

## MINUTES

**CITY OF CARSON  
REGULAR MEETING OF THE PLANNING COMMISSION  
IN JOINT SESSION WITH THE  
REGULARLY ADJOURNED MEETING OF THE ENVIRONMENTAL COMMISSION**

***HELEN KAWAGOE CITY COUNCIL CHAMBERS, CARSON CITY HALL  
701 East Carson Street, Second Floor  
Carson, CA 90745***

***FEBRUARY 11, 2014 – 6:30 P.M.***

- 1. CALL TO ORDER** Chairman Faletogo called the meeting to order at 6:40 P.M.
- 2. PLEDGE OF ALLEGIANCE** The Salute to the Flag was led by Chairman Faletogo.
- 3. ROLL CALL**

Planning Commissioners Present: Brimmer, Diaz, Faletogo, Goolsby, Gordon, Piñon, Schaefer, Saenz, Verrett

Environmental Commissioners Present: Burr, Hellerud, Hopson, Mack, Perry, Taylor, Love

Environmental Commissioners Absent: Muckey, Jimenez

Planning Staff Present: Planning Officer Repp, Senior Planner Signo, Assistant City Attorney Soltani, Associate Planner Naaseh, Recording Secretary Bothe
- 4. AGENDA POSTING CERTIFICATION** Planning Secretary Bothe indicated that all posting requirements had been met.
- 5. AGENDA APPROVAL** Commissioner Saenz moved, seconded by Commissioner Gordon, to approve the Agenda as submitted. Motion carried, 9-0.
- 6. INSTRUCTIONS TO WITNESSES** Chairman Faletogo requested that all persons wishing to provide testimony stand for the oath, complete the general information card at the podium, and submit it to the secretary for recordation.
- 7. SWEARING OF WITNESSES** Assistant City Attorney Sunny Soltani

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**8. ORAL COMMUNICATIONS**

For items **NOT** on the agenda. Speakers are limited to three minutes. None

**9. CONSENT CALENDAR**

**A)** Minutes: January 28, 2014

MOTION: Chairman Faletogo moved, seconded by Commissioner Brimmer, to approve the January 28, 2014, Minutes as presented. Motion carried, 9-0.

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**10. CONTINUED PUBLIC HEARING**

**A) Zone Text Amendment No. 17-13**

Applicant's Request:

The applicant, city of Carson, is requesting the Planning Commission consider an ordinance amendment to the fence standards for residential zones, including prohibiting or restricting chain-link and barbed wire for properties citywide.

Staff Report and Recommendation:

Senior Planner Signo presented staff report and the following recommended options:

1. OPEN the public hearing and TAKE public testimony; and CONTINUE this item indefinitely.
2. OPEN the public hearing and TAKE public testimony; DIRECT staff to draft an ordinance amendment that increases the front yard fence height to four feet and clarifies the method in which to measure fence height; and CONTINUE this item to March 25, 2014.
3. OPEN the public hearing and TAKE public testimony; DIRECT staff to return with the original proposed ordinance amendment that restricted fence height in the front yard, among other things; and CONTINUE this item to March 25, 2014.
4. OPEN the public hearing and TAKE public testimony; TAKE another action the Planning Commission deems appropriate.

Commissioner Gordon recommended this item be continued indefinitely following the public hearing.

Bill Smalley, resident, stated that the proposal would cause a financial hardship on many residents, noting the fences are necessary to protect properties, children, and pets.

Douglas Chaney, resident, stated that the proposal would cause a financial hardship on many residents and suggested if this is passed, that it only becomes effective during the final sale of each property.

Brandy Rajagh, resident, stated that the fences are necessary to protect properties, children, and pets.

Sandra Bourelle, resident, stated that the proposal would cause a financial hardship on many residents, noting the fences are necessary to protect property, children, and pets. She added that solid fences invite graffiti; expressed her opinion the notification process was not sufficient; and she submitted a list of signatures from residents who are opposed to this change.

Steven Rajagh, resident, stated that the proposal would cause a financial hardship on many residents and expressed his belief this is not necessary.

There being no further input, Chairman Faletogo closed the public hearing.

Planning Commission Decision:

Commissioner Gordon moved, seconded by Commissioner Saenz, to continue this matter indefinitely. (This motion ultimately carried.)

Commissioner Schaefer moved, seconded by Commissioner Brimmer, to direct staff to draft an ordinance amendment that increases the front yard fence height to four feet and to continue this item to March 25<sup>th</sup>. This motion failed as follows:

- AYES: Brimmer, Schaefer
- NOES: Diaz, Faletogo, Goolsby, Gordon, Piñon, Saenz, Verrett
- ABSTAIN: None
- ABSENT: None

The original motion carried as follows:

- AYES: Brimmer, Diaz, Faletogo, Goolsby, Gordon, Piñon, Saenz, Schaefer, Verrett
- NOES: None
- ABSTAIN: None
- ABSENT: None

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**11. PUBLIC HEARING**                      None

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**12. NEW BUSINESS DISCUSSION**

- A) Draft Environmental Impact Report (DEIR) for Specific Plan 2-89, Amendment No. 1 and Development Agreement No. 4-11, Oxy USA, Inc.**

Applicant's Request:

The applicant, Mark Kapelke, Vice President - Engineering and Operations, OXY USA, Inc., LA Basin Asset, is requesting to conduct a joint Planning Commission and Environmental Commission workshop to present and discuss the OXY Draft Environmental Impact Report and obtain comments and questions from the Commissions and community for development of a new oil and gas production facility on 6.5 acres located in the Dominguez Technology Center Specific Plan SP-2-ML zoning district. The property involved is 1450-1480 Charles Willard Street.

