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113 YOUTH FOR ENVIRONMENTAL
114 JUSTICE; SOUTH CENTRAL YOUTH
115 LEADERSHIP COALITION; CENTER
116 FOR BIOLOGICAL DIVERSITY,

117 *Petitioners and Plaintiffs,*

118 v.

119 CITY OF LOS ANGELES; CITY OF
120 LOS ANGELES DEPARTMENT OF
121 CITY PLANNING; MICHAEL J.
122 LOGRANDE, in his official capacity
123 as Director of Los Angeles Department
124 of City Planning; DOES 1 through 20
125 inclusive,

126 *Respondents and Defendants.*

113 **Case No. BC600373**

114 **MEMORANDUM OF POINTS AND**
115 **AUTHORITIES IN SUPPORT OF**
116 **PLAINTIFFS/PETITIONERS'**
117 **OPPOSITION TO MOTION FOR**
118 **LEAVE TO INTERVENE BY**
119 **CALIFORNIA INDEPENDENT**
120 **PETROLEUM ASSOCIATION**

121 Assigned: Hon. William F. Fahey
122 Date: April 25, 2016
123 Time: 9:30 AM
124 Dept.: 69

125 Case Filed: November 6, 2015
126 Trial Date: TBD

1 *(caption continued from cover page)*

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 A. CIPA does not have a “direct and immediate interest in the litigation.” 9

 B. Intervention will enlarge the issues in the case, and both parties’
 opposition outweighs CIPA’s reasons for intervention. 10

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INTRODUCTION

The plaintiffs here (Youth for Environmental Justice, South Central Youth Leadership Coalition, and the Center for Biological Diversity) brought this action to challenge the City of Los Angeles’s pattern and practice of rubber stamping oil-drilling applications in violation of the California Environmental Quality Act (CEQA). The City’s practice of issuing blanket exemptions for oil-drilling activities not only contravenes CEQA’s required case-by-case environmental review, but also results in less protective conditions for oil-drilling sites in neighborhoods that are overwhelmingly composed of people of color—thus violating the anti-discrimination mandates of Government Code section 11135 as well. This discriminatory pattern and practice, the plaintiffs allege, exposes these communities—and particularly young people like themselves—to substantial health and environmental risks.

To remedy those concerns, all that plaintiffs seek is declaratory and injunctive relief to bring the City into compliance with longstanding and well-settled state environmental and antidiscrimination laws. Speculating that the “unknown level of environmental review” for which the plaintiffs advocate will result in “the complete shut-down of modified or new oil-extraction projects,” however, the California Independent Petroleum Association (CIPA), an oil-industry trade association, seeks leave to intervene in the action. This Court should deny that request.

First, CIPA is not entitled to intervention as a matter of right, because it has no “interest relating to the property or transaction which is the subject of the action,” and “the disposition of the action” will not “as a practical matter impair or impede [its] ability to protect that interest.” (Code Civ. Proc., § 387, subd. (b).) This action seeks to bring the process by which the City reviews oil-drilling applications into compliance with state law; it does not seek to set aside any particular permit or regulatory approval in which CIPA’s members have a property interest. CIPA does not even attempt to articulate how its members’ interests can be implicated by the plaintiffs’ racial-discrimination claim.

1 And CIPA fails entirely to support its hyperbolic assertions (at 2) that this action could
2 result in “uncertainty, delays and compliance costs [that] pose a direct threat to the
3 financial interest of CIPA’s members.” CIPA’s ability to protect its interests will not be
4 impaired by the disposition of this lawsuit because it can bring separate challenges
5 against any future regulatory actions implicating its property interests if and when such
6 claims become ripe. In any event, the City can adequately represent CIPA’s interests in
7 this action.

8 *Second*, this Court should not permit CIPA to intervene under Code of Civil
9 Procedure Section 387, subdivision (a). Permissive intervention requires that the
10 proposed intervenor have a “direct and immediate interest” in the litigation; any interest
11 CIPA claims here, by contrast, “is consequential and thus insufficient for intervention.”
12 (*City and Cnty. of S.F. v. State of Cal.* (2005) 128 Cal.App.4th 1030, 1037.) More
13 importantly, permitting CIPA to intervene will “prolong, confuse [and] disrupt the
14 present lawsuit.” (*Simpson Redwood Co. v. State of Cal.* (1986) 196 Cal.App.3d 1192,
15 1203.) While the plaintiffs and the City have initiated efforts to amicably resolve this
16 action, CIPA threatens any prospect of settlement by insisting on continued, adversarial
17 litigation. Indeed, even though it is not a party to the action, CIPA has *already* filed
18 unauthorized pleadings aiming to disturb agreements that the parties have reached in
19 good faith. This Court should reject CIPA’s brazen attempts to sidetrack this action on
20 the basis of unsupported speculation about the lawsuit’s ultimate effects, and deny its
21 motion for leave to intervene.
22

