Communication from Public

Name: Mark Rutkowski
Date Submitted: 06/23/2026 10:28 AM
Council File No: 17-0447-S2
Comments for Public Posting: An overwhelming body of scientific evidence confirms that oil drilling harms people's health. We need the City to take action today to move this oil phaseout ordinance forward, as a commitment to Angelenos that our health, our safety and our future matters more than the profits of oil companies and CEOs. Phasing out oil drilling is just the first step to protect residents. We need the City to take urgent action now, and we are calling for the Zoning Administrator to revoke permits for the Warren E&P Banning Drill Site and the E&B Murphy Drill Site. We also demand that the City Council uses the City's existing authority to plug idle wells. The fight to phase out oil drilling does not end with the passage of this ordinance, we need the City to take urgent action now to protect communities. As a physician, it is particularly troubling to me that we have been so slow to take action to protect the health of all people. Thank you.

Communication from Public

Name: The Rev. Daniel Tamm
Date Submitted: 06/23/2026 11:12 AM
Council File No: 17-0447-S2
Comments for Public Posting: I am the Rev. Daniel Tamm, with LA Faith & Ecology Network and the Episcopal Bishop's Commission on Climate Change. We wholeheartedly support of the phaseout of oil drilling citywide. Ample evidence confirms that oil drilling harms people's health. We knew this several years ago when the City took this action and moved oil phaseout forward as a commitment to Angelenos that environmental justice matters more than the profits of oil companies and CEOs. We are here again. We need the City to take urgent action now! We are calling for the Zoning Administrator to revoke permits for the Warren E&P Banning Drill Site and the E&B Murphy Drill Site. We also demand that the City Council uses the City's existing authority to plug idle wells. The fight to phase out oil drilling does not end with the passage of this ordinance, we need the City to take urgent action now to protect communities.

Communication from Public

Name: Robia Amjad
Date Submitted: 06/23/2026 12:05 PM
Council File No: 17-0447-S2
Comments for Public Posting: Please see uploaded comment letter.

ALSTON & BIRD

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Matthew C. Wickersham Direct Dial: **+1 213 576 1185** Email: **matt.wickersham@alston.com**

June 23, 2026

VIA EMAIL & ONLINE PORTAL (LACOUNCILCOMMENT.COM)

Los Angeles City Councilmembers
City of Los Angeles
200 N Spring Street
Los Angeles, CA 90012

Re: Public Comment to Proposed Oil and Gas Drilling Ordinance, Council File No. 17-0447-S2, June 23, 2026 Los Angeles City Council Meeting Agenda Item 17

Dear Councilmembers,

On behalf of E&B Natural Resources Management Corporation, Hillcrest Beverly Oil Corporation, E&B ENR I, LLC, and Elysium Natural Resources, LLC (collectively, "E&B"), we are writing to object to the agenda item No. 17 for the June 23, 2025 meeting, regarding the proposed Oil and Gas Drilling Ordinance ("Ordinance"), CF No. 17-0447-S2.

E&B incorporates by reference its public comment letters opposing the proposed Ordinance submitted to Los Angeles City Council on December 8, 2025, December 29, 2025, and June 8, 2026. As detailed in the December 8 letter, the Ordinance is preempted by state and federal law, is an unconstitutional taking of E&B's vested property rights, and is not supported by adequate environmental review under CEQA. (December 8, 2025 letter is attached hereto as Attachment A.) E&B briefly reiterates those objections below.

First, the Ordinance remains preempted by state and federal law because regulation of oil and gas operations is fully occupied by state agencies and federal programs governing injection wells. Second, the Ordinance effects an unconstitutional taking of E&B's vested property rights in violation of the U.S. and California Constitutions. E&B holds vested rights through its fee and leasehold ownership in mineral rights and through permits authorizing its operations. Third, the Ordinance imposes an illusory and legally improper amortization scheme that prohibits maintenance operations necessary to continue the operation of wells while reserving to the City broad discretion to shorten or eliminate the amortization period. Fourth, the City has failed to comply with CEQA. The Mitigated Negative Declaration constitutes unlawful piecemealing by deferring analysis of well plugging and abandonment, site remediation, and future land uses. Additionally, there are a number of other serious flaws with the Ordinance, including but not limited to: the Ordinance is inconsistent with the City's General Plan; the Ordinance constitutes an arbitrary and unsupported exercise of the City's police power; the adoption of the Ordinance will result in significant economic impact while increasing California's dependence on foreign oil during geopolitical instability.

