



Planning Director Staff Report – Hearing on December 3, 2015

County of Ventura • Resource Management Agency • Planning Division

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TEG Oil & Gas Facility, PL15-0070

A. PROJECT INFORMATION

1. **Request:** The applicant requests that a Conditional Use Permit (CUP) be granted to authorize continued oil and gas production activities in the Eureka Oil Field (Case No. PL15-0070).
2. **Applicant:** TEG Oil and Gas USA, Incorporated, 326 South Pacific Coast Highway, Suite 102, Redondo Beach, California, 90277
3. **Property Owner:** Gayron and Kathleen Downs, 1057 East La Loma Avenue, Somis, California, 93066
4. **Applicant's Representative:** InterAct, Attention: Uliana Micovic, 4567 Telephone Road, Suite 203, Ventura, California, 93003
5. **Decision-Making Authority:** Pursuant to the Ventura County Non-Coastal Zoning Ordinance (NCZO) (§ 8105-4 and § 8111-1.2 et seq.), the Planning Director is the decision-maker for the requested CUP.
6. **Project Site Size, Location, and Parcel Number:** The project site is located in the Eureka Oil Field approximately 1.75 miles to the south of the town of Piru, in the unincorporated area of Ventura County. The Tax Assessor's parcel numbers for the parcels that constitutes the project site are 055-0-290-095, 055-0-290-105, 055-0-290-115, 055-0-290-125, 055-0-290-135, 055-0-290-145, 055-0-290-155, 055-0-290-195, 055-0-290-205 (Exhibit 2).
7. **Project Site Land Use and Zoning Designations (Exhibit 2):**
 - a. Countywide General Plan Land Use Map Designation: Open Space and Agriculture
 - b. Piru Area Plan Land Use Map Designation: Open Space, 80 acre minimum lot size
 - c. Zoning Designation: "AE 40 ac" (Agricultural Exclusive, 40-acre minimum lot size) and "AE 40 ac/MRP" (Agricultural Exclusive, 40-acre minimum lot size, mineral resource protection overlay zone)

8. Adjacent Zoning and Land Uses/Development (Exhibit 2):

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	AE-40 ac	Guiberson Road, agricultural production
East	OS-160 ac	Oil and gas production, grazing, undeveloped
South	OS-160 ac	Oil and gas production, grazing, undeveloped
West	OS-160 ac	Oil and gas production, grazing, undeveloped

9. History: The subject property is developed with existing oil and gas facilities. Oil and gas has been produced from the Eureka Oil Field since the 1890s. Beginning in 1985, the oil field was subject to Conditional Use Permit No. 1994-2, which expires in 2015. In 2015, the current application was submitted for the continued use of the existing facilities.

10. Project Description: The requested modified CUP would authorize the continued operation and maintenance of the existing oil and gas exploration and production facilities at the Eureka Oil Field including:

- a. The testing, drilling, production, reworking and maintenance (excluding hydraulic fracturing) of nine existing oil and gas wells located on existing drilling pads. The location of the wells is shown on Planning Director hearing Exhibit 3;
- b. Separation of natural gas and produced water from crude oil
- c. Processing operations required for on-site injection well purposes
- d. The off-site storage and transportation of produced gas and crude oil products from the site, and,
- e. Operation and maintenance of equipment associated with the storage, processing, and transporting of oil, gas, and water, as shown on Exhibit 3 in the hearing exhibits.

The proposed project does not include any new grading or removal of vegetation. The facility will be visited up to six times per day (i.e. up to 12 one-way vehicle trips per day) by company personnel for equipment maintenance and transport of produced oil. The proposed project does not include any new facilities or equipment. Oil and gas produced at this facility are transported by truck to offsite facilities.

The project includes the continued operation and maintenance of the equipment and facilities at the Eureka Tank Battery and the Smith Tank Battery as described below.

The existing equipment at the Eureka Tank Battery includes the following:

- One 1,000 barrel crude oil storage tank
- One 1,000 barrel wash tank
- One loading rack
- One flare
- One manifold
- Various meters, valves, connecting pipelines, electrical panels, etc.

The existing equipment at the Smith Tank Battery includes the following:

- One 1,000 barrel crude oil storage tank
- One 500 barrel wash tank
- One 450 barrel produced water tank
- One 200 barrel wash tank
- One gas separator
- One loading rack
- One flare
- One manifold
- Various meters, valves, connecting pipelines, electrical panels, etc.

Hydraulic fracturing or acid well stimulation techniques subject to the draft regulations for the implementation of Senate Bill 4 would not be authorized by the requested modified permit. Any such well stimulation activity would require a separate modified permit.

B. CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) COMPLIANCE

Pursuant to CEQA (Public Resources Code § 21000 et seq.) and the CEQA Guidelines (Title 14, California Code of Regulations, Division 6, Chapter 3, § 15000 et seq.), the subject application is a “project” that is subject to environmental review.

On December 19, 1985, the Planning Director adopted a Mitigated Negative Declaration (MND) that evaluated the environmental impacts of the project. The project included the drilling of 20 exploratory oil and gas wells in an existing oil field. The MND (Exhibit 4) identified three mitigation measures to lessen the impacts on biological and archaeological resources. The currently proposed project involves the continued use of the existing oil and gas facility, including the

existing nine wells. No additional wells would be drilled as part of the proposed project.

The CEQA Guidelines [§ 15164(b)] state that the lead agency shall prepare an addendum to an adopted MND if: (1) minor changes or additions are necessary; but (2) none of the conditions described in the CEQA Guidelines (§ 15162) calling for the preparation of a subsequent Environmental Impact Report (EIR) or MND have occurred. Exhibit 4 includes a description of the changes or additions that are necessary to the MND and a discussion of why none of the conditions described in the CEQA Guidelines exist, which require the preparation of an EIR or subsequent MND. In summary, the current proposal does not involve substantial changes to the project that was evaluated in the adopted MND. No new drilling pads would be constructed and no additional facilities would be installed beyond those identified in the adopted MND.

Based on the information provided above and in light of the whole record, staff recommends that the decision-maker find there is no substantial evidence to warrant the preparation of an EIR or subsequent MND, and the addendum to the MND (Exhibit 4) reflects the County's independent judgment and analysis.

C. CONSISTENCY WITH THE GENERAL PLAN

The Ventura County General Plan *Goals, Policies and Programs* (2011, page 4) states:

...in the unincorporated area of Ventura County, zoning and any permits issued thereunder, any subdivision of land, any public works project, any public (County, Special District, or Local Government) land acquisition or disposition, and any specific plan, must be consistent with the Ventura County General Plan Goals, Policies and Programs, and where applicable, the adopted Area Plan.

Furthermore, the Ventura County NCZO (§ 8111-1.2.1.1.a) states that in order to be approved, a CUP must be found consistent with all applicable policies of the Ventura County General Plan.

Evaluated below is the consistency of the proposed project with the applicable policies of the General Plan *Goals, Policies and Programs* and *Piru Area Plan*.

- 1. Resources Policy 1.3.2-4:** *Discretionary development shall not significantly impact the quantity or quality of water resources within watersheds, groundwater recharge areas or groundwater basins.*

Piru Area Plan Resources Policy 1.9.2-2: *All discretionary permits shall be reviewed for consistency with the goals, objectives and policies of the County's Water Quality Management Plan.*

The Public Works Agency, Watershed Protection District reviewed the proposed project for any impacts on water resources and consistency with the County's Water Quality Management Plan. The proposed project does not include the use of groundwater or changes in surface water runoff that could affect water quality. There is no substantial evidence that the existing oil wells at the subject facility have caused any degradation of groundwater quality. No aspect of the project has been identified that poses a substantial threat to groundwater quality. Therefore, the proposed project will not have a significant effect on the quantity or quality of groundwater.

Based on the above discussion, the proposed project is consistent with Policies 1.3.2-4 and 1.9.2-2.

- 2. Resources Policy 1.5.2-1:** *Discretionary development which could potentially impact biological resources shall be evaluated by a qualified biologist to assess impacts and, if necessary, develop mitigation measures.*

Biological Resources Policy 1.5.2-3: *Discretionary development that is proposed to be located within 300 feet of a marsh, small wash, intermittent lake, intermittent stream, spring, or perennial stream (as identified on the latest USGS 7½ minute quad map), shall be evaluated by a County approved biologist for potential impacts on wetland habitats. Discretionary development that would have a significant impact on significant wetland habitats shall be prohibited, unless mitigation measures are adopted that would reduce the impact to a less than significant level; or for lands designated "Urban" or "Existing Community", a statement of overriding considerations is adopted by the decision-making body.*

Existing and previously approved elements of the project are located within 300 feet of an intermittent stream. No new effects on potential wetland habitat would result from the proposed project as there would be no changes in the existing situation. Thus, potential impacts to wetland habitats will be less than significant.

Based on the above discussion, the project is consistent with Policy 1.5.2-3.

Biological Resources Policy 1.5.2-4: *Discretionary development shall be sited a minimum of 100 feet from significant wetland habitats to mitigate the potential impacts on said habitats. Buffer areas may be increased or decreased upon evaluation and recommendation by a qualified biologist and approval by the decision-making body. Factors to be used in determining adjustment of the 100-foot buffer include soil type, slope stability, drainage patterns, presence or*

absence of endangered, threatened or rare plants or animals, and compatibility of the proposed development with the wildlife use of the wetland habitat area. The requirement of a buffer (setback) shall not preclude the use of replacement as a mitigation when there is no other feasible alternative to allowing a permitted use, and if the replacement results in no net loss of wetland habitat. Such replacement shall be "in kind" (i.e. same type and acreage), and provide wetland habitat of comparable biological value. On-site replacement shall be preferred wherever possible. The replacement plan shall be developed in consultation with California Department of Fish and Game.