23 ARGUMENT

24 I. CIPA is not entitled to intervention as a matter of right.

25 A. This action does not implicate the property interests of CIPA or its 26 members.

27 CIPA fails to establish the most basic requirement for mandatory intervention: that
28 it can “claim[] an interest relating to the property or transaction which is the subject of
the action.” (Code Civ. Proc., § 387, subd. (b).) That is because it has none. The “subject

1 of the action” is the *process* by which the City approves or disapproves permits for oil-
2 drilling activities—not any particular approval, permit, or other regulatory action in
3 which CIPA’s members may have a property interest.

4 Mandatory intervention is proper only where the proposed intervenor has “a
5 significantly protectable interest” in the property at issue in the action. (*Siena Court*
6 *Homeowners Ass’n v. Green Valley Corp.* (2008) 164 Cal.App.4th 1416, 1424 (quoting
7 *Donaldson v. United States* (1971) 400 U.S. 517, 531).) The cases CIPA itself cites (at 3),
8 however, demonstrate that it has no such interest here. In *People ex rel. Dep’t of*
9 *Conservation v. El Dorado County* (2005) 36 Cal.4th 971, 981–82, for instance, mining-
10 industry groups were granted leave to intervene in a lawsuit that sought to vacate *specific*
11 regulatory approvals that allowed a mining company to operate two quarries allegedly in
12 violation of state mining law. Likewise, *Sierra Club v. California Coastal Commission*
13 (1979) 95 Cal.App.3d 495, 498, involved an action “to set aside a permit authorizing” the
14 construction of a condominium development. The plaintiff had filed the “action against
15 the regional commission and the commission . . . , but failed to include the developer.”
16 (*Id.* at p. 499.) The court concluded that the developer was an “indispensable party” to the
17 action because “[t]he precise relief which plaintiff here sought . . . was to set aside [the
18 developer’s] permit to undertake certain construction,” which “would directly affect, and
19 undoubtedly injure, [the developer’s] interests.” (*Id.* at p. 501.)¹

20
21 In all of these cases, intervention was appropriate because the lawsuit sought to set
22 aside a specific permit or regulatory action—relief that would “undoubtedly injure”
23 industry third parties who directly benefited from those specific actions. (CIPA in fact
24 acknowledges as much, describing (at 5) the *Sierra Club* decision as concerning a

25
26 ¹ CIPA also cites *Californians for Alternatives to Toxics v. Dep’t of Food and Agriculture*
27 (2005) 136 Cal.App.4th 1, 11, a case in which the court noted only in passing that wine-industry
28 groups had been granted leave to intervene. In any event, that case involved a challenge to the
Department’s emergency program “call[ing] for the use of pesticides to control and eradicate” a
disease threatening grapevines. (*Id.* at p. 5.) Setting aside that program would have had obvious
and direct impacts on winegrowers’ property interests in their grapevines.

1 “permittee whose permits would be cancelled” if the plaintiffs’ action succeeded.) Here,
2 by contrast, no particular regulatory action or permit is at issue, nor will the plaintiffs’
3 action, if successful, cancel or otherwise affect any approvals already obtained by CIPA’s
4 members. Rather, the lawsuit aims to bring the City’s future approval process into
5 compliance with CEQA and antidiscrimination law. CIPA offers no precedent holding
6 that such relief implicates an interest sufficient for purposes of mandatory intervention.
7

8 Recognizing that it lacks a cognizable “interest” in this action, CIPA resorts to
9 unsupported assertions and alarmist speculation concerning the potential effects of the
10 plaintiffs’ action. CIPA asserts (at 1–2), for instance, that the plaintiffs seek to impose
11 “sweeping requirements for an unknown level of environmental review,” and that “the
12 resulting uncertainty, delays, and compliance costs pose a direct threat to the financial
13 interest of CIPA’s members.” And it goes so far to contend (at 5) that “Petitioners are
14 proposing to change the game so significantly that even alterations to existing projects
15 would be bogged down in endless environmental review.”