Upon review of the publicly available record, E&B has found that its December 8, 2025 comment letter has been posted in inconsistent versions across the City's various online platforms. On Los Angeles City Planning's website (accessible through https://planning.lacity.gov/about/commissions-boards-hearings), E&B's December 8 letter is attached as a supplemental document to CPC's December 11 meeting. The letter, however, omits case names and legal citations that were included in the original submission.

The same letter is also accessible via the CPC meeting notice (https://planning.lacity.gov/dcpapi2/meetings/document/79924), which includes a Google Drive link of public submissions for the December 11 hearing. Here, E&B's letter appears with its case citations intact.

E&B objects to any redaction or omission of legal citations from its comment letter. The case citations are a material and substantive component of E&B's legal arguments. To ensure that the complete and unredacted version of E&B's December 8, 2025 comment letter is part of the record before the Council, we re-attach the original letter in its entirety. (See Attachment A.) We request that this unredacted version be made part of the official record of proceedings for Council File No. 17-0447-S2.

Sincerely,

Matt Wickersham

Matthew C. Wickersham
MCW

ATTACHMENT A

ALSTON & BIRD

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Matthew Wickersham Direct: 213-576-1185 matt.wickersham@alston.com

Via CPC@lacity.org

December 8, 2025

Los Angeles City Planning Commission
200 North Spring Street
Los Angeles, CA 90012

Re: Proposed Oil and Gas Drilling Ordinance, Council File No. 17-0447-S2; CPC-2025-2884-CA, ENV-2025-2885, Dec. 11, 2025, Item 10 CPC Mtg

Dear Commissioners,

We represent E&B Natural Resources Management Corporation, Hillcrest Beverly Oil Corporation, E&B ENR I, LLC, and Elysium Natural Resources, LLC (collectively, "E&B") and provide the following comments in advance of the City Planning Commission's ("CPC" or "Commission") December 11, 2025 meeting where the CPC will consider the Proposed Oil and Gas Drilling Ordinance per AB 3233, as drafted November 2025 (the "Oil Ordinance")[1]. The Oil Ordinance would immediately prohibit new oil and gas extraction, declare all existing wells a nonconforming use, prohibit the maintenance, re-drilling, deepening, or intensification of existing wells, and require the cessation of all oil and gas operations within twenty years, subject only to a narrow, highly discretionary "health and safety" exception.

The Oil Ordinance is another attempt by the City to adopt a law previously rejected by a Los Angeles Superior Court judge. As the staff report acknowledges, the Oil Ordinance amends the same core provisions of the Los Angeles Municipal Code as Ordinance No. 187,709 (adopted on December 2, 2022, and effective January 18, 2023) ("2022 Ordinance")—LAMC sections 12.03, 12.20, 12.23, 12.24, and 13.01—and now also adds new provisions in Chapter 1A to fold the same regime into the City's updated zoning framework. In general, the Oil Ordinance repeats much of the rescinded 2022 Ordinance: it bans new wells citywide, converts all existing wells to nonconforming uses, imposes a facial twenty-year "amortization" deadline, prohibits "maintenance" while allowing only narrow "servicing," and applies a one-year "idle-terminated" rule. The primary changes are that the City now cites AB 3233 and SB

[1] By this letter, E&B incorporates its prior submissions regarding the Zoning Administrator Interpretation, dated June 12, 2025, defining well maintenance (ZA-2025-2976-ZAl-1A) ("2025 ZAI"). For purposes of any subsequent litigation, this letter is also deemed to include the administrative record in the prior oil and gas ordinance litigation as discussed in the March 3, 2025, stipulation for entry of judgment and writ filed in the prior litigation.

1137 as its legal foundation, codifies the definition of maintenance and the health and safety process directly into the zoning code, extends the rules into Chapter 1A, and expressly reserves the right to shorten the twenty-year period while disclaiming any vested rights in that period.

E&B currently conducts oil and gas operations at several locations within the City of Los Angeles. As part of these operations, E&B owns certain mineral rights directly in fee and also leases some mineral rights from royalty owners. Adoption of the Oil Ordinance would be devastating to E&B's operations, stripping it of vested rights from its permits and leases, and interfering with its ability to conduct business. The Oil Ordinance is also arbitrary, unconstitutional, and environmentally harmful.