Staff Report and Recommendation:

Associate Planner Naaseh presented staff report and the recommendation for the Commissions to RECEIVE and FILE the Draft EIR and direct staff to proceed with the preparation of the responses to comments/questions raised at the workshop. He highlighted the extensive noticing efforts that were undertaken.

Mark Kapelke, representing Oxy, provided a brief overview of the proposed project and the history of this 6.5-acre site, noting this project design is state-of-the art and addresses air emissions, hazards, hazardous materials, water quality, noise, and traffic, etc. He stated that Oxy will not use fracking in Carson; and offered tours of their existing facilities/operations in Long Beach and Carson.

Dan Dudak, representing the California Department of Conservation, Division of Oil, Gas and Geothermal Resources (DOGGR), provided his presentation, explaining that DOGGR's authority is charged with preventing damage to life, health, property, natural resources, damage to oil and gas deposits and preventing damage and waste to underground surface waters.

Marsha Baverman, representing Environmental Audit, Inc., provided an in-depth presentation on the background of this property and a baseline/process for drafting this environmental impact report. She commented on the CEQA, Notice of Preparation, and Initial Study processes, which were put out for public comment March 2012. She commented on the various meetings that have taken place with the community. She stated the comment period started January 23, 2014, and closes March 10, 2014, at 5:00 P.M., noting the questions/responses will be included as part of the final EIR. She highlighted each of the findings for 17 different topics that were evaluated/analyzed for impacts in the Notice of Preparation and Initial Study. She added that they are currently in the public comment period and that individuals can submit their comments in writing or email to Associate Planner Naaseh at City Hall, Planning Division.

Vice-Chair Verrett commented on a court ruling with regard to oil and gas stimulation processes, SB-4 (Oil and Gas Stimulation), noting her concern that DOGGR admitted that agency had not been evaluating the potential environmental health significance that could occur; and she asked for further input on this Senate Bill. She stated she is concerned with fast-tracking.

Assistant City Attorney Soltani stated she is not familiar with that bill, noting she will do some research and provide a response; and she added there are numerous environmental cases that deal with EIR's. She pointed out that the City has involved DOGGR from the very beginning of this process.

Chairman Faletogo asked what "less than significant" means when referring to noise impact, noise construction, traffic, water, less than significant from what.

Commissioner Brimmer stated that comment letters were received from South Coast Air Quality Management District, DOGGR, L.A. County Fire Department, noting that key issues were raised and responses were provided; and expressed her concern that not all the questions were responded to and noted her concern with some issues those agencies raised, asking how/when those responses are disseminated and if Oxy has

something in place for the Commissioners to view as it relates to prior public comments/concerns. Commissioner Brimmer referred to Page 1-4 of the main booklet, asking for input on those concerns being addressed.

Mr. Kapelke stated that Oxy is not in charge of the EIR or the CEQA process and that those questions might be best answered by the City or its consultant.

Assistant City Attorney Soltani explained that under California law, the law provides that the city acts independently of any applicant in preparing an EIR, which is why the City hires independent consultants to do the EIR's.

Ms. Baverman explained that there are stated significance criteria that have established thresholds; that for an evaluation under CEQA when looking at various topics, that evaluation determines if those established thresholds have been exceeded; and she explained that some determinations can be made for mitigation efforts to lower the levels of significance so that the threshold is not exceeded. She added that all the topics she addressed this evening compared the established significance thresholds in the case of air quality, for example; and explained that if it was determined to be below the significance threshold, that would mean it would be considered less than significant.

Addressing Commissioner Brimmer's question regarding Page 1-4, Ms. Baverman explained that those three topics are key issues that were raised during the public meetings held by Oxy after the Notice of Preparation and Initial Study were circulated and the comment period had closed, and that this section notes whether or not the project has controversy associated with it; and she added that these three topics were discussed, especially in the circumstances that are identified on the right-hand side of that table, where it shows they addressed those concerns in this EIR. She stated that one of the key issues of concern the community raised was hydraulic fracking, pointing out that fracking has been eliminated from the project and therefore not analyzed.

Commissioner Brimmer noted her concern that reference is being made to questions raised by other agencies and that fracking has been eliminated from the proposal and making reference to it at Section 2.8, yet she does not see it mentioned in the document where fracking was eliminated altogether.

Associate Planner Naaseh advised that those places of reference will be rechecked and corrected accordingly.

Dr. Tom Williams, 4117 Barrett Road, Los Angeles, CA 90032, representing Sierra Club, Angeles Chapter, Frack Oil & Gas Committee Chair, requested that this workshop be continued to early March and to extend the deadline for comments. He asked if this project is the Dominguez Oil Field. He stated that the document says a portion of the Dominguez Oil Field, yet only this evening he found out what portion, noting that in the EIR, it does not show the east area maps. He expressed his belief the document is inadequate and incomplete, stating they are having problems figuring out what the real project is. He asked if this is the advance engineering recovery project or is it the Dominguez Oil project; stated this 6-acre pad is not the project site; and that it's wherever the end of those wells go, noting they don't know where those wells extend. He asked if there are 600 abandoned wells in the project area; and he reiterated he is concerned with the project description and its adequacy. He stated he is concerned

with the Newport/Inglewood fault and its location, asking if that fault is under this project site.

