



AGENDA
CITY OF CARSON
REGULAR MEETING OF THE ENVIRONMENTAL COMMISSION
701 East Carson Street, Carson, CA 90745
EXECUTIVE CONFERENCE ROOM, 2ND FLOOR
Wednesday, March 4, 2014
6:30 p.m.

1. CALL TO ORDER:

2. PLEDGE OF ALLEGIANCE:

3. ROLL CALL:

Environmental Commissioners:

Burr, Hellerud, Hopson, Jimenez, Love,
Mack, Muckey, Perry, Silva (alternate),
Taylor, Yamanaka (alternate).

4. AGENDA POSTING CERTIFICATION:

In accordance with the Americans with Disabilities Act of 1990, if you require a disability related modification or accommodation to attend or participate in this meeting, including auxiliary aids or services, please call the City Clerk's office at 310-952-1720 at least 48 hours prior to the meeting. (Government Code Section 54954.2)

5. AGENDA APPROVAL:

6. ORAL COMMUNICATIONS:

For items **NOT** on the agenda.
Speakers are limited to three minutes.

7. MINUTES APPROVAL:

a. N/A

8. UNFINISHED BUSINESS

a. City of Carson Public Health Initiative

b. Ground Vibrations and Noise Near Stevenson Park

c. Draft Environmental Assessment (EA) for Rule 2202 Emission Reduction Quantification Protocol for Electric Vehicle Charging Station Projects

d. Draft Subsequent Environmental Assessment (SEA) for Proposed Amended Rule 1420.1 Emissions Standards for Lead and Other Toxic Air Contaminants from Large Lead-Acid Battery Recycling Facilities

9. NEW BUSINESS

a. Oil Code - Update

10. WRITTEN COMMUNICATIONS

a. Notice of Completion and Availability of Final Environmental Impact Report – Sea Breeze Apartment Project

b. Notice of Public Hearing – City of Los Angeles – 6001-6067 W. Wilshire Blvd.

11. ORAL COMMUNICATIONS

a. Audience

b. Commissioners

c. Staff

12. ADJOURNMENT

Upcoming Meetings: April 1, May 6, June 3, July 1

CITY OF CARSON

**STAFF COMMUNICATION TO
THE ENVIRONMENTAL COMMISSION**

UNFINISHED BUSINESS

March 4, 2015

SUBJECT: City of Carson Public Health Initiative

REQUEST: Review, discuss, and provide feedback on potential projects to improve Public Health

I. Introduction

On December 3, 2014, the Commission discussed this item and continued it to the next meeting. The Commission discussed the eligible projects list for the Strategic Growth Council grant and determined that most of the eligible projects identified within the grant would benefit the City by potentially improving public health in Carson.

II. Background and Analysis

The final guidelines for the grant were finalized on January 20, 2015 and released on January 26th. The following is the schedule for the next steps in the grant application process.

- Invitation to Select Applicants to Submit Full Application: March 11, 2015
- Full Application Due to HCD: April 15, 2015
- Staff Award Recommendations Released: mid-June 2015
- Council Considers and Approves Staff Recommendations for Awards: Late June 2015

Staff is currently reviewing the guidelines to determine the best course of action.

**III. Recommendation
RECEIVE AND FILE**

**IV. Exhibits
1. None**

Prepared by: _____


Max Castillo, Assistant Planner

CITY OF CARSON

STAFF COMMUNICATION TO
THE ENVIRONMENTAL COMMISSION

UNFINISHED BUSINESS

March 4, 2015

SUBJECT: Ground Vibrations and Noise Near Stevenson Park

REQUEST: Review and discuss

I. Introduction

On February 4, 2015, no additional information was provided by the Commission. Commissioner Muckey did indicate possible SCE documentation which staff has yet to receive.

Staff has spoken with the Code Enforcement Department who has indicated that they have responded to a similar noise from a resident on Belshaw Avenue. After following up on this request, the Code Enforcement Department could not determine the source of the noise, which based on the caller's details, was coming from a location of Charles Willard Street.

The Code Enforcement Department has advised the caller to log dates and times of the noises so that more information can be gathered and responded to. An officer also has tried to visit Commissioner Perry who was also given the same direction.

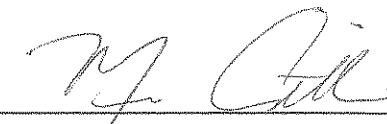
II. Recommendation

Review and discuss.

III. Exhibits

1. None.

Prepared by: _____



Max Castillo, Assistant Planner

CITY OF CARSON

**STAFF COMMUNICATION TO
THE ENVIRONMENTAL COMMISSION**

UNFINISHED BUSINESS

February 4, 2015

SUBJECT: Draft Environmental Assessment (EA) for Rule 2202 Emission Reduction Quantification Protocol for Electric Vehicle Charging Station Projects

REQUEST: Review, discuss and provide feedback on the Draft Environmental Assessment (EA) for Rule 2202 Emission Reduction Quantification Protocol for Electric Vehicle Charging Station Projects

I. Introduction

AQMD has released the Draft Environmental Assessment (EA) for Rule 2202 Emission Reduction Quantification Protocol for Electric Vehicle Charging Station Projects for public review. Comments on the Draft EA are due February 25, 2015. Project sites will be located within the South Coast Air Quality Management District (SCAQMD) area of jurisdiction consisting of the four county South Coast Air Basin, and the Riverside portions of the Salton Sea Air Basin and the Mojave Desert Air Basin. Exhibit 1 provides a brief description of the project.

II. Background and Analysis

The goal of the Protocol is to provide incentives for the deployment of workplace electric vehicle charging stations throughout the SCAQMD area of jurisdiction which includes the City of Carson. Staff does not foresee impacts to the City of Carson.

On February 4, the Commission recommended that a representative from the Environmental Commission attend the March 6, 2015 meeting.

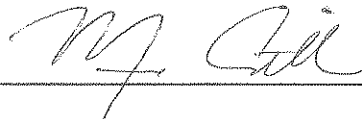
III. Recommendation

Review, discuss and provide feedback on the Draft Environmental Assessment (EA) for Rule 2202 Emission Reduction Quantification Protocol for Electric Vehicle Charging Station Projects.

IV. Exhibits

1. Notice of Completion

Prepared by: _____



Max Castillo, Assistant Planner

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
21865 Copley Drive, Diamond Bar, CA 91765-4182

NOTICE OF COMPLETION OF A DRAFT ENVIRONMENTAL ASSESSMENT

Project Title:

Draft Environmental Assessment (EA) for Rule 2202 Emission Reduction Quantification Protocol for Electric Vehicle Charging Station Projects

Project Location:

South Coast Air Quality Management District, the four-county South Coast Air Basin (Orange County and the non-desert portions of Los Angeles, Riverside and San Bernardino counties) and the Riverside County portions of the Salton Sea Air Basin and the Mojave Desert Air Basin.

Description of Nature, Purpose, and Beneficiaries of Project:

The South Coast Air Quality Management District (SCAQMD) is developing a Protocol to establish procedures to evaluate, approve and monitor future electric vehicle charging station projects submitted under the Rule 2202 Air Quality Investment Program (AQIP) solicitation or pursuant to Rule 2202(f)(6) as amended in June 2014 by the SCAQMD Governing Board. The goal of the Protocol is to provide incentives for the deployment of workplace electric vehicle charging stations through the generation of Rule 2202 credits. Electric vehicle charging station projects may generate Rule 2202 credits at any location within the jurisdiction of the SCAQMD where charging stations can be installed for use by the general public or private parking lots and structures accessible only to employees. This includes any worksite where the employer is subject to Rule 2202, provided that the vehicles accessing the charging stations are not used by that employer to comply with Rule 2202's Average Vehicle Ridership (AVR) target. To evaluate any potential environmental impacts from the installation and operation of future electric vehicle charging station projects, an environmental analysis was conducted using a known proposed project to expand and upgrade electric vehicle charging infrastructure as an example for a "worst case" impact scenario. The environmental analysis in the Draft EA concluded that this proposed project would not generate any significant adverse environmental impacts.

Lead Agency:

South Coast Air Quality Management District

Division:

Planning, Rule Development and Area Sources

Draft EA and all supporting documentation are available at:
SCAQMD Headquarters
21865 Copley Drive
Diamond Bar, CA 91765

or by calling:

(909) 396-2039

Draft EA is available online by accessing the SCAQMD's website at:
<http://www.aqmd.gov/home/library/documents-support-material/lead-agency-scaqmd-projects/aqmd-projects---year-2015>

The Public Notice of Completion is provided through the following:

☒ Los Angeles Times (January 27, 2015)

☒ SCAQMD Website

☒ SCAQMD Mailing List and Interested Parties

Draft EA Review Period (30-day):

January 27, 2015 – February 25, 2015

Scheduled Public Meeting Dates (subject to change):

SCAQMD Governing Board Hearing: March 6, 2015, 9:00 a.m., Long Beach City Hall, Council Chambers,
333 West Ocean Blvd., Long Beach, CA

Send CEQA Comments to:
Mr. Jeff Inabine:

Phone:
(909) 396-2453

Email:
jinabine@aqmd.gov

Fax Number:
(909) 396-3324

Direct Questions on the Protocol:
Ms. Lori Berard

Phone:
(909) 396-2436

Email:
lberard@aqmd.gov

Fax Number:
(909) 396-3324

CITY OF CARSON

STAFF COMMUNICATION TO THE ENVIRONMENTAL COMMISSION

UNFINISHED BUSINESS

March 4, 2015

SUBJECT: Draft Subsequent Environmental Assessment (SEA) for Proposed Amended Rule 1420.1 Emissions Standards for Lead and Other Toxic Air Contaminants from Large Lead-Acid Battery Recycling Facilities

REQUEST: Review, discuss and provide feedback on the Draft Subsequent Environmental Assessment (SEA) for Proposed Amended Rule 1420.1 Emissions Standards for Lead and Other Toxic Air Contaminants from Large Lead-Acid Battery Recycling Facilities

I. Introduction

AQMD has released the Draft Environmental Subsequent Assessment (SEA) for proposed amended Rule 1420.1 Emissions Standards for Lead and Other Toxic Air Contaminants from Large Lead-Acid Battery Recycling Facilities for public review. Project sites will be located within the South Coast Air Quality Management District (SCAQMD) area of jurisdiction consisting of the four county South Coast Air Basin, and the Riverside portions of the Salton Sea Air Basin and the Mojave Desert Air Basin. Exhibit 1 provides a brief description of the project.

II. Background and Analysis

PAR 1420.1 would further protect public health by reducing lead emissions produced by large lead-acid battery recycling facilities. Owner/operators of affected facilities would be required to meet limits through improvements to building enclosures and additional control equipment. The environmental analysis in the Draft SEA concluded that PAR 1420.1 would not generate any significant adverse environmental impacts. Staff does not foresee impacts to the City of Carson.

On February 4, the Commission recommended that a representative from the Environmental Commission attend the March 6, 2015 meeting.

III. Recommendation

Review, discuss and provide feedback on the Draft Subsequent Environmental Assessment (SEA) for Proposed Amended Rule 1420.1 Emissions Standards for Lead and Other Toxic Air Contaminants from Large Lead-Acid Battery Recycling Facilities

IV.

Exhibits

1. Notice of Completion

Prepared by:

A handwritten signature in black ink, appearing to read "Max Castillo", is written over a horizontal line.

Max Castillo, Assistant Planner

SOUTH COAST AIR QUALITY MANAGEMENT DISTRICT
21865 Copley Drive, Diamond Bar, CA 91765-4182

NOTICE OF COMPLETION OF A DRAFT SUBSEQUENT ENVIRONMENTAL ASSESSMENT

Project Title:

Proposed Amended Rule (PAR) 1420.1 - Emissions Standard for Lead and Other Toxic Air Contaminants from Large Lead-Acid Battery Recycling Facilities

Project Location:

South Coast Air Quality Management District (SCAQMD) area of jurisdiction consisting of the four county South Coast Air Basin (Orange County and the non-desert portions of Los Angeles, Riverside and San Bernardino counties), and the Riverside County portions of the Salton Sea Air Basin and the Mojave Desert Air Basin

Description of Nature, Purpose, and Beneficiaries of Project:

PAR 1420.1 would further protect public health by reducing lead emissions produced by large lead-acid battery recycling facilities. PAR 1420.1 would accomplish this by lowering the ambient lead concentration limit, imposing additional housekeeping, lowering the point source limit, and requiring daily monitoring. Owner/operators of affected facilities would be required to meet an interim for ambient lead limit of 0.110 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$) averaged over any 30 days effective January 1, 2016. The limit would be further reduced to 0.100 $\mu\text{g}/\text{m}^3$ effective January 1, 2017. Improvements to building enclosures and additional control equipment may be necessary to comply with the proposed ambient standard. The environmental analysis in the Draft SEA concluded that PAR 1420.1 would not generate any significant adverse environmental impacts. PAR 1420.1 would affect two facilities that are on lists of California Department of Toxic Substances Control hazardous waste facilities per Government Code §65962.5 (<http://www.envirostor.dtsc.ca.gov/public>; accessed on January 16, 2015).

Lead Agency:

South Coast Air Quality Management District

Division:

Planning, Rule Development and Area Sources

The Draft SEA and all supporting documentation are available at:

SCAQMD Headquarters
21865 Copley Drive
Diamond Bar, CA 91765

or by calling:

(909) 396-2039

The Draft SEA can also be obtained by accessing the SCAQMD's website at:

<http://www.aqmd.gov/home/about/public-notices/ccaa-notices/notices-of-completion>

The Public Notice of Completion is provided through the following:

☒ Los Angeles Times (January 28, 2015) ☒ SCAQMD Website ☒ SCAQMD Mailing List

Draft SEA Review Period (30-day):

January 27, 2015–February 25, 2015

Scheduled Public Meeting Dates (subject to change):

SCAQMD Governing Board Hearing: March 6, 2015, 9:00 a.m.; Long Beach City Hall

Send CEQA Comments to:

Ms. Cynthia Carter

Phone:

(909) 396-2431

Email:

ccarter@aqmd.gov

Fax:

(909) 396-3324

Direct Questions on Proposed Amended Rule:

Mr. Mike Morris

Phone:

(909) 396-3282

Email:

mmorris@aqmd.gov

Fax:

(909) 396-3324

CITY OF CARSON

**STAFF COMMUNICATION TO
THE ENVIRONMENTAL COMMISSION**

NEW BUSINESS

March 4, 2015

SUBJECT: Oil Code - Update

REQUEST: Review, discuss, and provide feedback on the Oil Code Update

I. Introduction

On February 23, 2015, Planning Manager Saied Nasseh notified the Environmental Commission about the public hearing meeting to consider the City's proposed oil code update on February 24, 2015. For those Commissioners who could not attend attached are the Planning Commission staff reports (Exhibit No.1 and Exhibit No. 2) for the Commissions review and comment.

On February 24, 2015, Planning Manager Saied Nasseh presented both items to the Planning Commission and a public hearing was held.

II. Recommendation

Review, discuss, and provide other ideas regarding the Oil Code update.

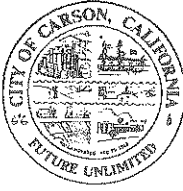
III. Exhibits

1. Zone Text Amendment No. 19-15 – Planning Commission Report dated February 24, 2015
2. Text Amendment No. 20-15 – Planning Commission Report dated February 24, 2015

Prepared by:



Max Castillo, Assistant Planner



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: February 24, 2015
SUBJECT: Zone Text Amendment No. 19-15
APPLICANT: City of Carson
REQUEST: To consider adoption of a Comprehensive Update of the City's Oil and Gas Ordinance Regulating Petroleum Operations and Facilities
PROPERTY INVOLVED: City-wide

COMMISSION ACTION

☐ Concurred with staff
☐ Did not concur with staff
☐ Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Gordon
		Vice-Chairman Piñon			Saenz
		Brimmer			Schaefer
		Diaz			Verrett
		Goolsby			

I. Introduction

Zone Text Amendment 19-15 proposes Oil and Gas Ordinance updates to the Carson Municipal Code and provides for regulations governing petroleum operations and facilities. The Ordinance addresses administrative procedures, development standards for petroleum operations and facilities, and development standards for well(s) or site abandonment, re-abandonment, site restoration and redevelopment. The update provides additional regulatory authority and options to the City to address operations and environmental impacts related to oil and gas extraction. As part of the process, various provisions of the Carson Zoning Ordinance are proposed to be amended or repealed to allow for consolidation and update of the Oil and Gas Ordinance in its own Chapter in the Carson Municipal Code.

The Planning Commission is also concurrently hearing Zone Text Amendment No. 20-15, which proposes to prohibit hydraulic fracturing ("fracking"), acidizing, or any other defined well stimulation treatment. Although both text amendments broadly relate petroleum operations and both have their basis in the Council meetings held in the spring of 2014, the two text amendments are technically separate actions, and each has its own independent utility. As such, the Planning Commission has the authority to recommend approval of all, one, or none of the proposed text amendments.

II. Background

The City of Carson zoning and land use standards and regulations for oil and gas drilling have not been updated in several years. During that period of time, there have been significant changes in oil and gas production practices and changes to state statutes and regulations.

The City Council held several meetings regarding these and other petroleum-related issues on March 18, 2014, April 15, 2014, April 29, 2014, and May 20, 2014. On May 20, 2014, the City Council directed City Staff to commence a complete and comprehensive review to update the Municipal Code regarding oil and gas operations and to study and address all modern-day drilling issues and applications. Staff was also directed to have at least two workshops with the community to receive community input and feedback. Therefore, the Community Development Department has initiated a text amendment to facilitate this process.

Staff has completed a comprehensive review and update of the Municipal Code's oil and gas provisions with the assistance of Marine Research Specialists (MRS), an environmental consulting firm with expertise with petroleum operations and the City Attorney's office. As part of this review process, the City has engaged in significant community outreach regarding this matter, including sending mailed notices of community meetings to the approximately 30,000 addresses in the city, publishing notices in the newspaper, and holding three community meetings



regarding oil and gas operation issues. The most recent community meeting is scheduled for February 18, 2014.

First and foremost, the proposed code is written to protect the environment and the public health, safety, welfare of the citizens of Carson. Furthermore, the proposed code seeks to effectively and appropriately balance the rights of existing operators and future applicants who wish to develop oil and gas drilling and extraction facilities in the City.

III. Analysis

This project involves the consideration of an Oil and Gas Ordinance to update regulations of petroleum facilities and operations.

Components

The proposed Ordinance is comprised of three parts:

- Part 1, "Administrative procedures," specifies which City zoning designations allow for oil and gas facilities. For example, current zoning regulations allow certain oil and gas operations in residentially zoned areas, which would be prohibited under the proposed Ordinance. Additionally, the Ordinance establishes a Petroleum Administrator as the City's official to enforce the ordinance, an Environmental Compliance Coordinator for environmental compliance issues, sets the process for issuance of Conditional Use Permits and procedures for Development Agreements, and requires permits for well(s) or site abandonment, re-abandonment, site restoration and redevelopment permits.
- Part 2, "Development Standards for Operations," establishes standards for a variety of items, including surface setback requirements, site access and operations, roads and maintenance, signage, pipelines, safety assurances and emergency/hazard management. Environmental resource management is also addressed, and includes regulations for air quality, greenhouse gas emissions, ground water quality, storm water runoff and other items.
- Part 3, addresses development standards for well or site abandonment, re-abandonment, site restoration and redevelopment. This includes requirements for assessing previously unidentified contamination, leak testing, and prohibitions on placing permanent structures on top of any abandoned oil or gas well.

Plan Consistency

The proposed text amendment is consistent with the General Plan and Specific Plans. Details are included the "General Plan and Specific Plan Consistency", refer to Exhibit 3.

IV. Environmental Review

Staff performed a preliminary environmental assessment of this project and has determined that it falls within the Class 8 Categorical Exemption set forth in CEQA Guidelines section 15308, which exempts actions by regulatory agencies for the protection of the environment. This Categorical Exemption is applicable as the proposed Oil and Gas Code Ordinance addresses the maintenance, restoration, enhancement and protection of the environment and the public health, safety, welfare of the citizens of Carson as related to potential impacts from petroleum operations and facilities within the City. The variety of environmental issues addressed include air, water, soil, geology, storm water and wastewater infrastructure, transportation, noise, emergency response, aesthetic issues, and petroleum operations near potentially sensitive receptors. The Ordinance does not provide for the relaxation of standards as compared to the current regulations in the Carson Municipal Code. Instead, the Ordinance strengthens environmental standards related to petroleum operations and facilities, and thereby advances the protection of environmental resources within the City of Carson. Furthermore, none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, section 15300.2 apply to this project.

V. Conclusion

Approval of the text amendment will provide a comprehensive update to the City's Municipal Code regulations of petroleum operations and facilities, and will establish additional regulatory authority to address operational and environmental impacts related to oil and gas extraction in the City of Carson.

VI. Recommendation

If the Planning Commission is inclined to recommend approval of the Oil and Gas Code Ordinance update and associated CEQA finding to the City Council, staff recommends the Planning Commission:

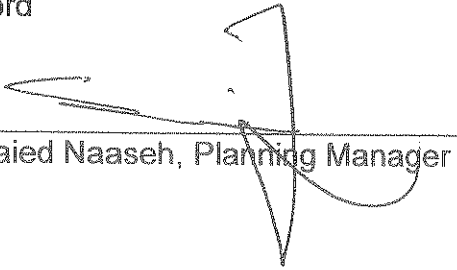
- **ADOPT RESOLUTION NO. _____:**
 - **RECOMMENDING APPROVAL** of a finding of a Class 8 Categorical Exemption under CEQA Guidelines §15308, as the Ordinance is an action taken by a regulatory agency for the protection of the environment; and
 - **RECOMMENDING APPROVAL** to the City Council an Ordinance to adopt Zone Text Amendment No. 19-15, an Oil and Gas Ordinance for regulation of petroleum facilities and operations, by adding Chapter 5 to Article IX, consisting of sections 9500 through 9537, amending sections 9121.1, 9121.12, 9123, 9131.1, 9133, 9141.1, 9146.3, 9146.7, and 9151.12, and repealing sections 9128.6 and 9138.10 of the Carson Municipal Code



VII. Exhibits

1. Proposed Planning Commission Resolution
2. Proposed ordinance amendment ZTA No. 19-15 (Exhibit to Planning Commission Resolution)
3. General Plan and Specific Plan Consistency exhibit
4. Draft Notice of Exemption (CEQA)
5. Community and Planning Commission meeting notices published in newspaper
6. Notice mailed to all addresses in City (sample)
7. Other Items in the Administrative Record

Prepared, Reviewed and Approved by:


Saied Naaseh, Planning Manager

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 15 - _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON RECOMMENDING THE CITY COUNCIL TO ADOPT TEXT AMENDMENT NO. 19-15, AN OIL AND GAS ORDINANCE FOR REGULATION OF PETROLEUM FACILITIES AND OPERATIONS, BY ADDING CHAPTER 5 TO ARTICLE IX, CONSISTING OF SECTIONS 9500 THROUGH 9537, AMENDING SECTIONS 9121.1, 9121.12, 9123, 9131.1, 9133, 9141.1, 9146.3, 9146.7, AND 9151.12, AND REPEALING SECTIONS 9128.6 AND 9138.10 OF THE CARSON MUNICIPAL CODE; AND RECOMMENDING APPROVAL OF A FINDING OF A CLASS 8 CATEGORICAL EXEMPTION UNDER CEQA GUIDELINES §15308

WHEREAS, all oil and gas operations have the potential for significant and immediate impacts on the health, safety, and welfare of the citizens of Carson through increased noise, odor, dust, traffic, and other disturbances, as well as the potential to significantly impact the City's air, water, soil, biological quality, geology, storm water and wastewater infrastructure, transportation, noise exposures, emergency response plans, aesthetic values, environmental and community resources; and

WHEREAS, the City of Carson zoning and land use standards and regulations on oil and gas drilling have not been updated in several years, and have not been updated prior to various changes in oil and gas production practices and changes to state statutes and regulations; and

WHEREAS, the City Council held a variety of meetings regarding these and related issues associated with petroleum operations on March 18, 2014, April 15, 2014, April 29, 2014, and May 20, 2014; and

WHEREAS, on May 20, 2014, the City Council directed City Staff to commence a complete and comprehensive review to update the Municipal Code regarding oil and gas operations and to study and address all modern-day drilling issues and applications; and

WHEREAS, City Staff were also directed to have at least two workshops with the community to receive community input and feedback; and

WHEREAS, the Community Development Department has also initiated a proposed text amendment to facilitate this review; and

WHEREAS, the City of Carson has reviewed and studied revisions as necessary to the City's laws, rules, procedures and fees related to petroleum operations and facilities, to enable the City to adequately and appropriately balance the rights of existing operators and future applicants who wish to develop oil and gas drilling and extraction facilities in the City, with the

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preservation of the health, safety and welfare of the communities surrounding the oil and gas drilling and extraction facilities in the city; and

WHEREAS, as part of this review process the City of Carson has engaged in significant community outreach regarding this matter, including sending mailed notices of community meetings and Planning Commission hearing to the approximately 30,000 addresses in the city, publishing notices in the newspaper, and holding three community meetings regarding oil and gas operation issues; and

WHEREAS, City of Carson Staff prepared a proposed Oil and Gas Ordinance, including modifications to the Carson Zoning Ordinance, made it available on the City's Oil Code webpage, on February 11, 2015, and received public feedback during the community meeting on February 18, 2015; and

WHEREAS, the Planning Commission of the City of Carson subsequently received and reviewed the proposed Oil and Gas ordinance, including modifications to the Carson Zoning Ordinance, at a duly noticed meeting at 6:30 a.m. on February 24, 2015, at the Congresswoman Juanita Millender-McDonald Community Center, Community Halls ABC, 801 East Carson Street, Carson, CA 90745; and

WHEREAS, public testimony and evidence, both written and oral, was considered by the Planning Commission of the City of Carson; and

WHEREAS, Planning Commission of the City of Carson has reviewed Text Amendment No. 19-15, including all associated amendments and repeals of the relevant portions of the Carson Municipal Code in order to enact the Oil and Gas Ordinance, for consistency with the General Plan and all applicable Specific Plans; and

WHEREAS, after considering public testimony and receiving information, the Planning Commission of the City of Carson desires to recommend approval of Zone Text Amendment No. 19-15, which implements an Oil and Gas Ordinance including modifications to the Carson Zoning Ordinance, to the City Council of the City of Carson; and

WHEREAS, the Planning Commission of the City of Carson has also reviewed and also desires to recommend approval of a finding of a Class 8 Categorical Exemption under CEQA Guidelines §15308, as the Ordinance is an action taken by a regulatory agency for the protection of the environment, to the City Council of the City of Carson; and

WHEREAS, it is the intent of the recommendation of the Planning Commission of the City of Carson that petroleum operations shall be permitted within the City of Carson, except where expressly prohibited, subject to the application the Municipal Code and all other applicable laws, regulations and requirements; and

WHEREAS, it is a purpose of said recommendation of adoption to protect the health, safety, public welfare, physical environment and natural resources of the City of Carson by the reasonable regulation of petroleum facilities and operations, including but not limited to:



exploration, production, storage, processing, transportation, disposal, plugging, abandonment and re-abandonment of wells, of operations and equipment accessory and incidental thereto, and development and redevelopment of oil fields/sites.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:

Section 1. Text Amendment No. 19-15 was assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines (the Guidelines), and the environmental regulations of the City. The Planning Commission hereby recommends finding and determination by the City Council that the adoption of Text Amendment No. 19-15 is exempt from CEQA pursuant to Section 15308 of the Guidelines for actions taken by regulatory agencies to assure the maintenance, restoration, enhancement, or protection of the environment. The Planning Commission also recommends such a finding is warranted as the Oil and Gas Ordinance is intended to further regulate oil and gas production in the City of Carson in such a way as to better protect the environment. No exception to the exemption under CEQA Guideline Section 15300.2 applies.

Section 2. The Planning Commission of the City of Carson has reviewed Text Amendment No. 19-15, including all associated amendments and repeals of the relevant portions of the Carson Municipal Code in order to enact the Oil and Gas Ordinance, and hereby finds it is consistent with the General Plan and all applicable Specific Plans.

Section 3. The Planning Commission hereby recommends approval to the City Council of an Ordinance of to adopt Text Amendment No. 19-15 implementing an Oil and Gas Ordinance for regulation of petroleum facilities and operations by adding Chapter 5 to Article IX, consisting of sections 9500 through 9537, amending sections 9121.1, 9121.12, 9123, 9131.1, 9133, 9141.1, 9146.3, 9146.7, and 9151.12, and repealing sections 9128.6 and 9138.10 of the Carson Municipal Code, as described in Exhibit 1.

Section 4. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the City Council of the City of Carson.

PASSED, APPROVED AND ADOPTED THIS 24th DAY OF FEBRUARY, 2015.