For these reasons and as set forth below, E&B opposes adoption of the Oil Ordinance and the accompanying Initial Study and Mitigated Negative Declaration ("IS/MND"). The Oil Ordinance is still preempted by state and federal law, remains an arbitrary and unsupported exercise of the police power, imposes an illusory amortization scheme that does not cure taking concerns, effects an unconstitutional taking and deprivation of vested and contractual rights, ignores the dominant mineral estate, and is not supported by substantial evidence of health and safety risks. The IS/MND fails to comply with the California Environmental Quality Act ("CEQA") and an Environmental Impact Report ("EIR") is required. In addition, it is premature for the Commission to act on December 11 while the IS/MND is still out for public review until December 29, 2025.

I. The Oil Ordinance Remains Preempted by Federal and State Law.

Judge Kin of the Los Angeles Superior Court previously determined that the 2022 Ordinance is preempted by state law because it contradicts and is implicitly limited by section 3106 of the Public Resources Code. Judge Kin relied upon the Supreme Court's 2023 decision in *Chevron U.S.A. Inc. v. Cty. of Monterey* (2023) 15 Cal.App.5th 135 ("*Monterey*"). The decision by the California Supreme Court in *Monterey* specifically held that local governments are preempted from interfering in the regulation of oil and gas operations. As the Oil Ordinance is substantively identical to the 2022 Ordinance, the Oil Ordinance is also preempted under state law.

The Oil Ordinance references section 3106.1 to the Public Resources Code, which became effective on January 1, 2025 pursuant to Assembly Bill (AB) 3233. While AB3233 attempts to negate the holding in the *Monterey* decision, the preemption determination made by the Supreme Court in the *Monterey* case was based on the constitutional provisions that provide for preemption by state law over conflicting local ordinances. The California Supreme Court is the final arbiter on these state constitutional issues unless a constitutional amendment is adopted.

The Oil Ordinance is also preempted as its prohibition of specific oil production techniques intrudes on an area "fully occupied" by CalGEM and SCAQMD. The extensive host of State laws and associated regulations clearly reflect an intent to occupy the entire area of oil and gas production. SCAQMD also has extensive rules regarding the air quality concerns that the 2025

Ordinance purportedly seeks to address by its new requirements. (*See, e.g.*, SCAQMD Rules 1148.1 and 1148.2.) "The Legislature has designated regional air pollution districts as the primary enforcers of air quality regulations." (*So. Cal. Gas Co. v. So. Coast Air Quality Mgmt. Dist*. (2012) 200 Cal.App.4th 251, 269.)

The Oil Ordinance is also preempted by federal law as it will impermissibly intrude upon the regulation of injection wells in the City. The State regulates injection wells pursuant to a delegation of authority from the U.S. Environmental Protection Agency to CalGEM under the federal Safe Drinking Water Act. "Congress intended that states retain authority respecting underground injection so long as it does not impinge on the UIC program administered by the EPA." (*Bath Petroleum Storage, Inc. v. Savas* (N.D.N.Y. 2004) 309 F.Supp.2d 357, 367-368.) "[S]urely the prohibition above prevents such local law from altogether preventing UIC activity." (*EQT Prod. Co. v. Wender* (S.D.W.Va. 2016) 191 F.Supp.3d 583, 601, affd. on other grounds (4th Cir. 2017) 870 F.3d 322.) Actions by local governments that make it effectively impossible for operators to maintain or continue to use injection wells are preempted by federal law.

By imposing a convoluted approval process that will result in the effective abandonment of existing oil and gas operations, the Oil Ordinance frustrates, contradicts, and intrudes upon federal and state law.

II. The Oil Ordinance is Not a Legitimate Exercise of the Police Power.

The Oil Ordinance is arbitrary, capricious, entirely lacking in evidentiary support, and contrary to established public policy supporting the extraction of oil and gas in the City. Even if the City has some authority to adopt land use regulations, the City's police power is not unlimited. Land use regulations, such as the Oil Ordinance, must be "reasonable in object and not arbitrary in operation [in order to] constitute a valid exercise of that power" and reasonably related to the public welfare, which the staff report fails to demonstrate. (*La Mesa v. Tweed & Gambrell Planning Mill* (1956) 146 Cal.App.2d 762, 768; *Associated Home Builders, Inc. v. City of Livermore* (1976) 18 Cal.3d 582.) The Oil Ordinance will ultimately result in the loss of good-paying industry jobs, such as those for which E&B supplies to the City's residents through its oil and gas operations. The City fails to properly forecast the probable effect of the Oil Ordinance, fails to identify the competing interests involved, and fails to justify why the Oil Ordinance reflects a reasonable exercise of its police power.