16 The conclusions CIPA asks the court to draw require leaps of inferential logic. Its
17 hyperbolic assertions fundamentally mischaracterize the plaintiffs’ action and
18 objectives—not to mention that they are entirely lacking in evidence. The present action
19 seeks only that the City conduct “the required preliminary review analysis on a case-by-
20 case basis to determine whether an application for a plan approval is subject to
21 environmental review under CEQA and what level of environmental review is
22 warranted”; that it apply categorical exemptions only when legally appropriate; and that it
23 do so in a non-discriminatory fashion, as required by Government Code section 11135.
24 Compl. 21–22, 35–39. CIPA makes no effort to demonstrate how *complying* with well-
25 settled state environmental law could rise to “an unknown level of environmental
26 review.” Mot. 2. And CIPA’s curious attacks (at 2) on the plaintiffs for “not identify[ing]
27 any end-point of their proposed environmental review” similarly lack merit; the “end-
28 point” of the review is simply what CEQA says it is in each given case. Once CIPA’s

1 conclusory statements are put aside, it is clear that it has no property interests that will be
2 directly affected by this action. Thus, it lacks any claim to intervene as a matter of right.

3 **B. CIPA’s ability to protect its interests will not be impaired or impeded**
4 **by the disposition of this action.**

5 Nor would CIPA members’ ability to continue oil-drilling activities be impaired or
6 impeded, as a practical matter, by the disposition of this action. For this reason, too, the
7 Court should deny CIPA’s request for mandatory intervention.

8 Again, CIPA relies (at 1–2) on speculative and overblown claims that their
9 interests will be “immediately threatened by an outcome in this litigation favorable for
10 Petitioners.” And CIPA broadly asserts (at 5), without any evidence or detail, that
11 “[w]ithout question, the environmental review envisioned by petitioners would
12 undermine the ability of CIPA’s members to protect their critical property interests in
13 continued gas and oil operations.” But nowhere do the plaintiffs suggest that they seek to
14 shut down future permitting of oil-drilling projects in Los Angeles. Contrary to CIPA’s
15 hyperbole, the “environmental review envisioned by” the plaintiffs is simply that already
16 required by state law. Nor does CIPA attempt to demonstrate *how* an outcome in
17 plaintiffs’ favor would “likely” result in the “complete shut-down of modified or new oil-
18 extraction projects in Los Angeles.” Mot. 1–2. And for good reason. To do so would
19 require CIPA to, in effect, argue that proper compliance with state law would necessitate
20 disapprovals of all oil-drilling activities in Los Angeles. And, notably, CIPA does not
21 even attempt to argue that its interests are in any way implicated by the plaintiffs’ claim
22 under Government Code section 11135. Both CIPA and its members presumably have no
23 interest that will be impaired by ending the racial discrimination that results from the
24 City’s deficient planning-approval process.

25 In any case, even if requiring appropriate CEQA review were to result in a
26 reduction of approvals for CIPA’s members—an outcome that CIPA has failed to
27 substantiate—CIPA cannot establish that the disposition of *this* action will impair its
28

1 members' ability to continue oil drilling in Los Angeles. That is, if the plaintiffs succeed
2 in this action, the City would be required only to conduct a nondiscriminatory, case-by-
3 case review as required under CEQA and Government Code section 11135; the City's
4 subsequent project-specific denials would then be the actions "impair[ing]" or
5 "imped[ing]" CIPA members' property interests. Thus, as a practical matter, this action
6 "will have no effect on [CIPA's] ability to protect its interest[s]" because it "may bring a
7 separate action" at a later date to challenge those regulatory approvals. (*Siena Court*,
8 *supra*, 164 Cal.App.4th at p. 1426; see also *Knight v. Alefosio* (1984) 158 Cal.App.3d
9 716, 727 [holding that "intervention was not justified" because proposed intervenor had
10 no direct property or transactional interest in the action and "could pursue a separate
11 action" to protect its interests].) Merely asserting, as CIPA does, that the relief sought in
12 this action "would be devastating for CIPA's members" is not enough to establish the
13 right to intervene. Otherwise, intervention standards would be rendered meaningless.
14 Because CIPA has failed to meet its burden for intervention, *Olson v. Hopkins* (1969) 269
15 Cal.App.2d 638, 644, this Court should deny its motion.