CHAIRMAN

ATTEST:

SECRETARY

**EXHIBIT 1 TO
PLANNING COMMISSION RESOLUTION**

TEXT AMENDMENT NO. 19-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, TO ADOPT TEXT AMENDMENT NO. 19-15 IMPLEMENTING AN OIL AND GAS ORDINANCE FOR REGULATION OF PETROLEUM FACILITIES AND OPERATIONS BY ADDING CHAPTER 5 TO ARTICLE IX, CONSISTING OF SECTIONS 9500 THROUGH 9537, AMENDING SECTIONS 9121.1, 9121.12, 9123, 9131.1, 9133, 9141.1, 9146.3, 9146.7, AND 9151.12, AND REPEALING SECTIONS 9128.6 AND 9138.10 OF THE CARSON MUNICIPAL CODE

Section 1. Chapter 5 (Oil and Gas ordinance of the City of Carson) is hereby added to Article IX of the Carson Municipal Code, in its entirety, as follows:

**CHAPTER 5
OIL AND GAS CODE**

Part 1. Administrative Procedures

Sections:

- § 9500 Purpose
- § 9501 Code Applicability
- § 9502 Allowable Uses
- § 9503 Definitions
- § 9504 Copies of Adopted Codes and Referenced Publications
- § 9505 Position of Petroleum Administrator
- § 9506 Drilling Permit
- § 9507 Required Procedures for Conditional Use Permits
 - § 9507.1 Conditional Use Permit (CUP) Filing Requirements
 - § 9507.2 Processing and Review
 - § 9507.3 Findings and Permitting Conditions
 - § 9507.4 Modifications and Extensions
 - § 9507.5 Change of Ownership Criteria
- § 9508 Procedures for Development Agreements
 - § 9508.1 Filing Requirements
 - § 9508.2 Processing and Review
 - § 9508.3 Findings and Development Agreement Conditions
 - § 9508.4 Modifications and Extensions
- § 9509 Periodic Review
- § 9510 Site or Well Abandonment, Well re-abandonment, Restoration and Redevelopment of the Site Procedures
 - § 9510.1 Purpose and Intent

9

§ 9510.2 Applicability
§ 9510.3 Application Process
§ 9510.3.1 Requirement to File an Application
§ 9510.3.2 Content of Application
§ 9510.3.3 Permitting Specifications
§ 9510.3.4 Findings Required for Approval
§ 9510.3.5 High-risk Operations
§ 9511 Operational Noticing
§ 9512 Compliance with City Codes and Ordinances
§ 9513 Injunctive Relief
§ 9514 Notice of Violation and Administrative Fines
§ 9515 Nuisance Procedures
§ 9516 Compliance Monitoring
§ 9517 Financial Assurances Applicability
§ 9518 Operator's Financial Responsibilities
§ 9519 Securities and Bond Requirements
§ 9520 Operator Liability Insurance

Part 2. Development Standards for Petroleum Operations

Sections:

§ 9521 Setback Requirements
§ 9522 Site Access and Operation
§ 9522.1 Deliveries
§ 9522.2 Construction Time Limits
§ 9522.3 Oil and Gas Facility Parking
§ 9523 Lighting
§ 9524 Aesthetics
§ 9524.1 Landscaping/Visual Resources
§ 9524.2 Walls
§ 9524.3 Sanitation
§ 9524.4 Architecture
§ 9525 Roads
§ 9525.1 Construction of Site Access Roads
§ 9525.2 Maintenance and Restoration of Public Roads
§ 9526 Signage
§ 9527 Steaming
§ 9528 Utilities
§ 9529 On-Site Storage and Placement of Equipment
§ 9530 Safety Assurances and Emergency/Hazard Management
§ 9530.1 Fire Prevention Safeguards
§ 9530.2 Blowout Standards and Testing
§ 9530.3 Earthquake Shutdown
§ 9530.4 Storage Tank Monitoring
§ 9530.5 Safety Measures and Emergency Response Plan
§ 9530.6 Transportation of Chemicals and Waste On and Off-site



§ 9530.6.1 Natural Gas Liquids (NGLs)
§ 9530.6.2 Transportation Risk Management and Prevention Program (TRMPP)
§ 9530.6.3 Pipeline Leak Detection
§ 9531 Environmental Resource Management
§ 9531.1 General Environmental Program
§ 9531.2 Air Quality
§ 9531.3 Greenhouse Gas Emissions and Energy Efficiency Measures
§ 9531.4 Air Quality Monitoring and Testing Plan
§ 9531.5 Water Quality
§ 9531.5.1 Water Quality Management Plan
§ 9531.5.2 Stormwater Runoff
§ 9531.5.3 Groundwater Quality
§ 9531.6 Noise Impacts
§ 9532 Standards for Wells
§ 9533 Standards for Pipelines
§ 9533.1 Pipeline Installations and Use
§ 9533.2 Pipeline Testing and Maintenance
§ 9534 Temporary Buildings
§ 9535 Operational Prohibitions
§ 9536 [Reserved]

**Part 3. Development Standards For Well(s) or Site Abandonment,
Re-abandonment, Site Restoration and Redevelopment**

Section:

§ 9537 Development Standards

Part 1. Administrative Procedures

9500 Purpose

A. This Chapter shall be known as the Oil and Gas ordinance of the City of Carson.

B. It is the purpose of this ordinance, amongst other things, to protect the health, safety, public welfare, physical environment and natural resources of the city by the reasonable regulation of petroleum facilities and operations, including but not limited to: exploration; production; storage; processing; transportation; disposal; plugging abandonment and re-abandonment of wells; of operations and equipment accessory and incidental thereto and development and redevelopment of oil fields/sites. It is further the intent of the City that petroleum operations shall be permitted within this city (except where expressly prohibited herein), subject to the application of this Code and all other applicable laws, regulations and requirements.

C. It is not the intent of this ordinance to regulate public utility operations for the storage or distribution of natural gas. Any drilling, therein, however, shall be subject to this ordinance.



9501 Code Applicability

The regulations in this ordinance shall apply to oil and gas production and related facilities, equipment, structures, or appurtenances including, but not limited to:

- A. Drilling a new well or re-entry of a previously abandoned well for the production of petroleum.
- B. Structures, equipment, or facilities necessary and incidental to either dehydration or separation of oil, gas, and condensate obtained from a hydrocarbon area, or both.
- C. Injection wells and incidental equipment necessary for enhanced oil recovery or injection of produced water.
- D. Equipment and facilities necessary for enhanced oil recovery including waterflooding, steam injection, air injection, carbon dioxide injection, or introduction of polymers, or other well completion techniques.
- E. Pipelines located within an oil and gas lease area that are necessary for oil and gas production operations.
- F. Pipelines that transport oil to a location outside of the oil and gas lease area.
- G. Storage tanks necessary or incidental to separation/treatment of oil and gas, or temporary storage of separated hydrocarbons, and equipment for transfer of the produced hydrocarbons to pipelines or tanker trucks.
- H. Access roads.
- I. Oil spill containment and recovery equipment including central office space and vehicles for the storage of floating oil and water separators, pumps, generators, hosing, assorted absorbent materials, steam cleaners, storage tanks, and other land and wildlife cleanup equipment.
- J. Test wells, including existing test wells that have been in place and functioning prior to City adoption of this ordinance.
- K. Any existing oil facilities within the City that were legally operating prior to certification with this Code but that do not have an active Conditional Use Permit or a development agreement consistent with the requirements of this ordinance.

9502 Allowable Uses

Table 1-1 below specifies what City zoning designations allow for Oil and Gas facilities and, if allowable, what type of authorization is required for the use.

*In addition to the zones listed in the table below, oil and gas facilities shall be permitted in any specific plan area where such uses are specifically allowed in accordance with the

17

requirements of this Code.

**CUP indicates a requirement for a Conditional Use Permit, while DA indicates the requirement for a development agreement.

TABLE 1-1

<u>Zoning Designation</u>	<u>Oil and Gas Facility Permit Required by Zone</u>
<u>Residential</u>	
<u>RS Single Family</u>	<u>Not Permitted</u>
<u>RM Multiple Dwelling</u>	<u>Not Permitted</u>
<u>RA Agricultural</u>	<u>Not Permitted</u>
<u>Commercial</u>	
<u>CN Neighborhood Center</u>	<u>Not Permitted</u>
<u>CR Regional Center</u>	<u>CUP & DA¹</u>
<u>CG General</u>	<u>CUP & DA¹</u>
<u>CA Automotive</u>	<u>Not Permitted</u>
<u>MU-CS Mixed Carson St.</u>	<u>Not Permitted</u>
<u>MU-SB Mixed Sepulveda Blvd.</u>	<u>Not Permitted</u>
<u>Industrial</u>	
<u>ML Manufacturing Light</u>	<u>CUP & DA¹</u>
<u>MH Manufacturing Heavy</u>	<u>CUP & DA¹</u>
<u>Open Space & Special Uses</u>	
<u>Open Space</u>	<u>Not Permitted</u>
<u>Special Uses</u>	<u>Not Permitted</u>

¹ Development agreement required only for 3 or more total wells on an oil and gas facility site in indicated zones above. See Section 9508. Re-drilling of wells shall be considered a new well for purposes of determining total wells.

9503 Definitions

Unless the context otherwise requires, the definitions hereinafter set forth shall govern the construction of this ordinance.

“Acidizing,” also known as “Acid Well Stimulation Treatment,” means a well stimulation treatment that uses, in whole or in part, the application of one or more acids, at any pressure, to the well or underground geologic formation. The acid well stimulation treatment may be at any applied pressure and may be used in combination with hydraulic fracturing or other well stimulation treatments. Acid well stimulation treatments include acid matrix stimulation treatments and acid fracturing treatments. Acidizing does not include standard maintenance work or other routine activities that do not affect the integrity of the well or the natural porosity or permeability of an underground geologic formation.

15

"Air injection" is an enhanced oil recovery process utilizing compressed air that is injected into a reservoir. Oxygen in the gas reacts exothermically with some of the oil, producing highly mobile flue gas. The flue gas advances ahead of the reaction front and achieves an efficient displacement of the in situ oil.

"API" refers to the American Petroleum Institute.

"DOGGR" is that particular division in the Department of Conservation, Division of Oil, Gas and Geothermal Resources, of the State of California.

"Drilling" is any boring into the earth for petroleum operations; but excluding any well drilled solely for the production of fresh water.

"Drill site" means the premises used during the drilling, maintaining, operating and producing of a well or wells located thereon.

"Enforcement action" is any administrative, injunctive, or legal action (either civil or criminal), to enforce, cite or prosecute a violation or efforts to abate or correct a violation (or dangerous or hazardous situation caused by a violation), including investigation, research, legal action, physical abatement, law enforcement and other necessary acts.

"Enhanced oil recovery" is an oil recovery enhancement method using techniques that alter the original properties of oil. The techniques employed during enhanced oil recovery can be initiated at any time during the productive life of an oil reservoir. Its purpose is to improve oil displacement or fluid flow in the reservoir. The three major types of enhanced oil recovery operations are chemical flooding (alkaline flooding or micellar-polymer flooding), miscible displacement (carbon dioxide [CO₂] injection or hydrocarbon injection), and thermal recovery (steamflood, see "steaming" below). The optimal application of each type depends on reservoir temperature, pressure, depth, net pay, permeability, residual oil and water saturations, porosity and fluid properties such as oil API gravity and viscosity.

"EPA" refers to the Environmental Protection Agency.

"Facilities" include tanks, compressors, pumps, vessels, and other equipment or structures pertinent to oil field operations sited at a single location.

"Fresh water pollution" is the contamination of fresh water, either surface or subsurface, by salt water, mineral brines, waste oil, oil, gas or other deleterious substances, associated with, produced from, obtained or used in connection with the drilling, development, producing, refining, transporting or processing of oil or gas within the City.

"Gas" means any natural hydrocarbon gas coming from the earth.

"Heavier natural gas liquids" refer to the heavier fractions of natural gas liquids which are extracted as a marketable byproduct during oil and gas processing, and consisting of pentanes and heavier (C₅+) such as natural gasoline.

"High risk operation" means an oil or gas production, processing or storage facility which: (a) has been in violation of any applicable section of this ordinance for more than 30 consecutive days and resulted in the issuance of a notice of determination of fines pursuant to Section 9510.3.5 of this ordinance during the preceding twelve months; or (b) has had two separate unauthorized releases of oil, produced water and/or other hazardous materials of a quantity not less than fifteen barrels (six hundred thirty gallons) other than within secondary containment for each incident during the preceding twelve months

"Hydraulic Fracturing" means a well stimulation treatment that, in whole or in part, includes the pressurized injection of hydraulic fracturing fluid into an underground geologic formation in order to fracture or with the intent to fracture the formation, thereby causing or enhancing the production of oil or gas from a well.

"Idle well" is any well that has not produced oil or natural gas or has not been used for injection for six consecutive months of continuous operation during the last five or more years. An idle well does not include an active observation well.

"Natural gas liquids" (NGLs) refer to those hydrocarbons which are liquefied at the surface in field activities or in gas processing plants, and include propane, butanes, and heavier fractions. Typical transportation of natural gas liquids can involve liquefied petroleum gases, heavier gas liquids, and unfractionated or raw natural gas liquids.

"NFPA" refers to the National Fire Protection Agency.

"New Development" means the placement or erection of any solid material or structure; change in the density or intensity of use of land, including, but not limited to any other division of land, including lot splits, change in the intensity of use of water, or of access thereto; and the construction, reconstruction, demolition, or alteration of the size of any structure.

"Observation well" is a well used to monitor the operational integrity and conditions in a gas storage reservoir, the reservoir protective area or strata above or below the gas storage horizon.

"Oil" includes petroleum, and "petroleum" includes all oil and petroleum resources that can be artificially extracted or otherwise removed from the ground.

"Oil and gas facility" is a primary oil drilling site and all associated operations including pipelines, storage tanks, exploratory facilities (including test wells), drilling facilities, and production facilities.

"Operator" is the person, whether proprietor, lessee or individual contractor, actually in charge and in control of the drilling, maintenance, operation or producing of petroleum from a well or wells.

"OSHA" refers to the Occupational Safety and Health Administration.

"Owner" for purposes of this ordinance, shall refer to the person who owns or controls

the mineral rights to exploit, mine and/or produce any or all of the minerals lying below the surface of the property.

"Person" encompasses any individual, firm, association, corporation, joint venture or any other group or combination acting as an entity.

"Petroleum" is crude oil, natural gas and petroleum derivatives.

"Petroleum Administrator" is the administrative official, and the Petroleum Administrator's designated assistants, inspectors and deputies having the responsibility for the enforcement of this ordinance.

"Petroleum operations" are all activities in connection with the exploration, drilling for and the production of petroleum, gas and other hydrocarbons, together with all incidental equipment and appurtenances thereto.

"Pipelines," for the purposes of this ordinance, shall mean all flow lines for the transportation of hydrocarbons or their by-products or of materials used in the production of unrefined hydrocarbons.

"Production facility" means any equipment attendant to oil and gas production or injection operations including, but not limited to, tanks, flowlines, headers, gathering lines, wellheads, heater treaters, pumps, valves, compressors, injection equipment, and pipelines that are not under the jurisdiction of the State Fire Marshal pursuant to Section 51010 of the Government Code.

"Produced water" is water produced with oil and gas.

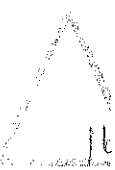
"PSM" refers to process safety management.

"Pure Tones" Noise in which a single frequency stands out contains a "pure tone." A pure tone shall exist if the one-third octave band sound-pressure level in the band with the tone exceeds the arithmetic average of the sound-pressure levels of the two contiguous one-third octave bands by 5 dB for center frequencies of 500 Hertz and above, and by 8 dB for center frequencies between 160 and 400 Hertz, and by 15 dB for center frequencies less than or equal to 125 Hertz. Sources that produce pure tones are often described as being "tonal" and tend to be more noticeable, and potentially annoying, to humans than sources that do not contain pure tones.

"Redevelopment" for the purposes of this ordinance is the development of all of a portion of a current or former oil or gas facility site to another authorized use other than petroleum operations.

"Re-drilling" is the deepening of an existing well or the creation of a partial new well bore some distance below the surface of the earth, including the re-drilling of abandoned wells.

"Re-entry" is the process of cleaning a plugged and abandoned well by drilling, jetting,



or other method.

"Regional Water Quality Control Board" shall mean the Los Angeles Regional Water Quality Control Board.

"RMP" refers to a Resource Management Plan.

"Secondary recovery operations" is any operation where the flow of hydrocarbons into a well are aided or induced with the use of injected substances including but are not limited to the introduction of or subsurface injection of water or gas.

"Secondary containment" means containment, which is external to and separate from the primary containment, typically constructed of masonry block walls.

"Shut down order" is an order by the Petroleum Administrator, fire marshall, or DOGGR official, to restrict or prohibit certain (or all) functions or operations at a facility or by an owner or operator pursuant to authority of this ordinance.

"SPCC" refers to Spill Prevention, Control, and Countermeasures.

"Steam Injection" is a method of thermal recovery in which steam generated at surface is injected into the reservoir through injection or production wells. When steam enters the reservoir, it heats up the crude oil and reduces its viscosity. Cyclic steaming involves the alternating steam injection and subsequent oil production from the same well.

"Steaming" or "Cyclic Steaming" See Steam Injection.

"Structure" is any object that is built or constructed; a tank, edifice or building of any kind or any piece of work artificially built up or composed of parts jointed together in some definite manner.

"Supervisor" means the DOGGR Supervisor.

"Tank setting" shall mean the area on a lease where tanks are located for collecting, testing, treating and/or shipping crude oil or other fluids incidental to petroleum operations.

"Test well" means any well drilled to extend a field or explore a new, potentially productive reservoir.

"Toxic Air Contaminants" means an air pollutant which may cause or contribute to an increase in mortality or in serious illness, or which may pose a present or potential hazard to human health. Reference California Public Resources Code Section 93000.

"USEPA" refers to the United States Environmental Protection Agency.

"Regional Water Quality Control Board" shall mean the Los Angeles Regional Water Quality Control Board.



"Waterflooding" is a method of secondary recovery in which water is injected into the reservoir formation to displace residual oil. The water from injection wells physically sweeps the displaced oil to adjacent production wells.

"Well" any oil or gas well or well for the discovery of oil or gas; any well on lands producing or reasonably presumed to contain oil or gas; any well drilled for the purpose of injecting fluids or gas for stimulating oil or gas recovery, repressuring or pressure maintenance of oil or gas reservoirs, or disposing of waste fluids from an oil or gas field; any well used to inject or withdraw gas from an underground storage facility; or any well drilled within or adjacent to an oil or gas pool for the purpose of obtaining water to be used in production stimulation or repressuring operations; but excluding any well drilled solely for the production of fresh water.

"Well site" means the premises used during the maintaining, operating and producing of a well or wells located thereon.

"Well stimulation treatment" is any treatment or process of a well designed to enhance oil, gas or other hydrocarbon substance production or recovery by increasing the permeability of the underground geologic formation. Well stimulation treatments include, but are not limited to, hydraulic fracturing, acid fracturing, and acid matrix stimulation. A treatment at pressure exceeding the formation fracture gradient shall be presumed to be a well stimulation treatment unless it is demonstrated to DOGGR's satisfaction that the treatment, as designed, does not enhance oil and gas production or recovery by increasing the permeability of the formation. A treatment that involves emplacing acid in a well and that uses a volume of fluid equal to or greater than the Acid Volume Threshold (as defined by DOGGR) for the operation shall be presumed to be a well stimulation treatment unless it is demonstrated to DOGGR's satisfaction that the treatment, as designed, does not enhance oil and gas production or recovery by increasing the permeability of the formation. Well stimulation treatment does not include routine well cleanout work; routine well maintenance; routine treatment for the purpose of removal of formation damage due to drilling; bottom hole pressure surveys; routine activities that do not affect the integrity of the well or the formation; the removal of scale or precipitate from the perforations, casing, or tubing; a gravel pack treatment that does not exceed the formation fracture gradient; or a treatment that involves emplacing acid in a well and that uses a volume of fluid that is less than the Acid Volume Threshold (as defined by DOGGR) for the operation and is below the formation fracture gradient.

"Workover" is the process of performing major maintenance or remedial treatments on an oil or gas well. In many cases, workover implies the removal and replacement of the production tubing string after the well has been killed and a workover rig has been placed on location. Through-tubing workover operations, using coiled tubing, snubbing or slickline equipment, are routinely conducted to complete treatments or well service activities that avoid a full workover where the tubing is removed.

9504 Copies of Adopted Codes and Referenced Publications

This ordinance, insofar as it regulates petroleum operations also regulated by the

California Department of Conservation, Division of Oil, Gas, and Geothermal Resources (DOGGR), is intended to supplement such state regulations and to be in furtherance and support thereof. In all cases where there is conflict with state laws or regulations, such state laws or regulations shall prevail over any contradictory provisions, or contradictory prohibitions or requirements, made pursuant to this ordinance.

9505 Position of Petroleum Administrator

A. The Petroleum Administrator is authorized and directed to enforce the provisions of this ordinance and the codes adopted by reference herein. For such purpose, the Petroleum Administrator shall have the powers of a law enforcement officer. The Petroleum Administrator shall be appointed by the City Manager and subject to the City Manager's authority under Section 2107 of this Code. The Petroleum Administrator is hereby authorized to consult experts qualified in fields related to the subject matter of this ordinance and codes adopted by reference herein as necessary to assist the Petroleum Administrator in carrying out duties. The decisions of the Petroleum Administrator in enforcing, interpreting, or in exercising the authority delegated by the provisions of this ordinance and of the codes adopted hereby shall be deemed final.

B. The Petroleum Administrator shall have the primary responsibility for enforcing the provisions of this ordinance. In the event the Petroleum Administrator is unable to obtain compliance with any of the terms and provisions of this ordinance, or of any resolution of the City Council adopted pursuant thereto, the Petroleum Administrator may order immediate cessation of operations. If such operations are not stopped or if resumed prior to written approval of the Petroleum Administrator, the Petroleum Administrator may request civil action by the City Attorney as authorized by this Code or law, or criminal prosecution by the office of the district attorney, or both.

C. The Petroleum Administrator shall be authorized to appoint such number of officers, inspectors, assistants and other employees for the petroleum unit as shall be authorized by the City Manager subject to Section 2107 of this Code. The Petroleum Administrator may deputize such employees as may be necessary to carry out the functions of the petroleum unit.

9506 Drilling Permit

Prior to any drilling of test or production wells the operator must receive a drilling permit from the Petroleum Administrator, which indicates that the Petroleum Administrator has reviewed and approves of the operator's proposed drilling plans.

9507 Required Procedures for Conditional Use Permits

A. Each drilling, or re-drilling, project to which this ordinance applies is required to receive a Conditional Use Permit (CUP), from the City Planning Commission in order to receive authorization for, and proceed with, the operation of an oil and gas facility, including but not limited to any site development, or resource extraction.



B. All procedures for CUPs to which this ordinance applies shall be consistent with the Article IX, Chapter 1, Part 7 of the Code as well as with the following additional requirements:

9507.1 Conditional Use Permit (CUP) Filing Requirements

In addition to the filing requirements required by Section 9173.1. (Applications) of this Code, for projects within the City to which this ordinance is applicable, the following materials are also required as part of a CUP application for the consideration of the Planning Commission, or the City Council on appeal:

A. A complete statement of the proposed project.

B. A new emergency response plan or updated emergency response plan to deal with potential consequences and actions to be taken in the event of floods, earthquakes, hydrocarbon leaks or fires. The emergency response plan shall be approved by the City's Public Safety and Community Services Manager and the Los Angeles County Fire Department.

C. A phasing plan for the staging of development that includes the estimated timetable for project construction, operation, and completion, as well as, where applicable, the location and amount of land reserved for future expansion.

D. A site plan showing:

1. Property, easement, and pipeline right-of-way boundaries.

2. Proposed road construction or modification.

pipeline right-of- way.

7. Location of existing and proposed wells and petroleum or gas containing equipment and their measured distance from nearby uses, including the closest residential or school property line.

8. Location of all abandoned or idle wells in the field.

9. Proposed alteration of surface drainages.

10. A contour map showing existing and proposed contours.

11. A plan for parking on or off site.

E. Plans with measures to be used to prevent or reduce nuisance effects (e.g., dust, fumes, glare, noise, odor, air pollutants, and vibration) and to prevent danger to life and property.

F. If construction is involved in the proposed project, a construction Best Management Practices (BMP) plan.

G. Estimates of the amount of cut and fill required by the proposed project.

H. A plan for a community alert system to automatically notify area residences and businesses in the event of an emergency at oil or gas facilities that would require residents to take shelter or take other protective actions.

I. If any grading is proposed that results in the loss of vegetated, sandy, permeable ground areas, which could alter surface runoff at the site a site-specific hydrologic analysis shall be completed by the operator and submitted to the Petroleum Administrator to evaluate anticipated changes in drainage patterns and associated increased runoff at the site.

J. If the site is within 1,000 feet of any prohibited zoning as listed in Table 1-1, or if the Petroleum Administrator determines it is necessary, a quiet mode operation plan which includes, but is not limited to, the following noise reduction measures:

1. Using signalers for all backup operations instead of backup alarms and turning off backup alarms;
2. Using radios instead of voice communication;
3. Minimizing crane use and pipe handling operations, pipe offloading from trucks and board loading to the maximum extent feasible and nighttime loading only for safety reasons;
4. Prohibiting material and supply deliveries to the Project Site between the hours of 6 p.m. and 8 a.m. on weekdays and prohibiting deliveries on weekends and holidays, with exceptions only for safety; and
5. Limiting process alarms and communications over the broadcast system to the maximum extent feasible during all operations and use only for safety reasons.

K. A photometric analysis, which compares the baseline of the existing light measurements with the proposed light spill that will result from the oil and gas facility.

L. An Environmental Quality Assurance Program ("EQAP"). (Ref. Section 9529.1).

M. Other information as deemed reasonably necessary by the Petroleum Administrator.

9507.2 Processing and Review

Processing of CUP's shall be consistent with California's Permit Streamlining Act requirements.

A. The applicant may apply for:

1. The drilling operations only;
2. The production facilities only; or
3. Both the drilling and production facilities.

B. The Petroleum Administrator will review the submitted application(s) for completeness in compliance with the filing requirements of Section 9507.1 and any other applicable sections of the Code, and shall refer the filed CUP to appropriate City departments or local and state agencies, as appropriate, for review and comment.

9507.3 Findings and Permitting Conditions

A. In addition to the requirements of Section 9172.21D (Commission Findings and Decision), the Planning Commission shall approve a Conditional Use Permit only if it is able to make affirmative findings of the following criteria:

1. The proposed project will be in conformance with requirements of other local, regional, or State entities;
2. The project will not be detrimental to the comfort, convenience, health, safety, and general welfare of the community, and will be compatible with the uses in the surrounding area;
3. The project will be in compliance with the Development Standards contained in Part 2 of this ordinance, commencing with Section 9521; and
4. The project will not result in an increased level of freshwater pollution or groundwater contamination in the immediate area or cause regulatory water standards at an existing water production well to be violated as defined in the California Code of Regulations, Title 22, Division 4, Chapter 15 and in the Safe Water Drinking Act, as they may be amended.
5. Any existing non-conforming oil facilities located on the proposed project site will already be in conformity, or will be brought into conformity, with all applicable provisions of this ordinance.

B. As a condition of approval of CUP, the Planning Commission may impose appropriate conditions as deemed reasonable and necessary to find consistency with the findings 1 through 5 above.



9507.4 Modifications and Extensions

A. The provisions of Section 9172.21 shall apply for all modifications or extensions requested for petroleum operations.

B. Any petroleum operation in existence and lawfully operating when this ordinance becomes effective, that does not have a CUP or DA for the operation, shall be subject to all of the requirements of this ordinance for any new development or modification of use at the existing facility that requires the issuance of a permit by the City.

9507.5 Change of Ownership Criteria

A. Listing on Permit. Any person who owns or operates an oil or gas facility that is subject to this ordinance shall be listed as a permittee on the permit(s) issued for that facility. Any guarantor for such facility shall be listed on the applicable permit(s), identifying its responsibilities as guarantor. If any owner, operator, or guarantor is a partnership, all partners shall be listed on the permit and the managing partner shall be identified in this list.

B. Acceptance of Permit. Prior to being listed on a permit, any owner or operator of a oil or gas facility that is subject to this ordinance shall provide the City with a letter from a authorized agent or officer of the owner or operator formally accepting all conditions and requirements of the permit. This provision shall not apply to fractional interest owners that are not managing partners.

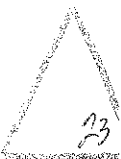
C. Permits Not Transferable. Any CUP issued or authorized pursuant to this Code, for a oil or gas facility that is subject to this ordinance shall not be transferable, whether by operation of law or otherwise, from any existing owner, operator, or guarantor to a new owner, operator, or guarantor, except in accordance with this ordinance.

D. Ongoing Notification. All owners, operators, and guarantors shall, as an ongoing requirement, notify the Petroleum Administrator in writing of any change in the information required by this Section within thirty days of such change.

E. Change of Owner. Any change of owner, merger of the owner with another company, or change of form of business organization, shall require application and approval as provided in this ordinance. Until a change of owner is approved pursuant to this ordinance, the former owner(s) shall continue to be liable for compliance with all terms and conditions of the permit and any applicable requirements of this Code.

F. Change of Operator. A change of operator shall require an application filed with the City within thirty days prior to a change of operator. An application is not required when the change of operator does not entail a substantive change to operations or personnel of the oil or gas facility as determined by the Petroleum Administrator.

G. Change of Guarantor. Any change of guarantor, including merger of the guarantor with another company or change of form of business organization, shall require application and approval as provided in this ordinance. Until a change of guarantor is



approved pursuant to this ordinance, the former guarantor(s) listed on the permit shall continue to be liable for compliance with all terms and conditions of the permit and any applicable Section of the Code.

H. Liability for Compliance with Permit Conditions. Any owner, operator or guarantor listed on a permit pursuant to this ordinance shall comply with all conditions of such permit, as applicable, to owners, operators and guarantors. Failure to comply with such permit conditions shall subject the owner, operator or guarantor to the applicable penalty and enforcement provisions of this Code or other applicable ordinance for such permits.

I. Liability for Abandonment. The current owner or operator, as determined by the records of the Petroleum Administrator, of a facility subject to this ordinance shall be responsible for the proper abandonment of the facility. If the Petroleum Administrator determines that the current owner or operator does not have the financial resources to fully cover the cost of abandoning the facility, the immediately preceding owner or operator shall also be responsible for the cost of abandoning the facility.

If the immediately preceding owner or operator also does not have sufficient financial resources, the Petroleum Administrator may continue to look seriatim to previous owners or operators until an owner or operator, or a combination of owners or operators, is found that the Petroleum Administrator determines have the financial resources to cover the cost of abandoning the facility.

9508 Procedures for Development Agreements

Each drilling project to which this ordinance applies that includes 3 or more total wells¹ on a oil and gas facility site will require a development agreement (DA) between either the owner or operator, or both, and the City. Any re-drilling of wells shall be considered a new well for the purposes of calculating total wells subject to the requirements for a DA. The procedures for development agreements will comply with Government Code Division 1, Chapter 4, Article 2.5 and the following additional requirements:

9508.1 Filing Requirements

A. Only a qualified applicant may file an application to enter into a development agreement. A qualified applicant is a person(s) who has the entire legal interest in the real property of the oil or gas facility site, or a person(s) who has the entire equitable interest in the real property for the gas or oil facility site and is joined by the legal interest holder in the application. The qualified applicant shall provide proof of ownership interest, including any oil and gas leases, in any mineral rights associated with the petroleum operation. The applicant shall provide to the Petroleum Administrator proof of interest in the real property in the form of a title report by a California title insurance company and proof of the authority of the agent or representative, to act for the applicant. Said proof

¹ For purposes of this Section, "total wells" shall mean the cumulative number of existing and proposed wells on an oil and gas facility site.



of interest and proof of authority shall be subject to review and approval by the City Attorney.