The Oil Ordinance will significantly curtail efforts to continue oil and gas operations and will add significant new requirements and procedures to get approval for oil well maintenance. In effect, this will reduce the ability to continue with oil and gas operations.[2] But importantly, these new requirements and procedures placed on oil and gas operations will not eliminate the

[2] The 2025 Ordinance also includes vague and ambiguous language. For instance, the Oil Ordinance's addition to section 12.23.C.4(a)(3) prohibits the use of new or temporary Oil Well site equipment that was not originally permitted. The Oil Ordinance and staff report do not explain what is meant by the phrase "equipment" or "originally permitted."

City's ongoing demand for oil and gas products. To meet demand, every barrel of oil that is not produced within the City must necessarily be produced elsewhere, requiring further expenses and potential negative environmental impacts by instead requiring the importation of oil. Additionally, reliance on foreign oil in the midst of the current geopolitical turmoil will create threats to the stability of the state's economy.

For these reasons, adoption of the Oil Ordinance would violate the due process protections of the U.S. and California Constitutions. The City may not deprive persons of property rights without due process of law. (Cal. Const., Art. 1, § 7(a); U.S. Const. amend V, XIV; *College Area Renters & Landlord Ass'n v. City of San Diego* (1996) 43 Cal.App.4th 677, 686.) Arbitrary or irrational governmental action that infringes on a property owner's rights violates substantive constitutional due process. (*Lingle v. Chevron U.S.A. Inc.* (2005) 544 U.S. 528, 541; *Arnel Development Co. v. City of Costa Mesa* (1981) 126 Cal.App.3d 330, 337.) In a rush to expand the scope of well maintenance through the Oil Ordinance, the City has failed to demonstrate that current oil operations or maintenance techniques in the City result in any environmental, health, or safety hazards. Without any viable justification for its actions, the City lacks any legitimate interest in restricting these operations throughout the City.

III. The Oil Ordinance is an Unconstitutional Taking of E&B's Vested Rights.

The U.S. and California Constitutions provide that private property shall not be taken without just compensation. (U.S. Const. amend. V; Cal. Const., Art. 1, § 19.) These constitutional protections apply to regulatory takings. (*Lucas v. S.C. Coastal Council* (1992) 505 U.S. 1003, 1014.) "The right to remove oil and gas from the ground is a property right." (*Maples v. Kern Cty. Assessment Appeals Bd.* (2002) 103 Cal.App.4th 172, 186.)

E&B has vested property rights by its fee and leasehold ownership in mineral rights and its right to conduct its operations in the City, but the Oil Ordinance ignores these rights, significantly curtailing maintenance efforts, which will lead to the abandonment of wells. When dealing with vested property rights, the City cannot terminate E&B's existing operations without either the payment of just compensation or a demonstration that the existing, permitted operations and the associated maintenance are presently constituting a nuisance (which it has not).

Similarly, E&B's vested oil and gas rights are uniquely situated in the City, and the Oil Ordinance limits E&B's ability to properly maintain its oil wells and effectively eliminate the extraction of those resources in the City, without the ability to extract them elsewhere. (*See Los Angeles v. Gage* (1954) 127 Cal.App.2d 442.) The Oil Ordinance will effectively work to deprive E&B of the right to engage in the only business for which its subsurface mineral rights are fitted. Under the diminishing asset doctrine, E&B is entitled to produce oil and gas resources under its vested rights until the resource is exhausted or otherwise uneconomical to produce. As such, the Oil Ordinance imposes an unconstitutional taking of E&B's property as an owner of mineral rights and as an oil and gas operator, along with the property of the landowners and the mineral rights holders in connection to E&B's leasehold interests

IV. The Oil Ordinance's Amortization Scheme is Illusory and Unlawful.

The Oil Ordinance prohibits maintenance operations necessary to continue the operation of wells, while holding out a narrow Health and Safety Exception as a supposed safety valve. In practice, any operator attempting to secure City approval to perform maintenance under that exception faces a discretionary process that can easily run months; during that time, production may have to be curtailed, and under the City's own nonconforming use rules, a year of "discontinued" operations results in a deemed termination of the use. By cutting off routine maintenance and routing essential work through a slow, uncertain exception process, the City is effectively terminating these uses long before any nominal 20-year period ever runs.