The project is not located within 100 feet of any significant wetland habitats. Thus, the project is consistent with Policy 1.5.2-4.

Piru Area Plan Goal 1.5.1-1: Protect and enhance the significant biological resources in the Piru area.

Piru Area Plan Policy 1.5.2-1: All discretionary permits in Open Space designated areas shall be consistent with the preservation and development of an environment suitable to wildlife and flora indigenous to the area.

Project impacts on biological resources will be less than significant. No grading or vegetation removal is proposed. Thus, no direct impacts on wildlife or flora indigenous to the area will occur.

Based on the above discussion, the project is consistent with Policy 1.5.2-1.

Piru Area Plan Goal 1.5.1-2: Protect the Piru Creek wildlife migration corridor between the Los Padres National Forest on the north and the Santa Clara River and Oak Ridge Big Mountain habitat on the south.

The project site is located within the Santa Monica Mountains to Sierra Madre Mountains linkage according to the South Coast Missing Linkages Project (2006). The project would not substantially reduce the value of this linkage for wildlife movement since no additional vegetation is proposed to be removed and the project will continue to use existing infrastructure on previously-disturbed land. The project would not increase road density, add to the fragmentation of habitats, or introduce new barriers.

Based on the above discussion, the project is consistent with Policy 1.5.1-2.

Piru Area Plan Policy 1.5.2-2: The California Department of Fish and Game, the U.S. Fish and Wildlife Service, National Audubon Society and the California Native Plant Society shall be consulted when discretionary development may affect significant biological resources...

Piru Area Plan Goal 1.5.1-3: Encourage and support the management policies of the U.S. Fish and Wildlife Services, California Department of Fish and Game and the Los Padres National Forest in its attempt to preserve and protect the California Condor and its habitat.

Piru Area Plan Policy 1.5.2.-3: The California Department of Fish and Game, the U.S. Fish and Wildlife Service and the National Audubon Society at the Condor Research Center shall be consulted when discretionary development proposals are submitted which may affect biological resources.

County staff consulted with the California Department of Fish and Wildlife (CDFW) and the United States Fish and Wildlife Service (USFWS) at the recurring monthly Interagency Biology Meeting regarding various oil and gas projects located within Ventura County. USFWS staff recommended that the County work with USFWS to develop measures to minimize potential impacts on the California condor. As a result, relevant mitigation measures listed in the USFWS July 18, 2013 letter to the County were incorporated into the conditions of approval of the requested permit.

Based on the above discussion, the proposed project is consistent with Policies 1.5.2-1, 1.5.2-3, and 1.5.2-4, and Piru Area Plan Policies 1.5.1-1, 1.5.1-2, 1.5.1-3, 1.5.2-1, 1.5.2-2, and 1.5.2-3.

- 3. Resources Policy 1.7.2-1:** *Notwithstanding Policy 1.7.2-2, discretionary development which would significantly degrade visual resources or significantly alter or obscure public views of visual resources shall be prohibited unless no feasible mitigation measures are available and the decision-making body determines there are overriding considerations.*

The proposed project site is located in the Eureka Canyon Oil Field approximately 1.75 miles to the south of the town of Piru, in the unincorporated area of Ventura County. The oil and gas facility is surrounded by hills and not visible from any public viewing location.

Based on the above discussion, the proposed project is consistent with Policy 1.7.2-1.

- 4. Hazards Policy 2.13.2-1:** *All discretionary permits shall be required, as a condition of approval, to provide adequate water supply and access for fire protection and evacuation purposes.*

Piru Area Plan Resources Policy 2.3.2-1: Discretionary development permits shall be conditioned to provide adequate water and access for fire fighting

purposes. Such permits shall not be approved if the County Fire Prevention District cannot provide adequate response time for fire protection.

Piru Area Plan Resources Policy 4.4.2: *Discretionary development shall be permitted only if adequate water supply, access and response time for fire protection can be made available.*

Hazards Policy 2.13.2-2: *All discretionary permits in fire hazard areas shall be conditioned to include fire-resistant vegetation, cleared firebreaks, or a long-term comprehensive fuel management program as a condition of approval. Fire hazard reduction measures shall be incorporated into the design of any project in a fire hazard area.*

Piru Area Plan Resources Policy 2.3.2-3: *Discretionary development in High Fire Hazard Areas shall be required to develop landscape plans utilizing fire retardant plant materials, cleared areas or other acceptable means of reducing fire hazards.*

Public Facilities and Services Policy 4.8.2-1: *Discretionary development shall be permitted only if adequate water supply, access and response time for fire protection can be made available.*

The existing oil and gas facility will continue to be accessible for fire protection and evacuation purposes by an existing private dirt road connected to Guiberson Road. The proposed project has been reviewed by the Ventura County Fire Protection District (VCFPD). The VCFPD determined that adequate access, water supply and response time for fire protection are available for the project site. The VCFPD did not require any new conditions of approval.

Based on the above discussion, the proposed project is consistent with Policies 2.13.2-1, 2.13.2-2, and 4.8.2-1, and Piru Area Plan Policies 2.3.2-1, 2.3.2-3, and 4.4.2.

- 5. Hazards Policy 2.16.2-1:** *All discretionary development shall be reviewed for noise compatibility with surrounding uses. Noise compatibility shall be determined from a consistent set of criteria based on the standards listed below. An acoustical analysis by a qualified acoustical engineer shall be required of discretionary developments involving noise exposure or noise generation in excess of the established standards. The analysis shall provide documentation of existing and projected noise levels at on-site and off-site receptors, and shall recommend noise control measures for mitigating adverse impacts.*

- (1) *Noise sensitive uses* proposed to be located near highways, truck routes, heavy industrial activities and other relatively continuous noise sources shall incorporate noise control measures so that:
 - a. Indoor noise levels in habitable rooms do not exceed CNEL 45.
 - b. Outdoor noise levels do not exceed CNEL 60 or Leq1H of 65 dB(A) during any hour.
- (2) *Noise sensitive uses* proposed to be located near railroads shall incorporate noise control measures so that:
 - a. Guidelines (1)a. and (1)b. above are adhered to.
 - b. Outdoor noise levels do not exceed L10 of 60 dB(A).
- (3) *Noise sensitive uses proposed to be located near airports:*
 - a. *Shall be prohibited if they are in a CNEL 65 or greater, noise contour.*
 - b. *Shall be permitted in the CNEL 60 to CNEL 65 noise contour area only if means will be taken to ensure interior noise levels of CNEL 45 or less.*
- (4) *Noise generators, proposed to be located near any noise sensitive use, shall incorporate noise control measures so that ongoing outdoor noise levels received by the noise sensitive receptor, measured at the exterior wall of the building, does not exceed any of the following standards:*
 - a. *Leq1H of 55dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 6:00 a.m. to 7:00 p.m.*
 - b. *Leq1H of 50dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 7:00 p.m. to 10:00 p.m.*
 - c. *Leq1H of 45dB(A) or ambient noise level plus 3dB(A), whichever is greater, during any hour from 10:00 p.m. to 6:00 a.m.*

Section 2.16.2(4) is not applicable to increased traffic noise along any of the roads identified within the 2020 Regional Roadway Network (Figure 4.2.3) Public Facilities Appendix of the Ventura County General Plan (see 2.16.2-1(1)). In addition, State and Federal highways, all railroad line operations, aircraft in flight, and public utility facilities are noise generators having Federal and State regulations that preempt local regulations.
- (5) *Construction noise shall be evaluated and, if necessary, mitigated in accordance with the County Construction Noise Threshold Criteria and Control Plan.*

Piru Area Plan Resources Policy 2.4.2-1: *All discretionary permits shall be reviewed for noise compatibility with surrounding uses to protect residences and other noise sensitive uses from undesirable noise levels. If the Planning Division determines that a proposal involves potentially significant noise exposure to noise sensitive uses, a noise report shall be prepared by a qualified acoustical engineer as part of the project's environmental evaluation. The report shall include recommendations designed to eliminate or reduce the projected impacts.*

The proposed project will generate noise from the operation of the pumping units and maintenance activities that are incidental to oil field operations. The facility

operations will occur within the remote Eureka Canyon Oil Field. The nearest noise sensitive use is a residence along Guiberson Road located approximately 2,700 feet to the north of the proposed project site. At that distance, the noise levels generated from the oil and gas facility will not exceed the noise threshold levels of Policy 2.16.2-1. Additionally, the proposed project will be subject to conditions of approval to maintain project related noise levels measured at the residence below the levels listed in Policy 2.16.2-1 (Exhibit 5, Condition Nos. 27 and 28).

Based on the above discussion, the proposed project is consistent with Policy 2.16.2-1 and Piru Area Plan Policy 2.4.2-1.

- 6. Public Facilities and Services Policy 4.1.2-1:** *Discretionary development shall be conditioned to contribute land, improvements or funds toward the cost of needed public improvements and services related to the proposed development.*

The proposed project will not require public improvements and services related to the development. Therefore, no conditions of approval are required for contributions toward the cost of public improvements.

Based on the above discussion, the proposed project is consistent with Policy 4.1.2-1.

- 7. Public Facilities and Services Policy 4.1.2-2:** *Development shall only be permitted in those locations where adequate public services are available (functional), under physical construction or will be available in the near future.*

The existing oil and gas facilities are not anticipated to increase demand on public services. The VCFPD has reviewed the proposed project and has determined that the proposed project does not have the potential to adversely impact public services.

Based on the above discussion, the proposed project is consistent with Policy 4.1.2-2.

- 8. Piru Area Plan Resources Policy 1.2.2-1:** *Oil operators shall adhere to the Oil and Gas Exploration and Production provisions of the County Zoning Ordinance.*

The proposed project will be subject to conditions of approval to require the Permittee to operate in conformance with the Oil and Gas Exploration and Production development standards of the County Non-Coastal Zoning Ordinance (Exhibit 6, Conditions No. 18-30).