B. The Petroleum Administrator shall prescribe the form for each application, notice and documents provided for or required under these regulations for the preparation and implementation of development agreements. The applicant shall complete and submit such an application form to the Petroleum Administrator, along with a deposit for the estimated direct and indirect costs of processing the development agreement. The applicant shall deposit any additional amounts for all costs and fees to process the development agreement, including all legal fees, within 15 days of request by the Petroleum Administrator. Upon either completion of the application process or withdrawal of the application, the City shall refund any remaining deposited amounts in excess of the costs of processing.

C. The Petroleum Administrator may require an applicant to submit such information and supporting data as the Petroleum Administrator considers necessary to process the application.

D. A community benefit assessment to evaluate the benefits the DA will provide to the community.

9508.2 Processing and Review

A. The Petroleum Administrator shall endorse on the application the date it is received. An application or related document shall not be complete until an estimated deposit for the cost of processing has been paid to the City. If within 30 days of receiving the application the Petroleum Administrator finds that all required information has not been submitted or the application is otherwise incomplete or inaccurate, the processing of the application and the running of any limits shall be suspended upon written notice to the applicant and a new 30 day period shall commence once the required material is received by the Petroleum Administrator. If the Petroleum Administrator finds that the application is complete it shall be accepted for filing. The Petroleum Administrator shall review the application and determine the additional requirements necessary to complete processing of the agreement. After receiving the required information and the application is complete, the Petroleum Administrator shall prepare a staff report and recommendation to the Planning Commission and City Council stating whether or not the agreement as proposed or in an amended form would be consistent with policies of the City, this Code and any applicable general or specific plan. The City Attorney shall review the proposed development agreement as to legal form.

B. Notice of a hearing regarding the development agreement must be given by the Petroleum Administrator and comply with the requirements of Government Code Section 65867, as may be amended, as well as in the manner set forth in Section 9173.22 Article IX, Chapter 1, Part 7 of the Code, except that the Petroleum Administrator, not the Director, shall be responsible for providing notice.



C. The Planning Commission shall review the proposed development agreement and provide a recommendation to the City Council to approve, approve with modifications or deny the proposed development agreement. If the Planning Commission fails to take action within 60 days of opening the hearing on the matter, it shall be deemed to have made a recommendation of denial to the City Council unless the applicant has requested an extension of time, either in writing or on the record, which has been approved by the Planning Commission prior to the running of the 60th day.

D. The proposed development agreement shall be set for hearing and consideration before the Council within 60 days of the recommendation of the Planning Commission, unless the applicant agrees in writing to an extension of time with the Petroleum Administrator prior to the matter being heard by the Council.

E. Within 10 calendar days after the City enters into the development agreement, the City Clerk shall have the agreement recorded with the County Recorder. If the parties to the agreement or their successors in interest amend or cancel the agreement as provided in Government Code Section 65868, or if the City terminates or modifies the agreement as provided in Government Code Section 65865.1 for failure of the applicant to comply in good faith with the terms or conditions of the agreement, the City Clerk shall have notice of such action recorded with the County Recorder.

9508.3 Findings and Development Agreement Conditions

A. After the City Council completes the public hearing, it may not approve the development agreement unless it finds that the provisions of the agreement:

1. Are consistent with the goals, objectives, and policies of the general plan and any applicable specific plan;
2. Are compatible with the uses authorized in, and the regulations prescribed for the zoned district in which the real property is located;
3. Are in conformity with public convenience, general welfare and good land use practice;
4. Will not be detrimental to the health, safety and general welfare of the community;
5. Will not adversely affect the orderly development of property or the preservation of property valued; or
6. Provides for a penalty for any violation of the development agreement consistent with the provisions of Section 9514.



9508.4 Modifications and Extensions

A. The provisions of Government Code Section 65868 shall apply for all modifications, extensions or other amendments of the terms of a development agreement subject to this ordinance.

B. Any oil and gas facility operation in existence and lawfully operating prior to the adoption of this ordinance, that does not have a CUP or development agreement for the operation shall be required to comply with this ordinance for any new development or modification of uses at the existing oil and gas facility that would require a CUP or a development agreement.

C. Either party may propose an amendment or termination of an approved development agreement subject to the following:

1. The procedure for amending or terminating, the development agreement is the same as the procedure for entering into an agreement in the first instance.
2. If the City initiates the proposed amendment to or cancellation in whole or in part of the development agreement, it shall first give notice to the parties to the development agreement of its intention to initiate such proceedings at least 30 calendar days in advance of the giving of notice of intention to consider the amendment or cancellation.

9509 Periodic Review

The City may choose to conduct a comprehensive review of a CUP or DA every five years from the date of approval to determine if the project and the associated CUP or DA are adequately mitigating significant environmental impacts caused by the drilling and operations, and consider adding reasonable conditions, which incorporate proven technological advances, as deemed appropriate through City review. Nothing in this section shall limit the City's authority to conduct a review at more frequent intervals, engage in mitigation monitoring as required by CEQA, or otherwise act as directed or authorized by law.

A. Within 30 days from the request by the City, the operator shall deposit to the City the funds necessary for the City to retain a third party entity to prepare a periodic review, which includes operational records, and analysis of the effectiveness of this ordinance, enforcement activity, and any other issues associated with potentially adverse effects of oil and gas facility operations. A periodic review will be funded by the operator every 5 year period following approval. If the periodic review identifies significant deficiencies in the CUP or DA that are resulting in unmitigated adverse impacts then the Petroleum Administrator may identify these deficiencies and bring forward recommendations of corrective actions to the Planning Commission.

B. A CUP or DA may also be reviewed by the Petroleum Administrator at any time, if more than three violations occur within a twelve month period and the Petroleum

21

Administrator determines that resolution of the violations may be addressed by an amendment to the CUP or DA. The Petroleum Administrator shall make a recommendation of amendments to the Planning Commission for CUPs and the City Council for DAs, as reasonably deemed necessary.

9510 Site or Well Abandonment, Well re-abandonment, Restoration and Redevelopment of the Site Procedures

The following provisions shall be implemented for oil or gas facility site, site or well abandonment, well re-abandonment, restoration and redevelopment of site procedures:

9510.1 Purpose and Intent

A. Section 9510 et seq. establishes procedures to achieve the timely abandonment of applicable land uses, and following the abandonment, the timely and proper removal of applicable oil and gas facilities, reclamation and remediation of host sites, and final disposition of pipelines, in compliance with applicable laws and permits. This Section also establishes procedures for abandonment and re-abandonment of individual well(s), in compliance with applicable laws and permits, where petroleum operations will be continuing at the oil and gas facility site. Finally, this Section establishes redevelopment procedures.

B. The procedures ensure appropriate due process in differentiating idled from abandoned facilities and protecting the vested rights of permittees while also ensuring that facilities with no reasonable expectation of restarting are removed, in compliance with the intent of abandonment permits. The procedures also ensure a process for abandoning or re-abandonment of facilities where petroleum operations will continue at the site, as well as procedures for redevelopment of a site to another use.

C. Timely abandonment, re-abandonment, remediation, reclamation and redevelopment provide a public benefit by avoiding unnecessary delays in the removal of applicable oil and gas facilities and the restoration of any residual contamination that may result during operations, and providing an effective means of mitigating several significant environmental and socioeconomic effects, including aesthetics, compatibility with surrounding land uses, contamination from leaking abandoned wells, public health and safety for future non-petroleum uses at the site, and risk of default on demolition and reclamation obligations by the permittee.

9510.2 Applicability

Oil and gas development subject to this ordinance shall include all permitted uses identified in Section 9502 of this Code, or those sites that at one time handled, natural gas, natural gas liquids, oil, produced water, or waste water that originated from a petroleum reservoir, regardless of whether these uses were permitted in compliance with this ordinance or any preceding ordinance. This includes, all pipeline systems, except for public utility natural gas transmission and distribution systems, that either transport or at one time transported natural gas, oil, produced water, or waste water that originated from

a reservoir, regardless of whether these uses were permitted in compliance with this Code or any preceding ordinance.

9510.3 Application Process

The procedures for processing an abandonment, re-abandonment, and site restoration permit shall utilize the notice, hearing and appeal process for a Conditional Use Permit as detailed in Article IX, Chapter 1, Part 7 of the Code. For any item required to be submitted less than 180 days in advance, the Petroleum Administrator has the discretion to process and approve the application. Any person may submit an appeal to the Petroleum Administrator or the Planning Commission within 15 days of the Petroleum Administrator's notice of decision consistent with Section 9173.4. Mandatory requirements of the Code are not subject to appeal. All procedures shall be consistent with the following requirements:

9510.3.1 Requirement to File an Application

A. Complete Abandonment of Petroleum Operations: The owner or operator shall submit an application to the Petroleum Administrator upon intentional abandonment of the entire petroleum operation or facility. The application for abandonment and site restoration proceedings shall be submitted 180 calendar days prior to the planned shutdown of all the facilities.

B. Partial Abandonment of Petroleum Operations: If any portion of the oil or gas facility is being abandoned, or if a well is being re-abandoned, the owner or operator shall submit an application to the Petroleum Administrator for partial abandonment of petroleum operations. Said application shall be submitted not later than 30 calendar days prior to abandonment or re-abandonment of wells involving less than 10% of the total number of wells on site or 10 wells, whichever is more; all other applications shall be submitted not later than 180 calendar days prior to abandonment, re-abandonment or restoration.

C. Redevelopment of a Former Gas or Oil Site: If redevelopment of a use other than a petroleum operation is proposed at a completely or partially abandoned oil or gas facility site, the owner or applicant shall submit an application to be processed as either a Site Plan or Conditional Use Permit consistent for that use under Chapter 1, Article IX of this Code. Said application shall include the content required by Section 9510.3.2, and the Site Plan or Conditional Use Permit shall comply with the development standards of Section 9537.

D. Other Events Requiring an Application. The owner or operator land use shall submit an application for abandonment, re-abandonment, and site restoration proceedings to the Petroleum Administrator upon any of the following:

1. Any event or condition designated in an existing City permit or entitlement that would require consideration of abandonment. The Application shall be submitted 90 days in advance of the event or condition. If the event or



condition cannot be known until after it occurs, the application must be submitted within 15 days of the event or condition.

2. The permitted land use or an independent business function of a permitted land use has become idle in that it has not been used for six consecutive months of continuous operations during a five year period or longer. The application shall be submitted 180 days prior to the expiration of the five year period.
3. Upon the revocation, expiration, or failure to obtain or maintain in full force and effect permits required by the provisions of this ordinance. The application shall be submitted within 30 days of the revocation, expiration or failure to obtain or maintain such a required permit.
4. Upon order of DOGGR. The application shall be submitted within 30 days of a DOGGR order to abandon, re-abandon, and restore the site.
5. Detection of a leak of an abandoned or re-abandoned well. The application shall be submitted as soon as possible, but not later than 30 days of knowledge of the leak by the owner or operator, regardless whether notice is obtained through a leak test conducted consistent with Section 9537(C) or through other means.

9510.3.2 Content of Application

The application shall be in a form and content specified by the Petroleum Administrator and this Section. The application shall contain the following:

- A. Name, address, and contact information for the permittee.
- B. Name, address, and general description of the permitted land use.
- C. Gross and net acreage and boundaries of the subject property.
- D. Location of all structures, above and underground, proposed to be removed.
- E. Location of all structures, above and underground, proposed to remain in-place.
- F. Locations of all structures, above and underground, proposed for development
- G. Location of all wells, including active, idled, abandoned or re-abandoned wells, including distances from site boundaries, and existing and proposed structures. Each well shall include the DOGGR well name and number, as well as the American Petroleum Institute (API) well number. If available, the location of the wells shall be identified with the name of the operator and well designation. Redevelopment of all or a portion of a former gas or oil site for use other than a petroleum operation shall also require a licensed survey of all wells within the area of development and include the North American Datum of 1983 (NAD 83) well location or equivalent.

H. An American Land Title Association (A.L.T.A) survey of the site, showing all improvements, easements, rights-of-way, and other elements impacting the ownership of land.

I. Location of all utilities on the subject property.

J. Location of all easements on or adjacent to the subject property that may be affected by demolition or reclamation.

K. To the extent known, the type and extent of all contamination and proposed remedial actions to the level of detail that can be assessed through environmental review. This information does not require a new or modified Phase 2 site assessment in advance of any requirement by the Fire Department or State agencies with regulatory oversight of site assessments.

L. Location of areas of flood, geologic, seismic, and other hazards.

M. Location of areas of archeological sites, habitat resources, prime scenic quality, water bodies, and significant existing vegetation.

N. Location and use of all structures within 100 feet of the boundaries of the subject property.

O. A proposed abandonment, re-abandonment and restoration plan that details the activities for the proposed action, including the following details: hours of operation, estimated number of workers required on site to decommission facilities and structures or to otherwise abandon or re-abandon wells, disposition of equipment and structures proposed for decommissioning, projected method and routes of transporting equipment, structures, and estimated debris from the site to the place of disposition as well as the number of trips required, and an estimated schedule for decommissioning the facilities or completion of the work.

P. A proposed waste-management plan to maximize recycling and minimize wastes.

Q. Other permit applications that may be required by the Code to retain any existing structures, roadways, and other improvements to the property that were ancillary to the oil or gas operations and are proposed to be retained to support other existing or proposed uses of the property following abandonment of the oil or gas operations.

R. A proposed grading and drainage plan.

S. A proposed plan to convert the site to natural condition or convert to other proposed land use, including a detailed schedule for restoring the site. In the latter case, include other applicable permit applications required, if any, for the proposed land use.

T. A statement of intent regarding the disposition of utilities that served the oil and gas operations, including fire protection, power, sewage disposal, transportation, and water.

U. Measures proposed to be used to prevent or reduce nuisance effects (e.g., dust, fumes, glare, noise, odor, smoke, traffic congestion, vibration) and to prevent danger to life and property.

V. A copy of DOGGR approval to abandon, re-abandon or remediate well(s).

W. A leak test report for each abandoned or re-abandoned well(s) on the site that meets the requirements of Section 9537(C) and has been accepted by the Petroleum Administrator within the past 24 months.

X. For abandonment, re-abandonment or restoration in any circumstances where the permit is approved by the Petroleum Administrator, proof of mailed notice of intent to seek a permit to abandon, re-abandon or restore to the owner of record on the latest assessment roll for neighboring parcels within 500 feet of the oil and gas facility site property boundaries. The notice shall generally describe the scope of the activity being proposed.

Y. Any other information deemed reasonably necessary by the Petroleum Administrator to address site-specific factors.

9510.3.3 Permitting Specifications

A. Application Filing. The Petroleum Administrator shall process complete applications for permits after determining the applications to be complete in compliance with Section 9510.3.2 of this Code, and submit applications subject to initial Planning Commission review to the Planning Commission with a recommendation regarding approval if the findings in Section 9510.3.4 are met. An application shall not be complete unless the applicant has made a deposit for the estimated direct and indirect costs of processing the application. The applicant shall deposit any additional amounts for the costs to process the application, including legal review, within 15 days of request by the Petroleum Administrator. Upon either completion of the permitting process or withdrawal of the application, the City shall refund any remaining deposited amounts in excess of the direct and indirect costs of processing.

B. Independent or concurrent processing of applications. For applications subject to initial Planning Commission review, the Planning Commission shall process complete applications for abandonment and site restoration permits independently of any other permit applications to develop the site in question, unless the Petroleum Administrator makes the determination that the concurrent processing of abandonment and site restoration permits and development permits for the same site do not unduly hinder timely restoration of abandoned sites or result in long delays in securing approval of development permits.

C. Demolition and restoration permit shall supersede. Upon approval of a demolition and restoration permit subject to initial approval by the Planning Commission, or upon abandonment of operations, whichever occurs later, the demolition and reclamation

permit shall supersede any discretionary permit approved for construction and operation of the facilities.

D. Conditions of Permit: In addition to any other requirements of this Code, any permit for abandonment, re-abandonment or restoration shall be subject to the following requirements regardless whether initially approved by the Petroleum Administrator or the Planning Commission:

1. Oil well abandonment shall be performed by oil service company contractors licensed to do business in the city.
2. All equipment and surface installations used in connection with the well which are not necessary, as determined by the Petroleum Administrator or Planning Commission, for the operation or maintenance of other wells of on the drill or operation site shall be removed from the site.
3. The abandoned or re-abandoned well site or portions of the oil and gas facility shall be restored to its original condition or as nearly as is practical given the nature of the location and continuing uses for oil and gas facility site.
4. All sumps, cellars, and ditches which are not necessary for the operation or maintenance of other wells of on the oil or gas facility site shall be cleaned out and all oil, oil residue, drilling fluid, and rubbish shall be removed or bio-remediated to reduce hydrocarbons to standards acceptable to federal, state, or local agencies. All sumps, cellars, and ditches shall be leveled or filled. Where such sumps, cellars, and ditches are lined with concrete, the owner or operator shall cause the walls and bottoms to be broken up and all concrete shall be removed.
5. The portions of the site not necessary for continuing oil or gas facility operations shall be cleaned and graded and left in a clean and neat condition free of oil, rotary mud, oil-soaked earth, asphalt, tar, concrete, litter, and debris.
6. All public streets, alleys, sidewalks, curbs and gutters, and other places constituting public property which may have been disturbed or damaged in connection with any operation, including operations for the abandonment or re-abandonment of the well shall be cleaned, and, except for ordinary wear and tear, shall be repaired and restored to substantially the same condition thereof as the same existed at the time of issuance of the permit, or at the time operations were first commenced in connection with the drilling, operation, or maintenance of the well.
7. A copy of written approval of DOGGR confirming compliance with all state abandonment proceedings for all abandoned facilities must be furnished to the Petroleum Administrator.

8. Proposed restoration will leave the subject site in a condition that is compatible with any existing easements or dedications for public access through, or public use of a portion of the property.
9. Prior to issuance of the permit, the owner shall record declaration of a covenant, in a form subject to the review and approval of the City Attorney, putting future owners and occupants on notice of the following: the existence of abandoned oil wells on the site; that the wells within the site have been leak tested and found not to leak; description of any methane mitigation measures employed; disclosure that access to these wells has been provided to address the fact that they may leak in the future causing potential harm; acknowledgment that the state may order the re-abandonment of any well should it leak in the future; acknowledgment that the state does not recommend building over wells; and releasing and indemnifying the City for issuing any project permit or entitlement for the project. The covenant shall run with the land, apply to future owners, and may only be released by the City.

9510.3.4 Findings Required for Approval

In addition to the findings specified in 9172.21 of the Code, for permits the Petroleum Administrator or Planning Commission shall also make affirmative findings based on the following criteria:

A. The subject site will be restored and remediated to its pre-project natural conditions unless areas within the site are subject to approved development, in which case restoration and landscaping of these areas will conform to the permitted development. In cases where development is proposed but not yet permitted, restoration of affected areas to natural conditions may be waived by the Planning Commission; provided, the development is permitted within five years and the permittee has posted financial assurances acceptable to the Petroleum Administrator to ensure restoration to natural conditions if the proposed development is not permitted.

B. The proposed restoration will leave the subject site in a condition that is compatible with any existing easements or dedications for public access through, or public use of a portion of the property

C. The permit conditions comply with Section 9510.3.3 and contain specific enforceable requirements to ensure the timely completion of any abandonment or re-abandonment of wells, restoration activities or cessation of other oil and gas facility operations subject to the permit.

9510.3.5 High-risk Operations

A. Upon determination that any petroleum production, processing or storage operation meets the definition of high risk operation from section 9503, the Petroleum Administrator shall give the owner and operator written notice of the Petroleum

Administrator's intent to declare the operation a high risk operation under this Section. The intent of this Section shall be to remediate the high-risk operation and bring the oil or gas facility and the operator within normal, safe operating standards and protect the public safety, health and environment. The written notice of the intent to declare the operation a high-risk operation shall include:

1. Facts substantiating the declaration; and
2. An advisory regarding the right to appeal the declaration.

B. Along with the determination of the facility being a high risk operation, the Petroleum Administrator may take either or both of the following actions:

1. An investigation of the causes leading up to the high risk designation;
2. Require a mandatory restoration plan submitted by the operator. Such plan shall include, but is not limited to:
 - i. A mandatory restoration schedule for bringing the facility and operator within normal, safe operating standards. Such schedule does not supersede any timeline for abatement otherwise established for individual outstanding violations.
 - ii. An audit of overall facility operation(s):
 - a. The audit shall be conducted by an independent third party approved by the Petroleum Administrator. Costs associated with the audit shall be borne by the operator;
 - b. The audit shall identify and analyze the root causes leading to the high risk designation;
 - c. The audit shall further identify and analyze other potential areas in overall facility operation that could impact the facility's ability to operate within safe and normal standards (e.g. personnel training, operational policies, internal procedures, etc.);
 - d. Provide a plan for remediating all issues identified in the audit, including a mandatory schedule for remediating those issues. Such restoration plans shall be subject to approval by the Petroleum Administrator.
 - e. The audit may be ordered in lieu of, or in addition to the investigation undertaken by the Petroleum Administrator.
 - iii. Any other requirements the Petroleum Administrator deems necessary to bring the facility and operation within normal, safe operating standards for the purposes of protecting the public safety, health and environment.

C. The owner or operator of the high risk operation shall carry out the approved restoration plan and shall be responsible for paying all reasonable costs associated with the implementation of the plan, including:

1. City staff time in enforcing these provisions at an hourly rate that provides for full cost recovery of the direct and indirect costs. Staff time shall include, but is not limited to, the ongoing monitoring and verification of compliance with the approved restoration plan;
2. Investigative, research (including legal research) and consulting costs associated with preparation of the restoration plan;
3. Third party costs for investigation, consultation, engineering, clean-up, operator staff training, operations and all other related costs necessary to carry out the restoration plan;
4. Any other costs necessary to remediate the high risk operation as ordered by the Petroleum Administrator.

D. At the sole discretion of the Petroleum Administrator, at any time during which a facility or operator is subject to this Section, the Petroleum Administrator may require a bond be posted to cover the cost of remediating the causative problems of the high risk operation.

E. The designation of high risk operations or high risk operator shall continue to apply until the goals and guidelines of the restoration plan established hereunder is achieved. The high risk operator shall notify the Petroleum Administrator when a milestone in the restoration plan has been satisfied. The Petroleum Administrator may conduct independent verification of the compliance upon such notification. The restoration plan may be amended from time to time as necessary to achieve the purposes of this Section.

F. Failure of the owner or operator of a high risk operation to post a bond required under this Section, prepare the restoration plan within a reasonable timeframe as ordered by the Petroleum Administrator, or to reasonably achieve the goals and guidelines of an approved restoration plan under this Section, may be cause for a shutdown of the high risk operation(s) or any other petroleum operations located in the City that are co-owned or co-operated by the high risk operator, at the discretion of the Petroleum Administrator.

G. The owner or operator of a high risk operation shall compensate the City for any costs associated with the enforcement of this Section within 30 days of written demand by the Petroleum Administrator. Any City costs associated with enforcement of this Section, which are not promptly paid by the owner or operator shall be subject to enforcement by tax bill lien or other collection methods at the discretion of the City.

H. The City may institute legal proceedings to require compliance provisions with this Section.

9511 Operational Noticing

A. Each operator must submit copies of all notices provided to or received from DOGGR, in writing, to the Petroleum Administrator, within ten business days of transmission or receipt of such notices, as applicable.

B. The operator of (or any person who acquires) any well, property, or equipment appurtenant thereto, whether by purchase, transfer, assignment, conveyance, exchange or otherwise, shall each notify the Petroleum Administrator within ten business days of the transaction closing date. The notice shall contain the following:

1. The names and addresses of the person from whom and to whom the well(s) and property changed.
2. The name and location of the well(s) and property.
3. The date of acquisition.
4. The date possession changed.
5. A description of the properties and equipment transferred.
6. The new operator's agent or person designated for service of notice and his address.

C. The operator of any well shall notify the Petroleum Administrator, in writing, of the suspension of any drilling operations greater than five days. The operator shall notify the Petroleum Administrator in writing upon the resumption of operations giving the date thereof.

D. The operator shall report any violations of state or federal laws that occur on an oil and gas facility site to the Petroleum Administrator within 30 days of their date of documentation by a state or federal agency.

9512 Compliance with City Codes and Ordinances

All complaints related to activities regulated by this ordinance received by the operator shall be reported within one business day to the Petroleum Administrator. If the complaint is received after normal business hours, it shall be reported to the Petroleum Administrator at the opening of the next business day. In addition, the operator shall maintain a written log of all complaints and provide that log to the Petroleum Administrator on a quarterly basis. Depending upon the nature of the complaint and determination from the Petroleum Administrator, the operator shall report the complaint to the SCAQMD, DOGGR, and any other appropriate agencies with oversight authority regarding the complaint at issue.

9513 Injunctive Relief

In addition to any administrative remedies or enforcement provided in this Code, the City may seek and obtain temporary, preliminary, and permanent injunctive relief to prohibit violation or mandate compliance with this ordinance. All remedies and enforcement procedures set forth herein shall be in addition to any other legal or equitable remedies provided by law.

9514 Notice of Violation and Administrative Fines

A. The operator shall also be subject to a fine for violation of any requirement of a CUP or this ordinance as determined by the Petroleum Administrator, subject to the following:

1. Depending on the specific type and degree of the violation, the operator in violation may be fined at a rate of \$5,000 to \$10,000 per day, per violation, until it is cured, but in no event, in an amount beyond that authorized by state law. The Petroleum Administrator will develop a violation fee schedule for Council for approval to specifically identify the fees associated with oil or gas facility violations. This violation fee schedule may also include nuisance violations.
2. In the event of a violation of any of the City's permitting actions, a written notice of violation and the associated fine determination will be sent to the operator by the Petroleum Administrator. The operator shall deposit the sum of \$100,000 in an interest-bearing trust fund with the City within thirty days of the date of the second violation notice sent to the operator by the Petroleum Administrator, to establish a draw down account. If the noted violation is not corrected within thirty calendar days to the satisfaction of the Petroleum Administrator, or if steps satisfactory to the Petroleum Administrator have not been initiated during that period to affect a cure or to seek modification of the condition, the penalty amount cited in the written notice will be deducted from the account.

B. Nothing in this Section or ordinance shall limit the City's ability to pursue other enforcement procedures, including CUP revocation proceedings, actions to enforce a DA, or other legal or equitable remedies provided by this Code or available under the law.

9515 Nuisance Procedures

Any violation of this ordinance is hereby declared to be a public nuisance for the purposes of Section 5702, and may be abated pursuant to the procedures set forth in Article V, Chapter 7 (Property Maintenance) of this Code. The procedures for abatement shall not be exclusive, and shall not in any manner limit or restrict the City from otherwise enforcing this ordinance or abating public nuisances in any other manner as provided by law, including the institution of legal action by the City Attorney to abate the public nuisance at the request of the Director in charge of enforcing Chapter 7 of this

Code.

9516 Compliance Monitoring

A. Environmental Compliance Coordinator(s). The City may hire Environmental Compliance Coordinators as needed to oversee the monitoring and condition compliance requirements of the City's permitting actions subject to regulation under this ordinance, the costs of which shall be reimbursed by operator. The number of Environmental Compliance Coordinators shall be determined by the City and shall take into account the level of petroleum operations associated with the project site. The Environmental Compliance Coordinator(s) shall be approved by, and shall report to, the Petroleum Administrator consistent with the City Manager's authority under Section 2107 of this Code. The responsibilities of the Environmental Compliance Coordinator(s) shall be determined by the City for the project site and shall generally include:

1. On-site, day-to-day monitoring of construction, drilling and redrilling, operational or abandonment and site restoration activities as determined by the Petroleum Administrator.
2. Taking steps to ensure that the operator, and all employees, contractors and other persons working in the project site, have knowledge of, and are in compliance with all applicable provisions of the conditional use permit or development agreement.
3. Evaluating the adequacy of drilling, redrilling, and construction and redevelopment impact mitigations, and proposing improvements to the operator or contractors, and the City.
4. Reporting responsibilities to the various City departments with oversight responsibility at the project site, as well as other agencies such as DOGGR, and SCAQMD.

B. Compliance Deposit Account. An applicant must establish a compliance deposit account with the City within 30 days of receiving authorization for a CUP or DA from the City. The compliance security deposit amounts shall be determined by the Petroleum Administrator, and shall be based on the nature and extent of the compliance actions required.

9517 Financial Assurances Applicability

A. Sections 9518 through 9520 shall apply to any person who owns, operates or guarantees performance for or who seeks to own, operate or guarantee performance for any oil or gas facility involved in exploration, production, processing, storage or transportation of oil or gas extracted from reserves in the City of Carson:

B. This ordinance shall not apply to the change of owner, operator or guarantor of the following:



1. Sales gas pipelines operated by a public utility and regulated by the California Public Utilities Commission;
2. A change of ownership consisting solely of a change in percentage ownership of a facility and which does not entail addition or removal of an owner or affect any financial guarantee for a permit.

9518 Operator's Financial Responsibilities

The applicant shall be fully responsible for all reasonable costs and expenses incurred by the City or any City contractors, consultants, or employees, in reviewing, approving, implementing, monitoring, or enforcing this ordinance or any CUP, DA, or permit, including but not limited to, costs for permitting, permit conditions implementation, mitigation monitoring (including well abandonment and re-abandonment), reviewing and verifying information contained in reports, undertaking studies, research and inspections, administrative support, and including the fully burdened cost of time spent by City employees, City Attorney, or third-party consultants on such matters.