At the same time, the City has not produced a credible amortization analysis to justify a uniform 20-year phase-out for all wells. The City Attorney's office has previously advised the council-members that in order to defend this type of ordinance in litigation, it must have "expert amortization studies and proper environmental review."[3] While the City has prepared amortization studies, they are deficient and not relied upon by the City here. And as discussed below, its environmental review is cursory and improper.

The City fails to evaluate the legal propriety of establishing an amortization period for the extraction of mineral resources and ignores the legal doctrine that would invalidate this proposed ordinance – the diminishing asset doctrine. (*See Hansen Bros. Enters. v. Board of Supervisors* (1996) 12 Cal.4th 533.) The California Supreme Court in *Hansen* recognized the "diminishing asset" doctrine and defined the scope of vested rights for mining, quarrying and other extractive uses, recognizing the unique qualities of extractive uses and holding that it includes an expansion of those uses. "The very nature and use of an extractive business contemplates the continuance of such use of the entire parcel of land as a whole, without limitation or restriction to the immediate area excavated at the time the ordinance was passed." (*Id.* at pp. 553-554 [citing cases].)

Similarly, E&B's vested oil and gas rights are uniquely situated in the City, and the proposed ordinance seeks to terminate the extraction of those resources in the entire City, without the ability to extract them elsewhere. (*See Los Angeles v. Gage* (1954) 127 Cal.App.2d 442.) Under the diminishing asset doctrine, E&B is entitled to produce oil and gas resources under its vested rights until the resource is exhausted or otherwise uneconomical to produce -- the continued production of oil and gas resources is the expanded use and is protected under *Hansen*.

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[3] Comments by Deputy City Attorney Jennifer Tobkin to Energy, Climate Change and Environmental Justice committee, dated Nov. 17, 2020 at 1:59:00, https://lacity.granicus.com/TranscriptViewer.php?view_id=103&clip_id=20391

V. The IS/MND Violates CEQA and an EIR is Required.

CEQA applies whenever a government agency approves a discretionary project, defined as "an activity which may cause either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment." Pub. Res. Code § 21065. CEQA defines "project" as the "whole of an action" and prohibits segmentation of project activities in an effort to minimize the evaluation of environmental effects. "Accordingly, CEQA forbids piecemeal review of the significant environmental impacts of a project." *Banning Ranch Conservancy v. City of Newport Beach*, 211 Cal.App.4th 1209, 1222 (2012) (internal citations omitted). "Agencies cannot allow environmental considerations to become submerged by chopping a large project into many little ones." *Id.*

The entire activity before the City is the phasing-out of oil operations within its City limits, but the IS/MND illegally only analyzes a portion of that project. The IS/MND leaves for future determination the environmental impacts of the abandonment and future condition of the former oil sites, including how those compare to the current oil operations. As stated in the IS/MND itself, "[its] analysis does not examine impacts from remediation and/or future development." (IS/MND at p. 40.) This activity is reasonably foreseeable as a result of the initial "project," and must be considered in an EIR. The IS/MND also fails to analyze the potentially significant environmental effects to air quality, aesthetics, traffic, odor, and noise as a result of the accelerated rate of abandonment activities as a result of the Oil Ordinance.

In addition, the IS/MND assumes a 20-year phase-out period in calculating air quality emissions from accelerated abandonment activities (see, e.g., IS/MND at pp. 52-54), but it fails to consider the potential that the City may shorten the amortization period. At Section 12.23.C.4(a)(5), the Oil Ordinance specifically contemplates that the City may "alter or shorten" the 20-year period and disclaiming any vested rights to operate for that 20-year period. In fact, the City has already hired consultants to prepare three widely-divergent amortization studies.[4] These studies had multiple technical problems, including a reliance on inappropriate approximations of capital expenditures and cost information. Evidently recognizing these issues, City Planning has not relied upon these amortization studies as a basis for the adoption of the Oil Ordinance. But by its prior actions in preparing amortization studies to support a shorter amortization period, the possibility of such an action is a reasonably foreseeable consequence of the adoption of the Oil Ordinance. So, the City cannot rely upon an IS/MND that blindly assumes that the accelerated abandonment activities will necessarily take place over the course of twenty years. The City may not piecemeal this project into separate, more palatable stages. CEQA requires that "environmental considerations do not become submerged by chopping a large project into many little ones—each with a minimal potential impact on the environment—which cumulatively may have disastrous consequences." (*Laurel Heights*

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[4] LA City, The Amortization Study, available at https://dpw.lacity.gov/sites/g/files/wph1766/files/2025-05/Amortization%20sub%20page%20with%20announcement%20of%20Study%20Release%20050225%20with%20Zoom%20link_0.pdf

Improvement Assn. v. Regents of University of California (1988) 47 Cal.3d 376, 396 [holding that CEQA review must consider the reasonably foreseeable future expansion of the project].)