Based on the above discussion, the proposed project is consistent with Policy 1.2.2-1.

- 9. Piru Area Plan Resources Policy 1.2.2-2:** *Oil development permits shall be conditioned to minimize or avoid truck traffic impacts on the Community of Piru. Oil operators should consider alternate traffic routes or traffic mitigations such as centrifuging drilling wastes, pipelines and/or wastewater injection wells.*

The proposed project involves the continued operation of an existing oil and gas production facility. No substantial new traffic would be generated. The project is located at the remote Eureka Canyon Oil Field that is accessed from Guiberson Road and State Highway 126. These roadways do not go through the community of Piru. Thus, the project would not involve any traffic in the community of Piru.

Based on the above discussion, the proposed project is consistent with Policy 1.2.2-2.

- 10. Piru Area Plan Resources Policy 1.2.2-3:** *Electric production equipment shall be used where practical to alleviate pollution from internal combustion engines.*

The proposed project does not include any new well drilling that could use internal combustion engines. The existing pumping units will continue to be operated by electrical motors.

Based on the above discussion, the proposed project is consistent with Policy 1.2.2-3.

- 11. Piru Area Plan Resources Policy 1.2.2-4:** *All production sites shall be screened from any public road, or residence located within 500 yards, by natural terrain or vegetation which will reach the height of production equipment within five years.*

The proposed project site is located within the Eureka Canyon Oil Field and is surrounded by hills. The proposed project site is not located within 500 yards of any residence and is not visible from any public road. The proposed production site is completely screened from any public viewpoint by natural terrain.

Based on the above discussion, the proposed project is consistent with Policy 1.2.2-4.

- 12. Piru Area Plan Resources Policy 1.2.2-5:** *There shall be no oil refining in the Piru Area of Interest.*

The proposed project is located within the Piru Area of Interest and includes the continued use of existing facilities. The proposed project does not include any refining.

Based on the above discussion, the proposed project is consistent with Policy 1.2.2-5.

- 13. Piru Area Plan Resources Policy 1.7.2-1:** *Discretionary projects which could have significant adverse air quality impacts shall be conditioned to avoid, minimize or compensate for the air quality impact. Projects which are inconsistent with the Air Quality Management Plan (AQMP) shall be prohibited.*

Piru Area Plan Resources Policy 1.7.2-2: *Projects subject to Air Pollution Control District (APCD) permit authority shall comply with all applicable APCD rules and permit requirements, including using the best available control technology (BACT) as determined by the APCD. Developers shall be encouraged to employ innovative technology, in order to minimize area pollution impacts.*

The Ventura County Air Pollution Control District ("APCD") reviewed the proposed project and determined that the proposed project will have no significant impacts on air quality. Although the project is not expected to result in any significant local or regional air quality impacts, the project will be subject to a condition of approval to minimize fugitive dust (Exhibit 5, Condition No. 34).

Based on the above discussion, the proposed project is consistent with Policies 1.7.2-1 and 1.7.2-2.

- 14. Piru Area Plan Resources Policy 2.1.2-4:** *All development shall be subject to the geologic and seismic requirements of the County's Building Code.*

The proposed project does not include any new development. The existing facility is subject to the California Building Code (as augmented and adopted by Ventura County) and seismic factors are considered in the issuance of any required Building Permits.

Based on the above discussion, the proposed project is consistent with Policy 2.1.2-4.

- 15. Piru Area Plan Resources Policy 3.6.2-3:** *All discretionary development shall be reviewed to ensure that impacts on agriculture are minimized.*

The proposed project is not located on land that is used for agricultural production. The nearest agriculture is located to the north of the proposed

project site, on the other (northern) side of Guiberson Road. The existing oil production operations occur on a separate parcel. The proposed project would not result in any significant impact on agriculture.

Based on the above discussion, the proposed project is consistent with Policy 3.6.2-3.

16. Piru Area Plan Resources Policy 4.8.2-1: *The Piru Neighborhood Council shall continue to be the Board of Supervisors' recognized public review group for the Piru Area of Interest. All applications for discretionary permits and all environmental documents for projects located within the Piru Area of Interest shall be distributed to the Piru Neighborhood Council.*

The application for the proposed project and environmental document were made available for review by the Piru Neighborhood Council. The Council did not have any concerns with the proposed project.

Based on the above discussion, the proposed project is consistent with Policy 4.8.2-1.

D. ZONING ORDINANCE COMPLIANCE

The proposed project is subject to the requirements of the NCZO.

Pursuant to the Ventura County NCZO (§ 8105-4/§ 8105-5), the proposed use is allowed in the Agricultural Exclusive zone district with the granting of a CUP. Upon the granting of the CUP, the applicant/Permittee will be in compliance with this requirement.

The proposed project includes the use of structures that are subject to the development standards of the Ventura County NCZO (§ 8106-1.1). Table 1 lists the applicable development standards and a description of whether the proposed project complies with the development standards.

Table 1 – Development Standards Consistency Analysis

Type of Requirement	Zoning Ordinance Requirement	Complies?
Minimum Lot Area (Gross)	10 acres	Yes
Maximum Percentage of Building Coverage	5	Yes
Front Setback	20 feet	Yes
Side Setback	10 feet	Yes
Rear Setback	15 feet	Yes
Maximum Building Height	35 feet	Yes

The proposed oil and gas facility is subject to the special use standards of the Ventura County Non-Coastal Zoning Ordinance (§8107-5.6). Table 2 lists the applicable special use standard and a summary of staff's review of the conformance of the project design with each standard.

Table 2 – Special Use Standards Conformance

NCZO Section	Special Use Standard	In conformance?
8107-5.6.1	Setbacks	Yes
8107-5.6.2	Drainage Course Obstruction	Yes
8107-5.6.3	Removal of Equipment	Yes
8107-5.6.4	Waste Handling	Yes
8107-5.6.5	Securities	Yes
8107-5.6.6	Dust Prevention and Road Maintenance	Yes
8107-5.6.7	Light Emanation	Yes
8107-5.6.8	Reporting of Accidents	Yes
8107-5.6.9	Painting	Yes
8107-5.6.10	Site Maintenance	Yes
8107-5.6.11	Site Restoration	Yes
8107-5.6.12	Insurance	Yes
8107-5.6.13	Noise Standard	Yes
8107-5.6.16	Preventive Noise Insulation	Yes
8107-5.6.18	Soundproofing Material	Yes
8107-5.6.19	Hours of Well Maintenance	Yes
8107-5.6.20	Limited Drilling Hours	Yes
8107-5.6.21	Signs	Yes
8107-5.6.22	Fencing	Yes
8107-5.6.23	General Standards	Yes
8107-5.6.24	Screening Landscaping	Yes
8107-5.6.27	Inspection, Enforcement and Compatibility Review	Yes

E. CONDITIONAL USE PERMIT FINDINGS AND SUPPORTING EVIDENCE

The Planning Director must make certain findings in order to grant a conditional use permit pursuant to Section 8111-1.2.1.1 of the Ventura County Non-Coastal Zoning Ordinance. The ability to make the required findings is evaluated below.

- 1. The proposed development is consistent with the intent and provisions of the County's General Plan and of Division 8, Chapters 1 and 2, of the Ventura County Ordinance Code [§ 8111-1.2.1.1.a].**

Based on the information and analysis presented in Sections C and D of this staff report, the finding that the proposed development is consistent with the intent

and provisions of the County's General Plan and of Division 8, Chapters 1 and 2, of the Ventura County Ordinance Code can be made.

2. The proposed development is compatible with the character of surrounding, legally established development [§ 8111-1.2.1.1.b].

The proposed project involves the continued use of existing oil and gas facilities. The project site is located within the Eureka Canyon Oil Field that has been in production since the 1890s. The surrounding land is used for oil and gas production and cattle grazing. The oil and gas production facilities are located in an area surrounded by hills and are screened from any public viewing location. The proposed use of the existing oil and gas facilities will not preclude the existing use of the surrounding properties for oil and gas production and cattle grazing.

Based on the above discussion, this finding can be made.

3. The proposed development would not be obnoxious or harmful, or impair the utility of neighboring property or uses [§ 8111-1.2.1.1.c].

The existing oil and gas facility is located within the Eureka Canyon Oil Field, a remote area located approximately 1.75 miles to the south of the town of Piru. No substantial effect on neighboring property or uses has been identified for the proposed project. The use of the surrounding open space and grazing lands would not be affected.

Based on the above discussion, this finding can be made.

4. The proposed development would not be detrimental to the public interest, health, safety, convenience, or welfare [§ 8111-1.2.1.1.d].

The proposed project involves the continued use of existing oil and gas facilities that will not substantially alter the character of the area or impair the use of neighboring land. The existing facility will be visited up to six times per day (i.e. up to 12 one-way vehicle trips per day) by company personnel for equipment maintenance and transport of produced oil. This ongoing traffic will be on lightly-travelled Guiberson Road and on State Highway 126 and is not expected to substantially affect traffic circulation or safety. The production facility will be unmanned, and will not generate significant noise. The project will be subject to conditions of approval to require the compliance with County and State regulations (Exhibit 5, Condition Nos. 14 and 33). No substantial adverse effect on public health, safety, convenience or welfare has been identified that would result from the proposed project.

Based on the above discussion, this finding can be made.

- 5. The proposed development, if allowed by a Conditional Use Permit, is compatible with existing and potential land uses in the general area where the development is to be located [§ 8111-1.2.1.1.e].**

The proposed project will not substantially alter the character of the area. The proposed use of the existing oil and gas facilities will be compatible with the surrounding cattle grazing use and open space. The proposed project will not be detrimental to the public health, safety or welfare. The proposed facility is allowed with a Conditional Use Permit, and will not preclude other uses in the Agricultural Exclusive zone. Given the lack of public services and the remoteness of the area, a change in the land use designation or zoning of the area is not foreseeable at this time.