9519 Securities and Bond Requirements

A. The Operator shall file a faithful performance bond with the Petroleum Administrator consistent with the following bonding requirements:

1. The Petroleum Administrator shall determine the amount of the bond based on the total number of wells, proposed operations, size and nature of the property, appropriate environmental studies on the property, including a Phase I, II or Human Health Risk Assessment Reports and other relevant conditions related to the proposed wells or operations at a specific oil or gas facility.
2. The amount of the bond shall be sufficient to assure the completion of the abandonment, necessary re-abandonment, site restoration, and remediation of contamination of the oil or gas facility if the work had to be performed by the City in the event of forfeiture. The performance bond shall be inflation indexed to ensure the amount of the bond shall be sufficient to assure completion of the abandonment, restoration and remediation of contamination of the oil or gas facility.
3. Prior to expansion of an oil or gas facility, the operator shall apply to the Petroleum Administrator for a determination of the amount of the bond necessary to ensure completion for both the existing and expanded operations. In addition, every bond shall be re-assessed by the Petroleum Administrator every 5 years to ensure the amount is sufficient to ensure the completion of the abandonment, site restoration, and remediation of contamination of the oil or gas facility.
4. Upon application by the owner or operator, the petroleum operator may reduce bonding amounts based upon change of physical circumstances,

40

completion or partial completion of work, or significant reduction in cost to perform the work. In no event shall the amount of the bond be reduced to an amount insufficient to complete any remaining work, nor shall the bond be reduced due to economic hardship or similar considerations.

5. After completion of all abandonment and site restoration requirements, the bond shall be maintained in a sufficient amount to ensure remediation of contamination at the oil or gas facility site for a period not less than 15 years.

6. In no event shall the bonding amount be less than \$50,000 per well

B. In lieu of these bonding requirements, an operator may also submit any other legally adequate and binding financial mechanism, subject to City Attorney approval, to satisfy the monetary assurance requirements set by the Petroleum administrator to assure completion of the abandonment, restoration and remediation of contamination of the oil or gas facility.

C. For any evaluation of bonding amounts by the Petroleum Administrator in this Section, or evaluation of a financial mechanism proposed in lieu of a bond by the City Attorney, the operator shall deposit the estimated costs with the Petroleum Administrator with the application, and shall also make any additional deposit(s) within 30 days of written request by the Petroleum Administrator. The Petroleum Administrator may retain consultants or other experts in the industry to assist in deriving a bond amount.

9520 Operator Liability Insurance

The operator or any contractor of any petroleum operation subject to this ordinance shall provide, or cause to be provided, the insurance described below for each well, and shall maintain such insurance until the well is abandoned and the site restored. The operator or contractor must provide to the City sufficient documentation that the insurance complies with the minimum requirements and coverage amounts of this Section before a permit may be issued.

A. General provisions regarding insurance:

1. The operator or any contractor shall pay for and maintain in full force and effect all policies of insurance described in this Section with an insurance company(ies) either (i) admitted by the California Insurance Commissioner to do business in the State of California and rated not less than "A-VII" in Best's Insurance Rating Guide, or (ii) authorized the Petroleum Administrator.
2. In the event any policy is due to expire, the operator or any contractor shall provide a new certificate evidencing renewal of such policy not less than 30 calendar days prior to the expiration date of the expiring policy. Upon issuance by the insurer, broker, or agent of a notice of cancellation in coverage, operator or any contractor shall file with the Petroleum Administrator a new certificate and all applicable endorsements for such policy.

3. Liability policies shall name as "additional insured" the City, including its officers, officials, agents, employees and authorized volunteers.
4. All policies shall be endorsed to provide an unrestricted 30 calendar day written notice in favor of City of policy cancellation of coverage, except for the Workers' Compensation policy which shall provide a 10 calendar day written notice of such cancellation of coverage.
5. The operator shall present to the Petroleum Administrator copies of the pertinent portion of the insurance policies evidencing all coverage and endorsements required by this Section before the issuance of any permit subject to this ordinance, and the acceptance by the City of a policy without the required limits or coverage shall not be deemed a waiver of these requirements. The City may, in its sole discretion, accept a certificate of insurance in lieu of a copy of the pertinent portion of the policy pending receipt of such document by the City. After the issuance of the permit, the City may require the operator to provide a copy of the most current insurance coverage and endorsements for review at any time. The operator will be responsible for paying an administration fee to cover the costs of such review as may be established by the City's fee schedule.
6. Claims-made policies shall not be accepted except for excess policies and environmental impairment (or seepage and pollution) policies.
7. Insurance coverage amounts set forth shall be reviewed by the Petroleum Administrator as required by Section 9509 to ensure adequate insurance is maintained.

B. Required insurance coverage:

1. Commercial or comprehensive general liability insurance:
 - i. Bodily injury and property damage coverage shall be a minimum combined single limit of \$10,000,000 per occurrence with an annual general aggregate coverage of \$25,000,000. This coverage must include premises, operations, blowout or explosion, products, completed operations, blanket contractual liability, underground property damage, underground reservoir (or resources) damage, broad form property damage, independent contractor's protective liability and personal injury.
 - ii. Underground reservoir (or resources) damage coverage shall be on an occurrence basis, shall not be limited to sudden and accidental occurrences, shall not have a discovery or reporting limitation and shall not exclude damage to water tables, formation or strata.
 - iii. Environmental impairment (or seepage and pollution) coverage shall be either included in the comprehensive general liability coverage or as separate coverage. Such coverage shall not exclude damage to the lease

site. If environmental impairment (or seepage and pollution) coverage is written on a "claims made" basis, the policy must provide that any retroactive date applicable precedes the effective date of the issuance of the permit. Coverage shall apply to sudden and accidental pollution conditions resulting from the escape or release of smoke, vapors, fumes, acids, alkalis, toxic chemicals, liquids, oil and gas, waste material, or other irritants, contaminants or pollutants. Such policy shall provide for minimum combined single limit coverage of \$25,000,000.00 per occurrence. A discovery period for such peril shall not be less than ten years after the occurrence.

2. Commercial automobile liability insurance: Minimum combined single limit of \$10,000,000.00 per occurrence for bodily injury and property damage. The policy shall be at least as broad as the most current version of Insurance Services Office (ISO) Business Auto Coverage Form CA 00 01 and shall include coverage for all owned, hired, and non-owned automobiles or other licensed vehicles (Section 1, subsection A.1 entitled "Any Auto")
3. Worker's compensation insurance: In addition to the minimum statutory requirements, coverage shall include employer's liability limits of at least \$1,000,000.00 for each accident, \$1,000,000.00 for each employee, and \$1,000,000.00 for occupational disease, and the insurer shall agree to waive rights of subrogation against the City, its officers, officials, agents, employees and authorized volunteers, for any work performed for the City by the operator.
4. Excess (or umbrella) liability insurance: Minimum limit of \$25,000,000.00 providing excess coverage for each of the perils insured by the preceding liability insurance policies.
5. Control of well insurance:
 - i. Minimum limit of \$10,000,000.00 per occurrence, with a maximum deductible of \$250,000.00 per occurrence.
 - ii. Policy shall cover the cost of controlling a well that is out of control, re-drilling or restoration expenses, and seepage and pollution damage. Damage to property in the operator's care, custody and control with a sub-limit of \$500,000.00 may be added.

C. Failure to maintain coverage: Upon failure of the owner, operator, or contractors to provide that proof of insurance as required by this Section when requested, the Petroleum Administrator may order the suspension of any outstanding permits and petroleum operations of the operator until the operator provides proof of the required insurance coverage.

Part 2. Development Standards for Petroleum Operations

9521 Setback Requirements

Oil and gas facility sites and associated operations shall not be located within:

- A. Fifteen hundred feet (1,500 feet) of any public school, public park, hospital, long-term health care facility.
- B. Fifteen hundred feet (1,500 feet) of any residence or residential zone, as established in this Code, except the residence of the owner of the land on which a well might be located and except a residence located on the land which, at the time of the drilling of the well, is under lease to the person drilling the well.
- C. Five hundred feet (500 feet) of any commercially designated zone, as established by this Code.
- D. Fifty feet (50 feet) of any dedicated public street, highway, public walkway, or nearest rail of a railway being used as such, unless the new well is located on an existing drill site and the new well would not present a safety issue or cause conflicts with a right-of-way.
- E. For all new wells associated with oil and gas production, including injection wells, the Applicant shall provide an area of review (AOR) study, consistent with the requirements of 14 California Code of Regulations Section 1724.7, to identify any potential conduits that may allow migration of reservoir fluids outside of the intended zone of injection. The AOR study shall define setbacks from abandoned wells or include re-abandonment of abandoned wells to minimize conduits. Leak testing of all abandoned or re-abandoned wells within the AOR or as designated by the Petroleum Administrator, shall be performed consistent with the standards of Section 9534, and any leaking wells shall be re-abandoned consistent with this ordinance. The AOR shall be submitted prior to the Petroleum Administrator's approval of a drilling permit.

9522 Site Access and Operation

The following measures shall be implemented throughout the operation of any oil and gas facility or project subject to this ordinance:

9522.1 Deliveries

Deliveries to the oil or gas facilities shall not be permitted after 6:00 p.m. and before 8:00 a.m., except in cases of emergency. No deliveries shall be permitted on Saturdays, Sundays or legal holidays, except in cases of emergency.

9522.2 Construction Time Limits

Construction of permanent structures shall not be permitted after 7:00 p.m. and before 7:00 a.m., or during Saturdays, Sundays, or legal holidays.

9522.3 Oil and Gas Facility Parking

The following measures shall be implemented throughout the operation of any oil and gas facility or project subject to this ordinance:

A. At all times during the construction and operation of the project, parking facilities shall be provided for all vehicles associated with the oil or gas facility. If approved as part of a CUP or a DA, parking for automobiles of employees or workers engaged in any oil or gas facility site activities can also be provided by the operator at off-site parking lots or in parking facilities, other than public streets, at locations other than the oil or gas facility site. If the parking lot or parking facilities are not located within a reasonable walking distance of the controlled drill site, the operator shall provide transportation to and from the parking site for employees and workers.

B. At all times vehicular access to a controlled drill site shall be provided in accordance with the plans for vehicular access reviewed by the City Engineer.

C. All entrances to a controlled drill site shall be equipped with sliding gates which shall be kept closed at all times except when authorized vehicles are entering or leaving the drill site.

D. When traffic lanes on any public street are closed or impaired by the operator's operations, flagmen, and safety officers as required by the L.A. County Sheriff's office shall be provided by the operator at all such times to and traffic and maintain traffic flow.

9523 Lighting

All point lighting sources that may be introduced onsite in support of nighttime operations, at the onset and throughout all operations at an oil and gas facility shall be screened and directed to prevent offsite spillover lighting effects. Outdoor lighting shall be restricted to only those lights that are required by Article VIII of this Code for lighting building exteriors and safety and security needs.

9524 Aesthetics

The following measures shall be implemented for all projects that are subject to this ordinance:

9524.1 Landscaping/Visual Resources

A. Prior to commencement of operations at an oil or gas facility, the operator shall implement a landscaping plan prepared by a licensed landscape architect, that has been approved as part of a CUP or a DA, which provides adequate screening and blending of the facilities so that the site shall not appear unsightly or aesthetically deficient compared with the surrounding character of the area. All tanks shall be depressed so that the top of any tank and other equipment and appurtenances shall not extend more than twenty feet above the surface of any controlled drill site, unless otherwise approved in a CUP or DA.

B. Within six months after the completion of the drilling and the removal of the drilling rig, any drill site shall be landscaped with suitable shrubbery and trees in accordance with a plan approved by the Planning Commission, unless the site is to be otherwise developed in such a manner that would preempt re-vegetation requirements.

C. If any drilling masts are in place on an oil and gas facility for a time period of more than one year and are visible from public viewing points then the operator shall wrap all such masts to reduce their visibility prior to the onset of operations at an oil and gas facility.

9524.2 Walls

Prior to commencement of operations at an oil or gas facility the following development standards shall be satisfied:

A. All drilling facilities shall be enclosed with a wall not less than six feet (6 feet) high, which shall be of a material and texture that blends in with the surrounding environment and is not visually obtrusive. There shall be no aperture below the fence larger than one foot (1 foot) in height.

B. The wall enclosure around the pump and related facilities shall have an interior setback of twenty-five feet from all property lines. The gate or entrance through the wall shall remain locked at all times and constructed in a manner to prevent the public from coming closer than twenty-five feet to the pumping facilities. Pursuant to the approval of the Conditional Use Permit, the location of the wall may be modified subject to compliance with the California Fire Code as approved in a CUP or DA with modifications as applicable.

C. The entire outside facing length of the wall must be coated with anti-graffiti paint or solutions.

9524.3 Sanitation

The oil and gas facilities shall be maintained in a clean, sanitary condition, free from accumulations of garbage, refuse, and other wastes.

9524.4 Architecture

The architectural design of any oil or gas facility buildings, equipment, drilling mechanisms or other associated structures shall be consistent with the character of the surrounding community and shall utilize finishing materials and colors which blend in with the surrounding environment and are not visually obtrusive.

9525 Roads

The following policies specific to streets or other roads shall apply to all projects for which this ordinance is applicable:

9525.1 Construction of Site Access Roads

Private roads and other excavations required for the construction of access roads shall be designed, constructed, and maintained to provide stability of fill, minimize disfigurement of the landscape, prevent deterioration of vegetation, maintain natural drainage, and minimize erosion. Prior to construction of any new road, the operator shall prepare and submit to the Petroleum Administrator and the Department of Public Works for review and approval a private road construction plan. The operator shall thereafter comply with all provisions of the approved private road construction plan. All new private access roads leading off any surfaced public street or highway shall be paved with asphalt or concrete not less than three inches thick for the length of said access road from the public street or highway.

9525.2 Maintenance and Restoration of Public Roads

Throughout operation of an oil or gas facility the operator shall be responsible for the paying for the maintenance of public roads, which are used intensively for any materials transport, construction, or site access related to drilling, re-drilling and related operations. Prior to initiating any construction or operations the operator shall be responsible for conducting a road condition assessment including recording, through video, pictures and/or written documentation the existing public road conditions that will be used for any portion of the proposed project. The road condition assessment must be submitted to the Petroleum Administrator and be accepted by the City Engineer prior to commencement of operations. Upon demand from the City Engineer, the operator shall then pay the City the compensation necessary to maintain, restore or repair any damage related to the operations in order to return the road to its pre-project 'baseline' condition.

9526 Signage

A. Each well shall be marked with a sign, which lists the name of the company owning the well, the well number, and a telephone number for twenty-four hour emergency notification. The sign shall not exceed six square feet in area and shall be located so that it is clearly visible from the street where the access drive is located.

B. The sign shall be kept in good legible condition at all times.

C. No sign other than that described in this ordinance shall be allowed, other than informational signs, no smoking signs, and other signs as reasonably required for safe operation of the project.

D. Signs shall not be constructed, erected, maintained or placed on the premises or any part thereof, except those required by law or ordinance to be displayed in connection with the drilling or maintenance of the well.

E. Identification signs, at intervals acceptable to the Petroleum Administrator, shall be posted and maintained in good condition along the outer boundary line fence and along the fences adjoining the public roads that pass through the oil or gas facility. Each

47

sign shall prominently display current and reliable emergency contact information that will enable a person to promptly reach, at all times, a representative of the operator who will have the expertise to assess any potential problem and recommend a corrective course of action. Each sign shall also have the telephone number of the City department of planning or zoning enforcement section and the number of SCAQMD that can be called if odors are detected.

9527 Steaming

All wells used for steaming shall be specifically designed for steaming purposes. If an operator seeks to use steaming methods then, prior to the use of any steaming operations on the oil or gas facility, the operator shall submit a steaming plan to the Petroleum Administrator for review and approval. The steaming plan shall include casing and cementing design specifications and requirements.

9528 Utilities

A. Each oil or gas facility shall be served by and utilize only reclaimed water, aside from potable water used for human consumption, unless the use of reclaimed water is deemed infeasible by the Petroleum Administrator, in which case the following criteria apply:

1. The operator must prepare an individual study of all water resources available for use and submit the study for review of the Petroleum Administrator.
2. If the study indicates that potable water is the only feasible alternative then the operator may utilize such a water source only if the operator provides an equal and measurable benefit to the community for such use, as determined by the Petroleum Administrator.

B. New electrical power shall be routed underground from the nearest source adequate to meet the needs of the well site.

9529 On-Site Storage and Placement of Equipment

No equipment shall be stored on the site, which is not essential to the everyday operation of the oil or gas well located thereon.

9530 Safety Assurances and Emergency/Hazard Management

The following measures shall be implemented throughout the operation of any oil or gas facility or project subject to this ordinance:

9530.1 Fire Prevention Safeguards

A. All drilling and producing operations shall conform to all applicable fire and safety regulations.

B. The entire property on which the oil or gas well is located shall be kept free of debris, pools of oil, water or other liquids, weeds, and trash.

C. Land within twenty-five feet of the well shall be kept free of dry weeds, grass, rubbish or other combustible material at all times.

D. All equipment and design must be approved by the Los Angeles County Fire Department prior to approval of a Conditional Use Permit or development agreement.

9530.2 Blowout Standards and Testing

The operator shall comply with DOGGR regulations for blowout prevention and will provide all equipment as stipulated in the DOGGR regulations during the drilling operations of any well.

9530.3 Earthquake Shutdown

A. The operator shall cease any non-essential drilling and production activities and inspect all project-related facilities, equipment, and pipelines following any seismic event that generates a ground acceleration of 15 percent of gravity or more.

B. The operator shall either, (1) Operate and maintain an accelerometer at the project site or (2) Obtain real time data from a nearby accelerometer, to determine site-specific ground accelerations as a result of any seismic event in the region (Los Angeles County). The operator shall inspect all project site pipelines, storage tanks, and other infrastructure following any seismic event that exceeds a ground acceleration at the project site of 15 percent of gravity (0.15 g) and promptly notify the City Engineer and the Petroleum Administrator. Shall there be any structural damage or equipment failure as a result of any seismic event, the operator shall isolate and address any damage or equipment failure as appropriate to minimize environmental or safety impacts. The operator shall prepare a written report of all inspections and findings to the City for review and approval prior to the recommencement of any operations.

C. The operator shall not reinstitute operations at those portions of the project site and associated pipelines until it can reasonably be determined by the Petroleum Administrator that all project site infrastructure is repaired and structurally sound.

9530.4 Storage Tank Monitoring

The operator shall install an interstitial monitoring leak detection system that will indicate the physical presence of a leaked product underneath storage tanks on site that have the potential to result in soil contamination. The results of the monitoring will be made available to the Petroleum Administrator upon request. The monitoring system will abide by the following specifications:

1. The barrier must be immediately around or beneath the tank.
2. The interstitial monitor must be checked at least once every 30 days

3. The system must be able to detect a release through the tank floor.

9530.5 Safety Measures and Emergency Response Plan

The operator is responsible for satisfying the following safety and emergency response requirements:

A. Emergency Response Drills. The operator shall demonstrate the effectiveness of the emergency response plan by responding to one planned emergency response drill per year, which shall be conducted in conjunction with the Los Angeles County Fire Department. Emergency response drills required by other agencies that involve the Los Angeles County Fire Department can be used to satisfy this provision. In addition, the operator shall demonstrate the effectiveness of the emergency response plan by responding to not more than two unannounced drills each year, which may be called at the discretion of the Los Angeles County Fire Department or Petroleum Administrator at the oil field. If critical operations are then underway at the oil field, the operator need not respond to a unannounced drill to the extent such a response would, as a result of such critical operations, create an undue risk of personal injury or property damage, but in such case the operator must promptly explain the nature of the critical operations, why response is not possible, and when the critical operations will be completed.

B. Safety Audit. The operator shall cause to be prepared an independent third-party audit, under the direction and supervision of the City, of all facilities, once constructed, including the well pads, to ensure compliance with the California Fire Code (as may be adopted by the City with modifications as applicable), applicable API and NFPA codes, EPA RMP, OSHA PSM, DOGGR and SPCC and emergency response plans requirements. All audit items shall be implemented in a timely fashion, and the audit shall be updated annually, as directed by the City and the Los Angeles County Fire Department. The final installation of the facilities shall include a seismic assessment, including walkthroughs, of equipment to withstand earthquakes prepared by a registered structural engineer in compliance with Local Emergency Planning Committee Region I CalARP guidance and the seismic assessment shall be updated, with walkthrough inspections, annually to ensure compliance with the codes and standards at the time of installation.

C. Community Alert System. The operator shall implement a community alert notification system, or utilize an existing system operated by the Police, Sheriff or Fire Department, to automatically notify area residences and businesses in the event of an emergency at oil or gas facilities that would require residents to take shelter or take other protective actions.

D. Fire Safety Measures. The operator will implement the following fire safety measures:

1. The operator shall ensure that design and construction comply with applicable codes and standards for equipment spacing, particularly those related to flare location and distances to public areas, installation of fire detection and

prevention systems, flame detection, flammable gas detection, fire foam, and associated alarms and alert systems. The design and construction compliance status shall be verified by third-party audits overseen by the City.

2. The operator shall develop emergency response plans addressing the facility's fire-fighting capabilities pursuant to the most recent NFPA requirements, the California Fire Code (as may be adopted by the City with modifications as applicable), Los Angeles County Fire Department, California Code of Regulations, and API requirements, in coordination with Los Angeles County Fire Department and the City of Carson. These plans shall include, but not be limited to, fire monitor placement, fire water capabilities, fire detection capabilities, fire foam requirements, facility condition relating to fire-fighting ease and prevention, and measures to reduce impacts to sensitive biological resources. The plan shall also address coordination with local emergency responders and area schools and daycare facilities.
3. Emergency response plans shall address the issues related to wildfire risks and response, including development of fuel management/modification fire hazard management plan according to Fire Department requirements, coordination with the area residences and potentially affected agencies, as well as identification of first response tactics and equipment available to address wildfire risks.

9530.6 Transportation of Chemicals and Waste On and Off-site

The following measures shall be implemented throughout the operation of any oil and gas facility or project subject to this ordinance:

A. Solid Waste Disposal. Solid waste generated on the site shall be transported to a City-approved landfill or hazardous waste facility as may be appropriate for the life of the operation.

B. Drilling Site Waste Removal. The operator shall comply with the following provisions:

1. All drilling, redrilling and workover waste shall be collected in portable steel bins compliant with United States Department of Transportation standards. Any drilling, redrilling, and workover wastes that are not intended to be injected into a Class II Well, as permitted by DOGGR, shall be removed from the project site no later than thirty days following completion of the drilling, redrilling and workover.
2. No project site waste shall be discharged into any sewer unless permitted by the Sanitation District, or into any storm drain, irrigation system, stream, or creek, street, highway, or drainage canal. Nor shall any such wastes be discharged on the ground.



3. The operator shall comply with all provisions of a recycling plan that has been approved by the Petroleum Administrator. The recycling plan shall include any elements requested by the Petroleum Administrator.

C. Storage of Hazardous Materials. The operator shall give the Petroleum Administrator a copy of the Hazardous Material Business Plan, as approved by the Los Angeles County Fire Department, annually. This plan shall include a complete listing and quantities of all chemicals used onsite, and provide the location of where hazardous materials are stored at the site. Hazardous materials shall be stored in an organized and orderly manner, and identified as may be necessary to aid in preventing accidents, and shall be reasonably protected from sources of external corrosion or damage to the satisfaction of the Fire Chief of the Los Angeles County Fire Department or designee.

9530.6.1 Natural Gas Liquids (NGLs)

Throughout the operation of any oil and gas facility or project subject to this ordinance heavier NGLs and butanes shall be blended with crude oil for shipment by pipeline to the maximum extent allowable within the technical specifications of the pipeline, however, blending of butanes shall not take priority over blending of heavier NGLs when technical limitations are reached. Oil transportation pipelines and gas processing facilities shall be designed to maximize the blending of NGLs into the crude oil stream.

9530.6.2 Transportation Risk Management and Prevention Program (TRMPP)

If any product from oil and gas development in the City is to be transported by truck, the operator shall prepare and maintain a Transportation Risk Management and Prevention Program that meets City approval. The TRMPP may contain the following components including, but not limited to:

A. Provisions for conducting comprehensive audits of carriers biennially to assure satisfactory safety records, driver hiring practices, driver training programs, programs to control drug and alcohol abuse, safety incentive programs, satisfactory vehicle inspection and maintenance procedures, and emergency notification capabilities. The operator shall submit to the City an annual summary of any audits that were conducted each calendar year.

B. Provisions for allowing only carriers which receive a satisfactory rating under the above audit process to transport oil and gas products.

C. Truck loading procedures for ensuring that the loading rack operator and the truck driver both conduct, and document in writing, a visual inspection of the truck before loading and procedures to specify action to be taken when problems are found during the visual inspection.

9530.6.3 Pipeline Leak Detection

All new oil transportation pipelines shall use a supervisory control and data acquisition

(SCADA-type) monitoring system for leak detection; unless the Petroleum Administrator determines that there is better available technology that shall be utilized instead. The flow meter used on the SCADA system shall be accurate to within one percent. If a leak is detected the operator shall be responsible for immediately reporting it to the Petroleum Administrator.

9531 Environmental Resource Management

Throughout operation of an oil or gas facility the operator shall comply with the following environmental resource management policies:

9531.1 General Environmental Program

A. Environmental Quality Assurance Program ("EQAP"). The operator shall comply with all provisions of an environmental quality assurance program that has been accepted by the Petroleum Administrator and approved as part of a CUP or DA. The following provisions relate to the EQAP:

1. EQAP Requirements. The EQAP shall provide a detailed description of the steps the operator shall take to assure compliance with all provisions of this Section, including but not limited to, all of the monitoring programs called for by this Section.
2. Annual EQAP Reports. Within sixty days following the end of each calendar year, the operator shall submit to the Petroleum Administrator an annual EQAP report that reviews the operator's compliance with the provisions of the EQAP over the previous year and addresses such other matters as may be requested by the Petroleum Administrator. The annual EQAP report shall include the following:
 - i. A complete list and description of any and all instances where the provisions of the EQAP, or any of the monitoring programs referred to therein or in this Section, were not fully and timely complied with, and an analysis how compliance with such provisions can be improved over the coming year.
 - ii. Results and analyses of all data collection efforts conducted by the operator over the previous year pursuant to the provisions of this Section.
3. EQAP Updates. Proposed updates to the EQAP shall be submitted to the Petroleum Administrator for approval along with the annual EQAP report. The Petroleum Administrator shall complete the review of EQAP updates as soon as practicable, and shall either approve the updated EQAP or provide the operator with a list of specific items that must be included in the EQAP prior to approval. The operator shall respond to any request for additional information within thirty days of receiving such request from the Petroleum

Administrator and shall modify the proposed EQAP update consistent with the Petroleum Administrator's request.

B. Publically Available Monitoring Data. The operator shall be responsible for providing current monitoring results and data directly to the public. The up-to-date monitoring data and results will be located on a website run by the operator, company, or entity responsible for the oil or gas facility. The monitoring results and data shall include the following information:

1. Air quality data
2. Wind direction data
3. Seismic events
4. Water quality monitoring results for both surface and groundwater monitoring locations at an oil or gas facility
5. Pipeline testing and monitoring results
6. Vibration
7. Ambient noise levels

9531.2 Air Quality

The operator shall at all times conduct oil or gas facility operations to prevent the unauthorized release, escape, or emission of dangerous, hazardous, harmful and/or noxious gases, vapors, odors, or substances, and shall comply with the following provisions:

A. Odor Minimization. At all times the operator shall comply with the provisions of an odor minimization plan that has been approved by the Petroleum Administrator. The odor minimization plan shall include any measures requested by the Petroleum Administrator. The plan shall provide detailed information about the facility and shall address all issues relating to odors from oil or gas operations. Matters addressed within the plan shall include setbacks, signs with contact information, logs of odor complaints, method of controlling odors such as flaring and odor suppressants, and the protocol for handling odor complaints. The odor minimization plan shall be reviewed by the operator on an annual basis to determine if modifications to the plan are required. Any modifications to the odor minimization plan shall be submitted to the Petroleum Administrator for review and approval.

B. Portable Flare for Drilling. The operator shall have a gas buster and a portable flare, approved by the SCAQMD, at the oil or gas field and available for immediate use to remove any gas encountered during drilling operations from drilling muds prior to the muds being sent to the shaker table, and to direct such gas to the portable flare for combustion. The portable flare shall record the volume of gas that is burned in the flare.

The volume of gas burned in the flare shall be documented in the drilling log. The operator shall notify the Fire Chief of the Los Angeles County Fire Department and the SCAQMD within forty-eight hours in the event a measurable amount of gas is burned by the flare, and shall specify the volume of gas that was burned in the flare. All other drilling and redrilling operations shall be conducted so that any measurable gas that is encountered can, and will, be retained in the wellbore until the gas buster and portable flare are installed on the rig, after which the gas will be run through the system. The operator shall immediately notify the Fire Chief of the Los Angeles County Fire Department and the SCAQMD in the event any gas from drilling or redrilling operations is released into the atmosphere without being directed to and burned in the flare. The requirements of this subsection D are applicable to all oil and gas wells except for such facilities where the operator has adequately demonstrated that the wells are compliant with the following: (1) the well adheres to a setback a minimum distance of 1,000 feet from any prohibited zoning as listed in Table 1-1, (2) the drilling operations are not expected to enter reservoirs known to produce any hydrogen sulfide, and (3) there is no evidence of pressure in the resource reservoir that is the subject of the resource extraction operations of the drilling activity.

C. Odor Suppressant for Drilling and Redrilling Operations. The operator shall use an enclosed mud system that directs all mud vapors through an odor capturing system, such as a carbon bed, to prevent odiferous pollutants from impacting the area. An odor suppressant spray system shall be used on the mud shaker tables for all drilling and redrilling operations to ensure that no odors from said operations can be detected at the outer boundary line of the project site.

D. Closed Systems. The operator shall ensure all produced water, gas and oil associated with production, processing, and storage, except those used for sampling only, are contained within closed systems at all times and that all pressure relief, including tanks, vent to a closed header and flare-type system to prevent emissions of odiferous pollutants.

E. Meteorological Station. The operator shall maintain and operate a meteorological station at the oil field in good operating condition and in compliance with all applicable Environmental Protection Agency ("EPA") and SCAQMD rules, regulations, and guidelines, and to the satisfaction of the Petroleum Administrator. The operator shall conduct an audit of the meteorological station on an annual basis and submit the results of the audit to the SCAQMD and the Petroleum Administrator. The operator shall maintain the data files for the meteorological station for a period of not less than ten years. All such data shall be available upon request to the SCAQMD and the Petroleum Administrator.

F. Health Risk Assessment. After every five years of operation of the meteorological station, the operator shall provide the previous five years of metrological data to the SCAQMD and the Petroleum Administrator and a health risk assessment shall be performed to indicate that health risks comply with SCAQMD standards.

