

September 14, 2021

Los Angeles County Board of Supervisors
500 W. Temple Street
Los Angeles, CA 90012

Dear Honorable Supervisors of Los Angeles County:

We are writing on behalf of over 140 organizations to urge you to protect the health, safety and well-being of all Los Angeles County residents by **declaring oil drilling/production a non-conforming use immediately, prohibiting new oil drilling/production within unincorporated County lands, and phasing out existing oil drilling within five years with a just transition for workers and communities.** This should be done by updating the County Department of Regional Planning's Title 22 Oil Well Ordinance and the Baldwin Hills Community Standards District.

Phasing Out Oil Drilling Will Improve Air Quality and Protect Public Health

We, the undersigned community, environmental, health advocacy, faith and social justice organizations in Los Angeles County, are deeply concerned about the long-term effects to public health caused by the extraction, processing and burning of fossil fuels. Abundant research shows that living near fossil fuel production is dangerous. For example, one recent study estimated that approximately 34,000 Californians died prematurely due to fossil fuel pollution in 2018[1] and another attributed 15% of U.S. COVID-19 mortalities to fossil fuel pollution.[2] Health impacts from oil pollution include asthma, respiratory disease, preterm birth, cancer and premature death. Communities of color live disproportionately near oil and gas wells and suffer greater health harms: 44 percent of Black, 37 percent of Latino, and 38 percent of Asian residents live near oil and gas wells in Los Angeles County, compared to 31 percent of White residents. It is an injustice for any Los Angeles resident to live with these life-altering health threats. The County must make a plan today to end oil drilling permanently county-wide.

Phasing Out Oil Drilling is Consistent with Existing Government Plans

Phasing out oil drilling is envisioned in *OurCounty*, Los Angeles County's sustainability plan. Goal 7 of the plan is "A fossil fuel-free LA County,"[3] and Action 84 of the plan is to "[c]ollaborate with the City of Los Angeles and other cities to develop a sunset strategy for all oil and gas operations that prioritizes disproportionately affected communities." [4] In October 2020, Culver City's City Council voted unanimously to phase out oil and gas wells over 5 years.[5] The Los Angeles City Council is currently moving a motion that would ultimately phase out oil and gas drilling city-wide.[6] Now, it is time for the County to follow these efforts with its own plans.

Furthermore, it is not only local governments planning to phase out oil drilling. On April 23, 2021, Governor Newsom directed the California Air Resources Board to "analyze pathways to phase out oil extraction across the state by no later than 2045." [7] The reality is that oil

production in California has been in decline for decades.[8] Market forces and government directives make the end of fossil fuel production throughout Los Angeles County and the State of California inevitable. By declaring oil drilling a nonconforming use now, the County can responsibly manage a just transition to a fossil fuel-free future.

Phasing Out Oil Drilling is Necessary to Ensure a Livable Planet

Immediate and aggressive greenhouse gas emissions reductions are necessary to keep global warming well below a 1.5°C rise above pre-industrial levels—the temperature rise beyond which the most catastrophic effects of climate change are projected to occur.[9] *OurCounty* acknowledges this reality and declares its intent to “move toward a zero-carbon energy system that quickly and drastically reduces our greenhouse gas emissions...to limit the global temperature increase to 1.5 degrees Celsius....”[10] The vast majority of U.S. fossil fuels must stay in the ground in order to meet this goal.[11] Approving new wells and allowing existing wells to continue production for several decades would conflict with California and Los Angeles’ efforts to align with pathways that ensure temperature rise stays below 1.5°C.

Phasing Out Oil Drilling is Well within the County’s Legal and Administrative Abilities

California courts and the California Supreme Court have long recognized the authority of local governments to use their police and zoning powers to enact local prohibitions and restrictions on oil and gas operations and development, including prohibitions on oil drilling.[12]

Additionally, declaring all drilling a nonconforming use is administratively simple, and enacting a managed phase out of existing drilling – with an appropriate amortization period – is a straightforward approach to protecting the health and environment of Angelenos.

Conclusion

Oil drilling in Los Angeles County is a public health and climate crisis. We cannot afford to take half measures, or delay implementation of the County’s sustainability plans to eliminate fossil fuels. We urge you to amend the County’s Title 22 Oil Well Ordinance and update the Baldwin Hills Community Standards District to declare oil drilling a nonconforming use immediately and begin a five-year transition that protects both Los Angeles workers and communities.

We look forward to working with you to make Los Angeles County a safer, healthier community.