Based on the above discussion, this finding can be made.

- 6. The proposed development will occur on a legal lot [§ 8111-1.2.1.1f].**

The applicant requests that a conditional use permit be granted to authorize oil and gas exploration and production operations. The legal lot status of the property has not been established at this time. However, oil and gas leases are exempt from the requirements of the State Subdivision Map Act. Thus, the Planning Director has determined that a permit can be granted for oil exploration and production activities involving a subsurface lease without the establishment of lot legality.

Based on the above discussion, this finding can be made.

F. PLANNING DIRECTOR HEARING NOTICE, PUBLIC COMMENTS, AND JURISDICTIONAL COMMENTS

The Planning Division provided public notice regarding the Planning Director hearing in accordance with the Government Code (§ 65091), and Ventura County NCZO (§ 8111-3.1). The Planning Division mailed notice to owners of property within 300 feet of the property on which the project site is located and placed a legal ad in the *Ventura County Star*. As of the date of this document, the Planning Division has not received any public comments regarding the proposed project.

G. RECOMMENDED ACTIONS

Based upon the analysis and information provided above, Planning Division Staff recommends that the Planning Director take the following actions:

1. **CERTIFY** that the Director has reviewed and considered this staff report and all exhibits thereto, including the proposed Addendum to the MND (Exhibit 4), and has considered all comments received during the public comment process;
2. **FIND**, based on the whole of the record before the Planning Director, there is no substantial evidence that the project will have a significant effect on the environment, that the MND Addendum satisfies the environmental review requirements of CEQA, and that the MND Addendum reflects the Planning Director's independent judgment and analysis;
3. **APPROVE** the MND Addendum (Exhibit 4) as satisfying the environmental review requirements of CEQA;
4. **MAKE** the required findings to grant a Minor Modification of a CUP pursuant to Section 8111-1.2.1.1 of the Ventura County NCZO, based on the substantial evidence presented in Section E of this staff report and the entire record;
5. **GRANT** Modified CUP PL15-0070, subject to the conditions of approval (Exhibit 6).
6. **SPECIFY** that the Clerk of the Planning Division is the custodian, and 800 S. Victoria Avenue, Ventura, CA 93009 is the location, of the documents and materials that constitute the record of proceedings upon which this decision is based.

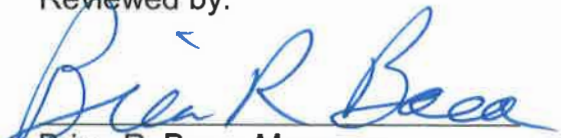
The decision of the Planning Director is final unless appealed to the Planning Commission within 10 calendar days after the permit has been approved, conditionally approved, or denied (or on the following workday if the 10th day falls on a weekend or holiday). Any aggrieved person may file an appeal of the decision with the Planning Division. The Planning Division shall then set a hearing date before the Planning Commission to review the matter at the earliest convenient date.

If you have any questions concerning the information presented above, please contact Jay Dobrowalski at (805) 654-2498 or jay.dobrowalski@ventura.org.

Prepared by:


Jay Dobrowalski, Case Planner

Reviewed by:


Brian R. Baca, Manager
Commercial-Industrial Permits Section

EXHIBITS

- Exhibit 2 – Location Map
- Exhibit 3 – Plans
- Exhibit 4 – MND with Addendum
- Exhibit 5 – Conditions of Approval



Sources: Esri, DeLorme, NAVTEQ, USGS, Intermap, iPC, NRCAN, Esri Japan, METI, Esri China (Hong Kong), Esri (Thailand), TomTom, 2012



Ventura County, California
Resource Management Agency
GIS Development & Mapping Services
Map created on 11-04-2015



County of Ventura
Planning Director Hearing
PL15-0070
Exhibit 2 – Location Map
19



Disclaimer: This Map was created by the Ventura County Resource Management Agency, Mapping Services - GIS which is designed and operated solely for the convenience of the County and related public agencies. The County does not warrant the accuracy of this map and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.

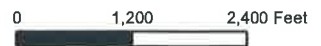




Ventura County, California
 Resource Management Agency
 GIS Development & Mapping Services
 Map Created on 11-04-2016
 This aerial imagery is under the
 copyrights of Pictometry
 Source: Pictometry, Jan. 2015

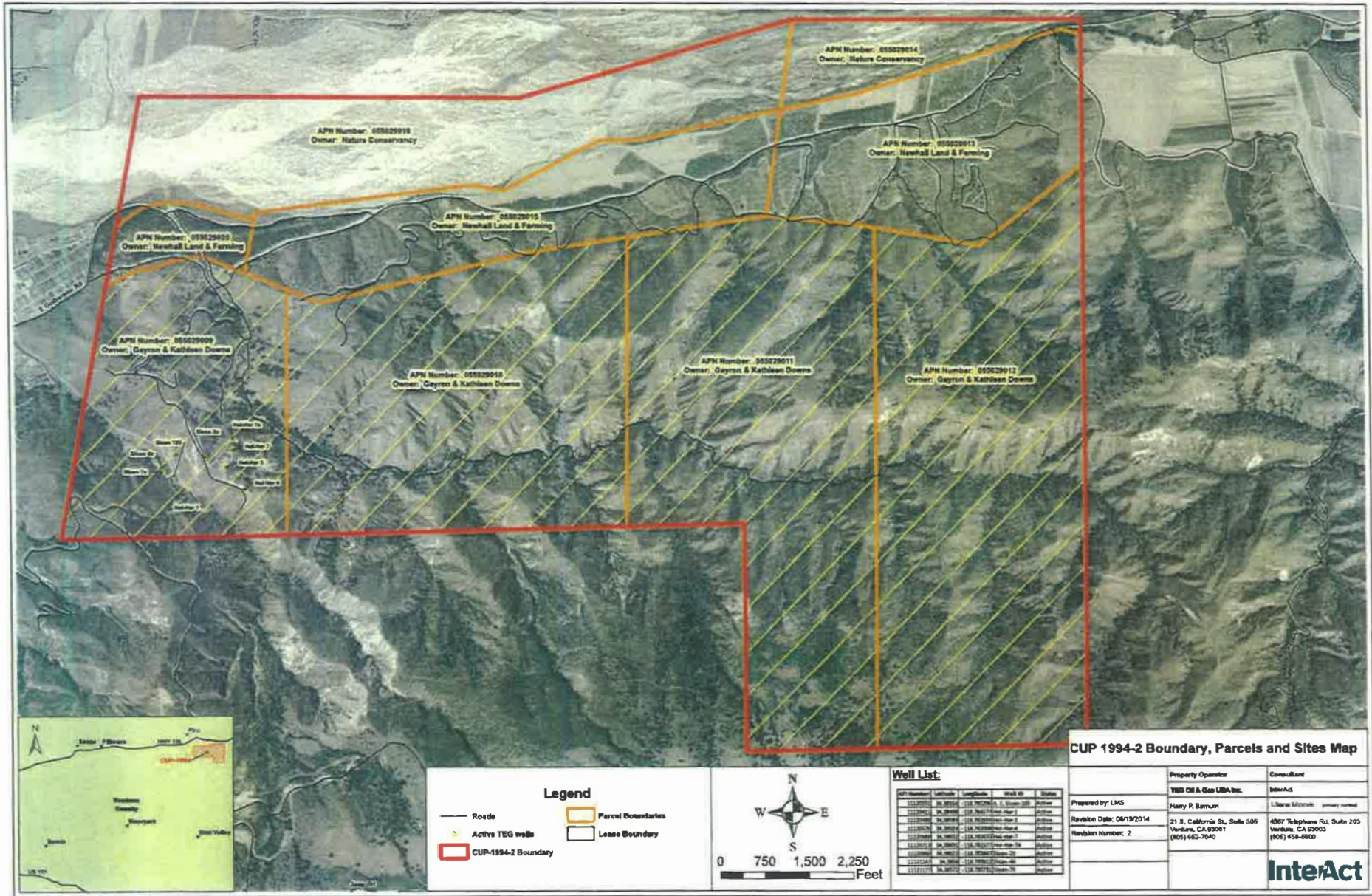


County of Ventura Aerial Photography of Project PL15-0070



Disclaimer: The Map was created by the Ventura County Resource Management Agency, Mapping Services - GIS which is designed and operated solely for the convenience of the county and related public agencies. The County does not warrant the accuracy of the map and no decision involving a risk of economic loss or physical injury should be made in reliance thereon.

