

MOTION BY SUPERVISORS JANICE HAHN AND
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December 18, 2018

Feasibility of Creating the Office of Oil and Gas Administration and Safety

Compliance

Oil and gas facilities, along with pipelines used to transport potentially hazardous materials, are regulated by various federal government and state agencies. Some of these agencies include the Office of Pipeline Safety (OPS) within the U.S. Department of Transportation Pipeline and Hazardous Materials Safety Administration (PHMSA), the Federal Energy Regulatory Commission (FERC), the California Department of Conservation, the Division of Oil, Gas, and Geothermal Resources (DOGGR), State of California Los Angeles Regional Water Quality Control Board, South Coast Air Quality Management District (SCAQMD), California Air Resources Board (CARB), Office of the State Fire Marshal (OSFM) and the California Public Utilities Commission (CPUC). Los Angeles County (County) primarily relies on these agencies to ensure that potentially hazardous materials are being extracted, treated, transported, and stored safely. However, the County and select departments such as Regional Planning, Fire, and Public Health have local regulatory authority and related responsibilities that impact how

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oil and gas operators do business here. For example, Regional Planning oversees planning and zoning land use approval; Public Health oversees regulations for noise, vibration, fencing, and sumps; and Fire oversees the handling of hazardous materials and safety. Additionally, the Chief Executive Office and the Department of Public Works create and renew franchise agreements within County right of way.

In recent years the Board of Supervisors (Board) has expressed the need for the County to be more informed about existing operations and more coordinated in order to promote better public and environmental health. For example, in July of 2015 the Board requested an inventory of all oil and gas fields and the associated level of environmental monitoring taking place at those facilities within unincorporated Los Angeles County. In March of 2016 the Board created the Oil and Gas Strike Team to assess the conditions, regulatory compliance and potential public health and safety risks associated with existing oil and gas facilities in unincorporated Los Angeles County. Additionally, in February of 2018 the Board expressed opposition to new offshore drilling facilities and has declined to approve franchise agreements with operators that are unwilling to provide proof of compliance with regulations.

The Oil and Gas Strike Team submitted its third and final report to the Board on September 28, 2017 and several County Departments are in the process of developing plans to implement the Board's recommendations. In September of 2018 the Board approved a contract with MRS Environmental to further study orphaned and abandoned oil and gas wells, oil and gas pipelines, oil and gas storage facilities and chemicals not identified in Hazardous Materials Business Plans with a goal of researching and reporting on such facilities to ascertain if they are a risk to public health and safety. The

implementation of recommendations and ongoing surveillance of operations will require a more centralized and permanent structure than the current Oil and Gas Strike Team and a consultant can provide. For these reasons the County should consider creating the Office of Oil and Gas Administration and Safety Compliance. Other jurisdictions such as the Counties of Santa Barbara, Ventura, and Kern and the City of Los Angeles have consolidated oil and gas functions into one office. This model has empowered these jurisdictions to add to the safety of their communities.

WE, THEREFORE MOVE that the Board of Supervisors direct the Chief Executive Office, in consultation with Chief Sustainability Office, Departments of Public Works, Regional Planning, Public Health, Fire, and relevant federal and state agencies, to report back on the feasibility of establishing an Office of Oil and Gas Administration and Safety Compliance. The report back should be completed within 120 days in time for Fiscal Year 2019-2020 Final Changes budget phase and should include:

1. An analysis of the existing and future roles, responsibilities, staff, and resources any departments currently have and use in relation to the oversight and coordination of oil and gas facilities and infrastructure;
2. An analysis of the existing authorities and laws related to the production, storage, and transportation of hazardous materials and determine what additional authorities may be needed and can be legally enforced by a local jurisdiction;
3. A recommendation on the scope for an Office of Oil and Gas Administration and Safety Compliance. Focus on local oversight tasks including planning, policy development, permit processing, environmental/health review and risk analyses, site investigations, permit enforcement and public outreach should be

considered;

4. A recommendation as to where an Office of Oil and Gas Administration and Safety Compliance should be housed; and
5. A recommended funding and staffing plan.

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