16
17 **C. The City will adequately represent CIPA's interests.**

18 Even if CIPA had a cognizable "interest" in the action—which it does not—it
19 would not be entitled to intervention as of right because its "interest[s] [are] adequately
20 represented" by the City. (Code Civ. Proc., § 387, subd. (b).) Here, the City and CIPA
21 have nearly identical interests—both will seek to demonstrate that the City's review
22 process lawfully complies with CEQA and Government Code section 11135. This Court
23 should reject CIPA's absurd arguments (at 7) to the contrary: that CIPA is entitled to
24 intervene simply because it asserts that it has "private interests in the outcome of this
25 case, while [the City] ha[s] public interests," and because the City does not "engage[] in
26 oil extraction or conduct[] oil and gas operations." The upshot of CIPA's position is that
27 private regulated entities are entitled to mandatory intervention in *every* case involving a
28 regulatory agency—in effect, erasing Section 387's statutory requirements.

1 Moreover, CIPA invokes an inaccurate standard for meeting its burden on this
2 factor, relying on outdated case law construing Federal Rule of Civil Procedure 24—the
3 federal analogue to Section 387. CIPA asserts that its “burden of making [the adequate-
4 representation] showing should be minimal.” Mot. 6 (citing *Lewis v. Cnty. of Sacramento*
5 (1990) 218 Cal.App.3d 214, 219). But CIPA entirely disregards more recent precedent,
6 which holds that “a presumption of adequacy of representation” applies to cases in which
7 the party and the proposed intervenor share the same “ultimate objective.” (*Arakaki v.*
8 *Cayetano* (9th Cir. 2003) 324 F.3d 1078, 1086.) Overcoming this presumption requires
9 the proposed intervenor to make a “compelling showing” of inadequate representation—
10 and where one party to the case is a government entity, the intervenor must make a “*very*
11 *compelling* showing” that the state cannot adequately represent its interests. (*Id.* at 1086
12 (emphasis added); see also *State ex rel. Lockyer v. United States* (9th Cir. 2006) 450 F.3d
13 436, 443.)

14 CIPA’s showing falls woefully short of meeting that standard. Indeed, it fails to
15 articulate a single reason for why the City will not adequately represent its interests, aside
16 from its unfounded assertion that state and city agencies categorically cannot represent
17 the interests of private entities. That the City and CIPA may employ “divergent litigation
18 tactics,” as CIPA contends, is entirely irrelevant; mere “differences in strategy . . . are not
19 enough to justify intervention as a matter of right.” (*United States v. City of Los Angeles*
20 (9th Cir. 2002) 288 F.3d 391, 402–03.) Nor can CIPA identify any case law that supports
21 its position. The case it cites (at 7)—*Save Our Bay, Inc. v. San Diego Unified Port Dist.*
22 (1996) 42 Cal.App.4th 686, 695–96—did not concern intervention at all, but joinder of an
23 indispensable party under Code of Civil Procedure section 389, which (unlike section
24 387) does not ask whether the proposed intervenor’s interests are adequately represented
25 by existing parties. CIPA’s reliance on that case is thus misplaced and must be rejected.

26 CIPA is finally left to contend (at 6–7) that, because it was granted the right to
27 intervene in a prior case, it should be granted the right to intervene now. It fails to
28

1 mention that in two other cases involving environmental lawsuits against governmental
2 entities, courts *rejected* oil-industry groups’ arguments for mandatory intervention. In
3 *Center for Biological Diversity v. California Department of Conservation, Division of*
4 *Oil, Gas, and Geothermal Resources (“Center IP”)* (Alameda Cty. Sup. Ct. 2012) No.
5 RG13-664534, for instance, the court rejected the Western States Petroleum
6 Association’s arguments for mandatory intervention, denying its motion to intervene
7 entirely. (Order Denying Motion for Leave to Intervene, *Center II* [filed April 2, 2013].)
8 And in *Center for Biological Diversity, et al. v. California Department of Conservation,*
9 *Division of Oil, Gas, and Geothermal Resources (“Center P”)* (Alameda Cty. Sup. Ct.
10 2012) No. RG12-652054, the court permitted WSPA to intervene only as a matter of
11 discretion under section 387, subdivision (a), implicitly rejecting its request for
12 intervention as of right. (Order Granting Motion for Leave to Intervene, *Center I* [filed
13 Feb. 28, 2013].)