G. Off-Road Diesel Construction Equipment Engines. All off road diesel construction equipment shall comply with the following provisions:

1. Utilize California Air Resources Board ("CARB") EPA Certification Tier III or other methods approved by the CARB as meeting or exceeding the Tier III standard.
2. Utilize a CARB Level 3 diesel catalyst. The catalyst shall be capable of achieving an eighty-five percent reduction for diesel particulate matter. Copies of the CARB verification shall be provided to the Petroleum Administrator. Said catalysts shall be properly maintained and operational at all times when the off-road diesel construction equipment is in use.

H. Drill Rig Engines. All drilling, redrilling, and workover rig diesel engines shall comply with the following provisions:

1. Utilize CARB/EPA Certification Tier III or better certified engines
2. Utilize a CARB Level 3 diesel catalyst. The catalyst shall be capable of achieving an 85 percent reduction for diesel particulate matter. Copies of the CARB verification shall be provided to the Petroleum Administrator. Said catalysts shall be properly maintained and operational at all times when the off-road diesel construction equipment is in use.

I. Fugitive Dust Control Plan. The operator shall comply with the provisions of a fugitive dust control plan that has been approved by the Petroleum Administrator. The plan shall be based upon the requirements of SCAQMD Rule 403 and the SCAQMD CEQA Guideline Fugitive Dust Control Measures as may be updated. The fugitive dust control plan shall be reviewed by the operator every five years to determine if modifications to the plan are required. Any modifications to the fugitive dust control plan shall be submitted to the Petroleum Administrator for review and approval. The fugitive dust control plan shall include any measured requested by the Petroleum Administrator.

9531.3 Greenhouse Gas Emissions and Energy Efficiency Measures

A. The operator of a project site shall completely offset all emissions from the oil and gas facility through participation in the statewide cap and trade program, if applicable, or obtaining credits from another program, such as the SCAQMD Regulation XXVII, as approved by the Petroleum Administrator. On an annual basis, the operator shall provide the Petroleum Administrator with documentation of the operator's participation in the program.

B. Throughout the project life, as equipment is added or replaced; cost-effective energy conservation techniques shall be incorporated into project design.

9531.4 Air Quality Monitoring and Testing Plan

At all times the operator shall comply with the provisions of an air monitoring plan that

has been approved by the Petroleum Administrator (as part of the EQAP). The air monitoring plan shall include any measure requested by the Petroleum Administrator. During all operations, including but not limited to drilling, redrilling, and workover operations, the operator shall continuously monitor for hydrogen sulfide and total hydrocarbon vapors as specified in the approved plan, in a manner that allows for detection of pollutants from all wind directions, as approved by the Petroleum Administrator. Total hydrocarbon vapors shall be monitored at the gas plant, drilling, workover, and processing plant areas as specified in the approved plan. Such monitors shall provide automatic alarms that are triggered by the detection of hydrogen sulfide or total hydrocarbon vapors. The alarms shall be audible and/or visible to the person operating the drilling, redrilling, or workover equipment. Actions to be taken shall be as follows when specified alarm levels are reached:

A. At a hydrogen sulfide concentration of equal to or greater than five parts per million but less than 10 parts per million, the operator shall immediately investigate the source of the hydrogen sulfide emissions and take prompt corrective action to eliminate the source. The corrective action taken shall be documented in the drilling, redrilling, or workover log. If the concentration is not reduced to less than five parts per million within four hours of the first occurrence of such concentration, the operator shall shut down the drilling, redrilling, or workover operations in a safe and controlled manner, until the source of the hydrogen sulfide emissions has been eliminated, unless shutdown creates a health and safety hazard.

B. At a hydrogen sulfide concentration equal to or greater than 10 parts per million, the operator shall promptly shut down the drilling, redrilling, or workover operations in a safe and controlled manner until the source of the hydrogen sulfide emissions has been eliminated, unless shutdown creates a health and safety hazard. The corrective action taken shall be documented in the drilling, redrilling, or workover log. When an alarm is received, the operator shall promptly notify the Los Angeles County Fire Department, the Petroleum Administrator, and the SCAQMD.

C. At a total hydrocarbon concentration equal to or greater than 500 parts per million but less than 1,000 parts per million, the operator shall immediately investigate the source of the hydrocarbon emissions and take prompt corrective action to eliminate the source. The corrective action taken shall be documented in the drilling log for drilling, redrilling, or workover and in the gas plant log for the gas plant. If the concentration is not reduced to less than 500 parts per million within four hours of the first occurrence of such concentration, the operator shall shut down the drilling, redrilling, workover, or gas plant operations in a safe and controlled manner, until the source of the hydrocarbon emissions has been eliminated, unless shutdown creates a health and safety hazard.

D. At a total hydrocarbon concentration equal to or greater than 1,000 parts per million, the operator shall promptly shut down the drilling, redrilling, or workover or gas plant operations in a safe and controlled manner, until the source of the hydrocarbon emissions has been eliminated, unless shutdown creates a health and safety hazard. The corrective action taken shall be documented in the drilling log for drilling, redrilling, or workover and in the gas plant log for the gas plant. When an alarm is received, the

operator shall promptly notify the Los Angeles County Fire Department - Health Hazardous Materials Division, and the SCAQMD.

E. The Petroleum Administrator may also require additional community monitoring periodically for hydrogen sulfide, hydrocarbons or Toxic Air Contaminants. All the monitoring equipment shall keep a record of the levels of total hydrocarbons and hydrogen sulfide detected at each of the monitors, which shall be retained for at least five years. The operator shall, on a quarterly basis, provide a summary of all monitoring events where the hydrogen sulfide concentration was at five parts per million or higher and the total hydrocarbon concentration was at 500 parts per million or higher to the Fire Chief of the Los Angeles County Fire Department. At the request of the Fire Chief, the operator shall make available the retained records from the monitoring equipment.

9531.5 Water Quality

The operator shall at all times conduct oil operations to avoid any adverse impacts to surface and groundwater quality, and shall comply with the following provisions:

9531.5.1 Water Quality Management Plan

The operator shall comply with all provisions of a water management plan that has been approved by the Petroleum Administrator. The plan shall include best management practices, water conservation measures, and the use of a drip irrigation system. The water management plan shall be reviewed by the operator every three years to determine if modifications to the plan are required. The operator shall make changes to the plan if requested by the Petroleum Administrator. Any modifications to the water management plan shall be submitted to the Petroleum Administrator for review and approval. The water management plan shall include any elements requested by the Petroleum Administrator.

9531.5.2 Stormwater Runoff

Construction Storm Water Pollution Prevention Plan ("SWPPP"). The operator shall maintain and implement all provisions of a storm water pollution prevention plan ("SWPPP") that has been inspected by the Regional Water Quality Control Board and the Petroleum Administrator. The operator shall provide the Petroleum Administrator with a copy of the SWPPP, and any future modifications, revisions, or alterations thereof, or replacements therefore. The SWPPP shall be updated prior to new construction activities as required by the Regional Water Quality Control Board.

9531.5.3 Groundwater Quality

A. Prior to any development on the subject site, the operator shall prepare a baseline study of all groundwater resources located within the project site or directly adjacent to the project site, to specifically include an analysis of the location and reservoir characteristics of all existing groundwater resources, a chemical analysis of the groundwater, and an overall assessment of the groundwater quality.

57

B. The operator shall not inject any water spoils derived from the drilling operations into any non-exempt or DOGGR exempt freshwater basins.

C. Within 30 days of request by the City, the operator shall deposit funds with the City necessary to retain a third party to prepare a hydrological analysis Groundwater Testing Program prior to any construction activities. Depending on the results of the hydrological analysis the Petroleum Administrator has the discretion to require the operator to install one or more groundwater monitoring wells, if sufficient groundwater wells are not available in the area, to allow for confirmation that groundwater is not being affected by project activities. As part of the Groundwater Testing Program the operator is required to provide the Petroleum Administrator with annual monitoring and testing results.

D. The operator shall be responsible for obtaining a field study from DOGGR. If DOGGR does not provide this to the operator then the operator shall submit evidence detailing DOGGR's response to their field study request to the Petroleum Administrator for review.

E. The operator shall perform casing testing to 100% of the anticipated reservoir pressures before any wells are put into production and every five years thereafter. Copies of testing results shall be submitted to the Petroleum Administrator.

F. The operator shall perform cement testing, including radial cement evaluation logs or equivalent as approved by the Petroleum Administrator, before any wells are put into production and every five years thereafter. Copies of testing results shall be submitted to the Petroleum Administrator.

9531.6 Noise Impacts

All oil and gas operations at the oil or gas facility shall be conducted in a manner that minimizes noise and shall comply with the following provisions:

A. Noise produced by oil or gas operations shall include no pure tones when measured at a distance of 1,000 feet from the project site.

B. Backup alarms on all vehicles operating within the oil field shall be disabled between the hours of 6:00 p.m. and 8:00 a.m. During periods when the backup alarms are disabled, the operator shall employ alternative low-noise methods for ensuring worker safety during vehicle backup, such as the use of spotters.

C. All drilling and redrilling on the oil field between the hours of 6:00 p.m. and 8:00 a.m. shall be conducted in conformity with a quiet mode operation plan that has been approved by the Petroleum Administrator. The quiet mode operation plan shall be reviewed by the operator every year to determine if modifications to the plan are required. The operator shall make changes to the plan if requested by the Petroleum Administrator. Any modifications to the quiet mode drilling plan shall be submitted to the Petroleum Administrator for review and approval. The quiet mode operation plan shall include any other additional measures requested by the Petroleum Administrator.

D. All noise producing oil field equipment shall be regularly serviced and repaired to minimize increases in pure tones and other noise output over time. The operator shall maintain an equipment service log for all noise-producing equipment.

E. All construction equipment shall be selected for low-noise output. All construction equipment powered by internal combustion engines shall be properly muffled and maintained.

F. Unnecessary idling of construction equipment internal combustion engines is prohibited.

G. The operator shall instruct employees and subcontractors about the noise provisions of this ordinance prior to commencement of each and every drilling, redrilling, workover, and construction operation, and shall annually certify to the Petroleum Administrator that such employees and subcontractors have been properly trained to comply with such noise provisions. The operator shall prominently post quiet mode policies at every oil and gas facility site.

H. All oil operations on the project site shall be conducted in a manner that minimizes vibration. Additionally, vibration levels from oil or gas operations at the project site, as measured from the perimeter of the oil or gas facility, shall not exceed a velocity of 0.25 mm/s over the frequency range 1 to 100 Hz.

I. Within 30 days of request by the Petroleum Administrator, the operator shall deposit funds for the Petroleum Administrator to retain an independent qualified acoustical engineer to monitor (1) ambient noise levels and (2) vibration levels in the areas surrounding the oil or gas field as determined necessary by the Petroleum Administrator. The monitoring shall be conducted unannounced and within a time frame specified by Petroleum Administrator. Shall noise or vibrations from the oil or gas operations exceed the noise thresholds specified in Sections 5500, 5501, 5502, and 5503, of the Code or the vibration thresholds specified in Subsection (H) of this Section of the Code, operation can be subject to enforcement under this ordinance including notices of violation per Section 9514. No new drilling or redrilling permits shall be issued by the City until the operator in consultation with the Petroleum Administrator identifies the source of the noise or vibration and the operator takes the steps necessary to assure compliance with thresholds specified in this ordinance. The results of all such monitoring shall be promptly posted on the website for the oil or gas facility and provided to the Petroleum Administrator.

9532 Standards for Wells

The operator shall comply with all of the following provisions:

A. All DOGGR regulations related to drilling, redrilling, and workover operations.

B. No more than one drilling or redrilling rigs shall be present within the oil or gas site at any one time.



C. Before the end of each calendar year, the operator shall develop and deliver to the Petroleum Administrator an annual drilling, redrilling, workover, well abandonment, and well pad restoration plan, which shall describe all drilling, workover, well abandonment, and well pad restoration activities that is proposed during the upcoming calendar year, in compliance with the following requirements:

1. The operator may at any time submit to the Petroleum Administrator proposed amendments to the then current annual plan.
2. No drilling, redrilling, or abandonment activity may be commenced unless it is described in a current annual plan (or an amendment thereto), which has been approved by the Petroleum Administrator.
3. The annual plan (and any amendments) shall be provided to the Petroleum Administrator for review, comment, and approval. All comments on the annual plan shall be submitted to the Petroleum Administrator in writing, and, if timely submitted, will be considered as part of the Petroleum Administrator's review and approval. No annual plan or amendments shall be complete until the operator submits a deposit to the Petroleum Administrator for the estimated costs of review. The operator shall make additional deposit(s) within 15 days of request by the Petroleum Administrator if the initial deposit is insufficient to cover the City's actual costs and expenses for review.
4. The Petroleum Administrator shall complete the review of the annual plan (and any amendments) within forty-five days of receipt, unless the operator has failed to provide a sufficient deposit for review, and shall either approve the annual plan or provide the operator with a list of deficiencies. Failure to provide a deposit within 15 days request by the Petroleum Administrator may be grounds for rejection of the plan.

D. The annual drilling, redrilling, well abandonment, workover, and well pad restoration plan shall comply with the provisions of this subsection, and shall include the following:

1. The maximum number of wells proposed to be drilled or redrilled;
2. Approximate location of all wells proposed to be drilled or redrilled;
3. Approximate location of all proposed new well pads, including their size and dimensions;
4. Estimated target depth of all proposed wells and their estimated bottom hole locations (in GIS coordinates and with depth);
5. A discussion of the steps that have been taken to maximize use of existing well pads, maximize use of redrilled wells, and maximize the consolidation of wells;

6. Location of all proposed well abandonments, if known, in accordance with DOGGR integrity testing program of idle wells;
7. Location of all well pads proposed to be abandoned and restored;
8. A proposed schedule and phasing of the drilling, redrilling, well abandonment, well pad abandonment, and restoration activities;
9. A discussion of the latest equipment and techniques that are proposed for use as part of the drilling and redrilling program to reduce environmental impacts; and
10. All engines used for drilling and redrilling operations shall be operated by muffled internal-combustion engines or by electric motors.

E. Proven reasonable and feasible technological improvements, which are capable of reducing the environmental impacts of drilling and redrilling shall be considered as they become, from time to time, available.

F. All derricks and portable masts used for drilling, redrilling, and workover shall meet the standards and specifications of the American Petroleum Institute as they presently exist or as may be amended.

G. All drilling and redrilling equipment shall be removed from the site within ninety days following the completion of drilling or redrilling activities unless the equipment is to be used at the oil field within five days for drilling or redrilling operations.

H. All drilling sites shall be maintained in a neat and orderly fashion.

I. Belt guards shall be required over all drive belts on drilling, redrilling, and workover equipment. Guarding shall be as required by Title 8 of the California Code of Regulations, Section 6622, or as may be subsequently amended.

J. The use of test wells on any oil and gas facility shall be limited to a period of eighteen months, at which point the operator must either obtain an abandonment and restoration permit for such wells, or obtain a CUP or DA for their use and operation as production wells.

K. Aboveground pumpjack assemblies are prohibited and all oil and gas facilities are restricted to the exclusive use of submersible downhole pumping mechanisms for extraction. Additionally, any well already lawfully existing at the time of implementation of this ordinance using a pumpjack assembly that is extending its period of production beyond the amortization date established in Section 9189.22(a) shall have its aboveground pump replaced with a submersible downhole pumping mechanism. The pumpjack assembly, along with its motor and fuel system, shall be removed from the oil or gas facility site within thirty (30) days of the completion of the operation. It is the intent of this Subsection to uninterruptedly carry forward, and not extend, previously existing amortization periods for the removal of pumpjack assemblies and the installation



of submersible downhole pumping mechanisms. The requirements of this subsection K are applicable to all oil and gas facility sites except for such facilities where the Petroleum Administrator determines that the use of submersible downhole pumping mechanisms is infeasible due to technical reasons or other circumstances which would specifically preclude the use of such technology.

L. For any re-drilling of wells, the operator shall ensure that the portion of the well bore below the kickoff point for the re-drill has been plugged and abandoned to DOGGR standards.

9533 Standards for Pipelines

The operator shall comply with the following provisions related to pipelines throughout operation of an oil or gas facility:

9533.1 Pipeline Installations and Use

A. Pipelines shall be used to transport petroleum products off-site to promote traffic safety and air quality.

B. The use of a pipeline for transporting crude oil or gas may be a condition of approval for expansion of existing processing facilities or construction of new processing facilities.

C. New pipeline corridors shall be consolidated with existing pipeline or electrical transmission corridors where feasible, unless there are overriding technical constraints or significant social, aesthetic, environmental or economic reasons not to do so.

D. New pipelines shall be routed to avoid residential, recreational areas, and schools. Pipeline routing through recreational, commercial or special use zones shall be done in a manner that minimizes the impacts of potential spills by considering spill volumes, durations, and projected paths. New pipeline segments shall be equipped with automatic shutoff valves, or suitable alternatives approved by the Petroleum Administrator, so that each segment will be isolated in the event of a break.

E. Upon completion of any new pipeline construction, the site shall be restored to the approximate previous grade and condition. All sites previously covered with vegetation shall be reseeded with the same or recovered with the previously removed vegetative materials, and shall include other measures as deemed necessary to prevent erosion until the vegetation can become established, and to promote visual and environmental quality, unless there are approved development plans for the site, in which case re-vegetation would not be necessary.

F. Gas from wells shall be piped to centralized collection and processing facilities, rather than being flared, to preserve energy resources and air quality, and to reduce fire hazards and light sources. Oil shall also be piped to centralized collection and processing facilities, in order to minimize land use conflicts and environmental degradation, and to promote visual quality.



G. Newly installed pipelines shall be designed, constructed, and all pipelines shall be tested, operated, and maintained in accordance with good oil field practice and applicable standards, as set forth in either the American Petroleum Institute (API) (API Rec. Prac. 1110, 3rd Ed., Dec. 1991, and API Spec. effective 1990), American Society for Testing and Materials (ASTM) (ASTM Designation Stand. Spec., 1991), or Code of Federal Regulations 49, Part 192, as these standards may be amended, or other methods approved by the Petroleum Administrator. The Petroleum Administrator may require design or construction modifications, and/or additional testing and maintenance if the Petroleum Administrator determines that good practices and applicable standards have not been used. Good practice includes, but is not limited to:

1. Utilization of preventative methods such as cathodic protection and corrosion inhibitors, as appropriate, to minimize external and internal corrosion.
2. Utilization of pipeline coating or external wrapping for new or replaced buried or partially buried pipelines to minimize external corrosion. The coating or external wrapping shall have a high electrical resistance, be an effective moisture barrier, have good adhesion to the pipe, and be able to resist damage during handling.
3. Pipeline materials utilizing ERW type pipe.
4. Employment of equipment such as high and low-pressure or level alarms, automatic notification devices, and safety shut-down devices to minimize spill volume in the event of a leak.
5. If feasible, during piping relocation or replacement operations, locate any new pipelines or parts of a pipeline system above ground, preferably on supports or racks.

9533.2 Pipeline Testing and Maintenance

A. Operators shall visually inspect all aboveground pipelines for leaks and corrosion on a monthly basis.

B. The operator shall install a leak detection system for crude pipelines. The system shall include pressure and flow meters, flow balancing, supervisor control and data acquisition system, and a computer alarm system in the event of a suspected leak. Temperature, pressure, and flow shall be monitored at each pipeline entry and exit. If any variable deviates by more than 10 percent of the normal operating range, the system shall trigger both audible and visual alarms. Flow balancing shall be conducted every 5 minutes, 1 hour, 24 hours, and 48 hours with the accuracy defined once the system is established and tested and approved by the Petroleum Administrator.

C. The Petroleum Administrator may order such tests or inspections deemed necessary to establish the reliability of any pipeline system. Repair, replacement, or cathodic protection may be required under the jurisdiction of the CSFM for offsite pipelines.



D. Any pipeline that has had a leak resulting in the release of a reportable quantity shall be pressure tested to verify integrity prior to being placed back into service.

E. Pipe clamps, wooden plugs or screw-in plugs shall not be used for any permanent repair approved by the Petroleum Administrator.

F. A mechanical integrity test shall be performed on all active pipelines that are gathering lines, and all urban pipelines over 4" in diameter, every two years. Pipelines less than 5 years old are exempt from the two year testing requirement. These tests shall be performed to ensure the pipeline integrity by using at least one of the following methods:

1. Nondestructive testing using ultrasonic or other techniques approved by the Petroleum Administrator, to determine wall thickness.
2. Hydrostatic testing using the guidelines recommended by API, or the method approved by the State Fire Marshal, Pipeline Safety and Enforcement Division.
3. Internal inspection devices such as a smart pig, as approved by the Petroleum Administrator.
4. Any other method of ensuring the integrity of a pipeline that is approved by the Petroleum Administrator.

Copies of test results shall be maintained in a local office of the operator and posted online on the same website that provides the monitoring results required in Section 9531.1 for five years and shall also made available to the City, upon request. The operator shall repair and retest or remove from service any pipeline that fails the mechanical integrity test. The City shall be promptly notified in writing by the operator of any pipeline taken out of service due to a test failure.

9534 Temporary Buildings

During full production of an oil or gas facility no temporary buildings are allowed to be constructed or maintained anywhere at the facility.

9535 Operational Prohibitions

Operational Prohibitions. Notwithstanding any other provision of this article, it shall be unlawful to perform or cause to be performed the following activities within the City in conjunction with the production or extraction of oil, gas or other hydrocarbon substance from any subsurface location within the City:

A. Injection pumps shall not operate at a pressure exceeding 90 percent of the Maximum Allowable Surface Pressure (MASP) as determined by a DOGGR approved step rate test.



B. No cumulative pumping of acid into any well shall occur in a volume in excess of the minimum Acid Volume Threshold for that well as calculated by DOGGR over a 1 year period.

C. No well shall utilize more than 25,000 gallons of water in a 24 hour period, or more than 100,000 gallons per week. This restriction does not apply to produced water, or waste water that originated from a petroleum reservoir.

D. No more than 15 truck trips in a 24 hour period may be used for water deliveries, unless such water is used for a purpose other than extracting oil, gas, or any other hydrocarbon substance.

9536 [Reserved]

**Part 3. Development Standards For Well(s) or Site Abandonment,
Re-abandonment, Site Restoration and Redevelopment**

9537 Development Standards

The following development standards will be applied to all well or site abandonment, re-abandonment, site restoration, and redevelopment projects within the City, including any building permit involving a current or former oil or gas facility:

A. Any demolition, abandonment, re-abandonment, restoration or redevelopment shall be adequately monitored by a qualified individual, funded by the permittee or operator and retained by the City, to ensure compliance with those conditions designed to mitigate anticipated significant adverse effects on the environment and to provide recommendations in instances where effects were not anticipated or mitigated by the conditions imposed on the permit or entitlement. Pre-restoration and post-restoration surveys of sensitive biological resources shall be employed as appropriate to measure compliance.

B. The site shall be assessed for previously unidentified contamination.

1. The permittee shall ensure that any discovery of contamination shall be reported to the Petroleum Administrator and the Los Angeles County Fire Department.

C. The permittee shall diligently seek all necessary permit approvals, including revisions to an entitlement or the demolition. Abandonment, re-abandonment and restoration permit, if any are required, in order to remediate the contamination.

D. The permittee, operator and owner shall be responsible for any cost to remediate the contamination on the site. This ordinance is not intended to limit the permittee, operator or owners' rights under the law to seek compensation from parties who have contributed to contamination of the site.



E. The permittee shall ensure that appropriate notification has been recorded with the County Recorder to describe the presence and location of any contamination left in place under the authority of the Los Angeles County Fire Department.

F. All abandoned or re-abandoned wells shall be leak tested subject to the following requirements:

1. All abandoned wells located within on the oil and gas facility site must be tested for gas leakage and visually inspected for oil leakage. The owner or responsible party shall apply to the Petroleum Administrator for an inspection permit to witness the testing. The leak test shall be completed utilizing a "GT-43" gas detection meter, or one of comparable quality approved in advance by the Petroleum Administrator, and shall be conducted by a state licensed geotechnical or civil engineer or state registered environmental assessor, class II, or the Petroleum Administrator, or designee, as determined necessary by the Petroleum Administrator.
2. A methane assessment report is required for each tested well and shall be prepared per the City of LA DBS "Site Testing Standards for Methane" (P/BC 2014-101), as may be amended. A well vent and vent cone permit shall be obtained by the property owner or agent. The property owner or agent may use the City's consultant to observe the leak test or be responsible for City consultant test fees. Following testing, a well vent and vent cone shall be installed to the satisfaction of the Petroleum Administrator and in compliance with the recommendations contained in the methane assessment report.
3. The submitted leak test report shall be prepared by a state licensed geotechnical or civil engineer or state registered environmental assessor, class II. A well shall be considered leaking if the leak test report indicates the meter read is greater than the lower explosive limit which is set at 500 parts per million.
4. An approved leak test report is valid for 24 months from acceptance by the Petroleum Administrator. If a building permit has not been issued by this time, retesting is required. Following all testing and inspection, the test area shall be returned to its previous state to the satisfaction of the City building official.
5. If there has not been a change to the well, no leak test is required if a valid leak test report, accepted by the Petroleum Administrator and showing no leaks in excess of the lower explosive limit, has been completed for an abandoned or re-abandoned well within the prior 24 months.

G. Prior to any development or redevelopment of a current or former oil or gas facility site, or prior to abandoning or re-abandoning any well, the operator or owner shall:



1. Obtain permit(s) and abandon all idled wells consistent with Section 9510.3 and provide proof the wells are abandoned consistent with standards recommended or required by DOGGR to the satisfaction of the Petroleum Administrator. Permits shall not be required if the idled well is scheduled to actively produce oil or natural gas, or used for injection, as part of the development or redevelopment of a former oil or gas facility and if said production or injection occurs within 5 years of issuance of a CUP or DA under this ordinance.
2. Obtain permit(s) consistent with Section 9510.3 to re-abandon all previously abandoned wells that do not meet standards recommended or required by DOGGR for abandonment in effect at the time, and provide proof the wells are re-abandoned consistent with standards recommended or required by DOGGR to the satisfaction of the Petroleum Administrator. Permits shall not be required if re-entry of an abandoned well is scheduled to occur within 5 years of issuance of a CUP or DA under this ordinance, and if re-entry actually occurs within that period of time.
3. In lieu of Subsections C(1) and (2), above, obtain a deferral covenant from the City requiring abandonment or re-abandonment to standards recommended or required by DOGGR, or equivalent standards as determined by the Petroleum Administrator, at a specific time or upon the occurrence of a future event. The deferral covenant shall be approved as to form by the City Attorney, contain a provision to indemnify and hold harmless the City for damages related to wells not abandoned or re-abandoned consistent with standards recommended or required by DOGGR, and shall be recorded by the operator or owner with the County Clerk prior to approval.

H. Other Development Standards:

1. Permanent structures, or other construction that would be difficult or expensive to demolish, shall not be located on top of any abandoned oil or gas well such that access for a well abandonment rig or other well maintenance equipment is constrained or inhibited from access to the well in the event of a future oil or gas leak. Pervious improvements, such as landscaping and parking areas with adequate landscape buffers, may be located on top of a previously abandoned or re-abandoned well which has passed the leak test consistent with Subsection C of this Section.

The owner shall record declaration of a covenant, in a form subject to the review and approval of the City Attorney, putting future owners and occupants on notice of the following: the existence of abandoned oil wells on the site; that the wells within the wells have been leak tested and found not to leak; description of any methane mitigation measures employed; disclosure that access to these wells has been provided to address the fact that they may leak in the future causing potential harm; acknowledgment that the state may order the re-abandonment of any well should it leak in the future;

acknowledgment that the state does not recommend building over wells; and releasing and indemnifying the City for issuing any project permit or entitlement for the project. The covenant shall run with the land, apply to future owners, and may only be released by the Petroleum Administrator.

Section 2. Article IX, Chapter 1, Part 2, Division 1, "Permanent Non Residential Uses" portion of the Table in Section 9121.1 (Uses Permitted) of the Carson Municipal Code is hereby amended to read as follows:

9121.1 Uses Permitted.

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ZONES

RA RS RM

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Permanent Nonresidential Uses:

Public, elementary or secondary school.	X	X	X
Private elementary or secondary school. (See CMC 9123.)			C
Church, temple or other place of religious worship:			
Located on an arterial street.			X
Located on a collector street.			C
Cultivation of plants including nursery, orchard, vineyard, field crops, flowers, greenhouses, bathhouses, etc. (no mushroom farms, no retail sales.)	X		
Archaeological dig, provided the Director determines there is a reasonable prospect that significant scientific, cultural or historical information will be obtained from the site.	D	D	D
Electric distribution substation, pumping station, water well, water reservoir. (See CMC 9123.)	C	C	C
Automobile parking lot. (See CMC 9123.)			C
Automobile parking structure for a large-scale multifamily development or serving a church, temple, or other place of religious worship where			C



ZONES

RA RS RM

the lot is adjacent to an arterial street. (See CMC 9123.)

Access to other property lawfully used for purposes D D D not permitted on subject property, provided the Director finds no available alternative access is preferable and the residential character of the area will not be adversely affected.

Oil wells (See ~~CMC 9128.6~~ CMC 9500 - 9537 [Oil and Gas ordinance].) E E E

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Section 3. Article IX, Chapter 1, Part 2, Division 1, Section 9121.12 (Uses Permitted on Organic Refuse Landfill Sites), Subsection A(2) of the Carson Municipal Code is hereby amended to read as follows:

2. Construction of structures which are unoccupiable, such as signs, flagpoles, walls, fences and towers, but not including ~~oil wells and storage tanks~~.

