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November 28, 2022

The Honorable City Council  
City of Los Angeles  
City Hall, Room 395  
Los Angeles, California 90012

Dear Honorable Members:

**SUPPLEMENTAL INFORMATION AND DOCUMENTS FOR THE CITYWIDE OIL AND GAS  
DRILLING ORDINANCE; CPC-2022-4864-CA; ENV-2022-4865-MND; CF 17-0447-S2**

On January 26, 2022, City Council instructed the Department of City Planning (DCP), with the assistance of the City Attorney, to prepare and present an ordinance to prohibit new oil and gas extraction and make extraction activities a nonconforming use in all zones (CF 17-0447). In turn, DCP prepared the Oil and Gas Drilling Ordinance (Ordinance) which amends Sections 12.03, 12.20, 12.24, and 13.01 of the Los Angeles Municipal Code (LAMC) to prohibit new oil and gas drilling activities, make existing extraction a nonconforming use in all zones, and require the phase out of existing operations after an amortization period.

In addition, the City of Los Angeles (City), as lead agency, prepared an Initial Study and a Mitigated Negative Declaration (IS/MND) for the proposed Oil and Gas Drilling Ordinance (Oil Ordinance), Case No. ENV-2022-4865-MND, that evaluates the impacts associated with the implementation of the proposed Oil Ordinance (Project).

The IS/MND was prepared in accordance with the California Environmental Quality Act (CEQA) and was published on September 15, 2022 for a public review and comment period of 30 days which ended on October 17, 2022. Through the 30-day circulation period, there were comments received. On October 13, 2022, an Oil and Gas Drilling Ordinance Responses to Comments document was transmitted to Council File No. 17-0447-S2 responding to the comment letters received from September 15, 2022 to October 11, 2022. On October 27, 2022, a supplemental Oil and Gas Drilling Ordinance Responses to Comments document was transmitted to Council File No. 17-0447-S2 responding to the comments received from October 12, 2022 to October 17, 2022 (the end of the comment period), as well as a September 21, 2022 letter from Manatt, Phelps & Phillips, LLP letter and correspondence from Wayne Freeman dated September 27, 2022. In reviewing the comments submitted during the comment period, several comments raised similar and/or related issues. In turn, the City has prepared responses to address these topics comprehensively and provide clarifications regarding the issues raised by the commenters. As indicated in the enclosed document titled, Topical Responses to Comments on the IS/MND, none of the comments received during the entirety of the IS/MND circulation period offers any new

evidence or any evidence that any fact, analysis, or determination in the IS/MND is incorrect. None of the comments make a fair argument, supported by substantial evidence, that the Ordinance may cause a significant impact on the environment.

The IS/MND evaluated the impacts associated with the proposed Ordinance and included an Air Quality and Greenhouse Gas Technical Report prepared by Impact Sciences, Inc. (Impact Sciences). A comment on the IS/MND was submitted by Day, Carter, and Murphy LLP on behalf of Warren Resources, which included an Air Study prepared by Yorke Engineering, Inc. (Yorke) and dated October 17, 2022 alleging flaws in the IS/MND's air quality analysis. In response, Impact Sciences prepared a memorandum dated November 23, 2022 and attached herewith illustrating that Yorke's assertions are not predicated on facts, do not contain reasonable assumptions predicated on facts, and consist of speculation and evidence that is erroneous and inaccurate. Because Yorke's assertions are not supported with substantial evidence, their comments do not present a fair argument that the Ordinance may have a significant effect on the environment.

Moreover, on October 13, 2022, an Errata to the IS/MND dated October 2022 (Errata No. 1) was prepared and transmitted to Council File No. 17-0447-S2 to revise and/or correct certain information contained within the project description as well as data regarding the number and location of wells cited in the IS/MND. In response to additional public comment, the City has identified areas of additional amplification and clarification. Accordingly, another Errata to the IS/MND dated November 2022 (Errata No. 2) is enclosed to identify and document all necessary revisions to the IS/MND to add a new mitigation measure that will serve to further reduce air quality impacts referenced in the IS/MND. In addition, the revised Mitigation Monitoring Program that describes the procedures for the implementation of the mitigation measures to be adopted for the proposed Project is also enclosed herein.

In light of the foregoing, staff recommends that City Council:

FIND, pursuant to CEQA Guidelines Section 15074(b), after consideration of the whole of the administrative record, including the Mitigated Negative Declaration, No. ENV-2022-4865-MND ("Mitigated Negative Declaration"), and all comments received, with the imposition of mitigation measures, there is no substantial evidence that the project will have a significant effect on the environment; FIND the Mitigated Negative Declaration reflects the independent judgment and analysis of the City; FIND the mitigation measures have been made enforceable conditions on the project; and ADOPT the Mitigated Negative Declaration and the Errata and Mitigation Monitoring Program prepared for the Mitigated Negative Declaration;

FIND that the the letter prepared by Yorke Engineering, LLC dated October 17, 2022 and sent to the Department of City Planning addressing the air quality and greenhouse gas analysis in the Initial Study supporting the Mitigated Negative Declaration for the Ordinance is not credible and does not constitute substantial evidence supporting a fair argument that the Ordinance may cause a significant air quality or greenhouse gas impact on the environment for the reasons set forth in the memorandum prepared by the City's retained environmental consultant, Impact Sciences, Inc. dated November 23, 2022 and uploaded to Council File 17-0447-S2;

ADOPT the proposed Ordinance;

INSTRUCT the Department of City Planning to incorporate the Ordinance into the Municipal Code, Chapter 1A (Proposed New Zoning Code), and thereby conform to its new format and style; and

ADOPT the Findings.

Sincerely,

A handwritten signature in black ink, appearing to read "Vincent P. Bertoni". The signature is stylized and somewhat cursive.

VINCENT P. BERTONI, AICP  
Director of Planning

VPB:AV:NM:CS:LR

Enclosures

Topical Responses to Comments on the IS/MND  
Impact Sciences Memorandum  
Second Errata to the IS/MND  
Revised Mitigation Monitoring Program