14
15 In any event, whether CIPA can intervene depends on whether it can meet its
16 burden of proof in satisfying section 387, subdivision (b)’s requirements in *this* action—
17 not on arguments made in other cases. For all the reasons described above, it has failed to
18 do that here, and this Court should therefore deny mandatory intervention.

19 **II. This Court should deny CIPA’s request for permissive intervention.**

20 A trial court may permit intervention under Section 387, subdivision (a), where
21 “(1) the intervener has a direct and immediate interest in the litigation, (2) the
22 intervention will not enlarge the issues in the case, and (3) the reasons for intervention
23 outweigh opposition by the existing parties.” (*Hinton v. Beck* (2009) 176 Cal.App.4th
24 1378, 1382–83.) CIPA fails to establish even one of these requirements. Its interest in this
25 litigation is, at most, consequential and speculative. And allowing CIPA to intervene in
26 this action will enlarge, delay, and complicate the proceedings—indeed, its conduct so far
27 in this litigation has already made that clear. “The right to intervene granted by section
28 387, subdivision (a), is not absolute”; “intervention is properly permitted only if the

1 requirements of the statute have been satisfied.” (*Simpson Redwood, supra*, 196
2 Cal.App.3d at p. 1199.) Because CIPA has not satisfied those requirements, the Court
3 should deny its request for permissive intervention.

4 **A. CIPA does not have a “direct and immediate interest in the litigation.”**

5 To permit intervention, a court must find that the proposed intervenor has “a direct
6 interest in the success of one of the parties to the litigation or an interest against both of
7 them.” (*Hodge v. Kirkpatrick Development, Inc.* (2005) 130 Cal.App.4th 540, 548.) “The
8 requirement of a direct and immediate interest means that the interest must be of such a
9 direct and immediate nature that the moving party will either gain or lose by the direct
10 legal operation and effect of the judgment.” (*City and County of S.F. v. State of*
11 *California* (2005) 128 Cal.App.4th 1030, 1037 (internal citations and quotation marks
12 omitted).) “Conversely, [a]n interest is consequential and thus insufficient for
13 intervention when the action in which intervention is sought does not directly affect it
14 although the results of the action may indirectly benefit or harm its owner.” (*Ibid.*)

15 Although CIPA acknowledges these principles (at 8), it nevertheless argues that it
16 satisfies the “direct and immediate” requirement because the “economic consequences of
17 the uncertain but extensive environmental review prayed for by Petitioners would cause
18 certain pecuniary harm to CIPA’s members.” That is incorrect, however, for all the
19 reasons discussed above. At best, any interest CIPA has in this action is merely
20 “consequential and thus insufficient for intervention.” (*City and Count of S.F., supra*, 128
21 Cal.App.4th at p. 1037.) As explained, CIPA and its members will not “gain or lose by
22 the direct legal operation and effect of the judgment” if this action were resolved in the
23 plaintiffs’ favor, *ibid.*—all that plaintiffs seek is that the City afford oil-drilling
24 conditional-use plans the level of case-by-case review required under state law. True,
25 once the City adopts CEQA-compliant review processes, some similar approvals that
26 may have been granted under its currently deficient regime may not be granted in the
27

1 future. But those harms are highly attenuated from the current action; they are nothing
2 more than “indirect” effects.

3 Put simply, CIPA “does not identify any way in which the judgment in [this
4 action] will, *of itself*, directly benefit or harm its members.” (*Id.* at p. 1038 (emphasis in
5 original).) Although CIPA claims (without any evidence) that requiring the City to
6 comply with CEQA will result in a host of harms to its members, even CIPA concedes (at
7 8) that the ultimate effect of this relief sought by the plaintiffs “uncertain.” That is just
8 another way of saying that any effects of this action on CIPA’s members are not “direct
9 and immediate.”

10 **B. Intervention will enlarge the issues in the case, and both parties’**
11 **opposition outweighs CIPA’s reasons for intervention.**

12 CIPA’s motion should also be denied because its intervention will “open up other
13 issues that have nothing to do with this particular [action],” *Siena Court, supra*, 164
14 Cal.App.4th at p. 1429, and will “prolong, confuse [and] disrupt the present lawsuit,”
15 *Simpson Redwood, supra*, 196 Cal.App.3d at p. 1203.