LaRhonda Brown, 1307 E. Fernrock Street, Carson, 90746, resident, noted her opposition to this project; stated her biggest concern is that in the EIR discussion, there was no mention of community and recreation concerns, asking why. She asked what the claims are based on when saying all hazards are less than significant, questioning if it's based on past history from other same/similar projects. She asked how they know there is not going to be any impact to soil and air; and asked if there will be periodic testing during the entire project to assure the residents there are no issues of concern.

James Drew Lawson, 426 W. Carson Street, No. 2, 90745, Carson businessman, noted his support of this project; stated this is a unique opportunity for Carson to support job growth and provide a rare opportunity for high revenues for the City; and expressed his belief that Oxy has been responsive to community concerns.

Jonathan Mitchell, 19919 Campaign Drive, Carson, 90746, resident, noted his support of this project; added that he has been employed with Oxy for eight years and that Oxy has an exceptional safety record at its sites and its employees; and he added that this will bring more jobs to this area.

Jeffrey Moore, 1222 E. Turmont Street, Carson, 90746, resident, noted his support of this project, stating that it will bring more jobs for the residents of this community.

Joey Cinco, 405 W. 235<sup>th</sup> Street, Carson, 90745, resident, noted his support of this project; stated that his initial concerns have been alleviated after he participated in the Oxy tour and learned the facts of this project; noted that Oxy has a good safety record; and that he believes this will be a good project for Carson. He noted he has trust in the regulatory agencies that will oversee the operations at this site, working for the best interests and safety of this community. He added this will be a positive economic endeavor for Carson and its residents.

Dobard, 19312 S. Broadacres, Carson, 90746, resident, noted his support of this project; stated this project will bring the City a lot of revenues and provide many construction jobs for this community; and he pointed out that there are not a lot of businesses of this magnitude coming into Carson that will spend millions of dollars in this City; and he urged the City to support this project. He pointed out that there was a lot of opposition to the former Home Depot Center, now Stubhub, and asked that the residents give Oxy a chance, noting it will bring to this community millions of dollars.

Dean Jones, 1844 E. Fernrock Street, Carson, 90746, resident, referred to Section 1.712, project objectives, noted that two of the six objectives for reducing U.S. dependency on foreign energy supplies, Energy Independence and Security Act of 2007, named in the DEIR, speaks of the importance of creating green jobs using alternative energy sources, such as solar and wind, limiting the negative impacts on the city of Carson and the environment. He noted his concern with the unknowns of drilling 13,000 feet deep and not offering financial support toward alternative energy sources, suggesting the impacts from this project could push Carson into an environmental disaster. He expressed his belief the EIR inadequately addresses a major objective of the project, which is to reduce foreign energy supplies; and stated there should be direct, local funds from all benefactors to bring environmentally friendly projects to

Carson to reduce area greenhouse gas emissions. Mr. Jones noted his concern with existing/future site traffic for truck routes, stating there is no mention of who is going to repair the potholes and asphalt replacement; and he stated that poor road conditions create negative impacts on automobile tires and create potential for auto accidents.

Richard Hernandez, 108 W. 226<sup>th</sup> Place, Carson, 90745, resident, noted his support of this project; and stated that his concerns were alleviated once he participated in a tour of an Oxy facility and was informed of the facts of the project. He pointed out that everyone wants the best for this community and its residents; stated that the fracking process will not be used at this site; and expressed his belief this project has been adequately studied for potential impacts to air and traffic. He added that many jobs will be available as a result of this project; that it will be economically beneficial to Carson; and that it will be designed to fit well into the community. He stated that Oxy has the best safety record in the oil and gas industry and mentioned that this site will be monitored for safety 24 hours a day.

James Fritz, 1625 E. 218<sup>th</sup> Street, Carson, 90745, resident, noted his support of this project; stated he has been employed with Oxy for 35 years and pointed out that this industry is highly regulated and watched over by the regulatory agencies. He added that having worked in this industry for many years, he believes it is a safe operation; and stated that Oxy operates cleanly and securely and that safety is of utmost importance to Oxy.

Lori Noflin, (no address given) resident, noted her opposition to this project; commented on the history of the drilling and dumping in this City and the environmental impacts upon this community; stated that this City has fought hardships which still act as a hurdle to the City's progress over the landfills and former refineries, noting her concern with new construction on contaminated soil; and she urged the City to oppose this project, believing it will return the City to its former history of a dumping ground. She requested the City place a ban on oil drilling activity and order all contamination be identified and cleaned up.

David Noflin, (no address given) resident, noted his opposition to this project; stated that he does not believe the risks to the public are minimal, highlighting the environmental disaster that took place along the Gulf Coast a few years back. He stated that the effect of these major polluters can be seen all over Carson, most notably the Carousel tract, Monterey Pines, and Wilmington Middle School. He expressed his belief that the ground water has been contaminated in various areas within the City, such as at Del Amo Elementary School and close to Dolfin Park. He stated that Carson should be identifying the abandoned tanks/wells throughout Carson and inspecting them rather than complicating it with another possible contributor; stated that the residents deserve to know the facts about the safety of this community; and he urged the City to reject this proposal.

Barbara Post, 24433 Marbella Avenue, Carson, 90745, resident, stated that she lives in the Carousel tract and that people and pets are dying from what she believes are pollutants from prior refinery/tank storage operations; and stated that jobs and money should not take precedence over the health and safety of this City's residents.