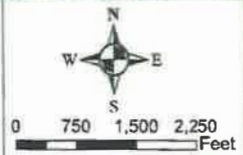




CUP 1994-2 Boundary, Parcels and Sites Map

Legend

- Roads
- Active TEG wells
- ▭ Parcel Boundaries
- ▭ Lease Boundary
- ▭ CUP-1994-2 Boundary



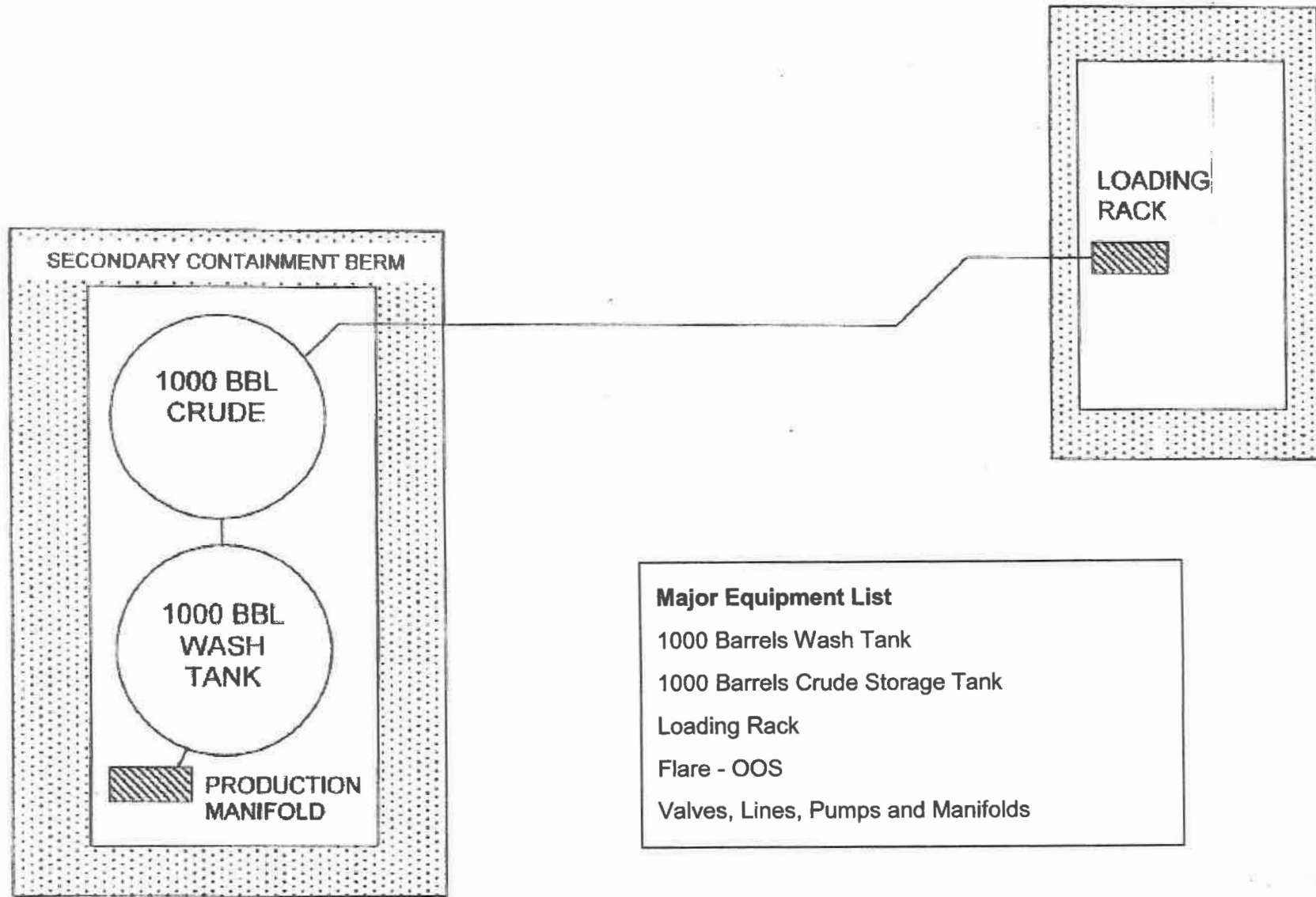
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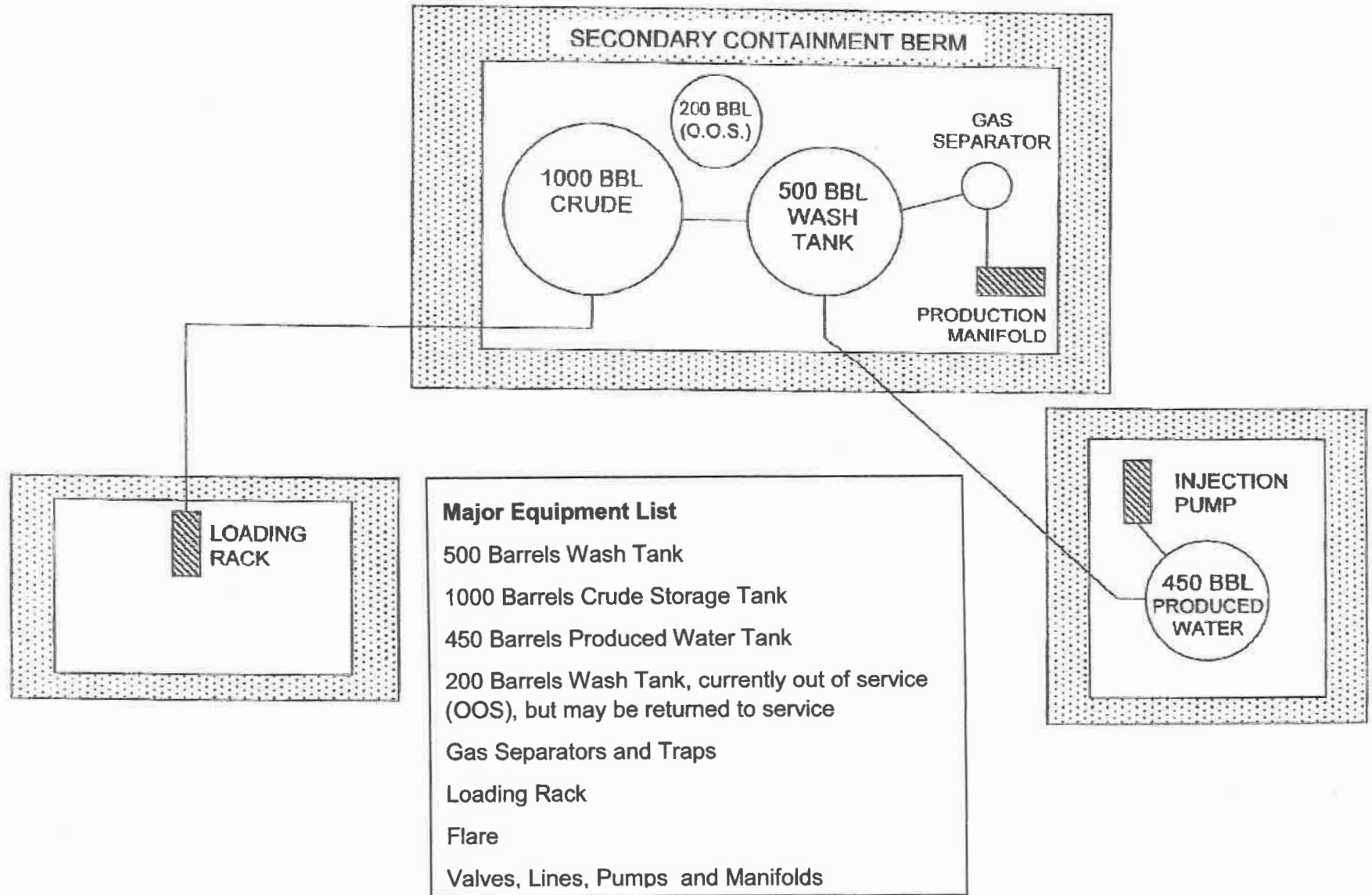
Property Operator	Consultant
YED Oil & Gas USA Inc.	InterAct
Prepared by: LMS	Henry P. Barron
Revision Date: 06/19/2014	21 S. California St., Suite 305 Ventura, CA 93001 (805) 652-7040
Revision Number: 2	4857 Telegraph Rd., Suite 205 Ventura, CA 93003 (805) 458-8900



EUREKA TANK BATTERY



SMITH TANK BATTERY



COUNTY OF VENTURA
RESOURCE MANAGEMENT AGENCY
800 S. Victoria Avenue
Ventura, CA 93009

MITIGATED NEGATIVE DECLARATION

A. PROJECT DESCRIPTION:

1. Entitlement: CUP-1994-2
2. Applicant: Petro Resources, Inc.
3. Location: (See attached map) Eureka Canyon south of Piru in East Ventura County
4. Assessor Parcel No(s): 52-29-08, 09, 10, 11 and 12
5. Parcel Size and Permit Area: 2333 Acres
6. General Plan Designation: Agriculture on Open Space Element
7. Existing Zoning: "A-E" (Agriculture Exclusive)
8. Proposal: To drill 20 exploratory oil wells (20 new drill sites with 1 well each in an existing oil field) (See Exhibits "A", "B", and "C"). Currently there are 34 production wells on this existing permit.
9. Responsible Agency: California Department of Oil and Gas
10. Trustee Agency: California Department of Fish and Game

B. STATEMENT OF ENVIRONMENTAL FINDINGS:

An Initial Study was conducted by the Planning Division to evaluate the potential effects of this project on the environment. Based on the findings contained in the attached Initial Study it has been determined that this project could have a significant effect on the environment. These potentially significant impacts can be satisfactorily mitigated through adoption of the following identified measures as conditions of approval.

C. MITIGATION MEASURES INCLUDED TO AVOID POTENTIALLY SIGNIFICANT EFFECTS:

1. OFF-SITE BIOLOGICAL IMPACTS (Risk of Upset)

Potential Impact

According to McClellan Engineers, Inc. an oil spill or excessive erosion from the proposed development could cause significant off-site habitat degradation to the Least Bell's Vireo (*Vireo belli pusillus*) found in the riparian thickets along the Santa Clara River. This bird is designated as endangered by the California Department of Fish and Game. The Santa Clara River flows parallel to the project site (Eureka Canyon), approximately one mile north of the Canyon.

Proposed Mitigation Measures

Standard conditions permitting oil development in Ventura County should be sufficient to alleviate any potential impacts associated with oil well spills and erosion. Specifically the conditions dealing with containment of contaminants (Spill Contingency Plan) and waste storage, will assure that the drilling operation will not cause any environmental degradation and reduce the risk of an accidental oil spill.