Section 4. Article IX, Chapter 1, Part 2, Division 3, Section 9123 (Conditional Use Criteria) of the Carson Municipal Code is hereby amended to read, in its entirety, as follows:

9123 Conditional Use Criteria

In addition to the general criteria for the approval of a Conditional Use Permit pursuant to CMC 9172.21(d)(1), special criteria and limitations as indicated below shall be considered in acting upon a Conditional Use Permit in a residential zone:

Residential condominium; residential stock cooperative:	Ability to comply with the provisions of CMC 9128.11– 9128.17.
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Mobile home park:	Ability to comply with the provisions of CMC 9128.2.
-------------------	--

Fraternity or sorority house, dormitory:	The location shall be conveniently accessible in relation to the college or other institution attended by residents.
--	--



Community care facility, long-term health care facility:	The facility shall become licensed pursuant to Division 2 of the California Health and Safety Code or, if exempt from licensure, shall meet standards equivalent to those prescribed by State law for similar facilities.
Private elementary or secondary school:	The site shall have frontage on an arterial street.
Electric distribution substation, pumping station, water well, water reservoir:	<p>The facility shall be necessary for the safe or efficient functioning of a public utility system.</p> <p>The location in a residential zone shall be necessary to serve the residential uses in the vicinity and no suitable alternate location shall be available in a nonresidential zone.</p>
Automobile parking lot:	<p>Pedestrian and vehicular access to such a lot shall be other than through an existing or potential residential area unless the use of the lot is restricted to serving adjacent residential uses or uses directly related to nearby residential uses.</p> <p>The parking lot shall be within four hundred (400) feet walking distance from the principal use which it serves.</p>
Automobile parking structure:	The parking structure shall be located on the same lot as the large-scale multifamily development or church, temple, or other place of religious worship.
Multiple-family dwelling:	Ability to comply with the provisions of CMC 9128.51– 9128.55.
Oil well:	Ability to comply with the provisions of CMC 9128.6.

Section 5. Article IX, Chapter 1, Part 2, Division 8, Section 9128 (Oil Wells) of the Carson Municipal Code is hereby repealed in its entirety.

Section 6. Article IX, Chapter 1, Part 3, Division 1, “Communications and Utilities” portion of the Table in Section 9131.1 (Uses Permitted) of the Carson Municipal Code is hereby amended to read as follows:

9131.1 Uses Permitted



ZONES

CN CR CG CA MU- MU-
CS SB

Communications and Utilities:

Post office.	X	X	X	
Oil wells. (See CMC 9128.6 CMC 9500 - 9537 [Oil and Gas ordinance].)		C*	C*	
<u>*Development agreement may also be required for 3 or more total wells (See CMC 9502.)</u>				
Telephone exchange.			X	
Amateur radio station.	X	X	X	
Gas distribution meter or control station (landscaping or screening required to the satisfaction of the Director).	L	L	L	L
Gas measurement station (not less than 300 feet from any residential zone, public school, public park, hospital or long-term health care facility). (See CMC 9133.)	C	C	L	
Electric distribution substation. (In the CG Zone, landscaped yard areas to the satisfaction of the Director to be provided adjacent to street rights-of-way. Facilities to be enclosed by solid fence or wall in accordance with applicable regulations of the State of California and other local regulations.) (See CMC9133.)	C	C	L	
Pumping station, water well. (In the CG Zone, landscaping of site and screening of facilities required to the satisfaction of the Director.) (See CMC 9133.)	C	C	L	C
Water reservoir. (See CMC 9133.)	C	C	C	

Section 7. Article IX, Chapter 1, Part 3, Division 3, "Oil well" portion of Section 9133 (Conditional Use Criteria) of the Carson Municipal Code is hereby amended to read as follows:

9133 Conditional Use Criteria

...

Oil well:

Ability to comply with the provisions of ~~CMC 9138.10~~ CMC 9500 - 9537
(Oil and Gas ordinance).

...

Section 8. Article IX, Chapter 1, Part 3, Division 8, Section 9138.10 (Oil Wells) of the Carson Municipal Code is hereby repealed in its entirety.

Section 9. Article IX, Chapter 1, Part 4, Division 1, "Resources Extraction" and "Storage" portions of the Table in Section 9141.1 (Uses Permitted) of the Carson Municipal Code is hereby amended to read as follows:

9141.1 Uses Permitted

...

	ZONES	
	ML	MH
...		
Resource Extraction:		
Borrow pit.	C	C
Oil fields, oil wells, subject to the requirements of CMC 9148.2 <u>CMC 9500 - 9537</u> [Oil and Gas ordinance].	<u>LC*</u>	<u>LC*</u>
<u>*Development agreement may also be required for 3 or more total wells (See CMC 9502.)</u>		
...		
Storage:		
Cold storage plant.	X	X
Petroleum coke.		C
Warehousing of furniture, household goods, dry goods,	X	X

	ZONES	
	ML	MH
clothing, textiles, durable goods, no perishable foods.		
Glass, lumber (no boxes or crates), naval stores, plaster, empty barrels, metal (no scrap), machinery, equipment.	X	X
Polyurethane foam.	C	C
Rock, sand, crushed aggregate and gravel:		
Not more than 2,000 tons.	X	X
More than 2,000 tons. (In ML zone, only permitted on property which also has an ORL Zone designation and must be at least 1,000 feet, as measured from lot line to lot line, from any residential zone, and any conditional use permit shall be subject to approval or other action by the City Council.)	C	X
Clay and clay products.	X	X
Cement silo, grain elevator.		X
Petroleum and petroleum products <u>(If associated with oil and gas production and related facilities, refer to CMC 9500 - 9537 [Oil and Gas ordinance] for governing requirements):</u>		
Not more than 2,500 barrels.	X	X
More than 2,500 barrels.		C

ZONES

ML

MH

Cargo container
(Prohibited within 1,000
feet, as measured from lot
line to lot line, of
residentially zoned
property or institutional
uses).

L

Natural gas (If associated with
oil and gas production and
related facilities, refer to
CMC 9500 - 9537 [Oil and
Gas ordinance] for governing
requirements):

Belowground – any
amount.

X

X

Aboveground:

Not more than 500,000
cubic feet.

X

X

More than 500,000 cubic
feet.

C

Oxygen, acetylene (subject to
Fire Code requirements)

X

X

Agricultural chemicals (must
be at least 100 feet from any
residential zone, public
school, public park, hospital
or long-term health care
facility).

L

L

Liquid petroleum gas (If
associated with oil and gas
production and related
facilities, refer to CMC 9500 -
9537 [Oil and Gas ordinance]
for governing requirements):

Not more than 30,000
gallons.

X

X

75

	ZONES	
	ML	MH
More than 30,000 gallons		C
Fuel yard (not covered elsewhere, including propane).	X	X
Aircraft fuel and lubricant.		C
Explosives – dynamite (over 100 pounds), nitroglycerine, nitromethane, nitroethane, cellulose nitrate, gun powder, blasting powder.		C
Creosote, creosoted poles.		C
Fertilizer.		C
Junk, salvage, metal scrap, rags, bottles, nonferrous scrap (other than paper), subject to the requirements of CMC9148.1.		C
Waste paper, subject to the requirements of CMC 9148.1.	C	C
Poison (Class A or Class B)* – pesticides, rodenticides, insecticides, herbicides.		C

*Classification according to Los Angeles County Fire Department. (R.M. Graziano's Tariff No. 25).

Organic peroxides** – (more than 50 pounds).	C
--	---

**Having a severity classification of 3 or greater according to tests prescribed by the Society of the Plastics Industry and acceptable to the Los Angeles County Fire Department.

Motor vehicles (not including impounding yard).	X	X
Vehicle impounding yard,		C

76

ZONES

ML

MH

subject to the requirements of
CMC 9148.1.

Aircraft.

X

...

Section 10. Article IX, Chapter 1, Part 4, Division 6, Section 9146.3 (Fences, Walls and Hedges) of the Carson Municipal Code is hereby amended to read, in its entirety, as follows:

9146.3 Fences, Walls and Hedges

A. Except as provided in Division 8 of this Part*:

1. A solid masonry wall shall be constructed along the inside of any lot line (or upon the lot line with the consent of the adjoining property owner) if the lot line abuts a residential zone or if the lot line abuts an alley that borders a residential zone. In areas other than the required front yard area and any abutting future right-of-way area, such wall shall be a minimum of six (6) feet and a maximum of eight (8) feet in height. In a required front yard area and any abutting future right-of-way area, such wall may not exceed three and one-half (3-1/2) feet in height, except fencing material of any type may extend above the three and one-half (3-1/2) foot solid masonry portion to a height not exceeding eight (8) feet, provided such extended portion does not impair vision by obscuring more than ten (10) percent of the area in the vertical plane.

2. No fence, wall or hedge in an industrial zone shall exceed a height of fifty (50) feet.

3. The height of fences, walls and hedges shall be measured from the finished grade at each point along the fence, wall or hedge. Where there is a difference between the grade on the two (2) sides of the fence, wall or hedge, the higher grade shall be used. (Ord. 90-905, § 2)

*Division 8 applies only to vehicle dismantling yards, junk and salvage yards, vehicle impounding yards, oil wells and retail petroleum outlets.

Section 11. Article IX, Chapter 1, Part 4, Division 6, title and associated footnote in Section 9146.7 (Signs) of the Carson Municipal Code is hereby amended to read, in relevant part, as follows:

9146.7 Signs*

77

...

*See CMC 9148.2(A)9526 for different sign regulations applicable to ~~oil wells~~petroleum operations.

Section 12. Article IX, Chapter 1, Part 4, Division 8, Section 9148.2 (Oil Wells) of the Carson Municipal Code is hereby repealed in its entirety.

Section 13. Article IX, Chapter 1, Part 5, Division 1, "Natural Resources" portion of the Table in Section 9151.1 (Uses Permitted) of the Carson Municipal Code is hereby amended to read as follows:

Section 9151.1 Uses Permitted

...

ZONE

**Special
OS Use**

Natural Resources:

Archaeological dig, provided the Director determines there is a reasonable prospect that significant scientific, cultural or historical information will be obtained from the site. D D

Ecological preserve for plant life and wildlife, conservation area, scenic area. X

Borrow pit. C S

Oil field or oil wells, subject to the requirements of CMC 9148.2(See CMC 9502). € S

...

Section 14. Article IX, Chapter 1, Part 5, Division 1, Section 9151.12 (Uses Permitted on Organic Refuse Landfill Sites), Subsection A(2) of the Carson Municipal Code is hereby amended to read, in its entirety, as follows:

2. Construction of structures which are unoccupiable, such as signs, flagpoles, walls, fences and towers, but not including ~~oil wells and storage tanks.~~

EXHIBIT "3"

GENERAL PLAN AND SPECIFIC PLAN CONSISTENCY

This Ordinance is consistent with the adopted General Plan and all Specific Plans. The relationship of proposed Zone Text Amendment No. 19-15 to the General Plan and Specific Plans includes the following:

I. General Plan

Land Use Element:

1. LU-IM-2.1: Use code enforcement to require owners of all abandoned buildings and/or structures that pose safety hazards to adhere to applicable zoning and building code standards.

The proposed Ordinance provides additional code-enforcement mechanisms to enforce site or well abandonment, well re-abandonment, restoration and redevelopment of petroleum operations and facilities sites, including site conditions that pose safety hazards.

2. LU-IM-2.2: Examine the potential to allow the City to fine those parties not in compliance with the City's Ordinance.

The proposed Ordinance provides additional fine and penalty provisions for persons violating the Code including "high risk" operations and similar actions posing safety and environmental hazards.

3. LU-3: Removal of incompatible and non-conforming uses which detract from the aesthetics and safety of the community.

The proposed Ordinance recognizes petroleum operations are incompatible with all residential and certain commercial uses, and prohibits such uses in residential areas and commercially designated zones CA, MU-CS, MU-SB, and CN. Additionally, the proposed Ordinance assists in preventing petroleum operations from detracting from the aesthetics of the community by establishing aesthetic, architectural, landscaping and visual resource requirements. Finally, the proposed Ordinance addresses a variety of safety issues associated with petroleum operations, including fire prevention safeguards, blowout standards, earthquake shutdown, monitoring, emergency response plan, delivery and operational noise restrictions, and other safety measures designed to promote the safety of the community.

4. LU-3.1 Continue to aggressively enforce the Non-Conforming Use Ordinance in order to eliminate non-conforming and/or incompatible land uses, structures and conditions.

The proposed Ordinances supports this General Plan Policy by requiring any existing non-conforming oil facilities located on a proposed project site to either already be in conformity, or be brought into conformity, with all applicable provisions of the Ordinance prior to the issuance of a Conditional Use Permit, etc.

5. LU-IM-3.3: Through the Conditional Use Permit process, address compatibility issues (e.g., maneuverability of trucks on site, scheduling and hours of operation, visual screening, noise, etc.).

The proposed Ordinance expands the Conditional Use Permit requirements, and includes comprehensive requirements to address compatibility issues including visual screening, signs, noise impacts, deliveries onsite, parking, roadways on site, etc.

6. LU-6.8: Manage truck-intensive uses

The proposed Ordinance regulates truck-intensive uses related to site access and operations, including deliveries and restriction of intensive uses associated with deliveries by truck, etc.

7. LU-IM-6.6: Conduct systematic monitoring of the impact and intensity of development in Carson and areas around the City to ensure that affected public agencies can provide necessary facilities and services in support of that development.

The proposed Ordinance establishes a position of Petroleum Administrator, who will monitor aspects of impact and intensity of petroleum development in Carson to identify required safety services and public facilities to support safe petroleum facility operation and development.

8. LU-7: Adjacent land uses that are compatible with one another.

The proposed Ordinance supports compatible land uses by recognizing petroleum operations are not compatible with certain uses, including areas zoned for residential uses and some commercially designated zones, and establishes setbacks to minimize the incompatible impacts of petroleum operations on other uses.

9. LU-7.1 Periodically review, and amend if necessary, the City's Zoning Ordinance to ensure the compatibility of uses allowed within each zoning district.

See response to LU-7.

10. LU-7.3 Promote the use of buffers between more intensive industrial uses and residential uses.

See response to LU-7.

11. LU-7.4 Through the discretionary review process, ensure that the siting of any land use which handles, generates, and/or transports hazardous substances will not negatively impact existing sensitive receptor land uses.

Same. The proposed Ordinance also establishes a permitting and discretionary review process regulating the transportation of solid waste, drilling site waste, and hazardous materials, including storage requirements for hazardous materials, and requires the operator annually provide the Petroleum Administrator a copy of the Hazardous Material Business Plan, as approved by the Los Angeles County Fire Department.

12. LU-IM-7.5: Utilize the site development permit process and the California Environmental Quality Act in the review of proposed development projects to promote compatibility and minimize environmental impacts. Where uses are marginally compatible, require a Conditional Use Permit and consider special mitigation measures.

Same. The proposed Ordinance establishes both a Conditional Use Permit (CUP) and Development Agreement (DA) process, as well as the requirement for additional discretionary permits, all of which are subject to the requirements of CEQA review. In addition, the findings for a CUP related to petroleum operations now expressly require "The project will not be detrimental to the comfort, convenience, health, safety, and general welfare of the community, and will be compatible with the uses in the surrounding area." The Ordinance also contemplates operators will be required to comply with an Environmental Quality Assurance Program ("EQAP") that has been accepted by the Petroleum Administrator and approved as part of a CUP or DA.

13. LU-IM-7.6: Continue to enforce the Zoning and other ordinances to achieve the desired level of regulation.

In addition to the other enforcement options available to the City, the proposed Ordinance establishes the position of Petroleum Administrator to enforce the provisions of the Ordinance, as well as Environmental Compliance Coordinators as needed to oversee the monitoring and condition compliance



requirements of the City's permitting actions subject to regulation under the Ordinance.

- 14.LU-9.5 Develop design standards to address permanent and effective screening of areas in transition and heavy industrial uses such as outdoor storage yards, pallet yards, salvage yards, auto dismantling yards, and similar uses.

The proposed Ordinance establishes design standards, including mast wrapping, walls, aesthetic, and landscaping standards, to effectively screen outdoor petroleum operations and facilities. The Ordinance also establishes standards for transition of former petroleum operations into other uses.

- 15.LU-IM-9.9: Review and amend the City's Zoning Ordinance to address the permanent and effective screening of heavy industrial uses such as outdoor storage yards, pallet yards, salvage yards, auto dismantling yards, and similar uses.

See response to LU-9.5.

- 16.LU-12.3 Review landscape plans for new development to ensure that landscaping relates well to the proposed land use, the scale of structures, and the surrounding area.

See response to LU-9.5.

Transportation and Infrastructure Element

- 17.TI-IM-2.5 Evaluate traffic impacts, including truck impacts, associated with proposed new developments prior to project approval. Require the implementation of appropriate mitigation measures prior to, or in conjunction with, project development. Mitigation measures shall be required of the project developer on a "fair-share" basis.

The proposed Ordinance sets requirements for the maintenance and restoration of public roads caused by new and ongoing petroleum operations. If the parking lot or parking facilities are not located within a reasonable walking distance of the controlled drill site, the operator is required to provide transportation to and from specifically designated parking sites for employees and workers to minimize traffic impacts.

Housing Element

- 18.POLICY 2.1: Develop safeguards against noise and pollution to enhance

neighborhood quality.

The proposed Ordinance sets clear standards for noise, including requiring operation drilling and re-drilling on the oil field between the hours of 6:00 p.m. and 8:00 a.m. be conducted in conformity with a quiet mode operation plan that has been approved by the Petroleum Administrator, inspections by an independent qualified acoustical engineer, etc. Buffering of noise impacts are also achieved by requirements for setbacks from sensitive uses, etc. The Ordinance also contains a variety of regulatory mechanisms for the monitoring of air pollutants including hazardous emissions and Toxic Air Contaminants. For example, monitoring equipment is required for petroleum operations, and when an alarm is received the operator must promptly notify the Los Angeles County Fire Department - Health Hazardous Materials Division, and the SCAQMD. Likewise, the Ordinance also requires operators to implement a community alert notification system, or utilize an existing system operated by the Police, Sheriff or Fire Department, to automatically notify area residences and businesses in the event of an emergency at oil or gas facilities that would require residents to take shelter or take other protective actions.

Safety Element

19. SAF-4: Minimize the threat to the public health and safety and to the environment posed by a release of hazardous materials.

The proposed Ordinance establishes a permitting and discretionary review process regulating storage requirements for hazardous materials, and requires the operator annually provide the Petroleum Administrator a copy of the Hazardous Material Business Plan, as approved by the Los Angeles County Fire Department. The Ordinance also contains a variety of regulatory mechanisms for the monitoring and testing of air pollutants including hazardous emissions and Toxic Air Contaminants. For example, monitoring equipment is required for petroleum operations, and when an alarm is received the operator must promptly notify the Los Angeles County Fire Department - Health Hazardous Materials Division, and the SCAQMD. Likewise, the Ordinance also requires operators to implement a community alert notification system, or utilize an existing system operated by the Police, Sheriff or Fire Department, to automatically notify area residences and businesses in the event of an emergency at oil or gas facilities that would require residents to take shelter or take other protective actions.

20. SAF-4.1 Strictly enforce federal, state and local laws and regulations relating to the use, storage, and transportation of toxic, explosive, and other hazardous and extremely hazardous materials to prevent unauthorized discharges.

See above. In addition to the other enforcement options available to the City, the proposed Ordinance position of Petroleum Administrator to enforce the



provisions of the Ordinance, as well as Environmental Compliance Coordinators as needed to oversee the monitoring and condition compliance requirements of the City's permitting actions subject to regulation under the Ordinance. All sumps, cellars, and ditches are required to be cleaned out and all oil, oil residue, drilling fluid, and rubbish shall be removed or bio-remediated to reduce hydrocarbons to standards acceptable to federal, state, or local agencies. The operators are also required to report any violations of state or federal laws that occur on an oil and gas facility site to the Petroleum Administrator.

21. SAF-4.3 Through the planning and business permit processes, continue to monitor the operations of businesses and individuals which handle hazardous materials.

In addition to the creation of a Petroleum Administrator position and authorization of Environmental Compliance Coordinators, the proposed Ordinance authorizes a review of the CUPs and Development Agreements every five years to determine if the project and the associated CUP or DA are adequately mitigating significant environmental impacts caused by the drilling and operations. The Ordinance establishes active monitoring requirements as noted above.

22. SAF-5.3 Continue to work with the Fire Department to ensure their capability to address fires and other emergencies at refineries, tank farms, and other heavy industrial facilities within the City.

The proposed Ordinance requires fire prevention safeguards and that all equipment and design must be approved by the Los Angeles County Fire Department prior to approval of a Conditional Use Permit or development agreement.

Noise Element

23. N-1: Maximize efficiency in noise abatement efforts through clear and effective policies, plans and ordinances.

The proposed Ordinance sets clear standards for noise, including requiring operation drilling and redrilling on the oil field between the hours of 6:00 p.m. and 8:00 a.m. be conducted in conformity with a quiet mode operation plan that has been approved by the Petroleum Administrator, inspections by an independent qualified acoustical engineer, etc. Noise produced by oil or gas operations is required not to have any pure tones when measured at a distance of 1,000 feet from the project site, and vibration from operations is required not to exceed a velocity of 0.25 mm/s over the frequency range 1 to 100 Hz. Buffering of noise impacts are also achieved by requirements for setbacks from sensitive uses, etc.

- 24.N-1.2 Periodically review and amend (and/or combine if appropriate) plans, ordinances and policies relating to noise control.

See response to N-1. The proposed Ordinance authorizes a review of the CUPs and Development Agreements every five years to determine if the project and the associated CUP or DA are adequately mitigating significant environmental impacts caused by the drilling and operations. In addition, the Ordinance establishes active monitoring requirements.

- 25.N-1.3 Enhance enforcement methods and/or mechanisms by exploring new enforcement options.

See response to N-1. New enforcement methods and mechanisms include the creation of a Petroleum Administrator, and penalties for violation of the Ordinance, including the noise and hours of operation provisions, etc.

- 26.N-IM-1.1 Reinforce City policies and regulations by enhancing enforcement methods and/or mechanisms.

See response to N-1.

- 27.N-7.1 Incorporate noise considerations into land use planning decisions by establishing acceptable limits of noise for various land uses throughout the community.

See response to N-1.2.

- 28.N-7.4 Ensure acceptable noise levels near schools, hospitals, convalescent homes, churches, and other noise sensitive areas in accordance with Table N-2. To this end, require buffers or appropriate mitigation of potential noise sources. Such sources include, but are not limited to truck pickup and loading areas, mechanical and electrical equipment.

See response to N-1. The proposed Ordinance recognizes certain uses such as schools, hospitals, public parks, long-term health facilities, and other noise sensitive areas such as residences, are susceptible to noise and other impacts from oil and gas operations, and requires new petroleum facilities to be located at least 1,500 feet from these areas.

- 29.N-IM-7.2 Ensure that the noise standards fully integrate noise considerations into land use planning decisions to prevent new noise/land use conflicts. Use the criteria of Table N-2.

See response to N-7.4.



Open Space and Conservation Element

30. OSC-1.1 Preserve and enhance the existing open space resources in Carson.

The proposed ordinance preserves open space resources by prohibiting oil and gas facilities in "Open Space" zoned districts.

31. OSC-2.1 Maintain and improve water quality.

The proposed Ordinance promotes maintaining and improving water quality by a variety of regulations, including those that require: i) the operator to maintain and implement all provisions of a storm water pollution prevention plan ("SWPPP") that has been inspected by the Regional Water Quality Control Board and the Petroleum Administrator; ii) the operator to comply with all provisions of a water management plan that has been approved by the Petroleum Administrator; iii) the preparation of a hydrological analysis "Groundwater Testing Program" prior to any construction activities, along with mandatory groundwater testing and monitoring; iv) prohibitions against injecting any water spoils derived from the drilling operations into any non-exempt or DOGGR exempt freshwater basins; and v) the requirement to report water quality monitoring results for both surface and groundwater monitoring locations at an oil or gas facility.

32. OSC-2.2 Continue to monitor land uses discharging into water sources and water recharge areas, to prevent potential contamination from hazardous or toxic substances.

See response to OSC-2.1.

33. OSC-IM-2.3 Monitor land uses discharging into water sources and water recharge areas to prevent potential contamination from hazardous or toxic substances.

See response to OSC-2.1.

Air Quality Element

34. AQ-2.7 Reduce air pollutant emissions by mitigating air quality impacts associated with development projects to the greatest extent possible.

The proposed Ordinance helps reduce air pollutant emissions, including i) requirements for an air monitoring plan as part of the Environmental Quality Assurance Program; ii) compliance with an odor minimization plan that has been approved by the Petroleum Administrator; iii) reporting of air quality data to the public; iv) restrictions on off road diesel construction equipment to





***ATTENTION COUNTY CLERK ***
PLEASE POST FOR A FULL 36 DAYS

City of Carson

NOTICE OF EXEMPTION

CEQA: California Environmental Quality Act

TO: ☐ Office of Planning and Research
State of California
1400 Tenth Street
Sacramento, CA 90815

X Los Angeles County Registrar
Recorder/County Clerk
12400 E. Imperial Highway
Norwalk, CA 90650

Project Title: Text Amendment No. 19-15 to Update of City's Oil and Gas Ordinance; Text Amendment No. 20-15 regarding adoption of Ordinance prohibiting hydraulic fracturing ("fracking"), acidizing, or any other well stimulation treatment.

Project Location- Specific: City of Carson (city-wide application)

Project Location- City: Carson

Project Location- County: Los Angeles

Description of Nature, Purpose, and Beneficiaries of Project: This environmental assessment is for two ordinances: i) Adoption of an Oil and Gas Ordinance to the Municipal Code regarding regulation of petroleum facilities and operations; and ii) Adoption of an Ordinance update and amendment to the Municipal Code prohibiting hydraulic fracturing ("fracking"), acidizing, or any other defined well stimulation treatment. The purpose of the ordinances is to protect the environment and the public health, safety, welfare of the citizens of Carson in connection with impacts from petroleum operations and facilities within the City of Carson. Beneficiaries include the environment, residents, and petroleum operators who receive regulatory clarity. (See attachment for additional details.)

Name of Public Agency Approving Project: City of Carson

Name of Person or Agency Carrying Out Project: City of Carson

Exempt Status: (check one)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
☐ Declared Emergency (Sec 21080 (b)(3); 15269(a));
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
X Categorical Exemption. Section 15308 (Actions by Regulatory Agencies for Protection of the Environment)
☐ Statutory Exemptions.

Reasons why project is exempt: The Class 8 exemption is applicable because these Ordinances will enhance regulation of petroleum production and facilities in the City to better protect the environment. No exception to the exemption under CEQA Guideline section 15300.2 applies. (See attachment for additional details.)

Lead Agency

Contact Person: Saied Naaseh, Planning Manager

Area Code/Telephone: (310) 952-1770

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: _____

Title: _____

Date: _____

- X Signed by Lead Agency
☐ Signed by Applicant

Date received for filing at OPR:



ATTACHMENT TO NOTICE OF EXEMPTION

THE PROJECT DESCRIBED HEREIN IS DETERMINED TO BE CATEGORICALLY EXEMPT FROM THE PREPARATION OF ENVIRONMENTAL DOCUMENTS PURSUANT TO CEQA GUIDELINES SECTION 15308.

APPLICANT: City of Carson
Community Development Department
701 E. Carson Street
Carson, CA 90745

LEAD AGENCY: City of Carson

PROJECT LOCATION: City of Carson (city-wide application)

APN: Not Applicable

PROJECT TITLE: Text Amendment No. 19-15: Adoption of an Oil and Gas Ordinance to the Municipal Code regarding regulation of petroleum facilities and operations; and Text Amendment No 20-15: Adoption of an Ordinance update and amendment to the Municipal Code prohibiting hydraulic fracturing ("fracking"), acidizing, or any other well stimulation treatment.

PROJECT DESCRIPTION:

This project involves the consideration and potential adoption of two separate ordinances¹:

- Adoption of an Oil and Gas Ordinance to the Carson Municipal Code regarding regulation of petroleum facilities and operations; and
- Adoption of an Ordinance update and amendment to the Carson Municipal Code prohibiting hydraulic fracturing ("fracking"), acidizing, or any other defined well stimulation treatment.

The Oil and Gas Ordinance updates the Carson Municipal Code and provides for regulations governing petroleum operations and facilities. The Ordinance addresses administrative procedures, development standards for operations, and development standards for well or site abandonment, re-abandonment, site restoration and redevelopment designed to minimize the environmental effects of such operation. As part of the process, various provisions of the Carson Zoning Ordinance are proposed to be amended or repealed to allow for consolidation and update of the Oil and Gas Ordinance in its own Chapter in the Carson Municipal Code.

The second Ordinance updates and amends the Municipal Code to prohibit hydraulic fracturing ("fracking"), acidizing, or any other well stimulation treatment. The Ordinance also provides for enforcement provisions for violation of the prohibition.

EXEMPTION: CEQA Guideline §15308, Actions by Regulatory Agencies for Protection of the Environment

¹ Although these text amendments are technically two separate ordinances, and each ordinance has independent utility from the other, they both broadly relate to petroleum operations. To ensure potential impacts are fully assessed as required by CEQA, this environmental assessment has evaluated the ordinances both independently and collectively, and has determined that either evaluation process would result in a Class 8 Categorical Exemption. As such, this environmental assessment applies to either or both ordinances, and has fully assessed the possibility of implementation of both ordinances, or just a single ordinance, being adopted and implemented.

EXPLANATION:

The California Environmental Quality Act (CEQA) provides several "categorical exemptions" for certain projects and activities that do not have a significant adverse effect on the environment. A Lead Agency may approve and rely on a categorical exemption to satisfy the requirements of CEQA, as long as there is substantial evidence in the record that the project fits within the categorical exemption description and that there is no exception to the categorical exemption.

Here, adoption of the ordinances is categorically exempt under Class 8 (Actions by Regulatory Agencies for Protection of the Environment) pursuant to CEQA Guidelines section 15308. That section applies to:

"[A]ctions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities and relaxation of standards allowing environmental degradation are not included in this exemption."

The ordinances address the maintenance, restoration, enhancement and protection of the environment and the public health, safety, welfare of the citizens of Carson as related to potential impacts from petroleum operations and facilities within the City of Carson. The variety of environmental issues addressed include air, water, soil, geology, storm water and wastewater infrastructure, transportation, noise, emergency response, aesthetic issues, and petroleum operations near potentially sensitive receptors. The position of an Environmental Compliance Coordinator and a Petroleum Administrator are added to regulate compliance and ensure environmental issues are addressed. Neither ordinance provides for the relaxation of standards as compared to the current regulations in the Carson Municipal Code. Instead, the ordinances individually and collectively strengthen environmental standards related to petroleum operations and facilities with the City of Carson. Both ordinances would advance the protection of environmental resources within the City of Carson.