Dr. Rita Boggs, 21328 Island Avenue, Carson, CA, 90745, resident, stated that the report keeps indicating no significant concerns, but stated that approximately four weeks ago in the *L.A. Times*, the state listed and indicated there was a problem with noise in this area; and that now the EIR indicates there is nothing. She concurred with Ms. Post's comment about the health and welfare of the residents taking precedence over jobs and money, stating this City can't continue to risk the health of its residents. She noted that Oxy is now proposing to use salt water instead of a fracking mixture, questioning what the effect is of using salt water. She asked if that process will make properties more apt to move around in earthquakes, noting they will be putting a lot of water into that system. She noted her concern with any potential for Oxy to change its mind and propose fracking in the future, stating if Oxy makes a future attempt to change the process, the whole project should be re-examined with an EIR. She stated that all proposals should be adequately published for the public so people know what is taking place.

Norma Jackson, (no address given) resident, noted her opposition to this project; stated that the largest issue is protecting the health of the residents, noting that Carson already has air quality problems. She questioned whether the City and the public will be apprised of all changes in the future, questioning who will be responsible for approving any future changes.

Tommy Faavae, 605 E. 221<sup>st</sup> Street, Carson, 90745, resident, noted his support of this project; stated that his family/kids live here and go to school here, noting that nothing more important comes before the health and safety of his family; stated that the air quality will be better with this project than what's currently on site; expressed his understanding there are no significant impacts to this project; that in constructing this new facility, there will be less trucks on the streets; and that this project will have low emissions. He pointed out that the DEIR indicates Oxy will not use hydraulic fracking on this project; and that Oxy will use much more energy efficient electric-driven rigs; that the property will have sound-proofing materials and be completely enclosed; and that the DEIR confirms there will be no effect on the ground water supplies because the drilling will be far below the aquifer. He commented on the unemployment statistics and stated that Oxy has gone above and beyond to reach out to the building trades and construction unions and has negotiated a project labor agreement.

Bill Smalley, 17700 Avalon Boulevard, No. 111, Carson, 90746, resident, noted his support of this project; stated that fear is not a binding reason alone to reject this project, believing that's what he is witnessing this evening; and he added that the residents' fear is partially due to not being told a lot of the things they need to know before they cast judgment. He stated that the tour he participated in was very informative and which started him on the process of his research and calling the water district to address his concern with this project, whether it is going to interfere with the City's water supplies. He pointed out that the water company that serves Carson its drinking water, Golden State Water Service and California Water Service, assured him that no drinking water or water sent to the homes in Carson come from any wells within Carson, that the City's water comes from outside of this city and not from the City's aquifers. He noted for that reason his concerns have been alleviated and that he supports this project because Oxy has done everything required by the regulatory agencies.



Ron Miller, 1626 Beverly Boulevard, Los Angeles, CA, 90026, representing LA/OC Building Trades, representing 140,000 working men and women in L.A. County, many who are residents of Carson, noted his support of this project; and he submitted signature cards with the names and addresses of those Carson residents who support this project. He stated that the environmental report from a planning standpoint indicates this property is the best use of this land; and he pointed out that all the tradesmen and women are very concerned with the health and safety not only for themselves, but also for their families, friends and neighbors who live near any kind of energy facility. He added that the union trades groups have worked hard to get the legislature to pass laws that make the working environment safer for all; and advised that they are partnering with Oxy to make sure every step is addressed to assure a safe and healthy environment not only for the workers, but also for everyone in the community. He expressed his belief Oxy has gone above and beyond to assure the safety, health and welfare of all for the long term, not just during the construction phase. He highlighted the benefits for Carson, such as providing more revenues for the City and providing hundreds of jobs; and stated that the LA/OC Building Trades supports this project.

Isaac McCraw, 1408 E. 218<sup>th</sup> Street, Carson, 90745, resident, noted his support of this project; and stated that he is employed by Oxy and that Oxy has a good safety record.

Ignacio Ramirez, 1502 E. Carson Street, No. 88, Carson, 90745, resident, noted his support for this project; stated that he is employed by Oxy; and he urged the residents to get the facts before they cast judgment. He pointed out that because of stringent environmental laws, the way things used to be done for oil drilling and dump sites is very much different today than it was many years ago; he advised that there have been great advances in technology for this industry; and he stated that Oxy is one of the leaders in safety records, which is closely watched by regulating environmental and governmental agencies. He added that this industry operates in accordance with stringent rules/regulations, pointing out these rules/regulations have been put in place specifically for the safety of people and the environment; he added that Oxy has a record of being one of the best/safest companies in this industry, pointing out he sees it firsthand. He added that he understands the concerns raised; that he wouldn't support anything unsafe for his family; and stated that technology has come a long way and believes the speakers in opposition to this project lack the understanding about this project and its merits.

Diana Wright, 19107 Kemp Avenue, Carson, 90746, resident, noted her opposition to this project; and stated there was no mention of sink holes, believing that pumping all the water into the ground water system has a tendency to liquefy the ground and cause sink holes. She stated she did not see anything related to the Newport fault line, questioning who will be responsible for damage or structural cracks on their homes.

Jeremiah Ashmore, 18423 Delia Avenue, Torrance, 90504, representing Plumbers Union Local 78, representing 1,500 members, noted his support of this project and its findings; stated that many of their members live in Carson; and noted he concurred with the finding that this is the best use for this property. He stated that this project will create millions of dollars for Carson and create hundreds of jobs for the members of this community.