Respectfully,

Alan Weiner, Chapter Lead, 350 Conejo - San Fernando Valley

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Alison Hahm, Associate Attorney, Communities for a Better Environment
Allis Druffel, Southern California Director, California Interfaith Power & Light
Amanda Perez, Executive Director, Maravilla Historical Society
Amanda Tapia, Co-Founding Organizer, The People of South Gate
Andrea Leon-Grossmann, Director of Climate Action, Azul
Andy Hattala, Co-Chair, The Climate Reality Project Los Angeles
Anna Cummins, Executive Director, The 5 Gyres Institute
Bahram Fazeli, Director of Research and Policy, Communities for a Better Environment and Co-Chair of STAND-LA
Belen Bernal, Executive Director, Nature for All
Ben Lara, President, El Sereno Stallions
Ben Stapleton, Executive Director, United States Green Building Chapter - Los Angeles
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Brooke Lenker, Executive Director, FracTracker Alliance
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Bruce Reznik, Executive Director, LA Waterkeeper
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Chelsea Kirk, Research and Policy Analyst, Strategic Actions for a Just Economy
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David Levitus, Executive Director, LA Forward
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Dereck Smith, Executive Vice President SEIU Local 2015
Derek Steele, Interim Executive Director, Social Justice Learning Institute
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Dorinda Moreno, Founder and Principal of Fuerza Mundial Global
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Elva Yanez, Director of Health Equity, Prevention Institute
Ethan Senser, Southern California Organizer, Food & Water Watch
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LA Community College District
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Yvette Arellano, Director, Fenceline Watch

[1] Olalde, Mark. "Harvard Study Links Fossil Fuels to Millions of 'Premature' Deaths." *Palm Springs Desert Sun*, 9 Feb. 2021, www.desertsun.com/story/news/environment/2021/02/09/harvard-links-fossil-fuels-deaths-california-approves-frackin-g/4436589001/.

[2] Editorial Staff, Topics: Healthy Air COVID-19. "Understanding the Link between COVID-19 Mortality and Air Pollution." *American Lung Association*, 4 Jan. 2021, www.lung.org/blog/covid-19-mortality-and-air-pollution.

[3] Los Angeles County Chief Sustainability Office. "Goal 7: A Fossil Fuel-Free LA County." *OurCounty*, ourcountyla.lacounty.gov/goals/goal-7.

[4] Los Angeles County Chief Sustainability Office. "Strategy 7A." *OurCounty*, ourcountyla.lacounty.gov/strategies/strategy-7a?goal=831.

[5] Culver City Observer. "City Council Approves 5-Year Phase Out Period of Oil Activity in Culver City." *Culver City Observer*, 29 Oct. 2020, www.culvercityobserver.com/story/2020/10/29/news/city-council-approves-5-year-phase-out-period-of-oil-activity-in-culver-city/9429.html.

[6] "Council File: 17-0447." *LACityClerk Connect*, City of Los Angeles, 7 May 2021, cityclerk.lacity.org/lacityclerkconnect/index.cfm?fa=ccfi.viewrecord&cfnumber=17-0447.

[7] "Governor Newsom Takes Action to Phase Out Oil Extraction in California ." *CA.gov*, State of California, 23 Apr. 2021, www.gov.ca.gov/2021/04/23/governor-newsom-takes-action-to-phase-out-oil-extraction-in-california/.

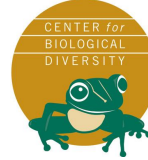
[8] Olalde, Mark. "Harvard Study Links Fossil Fuels to Millions of 'Premature' Deaths." *Palm Springs Desert Sun*, 9 Feb. 2021, www.desertsun.com/story/news/environment/2021/02/09/harvard-links-fossil-fuels-deaths-california-approves-frackin-g/4436589001/.

[9] Intergovernmental Panel on Climate Change, Global Warming of 1.5°C, An IPCC special report on the impacts of global warming of 1.5°C above pre-industrial levels and related global greenhouse gas emission pathways, in the context of strengthening the global response to the threat of climate change, sustainable development, and efforts to eradicate poverty (2018), available at <https://www.ipcc.ch/sr15/>.

[10] Los Angeles County Chief Sustainability Office. "Goal 7: A Fossil Fuel-Free LA County." *OurCounty*, ourcountyla.lacounty.gov/goals/goal-7.

[11] The IPCC estimates that global fossil fuel reserves exceed the remaining carbon budget for staying below 2°C by 4 to 7 times, while fossil fuel resources exceed the carbon budget for 2°C by 31 to 50 times. See Bruckner, Thomas et al., Ch 7: *Energy Systems*, in: Climate Change 2014 Mitigation of Climate Change. Contribution of Working Group III to the Fifth Assessment Report of the Intergovernmental Panel on Climate Change (2014) ("Bruckner et al. 2014"), at Table 7.2, https://www.ipcc.ch/site/assets/uploads/2018/02/ipcc_wg3_ar5_chapter7.pdf.

[12] Cal. Const. Article XI §§ 5, 7 [Section 11 was renumbered as Section 7 in 1970] ("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. Pub. Res. Code § 3690; *Richeson v. Helal*, 158 Cal. App. 4th 268, 277 (2007). See *Pacific Palisades Association v City of Huntington Beach*, 196 Cal. 211,214 (1925) (upholding ordinance barring "erecting derricks, installing machinery, and drilling oil wells" within business and residential zones); *Hermosa Beach Stop Oil Coal. V. City of Hermosa Beach*, 86 Cal. App. 4th 534 (2001) (Same, finding that "Proposition E was adopted with general findings that reinstating the total ban on oil drilling and production in a densely populated urban area is necessary to preserve the environment, as well as to protect the public health, safety and welfare of people and property within Hermosa Beach. It is, therefore, presumptively a justifiable exercise of the City's police power").

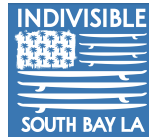




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