Similarly, the City improperly minimized the environmental consequences of this Oil Ordinance by adopting its broad definition of well maintenance in the 2025 ZAI (immediately after the Court-ordered rescission of its prior ZAI) and stating that this action required no environmental review. By broadly expanding the City's historical interpretation of well maintenance, the 2025 ZAI (and, if adopted, the Oil Ordinance) will drastically affect oil operator's ability to maintain their wells, and thus have a significant environmental impact on its ability to access mineral resources.

"Under CEQA, the agency must consider the cumulative environmental effects of its action before a project gains irreversible momentum." (*City of Antioch v. City Council* (1986) 187 Cal.App.3d 1325, 1333; see also *City of Carmel-by-the-Sea v. Board of Supervisors* (1986) 183 Cal.App.3d 229, 249-25 ["the difficulty of assessing future impacts of a zoning ordinance does not excuse preparation of an EIR; such difficulty only reduces the level of specificity required and shifts the focus to the secondary effects"].) The "division of the project into two parts with 'mutually exclusive' environmental documents [is] 'inconsistent with the mandate of CEQA' and constitute[s] an abuse of discretion." *City of Antioch v. City Council* (1986) 187 Cal.App.3d 1325, 1333-1336, citing cases.)

Under the "fair argument" standard, an EIR is required whenever substantial evidence in the record supports a "fair argument" that significant impacts may occur. (*No Oil, Inc. v. City of Los Angeles* (1974) 13 Cal.3d 68; *Friends of B Street v. City of Hayward* (1980) 106 Cal.App.3d 988; Cal. Pub. Resources Code §§ 21080(c), (d), 21100(a); CEQA Guidelines, § 15064(f)(1).) The Oil Ordinance will undoubtedly impact the availability of mineral resources in the City and the State since the stated goal of the City is to stop oil production within the City limits. "Mineral resources" are an environmental factor pursuant to CEQA, and the "loss of availability of a known mineral resource that would be a value to the region and the residents of the state" or the "loss of availability of a locally important mineral resource recovery site" constitutes an adverse environmental impact. (CEQA Guidelines, Appendix G, § XII(a), (b); Pub. Resources Code § 21060.5.) The City's own Oil and Gas Health Report dated July 25, 2019, which is incorporated herein by reference, confirms that 1.6 billion barrels of recoverable oil and gas reserves remain beneath the City.[5] While the Staff Report now argues that oil and gas reserves are not considered a mineral resource (Staff Report at A-20), this argument is non-sensical and contradicts decades of prior environmental impact reports prepared by the City analyzing the impact of projects on oil and gas reserves under the Mineral Resources section.

In particular, the IS/MND does not evaluate the impacts to air quality, GHG, and energy from replacing the State's and the City's demand for oil and gas products as a result of the restrictions by the Oil Ordinance on the production of oil and gas within the City. The

[5] City of Los Angeles, Office of Petroleum and Natural Gas Administration and Safety, Oil and Gas Health Report, dated July 25, 2019, available at https://clkrep.lacity.org/onlinedocs/2017/17-0447_rpt_BPW_07-29-2019.pdf at page 19.

elimination of oil and gas produced in the City of Los Angeles does not eliminate the State's demand, or the City's demand for oil and gas products. Every barrel of oil that is not produced in the City will need to be produced elsewhere, and most likely imported from other countries. Over the past several years, California sources of petroleum have been replaced by foreign sources. Substantial evidence supports a fair argument that the air quality, GHG, and energy effects of this transition will have significant environmental effects requiring further review under CEQA.