Pilar Hoyos, 22010 Wilmington Avenue, Carson, 90745, representing Watson Land Company, noted support for this project; advised that the technical analysis has taken more than two years; and stated that the jobs created will be high paying and that this project will create significant revenue for the City. She pointed out that Watson Land Company shares the residents' interests in protecting property values; and that Watson Land Company has a vested interest in this community. She added that Oxy will be investing millions of dollars on this project area; and explained that Watson Land Company and Carson Companies went through a very careful and thoughtful process to select Oxy, U.S.A., a respected company with a vast amount of experience in surrounding communities and based here in Los Angeles County. She provided a history of this site, being an oil field for 70 years without causing earthquakes; and pointed out that with today's technology and strict regulatory oversight, Watson Land Company is confident those fears are unfounded and should be put to rest. She highlighted her disappointment to see how this community is divided by the information that is not based on fact, hoping the results of the EIR analysis will clear up the misperceptions.

Jim Flynn, 18710 S. Wilmington Avenue, Rancho Dominguez, President of Carson Companies, noted his support of this project; stated that his company has been part of this community for over 100 years and has a significant financial interest in the Dominguez Technology Center and surrounding area; explained that they have spent many hours going through Oxy's proposal and that they are very satisfied with Oxy's proposal to utilize the best technology in place today; and stated that this project will not only benefit the revenues for the City but also local businesses.

Iva Voldase, (no address given) resident, noted her opposition to this project; and addressed her concern with the fault that runs under these houses and the potential for earthquakes. She expressed her belief this project is driven only by economics and not with concern for the welfare of the residents.

Vincent Miles, 18003 Cairo Avenue, Carson, 90746, resident, noted his opposition to this project; and noted his concerns with air quality in this community and the effects to the health of the residents.

Robert Leslie, (no address given) resident, noted his opposition to this project; expressed his opinion that the DEIR is inadequate and incomplete; that he believes the water aquifer will be contaminated due to the high pressure used for drilling; and stated that a bond should be given for the residents. He asked for the number of abandoned wells on this site to be identified and asked how they were capped/closed.

Frances Morris, 19312 Midtown Avenue, Carson, 90746, resident, noted her opposition to this project; and noted her concern with the poor air quality in this city, stating she suffers from a chronic cough and recently from an unexplainable skin itch/condition.

Latrice Carter, (no address given) resident, submitted a list of comments for the record; she stated she is currently awakened by noises all night and early a.m. hours as a result of the project site testing; and that she smells what she believes to be gas/sulfur while driving in her neighborhood, noting the smells have been present since 2012, questioning how much more noise and odors they'll experience with the increase in the number of wells. She read the following: "While reviewing the DEIR, dated January 23, 2014, I have found ambiguity, inconsistencies and omissions as it relates to studies,

work to be performed, and locations within the project zone. The significance levels indicated often is categorized as less significant and identified in a broad range. The study does not appear to reflect true ranges to size. The following is a list of my concerns and/or questions that I feel should have been addressed in the Draft Environmental Impact Report. The concerns are:

- 1) The two test wells have been going on for over 2 years. When will the tests be completed? What was the designated time frame? Why are they allowed to continue to this day?
- 2) Although the word "fracking" has been removed from the DEIR, Oxy continues to indicate in letters as early as June 2012 to the city that they would like it considered going forward; for this reason, please identify what chemicals are in the liquid slurry (mix) or what kind of drilling fluids will be used to aid the drilling of boreholes in the horizontal directional drilling.
- 3) Since the city of Carson is the lead agent to track if fracking is done, please provide a schedule of the times the City's employees or any other agency provided such tests and the results of these tests since the beginning of the two test wells that are being drilled.
- 4) Oxy is asking for a permit for the current project site, but the drilling (new wells and existing wells), storage tanks (old and new) and piping (new and existing) is within the project zone. Shouldn't the EIR include current studies of the old pipes, old storage tanks, old wells, etc., in the zone area?
- 5) The DEIR states, 'The oil wells could extend to the boundary of the Dominguez Oil Field...provided Oxy has acquired the mineral rights.' Who owns the mineral rights?
- 6) The DEIR states the average daily trip level associated with the existing site is 256 trips per day, and Oxy has 4 other applications pending the approval of this project. Shouldn't the DEIR reflect the conditions of travel for the forecasted trips per day? Will this number quadruple in size or more? If not, please explain.
- 7) Please identify/clarify more clearly the offsite operation as identified in the DEIR for improvements. Are permits submitted for these improvements? If so, by whom, what for and for where? If they have not been requested, there is indication in this DEIR that it is known what improvements are necessary, therefore, please provide the requested information.
- 8) The maps identifying the project area are vague. Where are the subsurface locations to the abandoned oil wells and storage tanks? Why doesn't the study identify the exact locations with all streets (main artery, residential and commercial locations)?
- 9) Where are the surface locations to the abandoned oil wells, storage tanks and pipes? Is my home on top of an abandoned storage tank, oil well, or landfill? Will these surface locations have blowout/leak monitors at every site (home), or will we be facing legal concerns similar to the Carousel Tract?
- 10) Who will be responsible for monitoring the monitors at these locations?
- 11) The DEIR stated that the new pipeline will be connected to existing pipelines, however, testing of the old, 50-plus years of existing pipelines will not be tested. Why? Just because they are not tested does not provide assurance that they are safe.
- 12) The drilling will take place within the Newport Beach-Inglewood fault zone and possibly cross it, but there wasn't a geological study performed to address the impact of an earthquake for this proposed project area. With the amount of wells