There is no substantial evidence in the record that there are unusual circumstances (including future activities) resulting in (or which might reasonably result in) significant impacts that threaten the environment. Specifically, the exceptions to the categorical exemptions articulated in Section 15300.2 of the State CEQA Guidelines are not applicable as:

- (a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. These classes are considered to apply in all instances, except where the project may impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

Here, the Categorical Exemption applied is a Class 8; therefore, this exception does not apply to the proposed ordinances.

- (b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

Here, the Categorical Exemption applied is Class 8; therefore, this exception does not apply to either of the proposed ordinances. Additionally, the ordinances do not relax standards for environmental protection, but instead enhance procedures and prohibitions that provide for further maintenance, restoration, enhancement, and protection of the environment from petroleum operations and facility uses which are currently allowed, or

are not fully regulated by, the Carson Municipal Code. As such, such a reduction to the impact of petroleum operations and facilities would not have substantial adverse impact on the environment, cumulative or otherwise.

- (c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

Here, the Oil and Gas Ordinance update clarifies and expands regulation of the permit process and procedure for any petroleum extraction or production projects and require that such projects obtain approval authority from the City Planning Commission or the City Council. Prior to such approval, these bodies must consider the potential environmental impacts related to petroleum operations or facilities and make appropriate determinations regarding potential impacts as required by CEQA.

The proposed ordinances also further enhance the ability of the City of Carson to protect the environment and avoid significant effects by ensuring that petroleum extraction and production operations are subject to a more comprehensive permitting process with CEQA review and regulatory oversight to ensure appropriate compliance. Additionally, prohibiting hydraulic fracturing, acidizing, or any other well stimulation treatment further limits – not relaxes – the environmental impacts these types of operations may potentially have on the environment including air quality, greenhouse gas emissions, water resources, geology, noise, traffic and public health and safety.

As such, there are no “unusual circumstances” that would create a reasonable possibility that adoption of the ordinances would have a significant adverse effect on the environment.

- (d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements, which are required as mitigation by an adopted negative declaration or certified EIR.

Here, the ordinances do not involve the approval of petroleum extraction and production operations in a manner that damages scenic resources. There are no state designated scenic highways located within or immediately adjacent to the City of Carson and, as such, neither ordinance has the potential to impact any of these state designated scenic resources. As an additional matter, expansion of the regulatory oversight and permitting requirements will require additional discretionary approvals for petroleum operations and facilities by the City, which in turn will also require expanded CEQA review and protections for any potential scenic resources as compared to the current process. Finally, prohibition of certain activities would limit, not expand, environmental protections for scenic resources.

- (e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site, which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

Here, the ordinances are proposed to apply city-wide, and do not propose construction on “a site.” Likewise, the ordinances do not negatively impact approval of any petroleum operations or facilities in a location listed as a hazardous waste site as compared to the current regulatory process. Instead, the ordinances provide additional regulatory grounds to ensure the maintenance, restoration, enhancements and protection of the environment, as well as a regulatory process for the protection of the environment.

- (f) Historical Resources. A categorical exemption shall not be used for a project, which may cause a substantial adverse change in the significance of a historical resource.

Here, the proposed ordinances do not negatively impact any approval of petroleum operations and facilities in a manner that causes substantial adverse change in the significance of a historical resource. As noted above, the ordinances provide for enhanced - not relaxed - regulations for protection of the environment as compared to the current regulatory process. The proposed ordinances do not modify the current restrictions and protections put into place by the City of Carson regarding historical resources, nor is there substantial information in the record that the ordinances may cause a substantial adverse change in the significance of a historical resource.

LEAD AGENCY
CONTACT PERSON:

Saied Naaseh
Planning Manager
City of Carson
Community Development Department
701 E. Carson Street
Carson, CA 90745
Phone: (310) 952-1770
FAX: (310) 835-5749

OUR WEEKLY

This space for filing stamp only

8732 S WESTERN AVE, LOS ANGELES, CA 90047
Telephone (323) 905-1319 / Fax (323) 753-0456

Solo Faagata
CITY OF CARSON/COMMUNITY DEVELOPMENT D
701 EAST CARSON ST.
CARSON, CA - 90745

CNS #: 2717511

NOTICE OF A COMMUNITY
MEETING AND
NOTICE OF PLANNING
COMMISSION PUBLIC
HEARING

ADDRESS ANY
COMMUNICATIONS TO:
COMMUNITY
DEVELOPMENT
DEPARTMENT- PLANNING
DIVISION
701 EAST CARSON STREET
CARSON, CALIFORNIA
90745

Update of City's Oil and Gas
Code and Prohibition of
Hydraulic Fracturing
("Fracking")

The community meeting and
Planning Commission hearing
will address the following
matters to be considered for
city-wide application:

- Adoption of an Oil and Gas Ordinance to the Municipal Code regarding regulation of petroleum facilities and operations;
- Adoption of an Ordinance update and amendment to the Municipal Code prohibiting hydraulic fracturing ("fracking"), acidizing, or any other well stimulation treatment; and
- Approval of associated environmental findings for the Ordinances of Class 8 Categorical Exemption under CEQA Guidelines Section 15308.

A COMMUNITY MEETING will be conducted by the City of Carson to inform Carson residents and other interested parties on the upcoming update to the City's Oil and Gas Code. At this meeting, City's Consultant, MRS. will make a presentation to summarize the Ordinances.
TIME: 6:00 P.M., Tuesday, February 18, 2015
PLACE: Congresswoman Juanita Millender-McDonald Community Center, Community Halls ABC 801 East Carson Street, Carson, CA 90745

The PLANNING COMMISSION of the City of Carson, California, will conduct a Public Hearing, at regularly scheduled meeting, at which time you may be present and be heard, to consider the Ordinances and environmental findings noted above.
TIME: 6:30 P.M., Tuesday, February 24, 2015
PLACE: Congresswoman Juanita Millender-McDonald Community Center, Community Halls ABC 801 East Carson Street, Carson, CA 90745

All persons interested in this topic who have questions or would like to provide feedback are invited to attend. If you challenge the approval or denial of these matters in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission, at or prior to, the public hearing. Address any communications or comments regarding the project to Saied Naaseh, Planning Manager, Planning Division, 701 East Carson Street, Carson, California 90745, (310) 952-1770, or naaseh@carson.ca.us. Documents related to the proposed project are on file with the City of Carson Planning Division. A copy of the Oil and Gas Code will be available on February 11, 2015 by visiting <http://ci.carson.ca.us/departments/communitydevelopment/oilcodeupdate.asp>

DATED: This 5th day of February, 2015

City Clerk, Donesia L. Gause,
CMC
City of Carson, California
2/12/15
CNS-2717511#
OUR WEEKLY

PROOF OF PUBLICATION

(2015.5 C.C.P.)

State of California)
County of LOS ANGELES) ss

Notice Type: HRG - NOTICE OF HEARING

Ad Description:

NOTICE OF A COMMUNITY MEETING AND NOTICE OF PLANNING
COMMISSION PUBLIC HEARING

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the OUR WEEKLY, a newspaper published in the English language in the city of Carson, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of Los Angeles, State of California, under date of 09/19/2006, Case No. BS103787. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

02/12/2015

Executed on: 02/12/2015
At Los Angeles, California

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Signature

EXHIBIT NO. 05



Update of City's Oil and Gas Code and Prohibition of Hydraulic Fracturing ("Fracking")

The community meeting and Planning Commission hearing will address the following matters to be considered:

- Adoption of an Oil & Gas Ordinance to the Municipal Code regarding regulation of petroleum facilities and operations;
- Adoption of an Ordinance update and amendment to the Municipal Code prohibiting hydraulic fracturing ("fracking"), acidizing, or any other well stimulation treatment; and
- Approval of associated environmental findings for the Ordinances of Class 8 Categorical Exemptions under CEQA Guidelines Section 15308.

All persons interested in this topic who have questions, would like to provide feedback, or ask questions are invited to attend. If you challenge the approval or denial of these matters in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission, at or prior to, the public hearing. Address any communications or comments regarding the project to Saied Naaseh, Planning Manager, Planning Division, 701 East Carson Street, Carson, California 90745, (310) 952-1770, or snaaseh@carson.ca.us. Documents related to the proposed project are on file with the City of Carson Planning Division. A copy of the Oil and Gas Code will be available on February 11, 2015 by visiting <http://ci.carson.ca.us/departments/communitydevelopment/oilcodeupdate.asp>.

TIME: Community Meeting: February 18, 2015 at 6 PM

Planning Commission: February 24, 2015 at 6:30 PM

PLACE: Congresswoman Juanita Millender-McDonald Community Center at Carson
Community Hall ABC
801 East Carson Street, Carson, CA 90745

DATED: This 5th day of February, 2015



Donesia Gause
City of Carson, City Clerk

EXHIBIT 7

OTHER ITEMS IN THE ADMINISTRATIVE RECORD

Agendas, Staff Reports, letters and other written material submitted to the City Council at the meetings referenced in the Staff Report can be found at <http://ci.carson.ca.us/>. Video of the meetings can also be found at <http://ci.carson.ca.us/content/videoarchive.asp>. These items are part of the administrative record for this Text Amendment.



CITY OF CARSON

PLANNING COMMISSION STAFF REPORT

PUBLIC HEARING: February 24, 2015
SUBJECT: Text Amendment No. 20-15
APPLICANT: City of Carson
REQUEST: To consider adoption of an Ordinance prohibiting hydraulic fracturing ("fracking"), acidizing and any other form of well stimulation, and the associated CEQA finding
PROPERTY INVOLVED: City-wide

COMMISSION ACTION

☐ Concurred with staff
☐ Did not concur with staff
☐ Other

COMMISSIONERS' VOTE

AYE	NO		AYE	NO	
		Chairman Faletogo			Gordon
		Vice-Chairman Piñon			Saenz
		Brimmer			Schaefer
		Diaz			Verrett
		Goolsby			

I. Introduction

Zone Text Amendment 20-15 proposes an update to the Carson Municipal Code to prohibit hydraulic fracturing ("fracking"), acidizing and any other form of well stimulation in conjunction with the production or extraction of oil, gas or other hydrocarbon substances in the city. The Ordinance defines the specific uses that are prohibited, and establishes penalties for petroleum operators who engage in prohibited uses.

The Planning Commission is also concurrently hearing Zone Text Amendment No. 19-15, which proposes Oil and Gas Ordinance updates to the Carson Municipal Code and provides for regulations governing petroleum operations and facilities. Although both text amendments broadly relate petroleum operations and both have their basis in the Council meetings held in the spring of 2014, the two text amendments are technically separate actions, and each has its own independent utility. As such, the Planning Commission has the authority to recommend approval of all, one, or none of the proposed text amendments.

II. Background

The City of Carson zoning and land use standards and regulations for oil and gas drilling have not been updated in several years. During that period of time, there have been significant changes in oil and gas production practices and changes to state statutes and regulations.

The City Council held several meetings regarding these and other petroleum-related issues on March 18, 2014, April 15, 2014, April 29, 2014, and May 20, 2014. On May 20, 2015, the City Council directed City Staff to commence a complete and comprehensive review to update the Municipal Code regarding oil and gas operations and to study and address all modern-day drilling issues and applications. The City Council also directed City Staff to address regulation of hydraulic fracturing ("fracking"), acidizing and any other form of well stimulation in conjunction with the production or extraction of oil, gas or other hydrocarbon substances in the city. Finally, City Staff were also directed to have at least two workshops with the community to receive community input and feedback. Therefore, the Community Development Department has initiated a text amendment to facilitate this process.

Staff has completed a comprehensive review of hydraulic fracturing, acidizing and other forms well stimulation with the assistance of Marine Research Specialists (MRS), an environmental consulting firm with expertise with petroleum operations and the City Attorney's office. As part of this review process, the City has engaged in significant community outreach regarding this matter, including sending mailed notices of community meetings to the approximately 30,000 addresses in the city, publishing notices in the newspaper, and holding three community meetings regarding oil and gas operation issues including hydraulic fracturing, acidizing and other forms of well stimulation. The most recent community meeting is scheduled for February 18, 2014.



First and foremost, the proposed Ordinance is written to protect the environment and the public health, safety, welfare of the citizens of Carson. Furthermore, the proposed Ordinance seeks to effectively and appropriately balance the rights of existing operators and future applicants who wish to develop oil and gas drilling and extraction facilities in the City.

III. Analysis

This project involves the consideration of an Ordinance to prohibit hydraulic fracturing, acidizing and any other form of well stimulation in conjunction with the production or extraction of oil, gas or other hydrocarbon substances in the city.

Components

The proposed Ordinance is comprised of two sections:

- Section 1, "Prohibited Uses," prohibits hydraulic fracturing, acidizing, or any other well stimulation treatments. Certain exceptions are noted, including a procedure where City's Petroleum Administrator may issue a permit if the owner/operator can demonstrate: (1) well stimulation, other than hydraulic fracturing, is necessary to recover the owner/operator's reasonable investment backed expectation; and (2) that such well stimulation will not create a nuisance due to an adverse impact on persons or property within the City.
- Section 2, "Violations of Prohibited Uses" establishes enforcement proceedings for violations of prohibited uses. This includes paying the City a fine of \$100,000 or more per day, depending on the severity of the violation, at the discretion of the Petroleum Administrator. Additionally, the Petroleum Administrator may also require an immediate shutdown of all operations at a oil and gas facility site, as long as the shutdown would not otherwise threaten public health, safety or welfare.

Plan Consistency

The proposed text amendment is consistent with the General Plan and Specific Plans. Details are included the "General Plan and Specific Plan Consistency", refer to Exhibit 3.

IV. Environmental Review

Staff performed a preliminary environmental assessment of this project and has determined that it falls within the Class 8 Categorical Exemption set forth in CEQA Guidelines section 15308, which exempts actions by regulatory agencies for the protection of the environment. This Categorical Exemption is applicable as this Ordinance is intended to further regulate oil and gas production in the City in such a way as to better protect the environment. Additionally, prohibiting hydraulic fracturing, acidizing, or any other well stimulation treatment further

limits – not relaxes – the environmental impacts these types of operations may potentially have on the environment including air quality, greenhouse gas emissions, water resources, geology, noise, traffic and public health and safety. By doing so, the Ordinance effectively strengthens environmental standards related to the prohibited uses, and thereby advances the protection of environmental resources within the City of Carson. Furthermore, none of the exceptions to Categorical Exemptions set forth in the CEQA Guidelines, section 15300.2 apply to this project.

V. Conclusion

Approval of the text amendment will provide an update to the Carson Municipal Code to prohibit hydraulic fracturing, acidizing and any other form of well stimulation as described in the Ordinance, and will also establish penalties for violations.

VI. Recommendation

If the Planning Commission is inclined to recommend approval of the Ordinance prohibiting hydraulic fracturing, etc., and the associated CEQA finding to the City Council, staff recommends the Planning Commission:

- **ADOPT RESOLUTION NO. _____:**
 - **RECOMMENDING APPROVAL** of a finding of a Class 8 Categorical Exemption under CEQA Guidelines §15308, as the Ordinance is an action taken by a regulatory agency for the protection of the environment; and
 - **RECOMMENDING APPROVAL** to the City Council an Ordinance to adopt Zone Text Amendment No. 19-15 adding Sections 9536 and 9536.1 to Chapter 5 of Article IV of the Carson Municipal Code to prohibit hydraulic fracturing (“fracking”), acidizing and any other form of well stimulation in conjunction with the production or extraction of oil, gas or other hydrocarbon substances in the city.

VII. Exhibits

1. Proposed Planning Commission Resolution
2. Proposed Ordinance Amendment ZTA No. 20-15 (Exhibit to Planning Commission Resolution)
3. General Plan and Specific Plan Consistency Exhibit
4. Draft Notice of Exemption (CEQA)
5. Community and Planning Commission Meeting Notices Published in Newspaper
6. Notice Mailed to All Addresses in City (Sample)
7. Other Items in the Administrative Record

Prepared, Reviewed and Approved by:


Saied Naaseh, Planning Manager

01007.0018/242568.1

CITY OF CARSON
PLANNING COMMISSION
RESOLUTION NO. 15 - _____

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF CARSON RECOMMENDING THE CITY COUNCIL TO ADOPT TEXT AMENDMENT NO. 20-15, ADDING SECTIONS 9536 AND 9536.1 TO CHAPTER 5 OF ARTICLE IV OF THE CARSON MUNICIPAL CODE TO PROHIBIT HYDRAULIC FRACTURING ("FRACKING"), ACIDIZING AND ANY OTHER FORM OF WELL STIMULATION IN CONJUNCTION WITH THE PRODUCTION OR EXTRACTION OF OIL, GAS OR OTHER HYDROCARBON SUBSTANCES IN THE CITY; AND RECOMMENDING APPROVAL OF A FINDING OF A CLASS 8 CATEGORICAL EXEMPTION UNDER CEQA GUIDELINES §15308

WHEREAS, all oil and gas operations have the potential for significant and immediate impacts on the health, safety, and welfare of the citizens of Carson through increased noise, odor, dust, traffic, and other disturbances, as well as the potential to significantly impact the City's air, water, soil, geology, storm water and wastewater infrastructure, transportation, noise exposures, emergency response plans and aesthetic values and community resources; and

WHEREAS, the City of Carson zoning and land use standards and regulations on oil and gas drilling have not been updated in several years, and have not been updated prior to various changes in oil and gas production practices and changes to state statutes and regulations; and

WHEREAS, the City Council held a variety of meetings regarding these and related issues associated with petroleum operations on March 18, 2014, April 15, 2014, April 29, 2014, and May 20, 2014; and

WHEREAS, on March 18, 2014, the City Council adopted Urgency Ordinance No. 14-1534U entitled "An Interim Urgency Ordinance of the City of Carson, California, Establishing a 45-Day Temporary Moratorium on the Drilling, Redrilling or Deepening of any Wells Within the Jurisdiction of the City of Carson that are Associated with Oil and/or Gas Operations, and Declaring the Urgency thereof," and

WHEREAS, on May 20, 2015, the City Council directed City Staff to commence a complete and comprehensive review to update the Municipal Code regarding oil and gas operations and to study and address all modern-day drilling issues and applications; and

WHEREAS, as part of this process, City Council directed City Staff to address regulation of hydraulic fracturing ("fracking"), acidizing and any other form of well stimulation in conjunction with the production or extraction of oil, gas or other hydrocarbon substances in the city; and

WHEREAS, City Staff were also directed to have at least two workshops with the community to receive community input and feedback; and

WHEREAS, the Community Development Department also initiated Text Amendment No. 20-15 to facilitate this review; and

WHEREAS, the City of Carson has reviewed and studied revisions as necessary to the City's laws, rules, procedures and fees related to petroleum operations and facilities, to enable the City to adequately and appropriately balance the rights of existing operators and future applicants who wish to develop oil and gas drilling and extraction facilities in the City, with the preservation of the health, safety and welfare of the communities surrounding the oil and gas drilling and extraction facilities in the city; and

WHEREAS, as part of this review process the City of Carson has engaged in significant community outreach regarding this matter, including sending mailed notices of community meetings to the approximately 30,000 resident addresses in the city, publishing notices in the newspaper, and holding three community meetings regarding oil and gas operation issues, including fracking and other well stimulation techniques; and

WHEREAS, City of Carson Staff prepared a proposed Ordinance prohibiting fracking and other well stimulation techniques, made it available on the internet on February 11, 2015, and received public feedback during the community meeting on February 18, 2015; and

WHEREAS, the Planning Commission of the City of Carson subsequently received and reviewed the proposed Ordinance prohibiting fracking and other well stimulation techniques at a duly noticed meeting held at 6:30 a.m. on February 24, 2015, at the Congresswoman Juanita Millender-McDonald Community Center, Community Halls ABC, 801 East Carson Street, Carson, CA 90745; and

WHEREAS, public testimony and evidence, both written and oral, was considered by the Planning Commission of the City of Carson; and

WHEREAS, Planning Commission of the City of Carson has reviewed Text Amendment No. 20-15 for consistency with the General Plan and all applicable Specific Plans; and

WHEREAS, after considering public testimony and receiving information, the Planning Commission of the City of Carson desires to recommend approval of Zone Text Amendment No. 20-15, which prohibits fracking, acidizing and any other form of well stimulation in conjunction with the production or extraction of oil, gas or other hydrocarbon substances, to the City Council of the City of Carson; and

WHEREAS, the Planning Commission of the City of Carson has also reviewed and also desires to recommend approval of a finding of a Class 8 Categorical Exemption under CEQA Guidelines §15308, as the Ordinance is an action taken by a regulatory agency for the protection of the environment, to the City Council of the City of Carson; and

WHEREAS, it is the intent of the recommendation of the Planning Commission of the City of Carson that petroleum operations shall be permitted within the City of Carson, except where expressly prohibited, subject to the application the Carson Municipal Code and all other applicable laws, regulations and requirements; and

WHEREAS, it is a purpose of said recommendation of adoption to protect the health, safety, public welfare, physical environment and natural resources of the City of Carson by the reasonable regulation of certain petroleum operations.

NOW, THEREFORE, THE PLANNING COMMISSION OF THE CITY OF CARSON, CALIFORNIA, HEREBY FINDS, RESOLVES AND ORDERS AS FOLLOWS:

Section 1. Text Amendment No. 20-15 was assessed in accordance with the authority and criteria contained in the California Environmental Quality Act (CEQA), the State CEQA Guidelines (the Guidelines), and the environmental regulations of the City. The Planning Commission hereby recommends a finding and determination by the City Council that the adoption of Text Amendment No. 19-15 is exempt from CEQA pursuant to Section 15308 of the Guidelines for actions taken by regulatory agencies to assure the maintenance, restoration, enhancement, or protection of the environment. Such a finding and determination is warranted because this Ordinance is intended to further regulate oil and gas production in the City in such a way as to better protect the environment. No exception to the exemption under CEQA Guideline Section 15300.2 applies.

Section 2. The Planning Commission of the City of Carson has reviewed Text Amendment No. 20-15, an Ordinance prohibiting fracking and other well stimulation techniques within the City of Carson, and hereby finds it is consistent with the General Plan and all applicable Specific Plans.

Section 3. The Planning Commission hereby recommends approval to the City Council of an Ordinance to adopt Text Amendment No. 20-15 adding sections 9536 and 9536.1 to Chapter 5 of Article IV of the Carson Municipal Code to prohibit hydraulic fracturing, acidizing and any other form of well stimulation in conjunction with the production or extraction of oil, gas or other hydrocarbon substances in the city (Exhibit "1").

Section 4. The Secretary shall certify to the adoption of the Resolution and shall transmit copies of the same to the City Council of the City of Carson.

PASSED, APPROVED AND ADOPTED THIS 24th DAY OF FEBRUARY, 2015.

CHAIRMAN

ATTEST:

SECRETARY



**EXHIBIT 1 TO
PLANNING COMMISSION RESOLUTION**

TEXT AMENDMENT NO. 19-15

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CARSON, CALIFORNIA, TO ADOPT TEXT AMENDMENT NO. 20-15, ADDING SECTIONS 9536 AND 9536.1 TO CHAPTER 5 OF ARTICLE IV OF THE CARSON MUNICIPAL CODE TO PROHIBIT HYDRAULIC FRACTURING ("FRACKING"), ACIDIZING AND ANY OTHER FORM OF WELL STIMULATION IN CONJUNCTION WITH THE PRODUCTION OR EXTRACTION OF OIL, GAS OR OTHER HYDROCARBON SUBSTANCES IN THE CITY; AND RECOMMENDING APPROVAL OF A FINDING OF A CLASS 8 CATEGORICAL EXEMPTION UNDER CEQA GUIDELINES §15308

Section 1. Article IX, Chapter 5, Section 9536 (Prohibited Uses) of the Carson Municipal Code is hereby added to read, in its entirety, as follows:

9536 Prohibited Uses

The owner/operator shall not use or cause to be used hydraulic fracturing, acidizing, or any other well stimulation treatment. Notwithstanding any other provision of this article, it shall be unlawful to use or cause to be used any land within the City for the purpose of conducting or enabling hydraulic fracturing, acidizing, or any other well stimulation treatment in conjunction with the production or extraction of oil, gas or other hydrocarbon substance from any subsurface location within the City, other than normal maintenance work that utilizes acidizing techniques. However, to the extent that any permittee demonstrates to the Petroleum Administrator, that (1) well stimulation, other than hydraulic fracturing, is necessary to recover the owner/operator's reasonable investment backed expectation established through investment made before the effective date of this ordinance; and (2) that such well stimulation will not create a nuisance due to an adverse impact on persons or property within the City, then the Petroleum Administrator may authorize such well stimulation pursuant to a permit issued pursuant to this ordinance.

Section 2. Article IX, Chapter 5, Section 9536.1 (Violation of Prohibited Uses) of the Carson Municipal Code is hereby added to read, in its entirety, as follows:

9536.1 Violations of Prohibited Uses

Any operator who violates Section 9536 of this code shall be subject to the enforcement proceedings including those found in Sections 9512, 9513, 9514, and 9515 in addition to the following:

A. If an operator is found responsible for violation of Section 9536, the operator will be responsible for paying the City a fine of \$100,000 or more per day, depending on the severity of the violation, at the discretion of the Petroleum Administrator.

B. In addition to fines, the Petroleum Administrator may also require an immediate shutdown of all operations at a oil and gas facility site where violations of Section 9536 have been identified, as long as the shutdown would not otherwise threaten public health, safety or welfare.



EXHIBIT "3"

GENERAL PLAN AND SPECIFIC PLAN CONSISTENCY

This Ordinance is consistent with the adopted General Plan and all Specific Plans. The relationship of proposed Text Amendment No. 20-15 to the General Plan and Specific Plans includes the following:

I. General Plan

Land Use Element:

1. LU-IM-2.2: Examine the potential to allow the City to fine those parties not in compliance with the City's Ordinance.

The proposed Ordinance provides additional fine and penalty provisions for persons violating the Code, including an operator may be responsible for paying the City a fine of \$100,000 or more per day, as well as providing for immediate shutdown of all operations at an oil and gas facility site where violations of Section 9537 have been identified, as long as the shutdown would not otherwise threaten public health, safety concerns or welfare.

2. LU-3: Removal of incompatible and non-conforming uses which detract from the aesthetics and safety of the community.

The proposed Ordinance recognizes the risks posed by petroleum operations that use hydraulic fracturing, acidizing, or any other well stimulation treatment, are incompatible with, and detract from, the safety of the community.

3. LU-6.8: Manage truck-intensive uses

The proposed Ordinance prohibits hydraulic fracturing, acidizing, and any other well stimulation treatments, which will help to manage truck-intensive uses, as these types of operations can require frequent deliveries of materials/water via semi truck.

4. LU-7: Adjacent land uses that are compatible with one another.

The proposed Ordinance supports compatible land uses by recognizing certain petroleum operations, involving hydraulic fracturing, acidizing, or any other well stimulation treatment, pose a risk to the community as a whole and are not compatible in any zoned district.

5. LU-IM-7.6: Continue to enforce the Zoning and other ordinances to achieve the desired level of regulation.



The proposed Ordinance establishes additional fines and penalties for violation, which provides additional levels of enforcement options to the City.

Transportation and Infrastructure Element

6. TI-IM-2.5 Evaluate traffic impacts, including truck impacts, associated with proposed new developments prior to project approval. Require the implementation of appropriate mitigation measures prior to, or in conjunction with, project development. Mitigation measures shall be required of the project developer on a "fair-share" basis.

The proposed Ordinance bans hydraulic fracturing, acidizing, or any other well stimulation treatment, which traditionally involve significant levels of heavy traffic in order to engage in those uses.

Housing Element

7. POLICY 2.1: Develop safeguards against noise and pollution to enhance neighborhood quality.

The proposed Ordinance recognizes that hydraulic fracturing, acidizing, and other well stimulation treatment methods can significantly contribute to noise (from operations and associated traffic) and pollution in the water, air and soil. By prohibiting this use, the Ordinance provides safeguards regarding these issues, thereby enhancing the quality of the entire Carson community. See also response to SAF-4, below.

Safety Element

8. SAF-4: Minimize the threat to the public health and safety and to the environment posed by a release of hazardous materials.

Chemicals used in fracking, acidizing, and other well-stimulation techniques have health and environmental impacts. While operators have recently been required to report the types of chemicals used in the process, the exact chemical composition of fracking, acidizing, and other well-stimulation techniques has been withheld based on claims of propriety information. Fracking has the potential to impact ground water resources with these chemicals or with oil reservoir fluids, due to the fracturing of the geological features that normally would isolate the oil and ground water. Fracking and other well-stimulation activities could increase the risks of these compounds entering groundwater, surface water, the soil and air as a result of migration, spills, flow-back, and other factors related to petroleum operations and hydrocarbon extraction. By prohibiting these uses, the proposed Ordinance helps minimize the threats of these substances to the environment.



9. SAF-4.1 Strictly enforce federal, state and local laws and regulations relating to the use, storage, and transportation of toxic, explosive, and other hazardous and extremely hazardous materials to prevent unauthorized discharges.

See LU-IM-2.2, above, regarding additional enforcement options provided by the proposed Ordinance.

Noise Element

- 10.N-1: Maximize efficiency in noise abatement efforts through clear and effective policies, plans and ordinances.

The proposed Ordinance prohibits a narrow band of uses that typically involve unusually high concentrations of heavy truck usage. The prohibition would thereby preclude noise and vibration associated with such traffic.

Open Space and Conservation Element

- 11.OSC-2.1 Maintain and improve water quality.

The proposed Ordinance promotes water quality by prohibiting certain operations that both consume inordinate amounts of fresh water, and which risk contaminating limited water resources (through migrations, spills, flowback, etc.), during a period of water shortages and drought.

Air Quality Element

- 12.AQ-2.7 Reduce air pollutant emissions by mitigating air quality impacts associated with development projects to the greatest extent possible.

The proposed Ordinance helps reduce air pollutant emissions by prohibiting specific types of uses that could promote the migration of methane and other chemicals or compounds into the atmosphere.

II. SPECIFIC PLANS

The proposed Ordinance was reviewed for consistency as to all Specific Plans adopted by the City of Carson including: i) Dominguez Technology Center – Phase I; ii) Dominguez Technology Center – Phase II; iii) Carson Town Centre; iv) Dominguez Hills Village Specific Plan; v) Monterey Pines; vi) Villages of Brighton and Strathmore; and vii) Boulevards at South Bay. The Specific Plans either do not regulate the same subject matter proposed by the Ordinance, specifically allow for modification by amendment to the Carson Municipal Code, or give authority to the City's Municipal Code.