The above Conditions are as follows:

- a. Containment Of Contaminants (Spill Contingency Plan)

That pursuant to Section 8107-5.6.4, oil, produced water, drilling fluids, cuttings, and other contaminants associated with the drilling, production, storage and transport of oil shall be contained on the site unless properly transported off-site or injected into a well. The permittee shall furnish the Planning Director a plan for controlling oil spillage and preventing saline or other polluting or contaminating substances from reaching

surface or subsurface waters. The plan shall be consistent with the requirements of the County of Ventura, the State of California and the Federal Government.

b. Waste Storage

That unless otherwise advised by the applicable State Agencies, rotary mud, produced water, drill cuttings, or liquid hydrocarbons, and all other oil field wastes derived or resulting from, or connected with, the drilling and reworking of any well shall be discharged into portable watertight receptors. All waste materials shall be completely removed from the drill site within 30 days after completion of drilling or maintenance of a well and disposed of in an approved manner. This shall not preclude the injection of water into a well and attendant storage tanks of such injection.

2. ON-SITE BIOLOGICAL IMPACTS (Plant Life)

Potential Impact

An assessment by McClellan Engineers, Inc. states that project development, including new roads and drill sites, may cause removal of several oak trees and will result in the elimination of about eight to ten acres of chaparral vegetation. Removal of any oak trees may be considered a potentially significant impact due to large scale loss of oak woodland habitat in this area in the past. Loss of chaparral vegetation does not constitute a significant impact.

Proposed Mitigation Measures

The final location of proposed access roads has been realigned to avoid as many oak trees as possible. (see Exhibits "A", "B", and "C")

Any oak trees lost as a result of the project will be replaced at a ratio of 3:1. These oak trees will be planted within or adjacent to the existing oak woodland habitat. In addition, the existing grades within the dripline, (extending three feet outward from the dripline) will not be altered. The operation of heavy machinery will not be allowed within that area.

Retaining walls will be used to protect the existing grades within the driplines of oak trees from surrounding cut and fill. Care will be taken not to alter drainage around the trees.

The above Mitigation Measures have reduced the impact on plant life to an insignificant level.

3. ARCHAEOLOGY

Potential Impact

According to an archaeological report filed by Chester King, Archaeologist, earth moving associated with the proposed oil drilling project may damage four American Period archaeological sites and one possible prehistoric archaeological site.

Proposed Mitigation Measures

The proposed Drill Site Plans have been amended (see Exhibits "A", "B" and "C") and the drill sites which were at or near any identified archaeological sites (Drill Sites 10, 11, 12 and 14) were moved sufficiently to avoid any possible disturbance of American Period artifacts.

The proposed access road to Drill Site 5 has also been moved south of the originally proposed site so that any possible prehistoric sites will be avoided.

In addition, if archaeological or historical artifacts are uncovered during the site preparation and drilling operation, the permittee shall immediately notify the Planning Director and preserve the site until a qualified archaeologist can recommend the proper disposition of the site. The Planning Director's written concurrence must be obtained for proposed disposition of the site.

These Mitigation Measures have reduced the possibility that archaeological sites will be disturbed or destroyed to an insignificant level.

D. PUBLIC REVIEW:

1. Legal Notice Method: Direct mailing to property owners within 300 feet of proposed project boundary.
2. Document Posting Period: October 16 - November 18, 1985
3. Environmental Report Review Committee Hearing: November 20, 1985

Prepared by: Ingrid Kainline Reviewed by: Robert K. Janyla 10-11-85

The Environmental Report Review Committee recommends that the decision-making body of the proposed project find that this document has been completed in compliance with the California Environmental Quality Act.

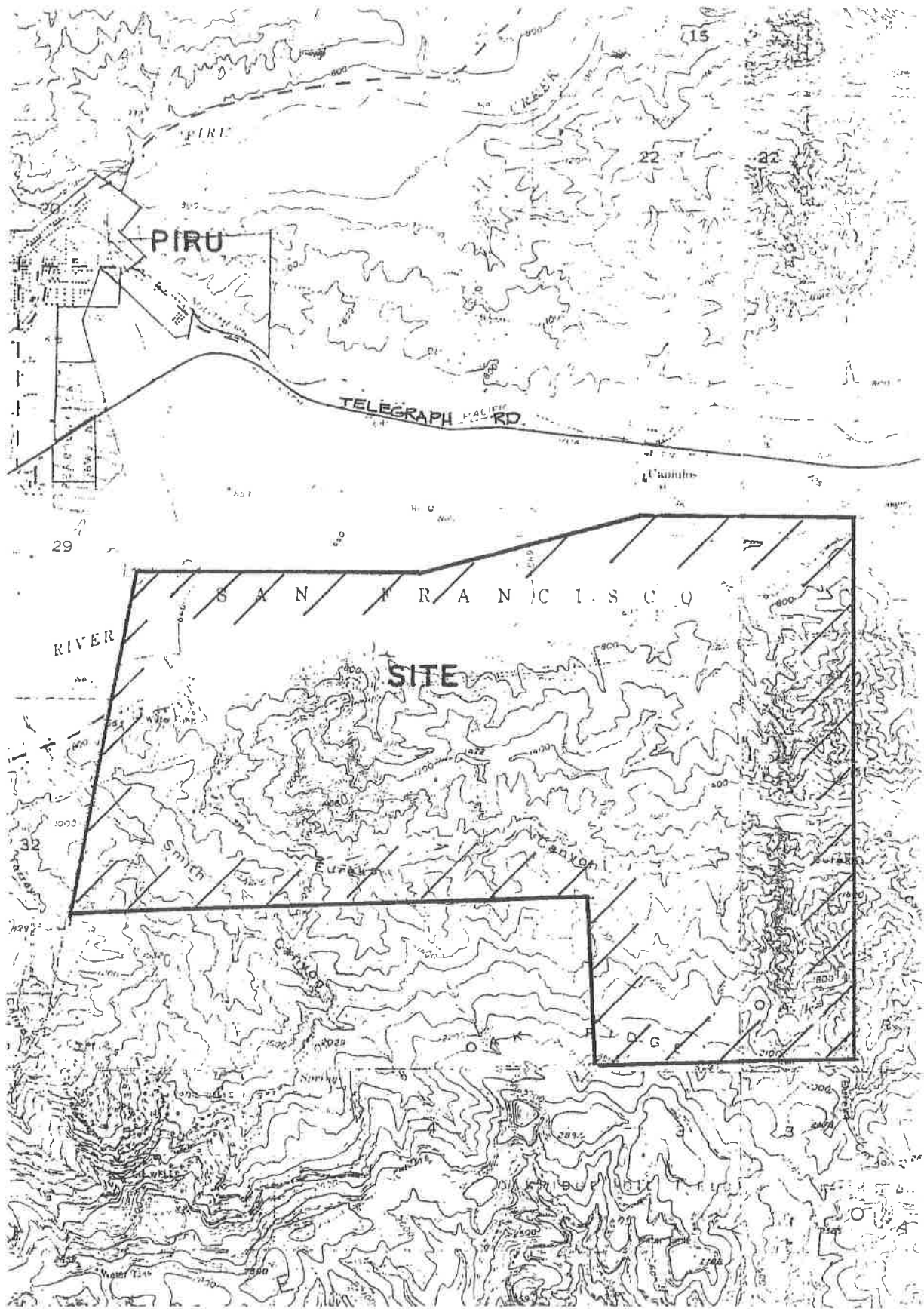
Chair, Environmental Report
Review Committee

Date

IH:t/I260

Attachments:

- Exhibit "A" - Revised Site Plan
- Exhibit "B" - Revised Site Plan
- Exhibit "C" - Revised Site Plan
- Exhibit "D" - McClellan Engineers, Inc. - Biological Assessment
- Exhibit "E" - Chester King, an Archaeological Reconnaissance of the Eureka Canyon Oil Field, 1985
- Exhibit "F" - Initial Study



Ventura County
Resource
Management
Agency

CUP-1994-2

1"=2000

RANCHO SAN FRANCISCO

Tax Area Code
62009

55-29

JAN 7 1975

VENTURA COUNTY PLANNING DEPARTMENT
Zoning Ordinance
ZONING MAP 55-29
BY BOARD OF SUPERVISORS COUNTY OF VENTURA
ORDINANCE 2902 ADOPTED 10-29-74
COUNTY CLERK Robert L. Harm
By *Robert Hillard* Deputy