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- proposed to be drilled and the frequency of drilling for this project, shouldn't there have been a study?
- 13) The Avalon-Compton fault/regional Shear Zone has been identified in the past EIR (Dominguez Hills Village Specific Plan, 1995) as an active fault for the same project area. Why isn't it mentioned in the current DEIR for study analysis?
  - 14) The DEIR lists a table of significant earthquakes in Southern California. Why wasn't the recent earthquake centered in Torrance/Carson at a magnitude of 2.8 in November 2013 provided in the table?
  - 15) According to earthquaketrack.com, Carson has had 272 earthquakes in the past year, 8 earthquakes in the past 7 days as of 2-6-14. Why weren't the frequencies of earthquakes in the project area and the magnitudes of the earthquakes reported in the project area reported in the DEIR?
  - 16) Why wasn't there a study showing the frequencies of earthquakes prior to the testing period compared to earthquake frequencies currently and within the testing period?
  - 17) There are parks identified within the proposed area. The DEIR does not address the countywide property benefit assessment put on the property tax payers from Prop A with the laws/regulations and purpose of this proposition for parks and recreation. Why?
  - 18) Would allowing a permit for Oxy to go forward within the proposed area violate Prop A since the City owns and receives funds for parks within the Dominguez Oil Field?
  - 19) The proposed project will interfere with the city of Carson adopted Master Plan for Bikeways approved in 2013. Will this plan be thrown out entirely? When will the path be restored and safe for travel?
  - 20) The DEIR states all streets will be closed during piping constructions but does not identify the residential street closure nor how long. Why? Please identify the streets and the timeframes for the proposed closures." Ms. Carter asked that the extension to this DEIR be granted to include and address the concerns identified above; and that it is her concern this DEIR does not present objectivity, is biased on the side of the oil company.

Faye Walton, 20231 Galway Avenue, Carson, 90746, resident, noted her opposition to this project; stated she provided a hard copy of her concerns; she listed her reasons for opposition, 1) hazards at the facility that can occur naturally because of earthquakes and unnatural events, such as mechanical failure, human error, industrial error; 2) toxic gas cloud releases of chemicals that can migrate into the neighborhoods; 3) the rupture of storage tanks of flammable gas and hazardous materials; 4) thermal radiation and fire exposure; 5) the explosive conditions for boiling liquid and pressurized vapors; 6) and the potential impact on water resources that will cause degradation or depletion of ground water and surface water affecting current and future uses.

Margarite Carter, 18805 Grambling Place, Carson, 90746, resident, expressed her belief the firm that produced the DEIR is not qualified to study residential since they specialize in the industrial/commercial areas and questioned why this firm was selected if residential is not their forte, noting the test results are all significant to the residents. She stated she did not understand the report where it indicates the noise dba level was insignificant and then Ms. Baverman indicates it was significant and would have an impact over the life of this project in Carson; and she asked if the noise level projected will be short-term and only during the construction phase or will the residents have to deal with a high level of noise for the next 40 years. She asked how long the

construction phase will last; noted her concern with the number of gallons of water that will be used each day during California's drought; she asked that the 600 wells be located and identified, including the proposed 200 wells; and asked who will be paying to fix their homes when they get damaged.

Jerry Groomes, 19203 Cliveden Avenue, Carson, 90746, resident, noted his support of this project; stated he lives as close as anyone to this site; pointed out he is not receiving any money from Oxy; and stated he has reviewed the DEIR, commending staff on an excellent staff report. He explained that the Commission's task is going to ultimately be to determine if Oxy has adequately addressed the potential significant impacts of this project; that it is reasonable to expect all questions be addressed; and that the Commission must base its decision on fact. He added that some questions have been raised and will continue to be raised that aren't based on fact and that won't be able to be responded to because they're based on emotion. He pointed out the EIR speaks on key issues -- hydraulic fracking, air quality, and traffic; stated that as he understands, all these matters are addressed satisfactorily in the report; advised that he would not consider supporting a project if it involved hydraulic fracking; and that everything should be done to ensure fracking is not part of this project. He added that this project presents opportunities for jobs and revenues; and that it is his opinion the City should seek to take advantage of those opportunities.

Joseph Alford, 19202 Northwood Avenue, Carson, 90746, resident, noted his support of this project; stated he would not be in support of this project if fracking were to be done; stated that people have complained that the roads will be tore up, but pointed out that some of the roads are already tore up from trucks; and he strongly suggested moving in the direction of supporting this project, getting some extra revenue for the City and jobs.

Robert Levenson, 211 East 222<sup>nd</sup> Street, Carson, 90745, resident, noted his support for this project; stated that he would not support anything unsafe for his family or neighbors; and noted his disappointment with the residents who do not want this City to benefit and advance, depriving residents of much needed jobs.

Alfred Sattler, (no address given) representing Sierra Club Palos Verdes-South Bay Regional Group, noted his opposition to this project; and stated that he sent in a 3-page letter earlier. He noted that the DEIR is to provide environmental impact information that informs the public of the significant environmental effects of a project, expressing his belief this DEIR fails to do that. He highlighted his concern with the extraction of these fuels and the negative effect this will have on the environment, stating this project will produce 50 million tons of Co2 over the life of the project. He addressed his concerns with methane and natural gas, noting that leakage from drilling can commonly be as high as 3 or 4 percent; and stated that methane is quite significant to global warming and is a fire hazard.