Importing crude oil from foreign sources instead of producing crude locally results in significantly higher GHG emissions, and associated criteria pollutant emissions, as confirmed by several state and county agencies.[6] Since 2012, CARB has been calculating the Carbon Intensity (CI) of crude oils produced from various parts of the world to establish the GHG life cycle emissions from such crude oils. According to CARB, the average CI score for all crude oil produced and transported to refineries in California is, on average, 11 to 12 grams of carbon dioxide equivalent per megajoule (g CO_2e/MJ). Foreign crude oils have been calculated by CARB to have a CI score around this same average value of 11 to 12 g CO_2e/MJ.

As most recently calculated in CARB's 2023 report, E&B's operations in the City have the following CI scores: Beverly Hills: 5.41; Cheviot Hills: 3.49; Las Cienegas: 4.96; Salt Lake: 3.18; Salt Lake South: 6.34; and San Vicente: 3.22. These scores are significantly lower than the average CI scores for crude oil. Crude oil from E&B's operations will be delivered via pipeline to market. Pipeline transportation is an efficient means of transporting crude oil with minimal associated GHG emissions. Foreign-based crude oil must be delivered to the California market by tanker vessels. Tanker vessels contribute to much higher emissions due to long distances traveled from around the world.[7]

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[6] CARB, *Calculation of 2023 Crude Average Carbon Intensity Value*, https://ww2.arb.ca.gov/sites/default/files/classic/fuels/lcfs/crude-oil/2023_Crude_Average_CI_Calculation__final.pdf; CalGEM, *Analysis of Oil and Gas Well Stimulation Treatments in California*, https://www.conservation.ca.gov/calgem/Pages/SB4_Final_EIR_TOC.aspx, at 12.2-37 ["by increasing the activity of oil and gas extraction outside of California, this alternative would cause increased GHG from sources that are not required to offset the GHG to comply with California's cap, resulting in an overall net increase in GHG emissions compared with both existing conditions and the project"]; *id*. at 11.12-4, 12.2-49, C.2-63, C.2-84; LA County, *Final EIR, Baldwin Hills Community Standards District*, https://planning.lacounty.gov/long-range-planning/baldwin-hills-csd, at 4.2-42 to 4.2-45 ["The use of foreign crude oil is associated with substantial emissions associated with transportation [which] causes the greenhouse gas lifecycle emissions associated with foreign crude oil to be substantially higher than California crude oil").

[7] CARB's calculation of intensity values is also likely to understate the true environmental consequences of these foreign imports. Institute for Energy Research, Tipping the Scales,

The IS/MND fails to consider cumulative impacts from other reasonably foreseeable restrictions on oil operations, such as a similarly restrictive ordinance proposed by the County of Los Angeles and the passage of SB 1137 by the State (imposing setbacks and increased restrictions on oil wells within a "health protection zone"). These cumulative impacts will result in increased well abandonments. CEQA also requires an analysis of other past, current, and probable future projects (including those unrelated to oil production restrictions). The IS/MND contains no discussion of any other projects. The IS/MND also fails to analyze the cumulative impacts from increased GHG and other air emissions from increased imports of oil as a result of the reduced local production. Accordingly, the IS/MND fails to meet the minimum standards of CEQA for cumulative impacts analysis.

The IS/MND also fails to discuss other reasonably foreseeable indirect impacts. This requirement extends to the adoption of lead agency ordinances that result in changes to land use patterns. There is no discussion as to the potential impacts that may result from the development of the sites as they are abandoned. Basic information, such as the zoning for the consolidated well sites, is not even included in the IS/MND even though this information is readily available. If a direct change in the physical environment will cause another change in the environment, the secondary effect must be evaluated as an indirect effect of the project. (CEQA Guidelines, § 15064(d).) CEQA review is also needed to consider the growth-inducing changes resulting from the City's proposed actions to discourage and force the termination of existing oil production operations. (*Id.*, § 15358(a).) Yet the IS/MND fails entirely to consider these impacts.

A CEQA document must describe the physical environmental conditions in the vicinity of a proposed project as they exist at that time. This environmental setting will normally constitute the baseline physical conditions by which a lead agency will determine whether a project may have a significant impact on the environment. Without a comparison of existing baseline physical conditions to the conditions expected to be produced by a project, an initial study or EIR will not inform decision makers and the public of the project's significant environmental impacts, as CEQA mandates.