Bk. 57

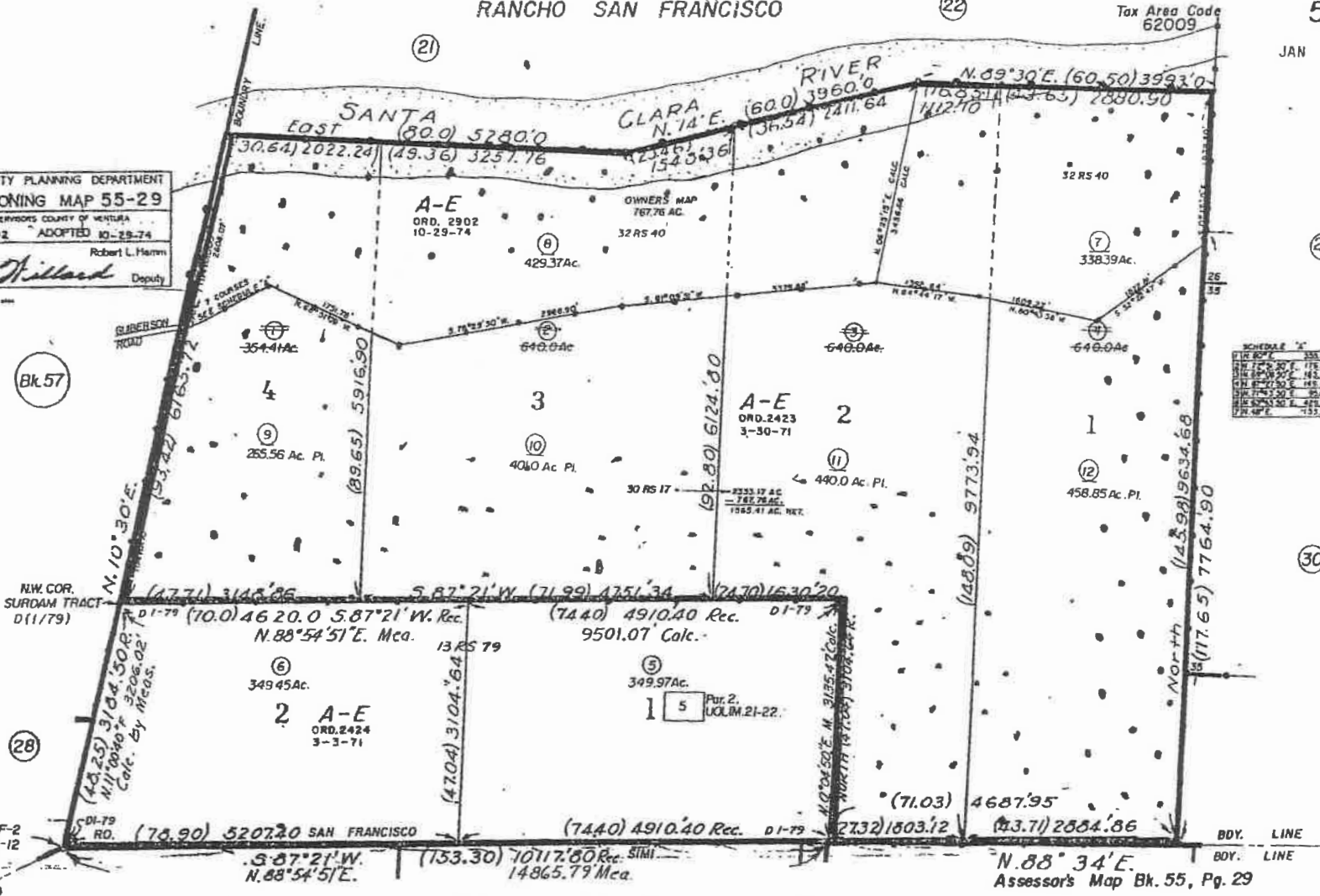
(28)

N.W. COR.
SURDAM TRACT
D(1179)

SF-2
5-12

Surdam Tract, Deeds Bk.1, Pg.79
Rancho San Francisco, R.M. Bk.1A, Pg.1

(Bk. 615)



SCHEDULE "F"

117° 30' E.	175.00
117° 30' E.	145.20
117° 30' E.	145.20
117° 30' E.	145.20
117° 30' E.	145.20
117° 30' E.	145.20
117° 30' E.	145.20
117° 30' E.	145.20
117° 30' E.	145.20
117° 30' E.	145.20

NOTE-Assessor's Block Numbers Shown in Ellipses
Assessor's Parcel Numbers Shown in Circles
Assessor's Mineral Numbers Shown in Squares

(71.03) 4687.95
(13.71) 2584.86
N. 88° 34' E.
Assessor's Map Bk. 55, Pg. 29

County of Ventura, Calif
1958



McClelland engineers, inc. / environmental services

2140 Eastman Avenue, Ventura, California 93003, Tel. (805) 644-5535, Telex 659-241, Telecopier (805) 642-4791

COUNTY OF VENTURA

BIOLOGICAL IMPACT

INITIAL STUDY CHECKLIST AND DETERMINATION

	<u>Yes</u>	<u>Maybe</u>	<u>No</u>
A. <u>Plant Life.</u> Will proposal result in:			
1. Affect any <u>unique, rare or endangered</u> plant species?	---	---	<u>X</u>
2. Change the <u>diversity</u> of plant species?	---	---	<u>X</u>
3. Threaten to eliminate or otherwise reduce either <u>native, ornamental or agricultural</u> plant populations?	---	<u>X</u>	---
4. Introduce new <u>plant</u> species into an area which will represent a <u>fire hazard</u> to project residents?	---	---	<u>X</u>
B. <u>Animal Life.</u> Will the proposal result in:			
5. Restrict the range of or otherwise affect any <u>rare</u> or endangered animal species?	---	<u>X</u>	---
6. Restrict the range of or otherwise affect any <u>unique</u> animal species?	---	---	<u>X</u>
7. Change the <u>diversity</u> of animal species?	---	---	<u>X</u>
8. Reduce wildlife populations?	---	---	<u>X</u>
9. Introduce new wildlife species in an area?	---	---	<u>X</u>
10. Affect existing wildlife <u>food webs, habitat or migration patterns</u> ?	---	---	<u>X</u>
11. Deteriorate or cause an existing <u>fish or wildlife</u> population to drop below self-sustaining levels?	---	---	<u>X</u>

EXHIBIT "D"

59041A/A-1
ANCHORAGE • DALLAS • HOUSTON • LITTLE ROCK • LOS ANGELES • NEW ORLEANS • SAN DIEGO • SAN FRANCISCO
ST. LOUIS • VENTURA • DAMMAM • DUBAI • HALIFAX • JAKARTA • LONDON • SINGAPORE

C. Explanation

3. Project development including roads and drilling sites may cause removal of several oak trees and will result in the elimination of about 8 to 10 acres of chaparral vegetation. Removal of any oak trees may be considered a potentially significant impact due to past large scale loss of oak woodland habitat. Loss of chaparral vegetation as proposed would not constitute a significant impact.
5. The Least Bell's Vireo (Vireo belli pusillus) is found in thick riparian willow thickets along the Santa Clara River just north of the proposed development (CNDDB, 1984). This species is designated as endangered by the California Department of Fish and Game. An oil spill or excessive erosion from the proposed development could cause significant habitat degradation for this species.

D. Summary

The proposed project lies in an area of existing extensive oil development and represents an expansion of such development. While there is the potential for significant impacts, the drill sites and roads have been generally sited away from existing oak trees and are generally remote from available Least Bell's Vireo habitat (no willows are found in Eureka Canyon).

E. Recommendation

Standard conditions permitting oil development in Ventura County should be sufficient to mitigate most of the potential impacts. In particular, the standards listed from the Ventura County Zoning Ordinance, Section 8107-5, are pertinent: 6.1.d, 6.1.f, 6.2, and 6.4.

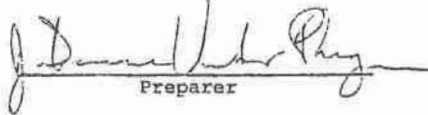
In addition, the following are recommended:

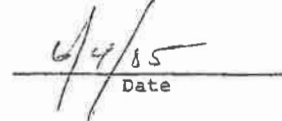
- o Final location of proposed access roads shall be aligned to avoid as many oak trees as possible.
- o Oak trees lost as a result of the project should be replaced at a ratio of 3:1. Also, oak trees should be planted within or adjacent to the existing oak woodland.
- o The existing grades within the dripline, and three feet to either side of the oak trees, should not be altered.
- o The operation of heavy equipment should avoid the dripline area.
- o Retaining walls should be used to protect the existing grades within the driplines or oaks from surrounding cut and fill. However, these should not alter drainage from around the trees.

Given these conditions as mitigation measures, the project should not have a significant impact on the environment and a mitigated negative declaration should be required.

F. References

California Resources Agency, Department of Fish and Game, February, 1984.
California Natural Diversity Data Base. Text and maps.


Preparer


Date

59041A/A-3

INITIAL STUDY CHECKLISTI. PROJECT INFORMATION

1. Name of Applicant: PETRO RESOURCES, INC.
2. Project Description: DRILL 20 EXPLORATORY
OIL WELLS IN AN EXISTING OIL FIELD
3. Project Location: EUREKA CANYON, EAST VENTURA CO.
4. Checklist Preparer: INGRID HAINLINE

II. ENVIRONMENTAL IMPACTS

Each category checked requires that a determination be made if the project would or would not have a "significant" effect on the environment. Each environmental category contains a different set of criteria for what constitutes a significant adverse impact. Professional judgement is needed to determine significance. The term "significant" is defined in the CEQA Guidelines as "a substantial, or potentially substantial, adverse change in any of the physical conditions within the area affected by the activity including land, air, water, minerals, flora, fauna, ambient noise, and objects of historic or aesthetic significance." The CEQA Guidelines also provides an explanation for determining significant effects and establishes mandatory findings of significance in certain instances (Reference Sections 15064 and 15065).

The potential "maybe" impacts are difficult to determine. This is a matter of professional judgement which requires analysis of the facts and information submitted with the project. In determining potentially significant impacts for the "yes" and "maybe" answers, an explanation sheet must be attached to the initial study. The attachment should include the following information for each "yes" and "maybe" answer:

1. A brief description about the background and setting of the issue.
2. A brief description of the potential significant impacts and disclosure of why they could result.
3. Description of any mitigation measure(s) which would reduce the impacts to an insignificant level.
4. In the event that project mitigation is indeterminate or that mitigation measures cannot reduce the impacts to an insignificant level, a statement explaining why further analysis (EIR) is needed should be provided.