***ATTENTION COUNTY CLERK ***
PLEASE POST FOR A FULL 36 DAYS

City of Carson

NOTICE OF EXEMPTION

CEQA: California Environmental Quality Act

TO: ☐ Office of Planning and Research
State of California
1400 Tenth Street
Sacramento, CA 90815

X Los Angeles County Registrar
Recorder/County Clerk
12400 E. Imperial Highway
Norwalk, CA 90650

Project Title: Text Amendment No. 19-15 to Update of City's Oil and Gas Ordinance; Text Amendment No. 20-15 regarding adoption of Ordinance prohibiting hydraulic fracturing ("fracking"), acidizing, or any other well stimulation treatment.

Project Location- Specific: City of Carson (city-wide application)

Project Location- City: Carson

Project Location- County: Los Angeles

Description of Nature, Purpose, and Beneficiaries of Project: This environmental assessment is for two ordinances: i) Adoption of an Oil and Gas Ordinance to the Municipal Code regarding regulation of petroleum facilities and operations; and ii) Adoption of an Ordinance update and amendment to the Municipal Code prohibiting hydraulic fracturing ("fracking"), acidizing, or any other defined well stimulation treatment. The purpose of the ordinances is to protect the environment and the public health, safety, welfare of the citizens of Carson in connection with impacts from petroleum operations and facilities within the City of Carson. Beneficiaries include the environment, residents, and petroleum operators who receive regulatory clarity. (See attachment for additional details.)

Name of Public Agency Approving Project: City of Carson

Name of Person or Agency Carrying Out Project: City of Carson

Exempt Status: (check one)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);
- ☐ Declared Emergency (Sec 21080 (b)(3); 15269(a));
- ☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
- X Categorical Exemption. Section 15308 (Actions by Regulatory Agencies for Protection of the Environment)
- ☐ Statutory Exemptions.

Reasons why project is exempt: The Class 8 exemption is applicable because these Ordinances will enhance regulation of petroleum production and facilities in the City to better protect the environment. No exception to the exemption under CEQA Guideline section 15300.2 applies. (See attachment for additional details.)

Lead Agency

Contact Person: Saied Naaseh, Planning Manager

Area Code/Telephone: (310) 952-1770

If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: _____

Title: _____

Date: _____

- X Signed by Lead Agency
- ☐ Signed by Applicant

Date received for filing at OPR:

ATTACHMENT TO NOTICE OF EXEMPTION

THE PROJECT DESCRIBED HEREIN IS DETERMINED TO BE CATEGORICALLY EXEMPT FROM THE PREPARATION OF ENVIRONMENTAL DOCUMENTS PURSUANT TO CEQA GUIDELINES SECTION 15308.

APPLICANT: City of Carson
Community Development Department
701 E. Carson Street
Carson, CA 90745

LEAD AGENCY: City of Carson

PROJECT LOCATION: City of Carson (city-wide application)

APN: Not Applicable

PROJECT TITLE: Text Amendment No. 19-15: Adoption of an Oil and Gas Ordinance to the Municipal Code regarding regulation of petroleum facilities and operations; and Text Amendment No 20-15: Adoption of an Ordinance update and amendment to the Municipal Code prohibiting hydraulic fracturing ("fracking"), acidizing, or any other well stimulation treatment.

PROJECT DESCRIPTION:

This project involves the consideration and potential adoption of two separate ordinances¹:

- Adoption of an Oil and Gas Ordinance to the Carson Municipal Code regarding regulation of petroleum facilities and operations; and
- Adoption of an Ordinance update and amendment to the Carson Municipal Code prohibiting hydraulic fracturing ("fracking"), acidizing, or any other defined well stimulation treatment.

The Oil and Gas Ordinance updates the Carson Municipal Code and provides for regulations governing petroleum operations and facilities. The Ordinance addresses administrative procedures, development standards for operations, and development standards for well or site abandonment, re-abandonment, site restoration and redevelopment designed to minimize the environmental effects of such operation. As part of the process, various provisions of the Carson Zoning Ordinance are proposed to be amended or repealed to allow for consolidation and update of the Oil and Gas Ordinance in its own Chapter in the Carson Municipal Code.

The second Ordinance updates and amends the Municipal Code to prohibit hydraulic fracturing ("fracking"), acidizing, or any other well stimulation treatment. The Ordinance also provides for enforcement provisions for violation of the prohibition.

EXEMPTION: CEQA Guideline §15308, Actions by Regulatory Agencies for Protection of the Environment

¹ Although these text amendments are technically two separate ordinances, and each ordinance has independent utility from the other, they both broadly relate to petroleum operations. To ensure potential impacts are fully assessed as required by CEQA, this environmental assessment has evaluated the ordinances both independently and collectively, and has determined that either evaluation process would result in a Class 8 Categorical Exemption. As such, this environmental assessment applies to either or both ordinances, and has fully assessed the possibility of implementation of both ordinances, or just a single ordinance, being adopted and implemented.

EXPLANATION:

The California Environmental Quality Act (CEQA) provides several "categorical exemptions" for certain projects and activities that do not have a significant adverse effect on the environment. A Lead Agency may approve and rely on a categorical exemption to satisfy the requirements of CEQA, as long as there is substantial evidence in the record that the project fits within the categorical exemption description and that there is no exception to the categorical exemption.

Here, adoption of the ordinances is categorically exempt under Class 8 (Actions by Regulatory Agencies for Protection of the Environment) pursuant to CEQA Guidelines section 15308. That section applies to:

"[A]ctions taken by regulatory agencies, as authorized by state or local ordinance, to assure the maintenance, restoration, enhancement, or protection of the environment where the regulatory process involves procedures for protection of the environment. Construction activities and relaxation of standards allowing environmental degradation are not included in this exemption."

The ordinances address the maintenance, restoration, enhancement and protection of the environment and the public health, safety, welfare of the citizens of Carson as related to potential impacts from petroleum operations and facilities within the City of Carson. The variety of environmental issues addressed include air, water, soil, geology, storm water and wastewater infrastructure, transportation, noise, emergency response, aesthetic issues, and petroleum operations near potentially sensitive receptors. The position of an Environmental Compliance Coordinator and a Petroleum Administrator are added to regulate compliance and ensure environmental issues are addressed. Neither ordinance provides for the relaxation of standards as compared to the current regulations in the Carson Municipal Code. Instead, the ordinances individually and collectively strengthen environmental standards related to petroleum operations and facilities with the City of Carson. Both ordinances would advance the protection of environmental resources within the City of Carson.

There is no substantial evidence in the record that there are unusual circumstances (including future activities) resulting in (or which might reasonably result in) significant impacts that threaten the environment. Specifically, the exceptions to the categorical exemptions articulated in Section 15300.2 of the State CEQA Guidelines are not applicable as:

- (a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where the project is to be located -- a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. These classes are considered to apply in all instances, except where the project may impact an environmental resource of hazardous or critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

Here, the Categorical Exemption applied is a Class 8; therefore, this exception does not apply to the proposed ordinances.

- (b) Cumulative Impact. All exemptions for these classes are inapplicable when the cumulative impact of successive projects of the same type in the same place, over time is significant.

Here, the Categorical Exemption applied is Class 8; therefore, this exception does not apply to either of the proposed ordinances. Additionally, the ordinances do not relax standards for environmental protection, but instead enhance procedures and prohibitions that provide for further maintenance, restoration, enhancement, and protection of the environment from petroleum operations and facility uses which are currently allowed, or



are not fully regulated by, the Carson Municipal Code. As such, such a reduction to the impact of petroleum operations and facilities would not have substantial adverse impact on the environment, cumulative or otherwise.

- (c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

Here, the Oil and Gas Ordinance update clarifies and expands regulation of the permit process and procedure for any petroleum extraction or production projects and require that such projects obtain approval authority from the City Planning Commission or the City Council. Prior to such approval, these bodies must consider the potential environmental impacts related to petroleum operations or facilities and make appropriate determinations regarding potential impacts as required by CEQA.

The proposed ordinances also further enhance the ability of the City of Carson to protect the environment and avoid significant effects by ensuring that petroleum extraction and production operations are subject to a more comprehensive permitting process with CEQA review and regulatory oversight to ensure appropriate compliance. Additionally, prohibiting hydraulic fracturing, acidizing, or any other well stimulation treatment further limits – not relaxes – the environmental impacts these types of operations may potentially have on the environment including air quality, greenhouse gas emissions, water resources, geology, noise, traffic and public health and safety.

As such, there are no “unusual circumstances” that would create a reasonable possibility that adoption of the ordinances would have a significant adverse effect on the environment.

- (d) Scenic Highways. A categorical exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway. This does not apply to improvements, which are required as mitigation by an adopted negative declaration or certified EIR.

Here, the ordinances do not involve the approval of petroleum extraction and production operations in a manner that damages scenic resources. There are no state designated scenic highways located within or immediately adjacent to the City of Carson and, as such, neither ordinance has the potential to impact any of these state designated scenic resources. As an additional matter, expansion of the regulatory oversight and permitting requirements will require additional discretionary approvals for petroleum operations and facilities by the City, which in turn will also require expanded CEQA review and protections for any potential scenic resources as compared to the current process. Finally, prohibition of certain activities would limit, not expand, environmental protections for scenic resources.

- (e) Hazardous Waste Sites. A categorical exemption shall not be used for a project located on a site, which is included on any list compiled pursuant to Section 65962.5 of the Government Code.

Here, the ordinances are proposed to apply city-wide, and do not propose construction on “a site.” Likewise, the ordinances do not negatively impact approval of any petroleum operations or facilities in a location listed as a hazardous waste site as compared to the current regulatory process. Instead, the ordinances provide additional regulatory grounds to ensure the maintenance, restoration, enhancements and protection of the environment, as well as a regulatory process for the protection of the environment.



- (f) Historical Resources. A categorical exemption shall not be used for a project, which may cause a substantial adverse change in the significance of a historical resource.

Here, the proposed ordinances do not negatively impact any approval of petroleum operations and facilities in a manner that causes substantial adverse change in the significance of a historical resource. As noted above, the ordinances provide for enhanced - not relaxed - regulations for protection of the environment as compared to the current regulatory process. The proposed ordinances do not modify the current restrictions and protections put into place by the City of Carson regarding historical resources, nor is there substantial information in the record that the ordinances may cause a substantial adverse change in the significance of a historical resource.

LEAD AGENCY
CONTACT PERSON:

Saied Naaseh
Planning Manager
City of Carson
Community Development Department
701 E. Carson Street
Carson, CA 90745
Phone: (310) 952-1770
FAX: (310) 835-5749

OUR WEEKLY

This space for filing stamp only

8732 S WESTERN AVE, LOS ANGELES, CA 90047
Telephone (323) 905-1319 / Fax (323) 753-0456

Solo Faagata
CITY OF CARSON/COMMUNITY DEVELOPMENT D
701 EAST CARSON ST.
CARSON, CA - 90745

PROOF OF PUBLICATION

(2015.5 C.C.P.)

State of California)
County of LOS ANGELES) ss

Notice Type: HRG - NOTICE OF HEARING

Ad Description:

NOTICE OF A COMMUNITY MEETING AND NOTICE OF PLANNING
COMMISSION PUBLIC HEARING

I am a citizen of the United States and a resident of the State of California; I am over the age of eighteen years, and not a party to or interested in the above entitled matter. I am the principal clerk of the printer and publisher of the OUR WEEKLY, a newspaper published in the English language in the city of Carson, and adjudged a newspaper of general circulation as defined by the laws of the State of California by the Superior Court of the County of Los Angeles, State of California, under date of 09/19/2006, Case No. BS103787. That the notice, of which the annexed is a printed copy, has been published in each regular and entire issue of said newspaper and not in any supplement thereof on the following dates, to-wit:

02/12/2015

Executed on: 02/12/2015
At Los Angeles, California

I certify (or declare) under penalty of perjury that the foregoing is true and correct.

Signature

CNS #: 2717511

NOTICE OF A COMMUNITY
MEETING AND
NOTICE OF PLANNING
COMMISSION PUBLIC
HEARING

ADDRESS ANY
COMMUNICATIONS TO:
COMMUNITY
DEVELOPMENT
DEPARTMENT- PLANNING
DIVISION
701 EAST CARSON STREET
CARSON, CALIFORNIA
90745

Update of City's Oil and Gas
Code and Prohibition of
Hydraulic Fracturing
("Fracking")

The community meeting and Planning Commission hearing will address the following matters to be considered for city-wide application:

- Adoption of an Oil and Gas Ordinance to the Municipal Code regarding regulation of petroleum facilities and operations;
- Adoption of an Ordinance update and amendment to the Municipal Code prohibiting hydraulic fracturing ("fracking"), acidizing, or any other well stimulation treatment; and
- Approval of associated environmental findings for the Ordinances of Class 8 Categorical Exemption under CEQA Guidelines Section 15308.

A COMMUNITY MEETING will be conducted by the City of Carson to inform Carson residents and other interested parties on the upcoming update to the City's Oil and Gas Code. At this meeting, City's Consultant, MRS. will make a presentation to summarize the Ordinances.
TIME: 6:00 P.M., Tuesday, February 18, 2015
PLACE: Congresswoman Juanita Millender-McDonald Community Center, Community Halls ABC 801 East Carson Street, Carson, CA 90745

The PLANNING COMMISSION of the City of Carson, California, will conduct a Public Hearing, at regularly scheduled meeting, at which time you may be present and be heard, to consider the Ordinances and environmental findings noted above.
TIME: 6:30 P.M., Tuesday, February 24, 2015
PLACE: Congresswoman Juanita Millender-McDonald Community Center, Community Halls ABC 801 East Carson Street, Carson, CA 90745

All persons interested in this topic who have questions or would like to provide feedback are invited to attend. If you challenge the approval or denial of these matters in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission, at or prior to, the public hearing. Address any communications or comments regarding the project to Saied Naaseh, Planning Manager, Planning Division, 701 East Carson Street, Carson, California 90745, (310) 952-1770, or saaseh@carson.ca.us. Documents related to the proposed project are on file with the City of Carson Planning Division. A copy of the Oil and Gas Code will be available on February 11, 2015 by visiting <http://ci.carson.ca.us/departme nt/communitydevelopment/oilc odeupdate.asp>

DATED: This 5th day of February, 2015

City Clerk, Donesia L. Gause,
CMC
City of Carson, California
2/12/15
CNS-2717511#
OUR WEEKLY



EXHIBIT NO. 05

Update of City's Oil and Gas Code and Prohibition of Hydraulic Fracturing ("Fracking")

The community meeting and Planning Commission hearing will address the following matters to be considered:

- Adoption of an Oil & Gas Ordinance to the Municipal Code regarding regulation of petroleum facilities and operations;
- Adoption of an Ordinance update and amendment to the Municipal Code prohibiting hydraulic fracturing ("fracking"), acidizing, or any other well stimulation treatment; and
- Approval of associated environmental findings for the Ordinances of Class 8 Categorical Exemptions under CEQA Guidelines Section 15308.

All persons interested in this topic who have questions, would like to provide feedback, or ask questions are invited to attend. If you challenge the approval or denial of these matters in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence delivered to the Planning Commission, at or prior to, the public hearing. Address any communications or comments regarding the project to Saied Naaseh, Planning Manager, Planning Division, 701 East Carson Street, Carson, California 90745, (310) 952-1770, or snaaseh@carson.ca.us. Documents related to the proposed project are on file with the City of Carson Planning Division. A copy of the Oil and Gas Code will be available on February 11, 2015 by visiting <http://ci.carson.ca.us/departments/communitydevelopment/oilcodeupdate.asp>.

TIME: Community Meeting: February 18, 2015 at 6 PM

Planning Commission: February 24, 2015 at 6:30 PM

PLACE: Congresswoman Juanita Millender-McDonald Community Center at Carson Community Halls ABC
801 East Carson Street, Carson, CA 90745

DATED: This 5th day of February, 2015



Donesia Gause
City of Carson, City Clerk

EXHIBIT 7

OTHER ITEMS IN THE ADMINISTRATIVE RECORD

Agendas, Staff Reports, letters and other written material submitted to the City Council at the meetings referenced in the Staff Report can be found at <http://ci.carson.ca.us/>. Video of the meetings can also be found at <http://ci.carson.ca.us/content/videoarchive.asp>. These items are part of the administrative record for this Text Amendment.

DEPARTMENT OF
CITY PLANNING
200 N. SPRING STREET, ROOM 525
LOS ANGELES, CA 90012-4801
AND
6262 VAN NUYS BLVD., SUITE 351
VAN NUYS, CA 91401

CITY PLANNING COMMISSION

DAVID H. J. AMBROZ
PRESIDENT
RENEE DAKE WILSON
VICE-PRESIDENT

ROBERT L. AHN
MARIA CABILDO
CAROLINE CHOE
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DANA M. PERLMAN
MARTA SEGURA

JAMES K. WILLIAMS
COMMISSION EXECUTIVE ASSISTANT II
(213) 978-1300

CITY OF LOS ANGELES
CALIFORNIA



ERIC GARCETTI
MAYOR

2015 FEB -2 AM 9:24

EXECUTIVE OFFICES

MICHAEL J. LOGRANDE
DIRECTOR
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DEPUTY DIRECTOR
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DEPUTY DIRECTOR
(213) 978-1274

JAN ZATORSKI
DEPUTY DIRECTOR
(213) 978-1273

FAX: (213) 978-1275

INFORMATION
www.planning.lacity.org

January 27, 2015

**NOTICE OF COMPLETION AND AVAILABILITY OF
FINAL ENVIRONMENTAL IMPACT REPORT
NO. ENV-2009-339-EIR
STATE CLEARINGHOUSE NO. 2010021020**

To: Owners of Property and Occupants and other interested parties.

PROJECT NAME: Sea Breeze Apartment Project

SITE LOCATION: 1311 West Sepulveda Boulevard (tentative), Torrance, California 90501
(The site is within the City of Los Angeles but has a Torrance postal address.)

ASSESSOR'S PARCEL NUMBERS: 7347018094 and 7347018097

DEVELOPMENT PROJECT DESCRIPTION: The Proposed Sea Breeze Apartments Project (known as Tract # 65665 Lot 2 and Lot 3) would involve the development of two six-story structures containing residential uses and parking. The Project Site comprises two lots totaling 222,906 square feet of land area: Lot 2 comprises 112,804 square feet and Lot 3 comprises 110,102 square feet. The Proposed Project would include a total development of 696,901 gross square feet, including 445,000 gross square feet of residential floor area and 251,901 gross square feet of parking and circulation areas.

The Proposed Project would include the construction of two residential structures. Both structures would include two above-grade levels of parking with four levels of residential uses above the parking levels. Both buildings will include 176 multi-family apartment units, for a total of 352 residential units (344 two-bedroom units and 8 three-bedroom units). The maximum building height on the Project Site would be approximately 65 feet. The apartment units would range in size from approximately 980 square feet to approximately 1,464 square feet.

A Draft EIR for the Proposed Project was published on October 18, 2012. A final EIR was published on April 11, 2013, and an Errata to the final EIR was published on August 7, 2013. Subsequently, to address community concerns and to make it easier for the public and the decision-makers to understand better the potential environmental impacts of the Proposed Project, it was determined that a Revised and Updated Final EIR (the "Final EIR") should be prepared. This Final EIR supplants and replaces the previous final EIR published on April 11, 2013. This Final EIR includes, in full, the substance of the documents published on April 11, 2013, and August 7, 2013, elaborates on them, and makes additional modifications and additions to the prior CEQA documents prepared for the Proposed Project. This Final EIR and the Draft EIR make up the entirety of the EIR for the Proposed Project.

ENTITLEMENT REQUESTS: The Project would require the following discretionary actions:

- General Plan Amendment from Heavy Manufacturing to Neighborhood Commercial with a Height District designation of 2;
- Zone Change from M3-1VL to C2-2;
- Height District Change from 1VL to 2;
- Site Plan Review for 352 residential units;
- Adjustment to permit reduced rear yard of 15 feet northerly in lieu of the 18 foot rear yard required on Lot 2 and 3; side yards of 5 feet southerly in lieu of the 9 foot side yard on Lot 3 in the C2-2 Zone;
- Zoning Administrator Adjustment to permit 2½ foot balcony projections in lieu of 1 foot projections into the side yard westerly and southerly and, rear yard northerly on Lot 2 and 3 in the C2-2 Zone;
- Grading Permit;
- Approval of a haul route permit for the export of dirt; and
- Other permits (as needed), ministerial or otherwise, may be necessary, as the City finds appropriate, in order to execute and implement the project. Such approvals may include, but are not limited to: engineering, and landscaping, in accordance with the City of Los Angeles Department of Building and Safety; City of Los Angeles Department of Transportation permits for driveway/curb cuts; storm water discharge permit; issuance of permits from the City of Los Angeles Department of Building and Safety may include permit approvals for grading, approvals for foundations, retaining walls, and structural improvements; vacation of existing City of Los Angeles Department of Public Works easements; installation and hook-up approvals for public utilities and related permits. Additional discretionary or ministerial action may include sewer and water hook-up permits from the City of Los Angeles Department of Water and Power and Bureau of Sanitation and City of Los Angeles Fire Department Site Plan Review.

DOCUMENT REVIEW: If you wish to review a copy of the Final EIR or the documents referenced in the Final EIR, you may do so at the City of Los Angeles, Department of City Planning, at 6262 Van Nuys Blvd., Room 351, Van Nuys, CA 91401. Digital versions of the EIR are also available at the following Library Branches:

1. Harbor City – Harbor Gateway Branch, 24000 S. Western Street, Harbor City, CA 90710
2. Los Angeles Central Library, 630 W. 5th Street, Los Angeles, CA 90071

The Final EIR is also available online at the Department of City Planning's website [<http://planning.lacity.org/> (click on "Environmental" and then "Final EIR")]. The DEIRs can be purchased on cd-rom for \$7.50 per copy. Contact Adam Villani of the City of Los Angeles at (818) 374-5067 to purchase one or if you have any questions.

If a public hearing is required for the Project, a separate hearing notice will be mailed at a later date for such purpose.

Michael J. LoGrande
Director of Planning



Adam Villani
City Planning Associate
Major Projects Section

CITY OF LOS ANGELES
CALIFORNIA



DEPARTMENT OF CITY PLANNING

NOTICE OF PUBLIC HEARING

To Owners: ☐ Within a 100-Foot Radius
☒ Within a 500-Foot Radius
☐ Abutting a Proposed Development Site

And Occupants: ☐ Within a 100-Foot Radius
☒ Within a 500-Foot Radius
And: ☒ Others

You are being sent this notice because you own and/or reside at property near a site for which an application, as described below, has been filed with the Department of City Planning, you have indicated an interest in the project and/or have requested such notice be provided to you, or you may have expertise/experience regarding the project. All interested persons are invited to attend the public hearing at which you may listen, ask questions, or present testimony regarding the project.

Hearing By:	Hearing Officer	Case Nos.:	CPC-2014-3119-ZC-SN-CDO- MCUP-ZV-ZAI-SPR
Date:	Monday, March 16, 2015	CEQA No.:	ENV-2013-1351-EIR
Time:	1:00 PM		SCH No. 2013051086
Place:	Los Angeles City Hall Public Works Board Room, 350 200 North Spring Street, 3 rd Flr Los Angeles, CA 90012	Incidental Cases:	None
		Project Name:	Academy Museum of motion Pictures, Arts, and Sciences
Staff Contact:	Luciralia Ibarra	Council No.:	4 - Honorable Tom LaBonge
Phone No:	(213) 978-1378	Plan Area:	Wilshire
		Specific Plan:	None
		Certified NC:	Mid City West Community Council
		GPLU:	Regional Center Commercial
		Zone:	[Q]C2-2-CDO
		Applicant:	Homewood Foundation
		Representative:	Armbruster Goldsmith Delvac, LLP

PROJECT LOCATION: 6001-6067 West Wilshire Boulevard, Los Angeles, CA 90036

PROJECT PROPOSED: The development of the Academy Museum of Motion Pictures, including the rehabilitation and adaptive reuse of the historic May Company Building (HCM No. 566), and the construction of a New Wing and Piazza. The Museum will include exhibition space, theaters, banquet and conference space, administrative offices, exhibit preparation, storage, and maintenance and receiving areas, as well as a Museum store and café. The New Wing consists of a 1,000 seat theater and a 10,000 square-foot enclosed event deck. The project will include approximately 208,000 square feet of floor area. An outdoor Piazza will replace the existing service driveway and gravel area north of the May Company Building. The project is also proposing a Sign District.

REQUESTED ACTION:

The City Planning Commission Hearing Officer will consider:

1. Pursuant to Section 21082.1(c) of the California Public Resources Code, the certification of the **Environmental Impact Report**, findings, Statement of Overriding Considerations and accompanying mitigation measures and Mitigation Monitoring Program for ENV-2013-1351-EIR, SCH No. 2013051086, for the following actions:
2. Pursuant to Section 12.32 of the LAMC, a **Zone Change** to remove the existing [Q] conditions related to prior entitlements on the project site;
3. Pursuant to Section 13.11.B of the LAMC, establishment of a **Sign District**;
4. Pursuant to Section 13.08-E, **Design Overlay Approval** for compliance with the Miracle Mile CDO;
5. Pursuant to 12.24-W,1, a **Master Conditional Use Permit** to allow on-site sale and consumption of alcoholic beverages;
6. Pursuant to Section 12.27 of the LAMC, **Zone Variances** to permit:
 - a. Outdoor dining on the rooftop terrace for special events not otherwise permitted under LAMC Section 12.14-A;
 - b. Code required short-term bicycle parking greater than 50 feet from a main pedestrian entrance and to permit the code-required long-term parking within or adjacent to the LACMA campus not otherwise specified in LAMC Section 12.21-A,16;
7. Pursuant to Section 12.21-A,2 of the LAMC, **Zoning Administrator's Interpretations**:
 - a. To specify that the provisions of LAMC Section 12.24-Y also applies to institutional (museum) and auditorium (theater) uses;
 - b. To confirm that museum and related uses (for-profit and not-for-profit) are permitted in the C2 Zone, consistent with the City Use List (ZA 2003-4842(ZAI));
8. Pursuant to Section 12.24-Y of the LAMC, **Special Permission for a Reduction of Off-Street Parking Spaces** to allow for a 10 percent reduction in the required number of parking spaces for institutional uses located within 1,500 feet from the planned Metro Purple Line portal at Wilshire and Fairfax;
9. Pursuant to Section 16.05 of the LAMC, **Site Plan Review** for a project which creates or results in an increase of 50,000 gross square feet of nonresidential floor area.

The purpose of the hearing is to obtain testimony from affected and/or interested persons regarding this project. The environmental document will be among the matters considered at the hearing. The decision maker will consider all the testimony presented at the hearing, written communication received prior to or at the hearing, and the merits of the project as it relates to existing environmental and land use regulations.

EIR CERTIFICATION: An Environmental Impact Report (EIR) has been prepared for this project, as described above, to assess potential environmental impacts. An EIR is comprised of two parts, the Draft EIR and the Final EIR. A Draft EIR was made available and circulated for public review and comment, pursuant to the provisions of the California Environmental Quality Act (CEQA), for a 48-day public review period from August 28, 2014 to October 14, 2014. The Final EIR, with a release date of February 20, 2014, responds to the comments and includes text revisions to the Draft EIR in response to input received on the Draft EIR. Unlike the Draft EIR, comments on the Final EIR are not required to be responded to by the City. If written comments are received, they will be provided to the Planning Commission as part of the staff report for the project. The EIR will be submitted to the Planning Commission and City Council for requested certification and action on the Project.

EXHAUSTION OF ADMINISTRATIVE REMEDIES: If you challenge a City action in court, you may be limited to raising only those issues you or someone else raised at the public hearing described in this notice, or in written correspondence on these matters delivered to the Department before the action on this matter will become a part of the administrative record. Note: This may not be the last hearing on this matter.

ADVICE TO PUBLIC: The exact time this report will be considered during the meeting is uncertain since there may be several other items on the agenda. Written communications may be mailed to (Luciralia Ibarra at the Los Angeles Department of City Planning, Major Projects, City Hall, Room 750, 200 N. Spring Street, Los Angeles, CA 90012).

REVIEW OF FILE: If you wish to review a copy of the Case File and the Environmental Impact Report (EIR) or the documents referenced in the EIR, you may do so by appointment during our office hours of 8am to 4pm, in Room 750, City Hall, 200 N. Spring Street, Los Angeles CA 90012. Electronic copies of the Final EIR (FEIR) are also available at the following library branches:

1. Los Angeles Central Library, 630 W. 5th Street, Los Angeles, CA 90071
2. Fairfax Branch Library, 161 S. Gardner Street, Los Angeles, CA 90036
3. France Howard Goldwyn Hollywood Regional Library, 1623 N. Ivar Avenue, Los Angeles, CA 90028

The EIR is also available online at the Department of City Planning's website [<http://cityplanning.lacity.org> (click on "Environmental" and then "Final Environmental Impact Reports")]. The FEIRs can be purchased on CD-ROM for \$7.50 per copy. Contact Darlene Navarrete at (213) 978-1332 to purchase one.

ACCOMMODATIONS: As a covered entity under Title II of the Americans with Disabilities Act, the City of Los Angeles does not discriminate on the basis of disability. The hearing facility and its parking are wheelchair accessible. Sign language interpreters, assistive listening devices, or other auxiliary aids and/or services may be provided upon request. *Como entidad cubierta bajo el Título II del Acto de los Americanos con Desabilidades, la Ciudad de Los Angeles no discrimina. La facilidad donde la junta se llevará a cabo y su estacionamiento son accesibles para sillas de ruedas. Traductores de Lengua de Muestra, dispositivos de oído, u otras ayudas auxiliares se pueden hacer disponibles si usted las pide en avance.*

Other services, such as translation between English and other languages, may also be provided upon request. *Otros servicios, como traducción de Inglés a otros idiomas, también pueden hacerse disponibles si usted los pide en avance.*

To ensure availability of services, please make your request no later than three working days (72 hours) prior to the hearing by calling the staff person referenced in this notice. *Para asegurar la disponibilidad de éstos servicios, por favor haga su petición al mínimo de tres días (72 horas) antes de la reunión, llamando a la persona del personal mencionada en este aviso.*