Chris Bradley, (no address given) resident, noted his opposition to the project; and stated that the citizens of this community are already taking the health risks for the area freeways and airports on a day-to-day basis and that Oxy will be profiting from the project.

John Wessel, 30539 Rhone Drive, Rancho Palos Verdes, CA, 90275, supporter of the South Bay/Palos Verdes Sierra Club, noted that he supports the Sierra Club's position on this matter; and stated he is opposed because this is a very congested urban

environment, believing this isn't a good project for the area. He expressed his belief that the main technical issues with the EIR is that he does not think they addressed the cumulative hazards; stated there are a number of different risk issues for hazards and probability estimated for each of these in the EIR assumptions, noting his belief these are often optimistic, and when you multiply a large number of contingencies, you come up with very unacceptable estimates for the probability of serious hazards occurring; and he stated this is the main reason he thinks more consideration should be given to the DEIR.

Mr. Wessel noted his concern that a lot of the assumptions rest on the abilities of DOGGER and other state and federal agencies to monitor the processes to assure Oxy is on track and that the risks are minimized; that he is not sure those resources are available; and that he thinks Carson needs to study that and be sure regulators do have the capacity to contain hazards if the project goes forward.

Dianne Thomas, 20219 Nestor Avenue, Carson, 90746, resident, noted her opposition to this project; expressed her belief that Oxy will use fracking on this site because they are asking to reserve the right to come back at a later date if they need to use it and get their permit amended; and she stated she has no confidence or trust in the regulatory agencies, noting that DOGGER doesn't know what's going on with all the wells. She noted that while President Obama is in favor of reducing our dependence on foreign oil, he is not in favor of drilling in populated areas.

Walter Neil, 530 E. Del Amo Boulevard, Carson, 90746, representing Carson Chamber of Commerce, noted support for this project and advised that a letter was submitted from the Chamber indicating its support of this project. He stated that this project will significantly benefit Carson by producing high-paying jobs for skilled workers who are supporting their families in this community, providing a living wage for their families; and he urged the City to give this project a chance, deserving the City's full attention and support.

Karen Campbell, 401 W. 220<sup>th</sup> Street, Carson, 90745, resident, stated that the dynamics have changed in the oil industry, seeing a major increase in railroad traffic for transportation of oil targeted in the Carson/Lomita areas; and she asked if the DEIR addresses those issues. She noted her concern with the recent news that Oxy will be spinning off its company as far as holdings in California into a separate entity, questioning how that change will impact the commitment from Oxy with regard to no fracking.

Cliff Cannon, 19412 Radlett Street, Carson, CA, 90746, resident, noted his opposition to this project; stated he is concerned for the health and welfare of this community; and noted that the additional jobs and revenue can't compete with keeping the City's residents healthy and safe. He stated that the Planning Commission should not represent any specific interest, and its decision must be based on the total interest of the community.

Marvin Stovall, (no address given) resident, noted his opposition to this project; he compared this project to the Carousel tract; and noted his concern for everyone to have a good quality of life.

Alexandra Nagy, 3000 S. Robertson Boulevard, Los Angeles, CA, 90034, representing Food and Water Watch, noted her opposition to this project; commented on the threats of this project to the community's health, property values, clean air and water; and stated that the earthquakes in this area pose too great of an impact. She advised that Rule 1148.2 was enacted June 2013 which requires oil and gas companies to disclose where fracking, well drilling/completion and well reworks are taking place and to require disclosing the amount/types of chemicals that are used in the stimulation/injection process. She highlighted the air toxin chemicals that are typically used in this process by oil companies, noting the dangerous health impacts of those chemicals. She stated that the number of AQMD air quality monitoring stations/locations needs to be increased, noting that the existing monitoring stations are not close enough to adequately measure the impacts locally; and that these air monitoring stations should be on site.

Ken Reed, 1458 E. Helmick Street, Carson, CA, 90746, resident, noted his opposition to this project; and noted his concern with the health and safety of his family and community and with the project negatively impacting the quality of life. He added that there will ultimately be just a few people working on site.

Darryl Little, 19922 Alonda Drive, Carson, 90746, resident, noted his opposition to this project; and stated it is a project that will not benefit Carson.

Vivian Hatcher, 19202 Annalee Avenue, Carson, 90746, resident, noted her opposition to this project; expressed her belief the DEIR is inadequate because it does not give a full description of the project site; and that it does not address the 600 abandoned wells adequately. She inquired as to the condition of these wells; noted her belief the underground pipelines are running beneath her home; and noted her concern with a blowout. She stated that the DEIR is inadequate and incomplete because it does not describe the project nor does it address the Newport Beach/Inglewood fault line being directly underneath this project site; and she asked if any inspection of these wells has taken place.

Patrick Buchanan, 20027 Earlie Avenue, Carson, 90746, resident, noted his opposition to this project; addressed his concerns with the fumes the residents will have to live with on a daily basis; and addressed his desire to live in a healthy community.

Ken Bryant, 1103 Gladwick Street, Carson, 90746, resident, noted his opposition to this project; stated the pipelines run underneath some schools and his house; and that he does not believe this project is the best use for this land nor for the health and welfare of the residents.

There being no further audience input, Planning Officer Repp advised that the City will work in a collaborative approach with all the regulatory agencies to make sure they identify any and all standards that the city can assist implementing to make sure this is a safe project; and she urged everyone to submit in writing any comments they wish to have addressed during the open comment period.