VI. The Oil Ordinance is Not Consistent with the City's General Plan.

The Conservation Element of the City's General Plan states that petroleum is a non-renewable resource and so impacts to this resource must be evaluated under CEQA:

> Natural mineral deposits are nonrenewable resources that cannot be replaced once they are depleted… CEQA requires that impacts on non-renewable mineral resources be evaluated relative to proposed development projects… Petroleum is a non-renewable resource

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https://www.instituteforenergyresearch.org/wp-content/uploads/2022/07/Tipping-the-Scales.pdf

(Conservation Element at II-57, 58, 63.[8]) The Oil Ordinance must be consistent with the General Plan, such that "[t]he various land uses authorized by the ordinance are compatible with the objectives, policies, general land uses, and programs specified in such a plan." (Gov. Code, § 65860 (a)(ii).) The "constitution for all future developments" is the general plan. (*Goleta Valley v. Board of Supervisors* (1990) 52 Cal.3d 553, 570.) Before adopting the Ordinance, the City must evaluate properly the Oil Ordinance's consistency with the General Plan.

VII. The Oil Ordinance Interferes with E&B's Contractual Relations.

Both the U.S. and California Constitutions prohibit the enactment of laws effecting a "substantial impairment" of contracts, which applies to public contracts as well as contracts between private parties. (*Alameda County Sheriff's Assn. v. Alameda County Employees' Retirement Assn.* (2020) 9 Cal.App.5th 1032, 1074.) E&B has contracts with various private parties, which impose obligations on E&B. The Oil Ordinance will impair these contracts by making it significantly more difficult to maintain its existing wells, which will undermine E&B's reasonable expectations under the contracts. E&B has several leases with the City for its oil and gas operations, and the expanded definition of oil well maintenance under the Oil Ordinance will result in a breach of those leases.

VIII. The Oil Ordinances Leaves the City Vulnerable for Damages Under the Civil Rights Act.

The federal Civil Rights Act, 42 U.S.C. § 1983 ("Section 1983"), provides a cause of action for damages based on claims arising from violations of federal rights. (*Sveen v. Melin* (2018) 138 U.S. 1815, 1822.) The adoption of the Oil Ordinance will significantly impair E&B's constitutional rights, including its right to just compensation and due process rights. Accordingly, if the City adopts the Oil Ordinance as proposed, specifically in relation to well maintenance, the City will place itself at significant risk of liability under Section 1983, including for payment of damages suffered as a result of unreasonably phasing out oil well maintenance, and consequently, oil and gas production in the City.

For all of these reasons, we urge the Commission to reject the November 2025 Oil Ordinance and IS/MND.

Sincerely,

Matthew C. Wickersham

[8] https://planning.lacity.gov/odocument/28af7e21-ffdd-4f26-84e6-dfa967b2a1ee/Conservation_Element.pdf

Communication from Public

Name: Karina Hernandez
Date Submitted: 06/23/2026 12:27 PM
Council File No: 17-0447-S2
Comments for Public Posting: Hello my name is Karina and I am writing in support of the phaseout of oil drilling citywide. An overwhelming body of scientific evidence confirms that oil drilling harms people's health. The chemicals emitted from oil extraction can cause nosebleeds, asthma, preterm birth defects, cancer, and many other health harms. We need the City to take action today to move this oil phaseout ordinance forward, as a commitment to Angelenos that our health, our safety and our future matters more than the profits of oil companies and CEOs. While frontline communities wait for a phase-out, they deservae clean air and protection immediately. We cannot expect another generation of Angelenos to breathe in toxic pollution. The fight to phase out oil drilling does not end with the passage of this ordinance, we need the City to take urgent action now to protect communities.

Communication from Public

Name: Laura B.
Date Submitted: 06/23/2026 07:50 PM
Council File No: 17-0447-S2
Comments for Public Posting: Hello, My name is Laura B. and I am writing in support of the phaseout of oil drilling citywide. An overwhelming body of scientific evidence confirms that oil drilling harms people's health. The chemicals emitted from oil extraction can cause nosebleeds, asthma, pre-term birth defects, cancer, and many other health issues. We need the city to take action today to move this oil phaseout ordinance forward, as a commitment to Angelenos that our health, our safety, and our futures matter more than the profits of oil companies. While frontline communities wait for a phaseout, they deserve clean air and protection immediately. We cannot ask another generation of Angelenos to breathe in toxic pollution when we have the power to improve the situation. The fight to phase out oil drilling does not end with the passage of this ordinance, but it is a step in the right direction. We need the city to take urgent action NOW to protect it's inhabitants. Thank you.