the City does not consider petroleum to be a mineral resource of local importance and considers activities associated with its extraction to be detrimental to public health and safety and the environment. This is reflected in recent City policies such as the Green New Deal, Clean Up Green Up (Los Angeles Municipal Code Section 13.18; effective June 2016), and in policies included in the updates to the Health and Safety elements of the City's General Plan adopted on November 24, 2021, including

Health Element policy 5.4 and Safety Element policies 1.2.2 and 1.2.7. Furthermore, this Ordinance is consistent with Conservation Element, Section 19 policies 1 and 3 to “encourage conservation of petroleum,” and to “protect neighborhoods from potential accidents and subsidence associated with [petroleum] drilling, extraction and transport operations...”

In addition, as shown above, the Ordinance is consistent with the City’s goals and policies that call for a transition away from oil and gas uses. The City has adopted numerous policies over the last 20 years that encourage either increased management of or termination of oil drilling, including West Adams-Baldwin Hills-Leimert Community Plan Policy LU 75-1, Conservation Element Policy 2, and Safety Element 1.2.1. The Ordinance is consistent with these policies as it would require the termination of oil and gas extraction in the City. Each of these policies signal a long-term shift away from petroleum and natural gas resources to renewables and electricity.

As shown in the table above, the vast number of these policies recognize the negative health and safety implications of locating oil wells in proximity to residential uses. The Ordinance will help further the goals of the Health Element, as it seeks to protect community health and wellbeing from exposure to noxious activities that emit odors, noise, toxic, hazardous, or contaminant substances, materials, vapor and others.

For the reasons stated above, the proposed Ordinance is in substantial conformance with the purposes, intent, and provisions of the General Plan.

2. **City Charter Finding 558 and LAMC Section 12.32 (Public Necessity, Convenience, General Welfare, Good Zoning Practice).** In accordance with City Charter Section 558 (b)(2) and LAMC Section 12.32 C.7, the proposed Ordinance will be in conformance with public necessity, convenience, general welfare, and good zoning practice by advancing the basic core principle of zoning to protect citizens’ health, safety, and welfare.

Oil drilling started locally in the late 19th century and escalated in the early 1900s. By the 1930s, California was producing nearly one-quarter of the world’s oil output, and played a key part in Los Angeles’ industrialization and growth over the ensuing decades. Today, Los Angeles is one of the largest urban oil fields in the country, with drill sites and oil wells found in nearly all parts of the City, including, but not limited to, the communities of Wilmington, Harbor Gateway, Downtown, West Los Angeles, South Los Angeles, and the Northeast San Fernando Valley.

While some wells are situated in heavy industrial areas, many are located within residential neighborhoods and amongst community parks and schools. Studies have shown that activities related to oil and gas operations have been associated with many potential negative health and safety impacts, especially when they occur in close proximity

to sensitive uses, such as residences, schools, or parks.¹ Oil and gas extraction operations also have negative land use effects that can disrupt a community's livability. These impacts can include, but are not limited to: elevated noise levels, frequent odor events, increased emissions exposure, spill incidents affecting the public right-of-way, truck traffic congestion on local streets, removal of on-street parking, and lack of effective screening for drill site equipment.

The need to prioritize Angelenos' health and safety, and keep up with national and statewide efforts to become energy efficient and independent have been adopted in recent City policies and ordinances. The Ordinance is part of a larger effort to address environmental justice and climate change, in tandem with policies found in L.A.'s Green New Deal, Sustainable City pLAN, and the City's Health Element. Many of these plans and policies encourage reduction in oil usage, generation of green energy, expansion of electrical infrastructure and acknowledgement of environmental justice issues. In addition, building on past efforts, such as Clean Up Green Up (CUGU), which set out to address the overconcentration of pollution in economically underserved communities, such as Boyle Heights, Pacoima, and Wilmington, the Ordinance is aimed at minimizing the cumulative health impacts from the incompatible land uses associated with oil drilling.

By introducing regulations that would phase out oil activities altogether, the proposed Ordinance is meant to improve the City's overall livability while addressing long-standing injustices to frontline communities and communities of color disproportionately affected by the health impacts of oil drilling in Los Angeles. For these reasons, the Ordinance will be in conformance with public necessity, convenience, general welfare, and good zoning practice.

- 3. Environmental Finding.** The City of Los Angeles, as the Lead Agency, prepared a Mitigated Negative Declaration (MND), Case No. ENV-2022-4865-MND, for the proposed Ordinance. The proposed Ordinance would prohibit the redrilling of existing oil wells and the drilling of new oil wells throughout the City. It would also declare all existing oil wells a nonconforming use that would be amortized within a 20-year timeframe. In consideration of the whole administrative record to date, including the Mitigated Negative Declaration, No. ENV-2022-4865-MND ("Mitigated Negative Declaration"), and all comments received, with the imposition of mitigation measures, the City Planning Commission shall recommend the City Council adopt the MND pursuant to CEQA Guidelines Section 15074(b). Additionally, with the imposition of mitigation measures, the City Planning Commission shall recommend the City Council find that there is no substantial evidence that the project will have a significant effect on the environment; find that the MND reflects the independent judgment and analysis of the City; find the mitigation measures have been made enforceable conditions on the project; and adopt the MND and the Mitigation Monitoring Program prepared for the MND.

¹ See Council File No 17-0447 – Feasibility of Amending Current City Land Use Codes in Connection with Health Impacts at Oil and Gas Wells and Drill Sites, July 29, 2019. Report from the Petroleum Administrator to the City Council (summary of health studies).