16 Indeed, even though CIPA has not yet been granted leave to intervene, it has
17 already acted in a manner that suggests that its formal intervention will “delay the
18 litigation [and] change the position of the parties.” (*Id.* at p. 1202.) For example, the
19 plaintiffs and the City agreed that this case should be designated complex under Rule
20 3.400 *et seq.*, in light of the fact that the claims will entail numerous motions raising
21 “difficult” and “time-consuming” questions, judicial management of a “large number of
22 witnesses” and “a substantial amount of documentary evidence,” and, potentially,
23 “[s]ubstantial postjudgment judicial supervision.” (See Plaintiffs’ Mot. to Designate Case
24 as Complex, at 1.) The plaintiffs and the City accordingly stipulated to that effect, and
25 Judge Chalfant thereafter ordered the matter transferred to Complex Court. Despite the
26 parties’ agreement as to the complex designation, however, CIPA has since filed several
27 motions and pleadings arguing that the case should be declared *not* complex. CIPA’s pre-
28

1 intervention conduct, in other words, has *already* expanded the issues in this case, by
2 transforming unanimity over the complex designation into an adversarial—and possibly
3 lengthy—procedural dispute.

4 What’s more, the plaintiffs and the City have agreed to pursue efforts to amicably
5 resolve the plaintiffs’ claims. To that end, the parties stipulated to stay discovery and
6 motions practice to enter mediation, and Judge Chalfant vacated all scheduled hearings
7 after a status conference with the parties to allow those discussions to continue. Despite
8 these developments, CIPA re-noticed its previously filed motion for leave to intervene,
9 thus forcing the parties to continue to file pleadings and litigate procedural disputes. This
10 Court should not allow CIPA to derail the prospect of settlement (or any other amicable
11 resolution of the plaintiffs’ claims) by its insistence on continued litigation.

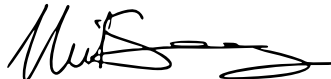
12 And permitting CIPA to intervene will likely enlarge the issues in this action in
13 other respects. For instance, the plaintiffs’ allegations concern the City’s general failure
14 to follow the CEQA “three-tiered process,” Compl. 31, and do not challenge any
15 particular oil-drilling approvals, projects, or sites. Notwithstanding CIPA’s contention (at
16 9) that its intervention will “not affect the nature of the action,” it likely will shift the
17 action’s focus toward its members’ specific projects, as well as how specific projects or
18 members might be affected sometime in the future if the City adopted CEQA-compliant
19 review procedures. And CIPA’s complaint-in-intervention further demonstrates that
20 CIPA’s participation will require assessment of additional issues; for example, CIPA
21 suggests in its complaint (at 1) that it will raise questions concerning their members’
22 possible “financial injury,” a factually intensive inquiry likely “requir[ing] introduction
23 of additional evidence,” *Simpson Redwood*, supra, 196 Cal.App.3d at p. 1202—and an
24 issue that would otherwise not have been raised by either party in the present action. This
25 Court should reject CIPA’s attempts to take control of and redirect this litigation,
26 particularly when, as described above, the disposition of this action will have no direct
27 impact on its interests.
28

1 As a general matter, courts are to respect the rights of the “original parties to
2 conduct their lawsuit on their own terms.” (*People ex rel. Rominger v. County of Trinity*
3 (1983) 147 Cal.App.3d 655, 661.) Accordingly, intervention must be denied if the
4 “reasons for intervention are outweighed by the right of the original parties to litigate in
5 their own manner.” (*Id.* at 664.) Indeed, “even when a direct interest is shown,” a trial
6 court should deny intervention where “the interests of the original litigants outweigh the
7 intervenors’ concerns.” (*People v. Superior Court (Good)* (1976) 17 Cal.3d 732, 737.)

8 That is true here. In contrast to CIPA’s vague and unsubstantiated allegations of
9 harm, the plaintiffs have credibly alleged that they have been subjected to significant
10 “public health and safety risks posed by oil drilling in residential neighborhoods,” and
11 that “those most vulnerable to the health hazards associated with oil drilling are young
12 people of color and those in low-income communities, who are already more likely to
13 live in neighborhoods facing a disproportionate share of environmental risk.” (Compl. 10,
14 13.) These significant—and ongoing—harms far “outweigh” the speculative and
15 consequential interests that CIPA asserts will be affected by this action. (*Good, supra*, at
16 p. 737.) Thus, this Court should deny CIPA’s motion for leave to intervene in its entirety.
17

18
19 DATED: April 12, 2016

Respectfully submitted,



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