Mr. Kapelke stated that this project has received a lot of input from the community and advised that the concerns have been addressed in the design of the project, including the elimination of fracking; and added that the project was further re-designed taking into consideration other concerns of the community and steps taken to minimize the

impacts of the project on the community, resulting in a finding of less than significant on all issues except noise during the one-year period of project construction.

Commissioner Piñon read his comments as follows:

“On Page 1-15 under Section 1.8.5.5, Groundwater Quality, it states ‘five groundwater monitoring wells are located within one mile of the proposed project site,’ yet data is only available for three of those wells. Why is the data unavailable for those wells?

“On Page 3-51 under Section 3.5.5.3, city of Carson (Los Angeles County Fire Department) it says, ‘a Petroleum Chemical Unit would provide infrastructure design review and approval as well as inspection services.’ How often, approximately, would this unit inspect the facility?

“On Page 1-36 under Section 1.10.1, Air Quality, it says Mitigation Measure A-1 would require use of Tier 3 engines or the equivalent, and that after mitigation measures, nitrogen oxides would be below the SCAQMD threshold, which is 100. Table 4.2-10 on Page 4-22 shows that using Tier 3 engines, the nitrogen oxide level would be 99.3, just below the threshold. Table 9 on Page B-37 gives the mitigated nitrogen oxide emission at 99.8, again just below the threshold of 100. However, on Pages 4-20 and B-25, it says Tier 2 engines would be used if Tier 3 was not available. And since Tier 2 is not as clean as Tier 3, it stands to reason that using Tier 2 would push the nitrogen oxide level past the threshold. How likely is it that Tier 3 engines or equivalent will not be available for use during construction? Also, what would the nitrogen oxide level be if Tier 2 is used?”

Vice-Chair Verrett stated she is not in support of staff recommendation to receive and file this DEIR because she is not sure of the legal ramifications; noted her concern with the possibility of fast-tracking this process to the final; and stated she needs clarification and full disclosure. She stated that one of the reasons to not receive and file is because the DEIR does not clearly address all the citizens’ comments, especially the air and water quality. She noted her concern that there may be other unknown definitions for fracking and that she does not know what will be used to crack the rock bed to get to the oil. She added there are no clear state and federal regulations as to what the City should be doing and not doing if the City is filing and signing a contract with Oxy and the City is the beneficiary. She expressed her belief there should be more testimony from other experts, believing the whole package has not been presented and that she is not in favor of receiving and filing this DEIR.

Commissioner Brimmer commented on the 600 abandoned oil wells and the reactivation of the Dominguez Oil Field and wells, stating more information is needed about the condition and location of those wells; stated that the well abandonment record noted that files indicate 18 abandoned wells may not have been sufficient to comply with the regulations and requirements for their reactivation, stating this is only one item that indicates there is a lot of work yet to be done. She noted her concern with this extremely technical issue/information and the need for the Commission and lay people to be able to understand the information. She asked for a full definition of fracking drilling versus hydraulic versus direct; asked for more history about the entire drilling system for Carson; asked for more input on the water supply, explaining how that works and whether it will be affected; asked for more input on the potential project impacts



with earthquakes and the Newport/Inglewood fault line; stated she would like to see the *L.A. Times* article that a resident discussed this evening and SB-4; asked that more information be given about the flare; asked for more information on cumulative danger assumptions; clarification on jobs, temporary and permanent; asked for more input on Ruling 1148.2; asked that the concerns with the pipeline that runs below Annalee and other streets, schools be addressed; and stated the residents need more information to feel assured that this will be a safe project.

Environmental Commission Chair Love commented on cumulative impacts with air quality, noting that a study from October 2008 cited zip code 90746 as having the highest rate of hospitalizations from asthma-related illnesses, questioning how emissions from this project will add to this poor air quality. He stated that health assessment needs more attention; and asked for clarification on how many jobs will be available and what number will go to Carson residents, noting that two people per shift is not significant. He asked at what point will the City start receiving revenues; stated that risk is another area needing more input, believing the probabilities for an accident need to be more realistic; noted his concern with greenhouse gas emissions, the state asking everybody to cut back 15 percent and this project adding more to this region; asked if the current operation on site is going to close permanently; noted his concern with high water usage; noted his concern with potential for the pipeline accident rate near homes and schools; and stated he'd like to see local wind direction monitoring stations.

Commissioner Diaz moved, seconded by Commissioner Goolsby, to receive and file this DEIR and direct staff to proceed with the preparation of the Response to Comments to the questions, comments, and clarifications raised by the Commissioners and the community.

Vice-Chair Verrett reiterated her concern with receiving and filing the DEIR, believing there is too much information that has yet to be communicated; and stated that three weeks has not been enough time for her to review all the documents.

Assistant City Attorney Soltani explained that the recommendation to receive and file only means in this case that the Commission is ending its meeting in regard to this item, noting that CEQA regulates/dictates what happens next with regard to the response period and following hearings.

Decision:

Receive and file.

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13.	WRITTEN COMMUNICATIONS	None
14.	MANAGER'S REPORT	None
15.	COMMISSIONERS' REPORTS	None
16.	ADJOURNMENT	

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At 11:34 P.M. the meeting was formally adjourned to Tuesday, February 25, 2014, 6:30 P.M., City Council Chambers.

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Chairman

Attest By:

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Secretary