EXHIBIT "F"

Revised June 1985

	<u>Yes</u>	<u>Maybe</u>	<u>No*</u>
<u>PLANNING DIVISION</u>			
1. <u>Land Use</u>			
Will the proposal, individually or cumulatively, be inconsistent with/or substantially alter present or planned land use of an area?	—	—	✓
2. <u>Population</u>			
Will the proposal, individually or cumulatively, significantly alter the location, distribution, density, or growth rate of the human population of an area?	—	—	✓
3. <u>Housing</u>			
Will the proposal, individually or cumulatively, significantly affect existing housing, or create a demand for additional housing?	—	—	✓
4. <u>Planning Consistency</u>			
Will the proposal, individually or cumulatively, be inconsistent with any goal, objective, policy or program of the General Plan, Water Quality Management Plan, Guidelines for Orderly Development or any other Board-adopted policy document?	—	—	✓
5. <u>Mineral Resources</u>			
Will the proposal, individually or cumulatively, result in a significant:			
a. Increase in the rate or use of any mineral resource?	—	—	✓
b. Substantial depletion of any non-renewable mineral resource?	—	—	✓
<u>AIR POLLUTION CONTROL DISTRICT</u>			
6. <u>Air</u>			
Will the proposal, individually or cumulatively, result in significant:			
a. Deterioration of ambient air quality?	—	—	✓*
b. Objectionable odors?	—	—	✓
<u>PUBLIC WORKS AGENCY</u>			
7. <u>Earth</u>			
Will the proposal, individually or cumulatively, result in, or be impacted by, significant:			
a. Unstable earth conditions or in changes in geologic substructures?	—	—	✓
b. Disruptions, displacements, compaction or overcovering of the soil?	—	—	✓
c. Change in topography or ground surface relief features?	—	—	✓

*The Air Quality Control District has determined that the drilling of the proposed oil wells will not have a significant cumulative effect on the air quality.

D60/2

	<u>Yes</u>	<u>Maybe</u>	<u>No*</u>
d. The destruction, covering or modification of any unique geologic or physical features?	—	—	✓
e. Increase in wind or water erosion of soils, either on or off the site?	—	—	✓
f. Changes in deposition or erosion of beach sands, or changes in siltation, deposition or erosion which may modify the channel of a river or stream or the bed of the ocean or any bay, inlet or lake?	—	—	✓
g. Exposure of property to geologic hazards such as earthquakes, landslides, mudslides, ground failure, liquefaction, tsunami or similar hazards?	—	—	✓
8. <u>Transportation/Circulation</u>			
Will the proposal, individually or cumulatively, result in significant:			
a. Generation of substantial additional vehicular movement?	—	—	✓
b. Effects on existing parking facilities, or demand for new parking?	—	—	✓
c. Impacts upon existing transportation systems?	—	—	✓
d. Alterations to present patterns of circulation or movement of people and/or goods?	—	—	✓
e. Alterations to rail traffic?	—	—	✓
f. Increase in traffic hazards to motor vehicles, bicyclists or pedestrians?	—	—	✓
9. <u>Flood Control</u>			
Will the proposal, individually or cumulatively, result in significant:			
a. Changes to absorption rates, drainage patterns, or the route and/or amount of surface water runoff?	—	—	✓
b. Alteration to the course or flow of flood waters?	—	—	✓
c. Exposure of people, property or unique natural resources to hazards such as flooding or tsunami?	—	—	✓
d. Effects on a channel or stream regulated by the Flood Control District?	—	—	✓
10. <u>Water Resources</u>			
Will the proposal, individually or cumulatively, result in significant:			
a. Changes in the amount of surface water in any body of water?	—	—	✓
b. Changes in currents, or the course of direction of water movements, in any body of water?	—	—	✓

	<u>Yes</u>	<u>Maybe</u>	<u>No*</u>
c. Discharge into surface waters, or in any alteration of surface water quality, including but limited to temperature, dissolved oxygen or turbidity?	—	—	✓
d. Alteration of the direction or rate of flow of groundwaters?	—	—	✓
e. Change in the quality of groundwaters, either through direct additions or withdrawals, or through interception of an aquifer by cuts, excavations or surface coverings?	—	—	✓
f. Reduction in the amount of water otherwise available for public water supplies?	—	—	✓
11. <u>Street Lighting</u>			
Will the proposal, individually or cumulatively, result in the need for street lighting services?	—	—	✓
<u>ENVIRONMENTAL HEALTH DIVISION</u>			
12. <u>Sanitation</u>			
If the proposal will utilize septic tank systems, can the sewage generated by the project create a significant adverse health impact?	—	—	✓
13. <u>Water Supply</u>			
Will the proposal, individually or cumulatively, be able to be provided with a long-term water supply of adequate quantity and quality?	—	—	✓
14. <u>Solid Waste</u>			
Will the proposal, individually or cumulatively, result in:			
a. A significant amount of solid waste?	—	—	✓
b. A significant impact on the existing solid waste disposal system?	—	—	✓
15. <u>Risk of Upset</u>			
Does the proposal, individually or cumulatively, involve:			
a. A risk of an explosion or the release of hazardous substances (including, but not limited to, oil, pesticides, chemicals or radiation) in the event of an accident or upset conditions?	—	✓	—
b. Possible interference with an emergency response plan or an emergency evacuation plan?	—	—	✓
16. <u>Human Health</u>			
Will the proposal, individually or cumulatively, result in:			
a. Creation of any health hazard or potential health hazard (excluding mental health)?	—	—	✓

	<u>Yes</u>	<u>Maybe</u>	<u>No*</u>
b. Exposure of people to potential health hazards?	—	—	✓
<u>FIRE PROTECTION DISTRICT</u>			
17. Will the proposal, individually or cumulatively, result in impacts on the ability of the Fire Protection District to serve the project due to:			
a. Availability of personnel or equipment?	—	—	✓
b. Location of the project?	—	—	✓
c. Public infrastructure and availability of water for firefighting purposes?	—	—	✓
<u>SHERIFF'S DEPARTMENT</u>			
18. Will the proposal, individually or cumulatively, result in impacts on the ability of the Sheriff's Department to serve the project due to:			
a. The design of the proposal (i.e., defensible space between dwelling units, topography and open space)?	—	—	✓
b. The design of roads and circulation?	—	—	✓
c. The location or size of the project?	—	—	✓
<u>PROPERTY ADMINISTRATION AGENCY</u>			
19. <u>Recreation</u>			
Will the proposal, individually or cumulatively, result in a significant impact on existing recreational opportunities or facilities?	—	—	✓
20. <u>Harbors and Navigation</u>			
Will the proposal, individually or cumulatively, result in a significant impact on harbors or navigation?	—	—	✓
21. <u>Historical</u> (Cultural Heritage Board)			
Will the proposal, individually or cumulatively, result in adverse physical or aesthetic effects to any historic building or area or would affect unique cultural values?	—	—	✓
<u>AIRPORTS DEPARTMENT</u>			
22. Will the proposal, individually or cumulatively, result in impacts on the community due to:			
a. Air traffic safety problem?	—	—	✓
b. Adverse affect on existing facilities?	—	—	✓
c. Changes in flight patters?	—	—	✓
<u>SUPERINTENDENT OF SCHOOLS</u>			
23. <u>Education</u>			
Will the proposal, individually or cumulatively, result in a significant impact on existing or proposed educational facilities:			
a. Affect the size or composition of classes?	—	—	✓

	<u>Yes</u>	<u>Maybe</u>	<u>No*</u>
b. Result in the need for additional classrooms, personnel or additional facilities?	—	—	✓

AGRICULTURAL DEPARTMENT

24. Agricultural Resources

Will the proposal, individually or cumulatively, result in significant:

a. Conversion of prime agricultural land to other uses?	—	—	✓
b. Loss of productive crop land or soils?	—	—	✓
c. Adverse affect on adjacent agricultural land?	—	—	✓

AREAS TO BE COMPLETED BY THE AGENCY RESPONSIBLE FOR ADMINISTERING THE PROJECT

25. Visual Effects

Will the proposal, individually or cumulatively, result in the obstruction of a scenic resource or view open to the public, or will the proposal result in the creation of an aesthetically offensive site open to public view?

—	—	✓
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26. Public Services

Will the proposal, individually or cumulatively, have an effect upon, or result in a need for new or altered, governmental services in any of the following areas:

a. Sewers or sewage treatment plants?	—	—	✓
b. Water mains or storage facilities?	—	—	✓
c. Other public facilities?	—	—	✓

27. Archaeological

Will the proposal affect site(s) that:

a. Are recognized as significant in California or American history or recognized as scientifically important in prehistory?	✓	—	—
b. Can provide information which is both of demonstrable public interest and useful in addressing scientifically consequential and reasonable archaeological research questions?	—	—	✓
c. Has a special or particular quality such as oldest, best example, largest, or last surviving example of its kind?	—	—	✓
d. Is at least 100 years old and possesses substantial stratigraphic integrity?	—	—	✓
e. Involve important questions that historical research has shown can only be answered with the use of archaeological techniques?	—	—	✓

	<u>Yes</u>	<u>Maybe</u>	<u>No*</u>
28. <u>Utilities</u>			
Will the proposal, individually or cumulatively, impact or result in a need for new public service systems, or substantial alterations to the following utilities?			
a. Electricity or natural gas?	—	—	<input checked="" type="checkbox"/>
b. Communication systems?	—	—	<input checked="" type="checkbox"/>
29. <u>Energy</u>			
Will the proposal result in:			
a. Use of substantial amounts of fuel or energy?	—	—	<input checked="" type="checkbox"/>
b. Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy?	—	—	<input checked="" type="checkbox"/>
30. <u>Noise</u>			
Will the proposal, individually or cumulatively, result in significant:			
a. Increases in existing noise levels?	—	—	<input checked="" type="checkbox"/>
b. Exposure of people to severe noise levels?	—	—	<input checked="" type="checkbox"/>
31. <u>Light and Glare</u>			
Will the proposal produce significant amounts of light or glare?			
	—	—	<input checked="" type="checkbox"/>
32. <u>Plant Life</u>			
Will the proposal result in:			
a. Change in the diversity of species, or number of any species of plants (including trees, shrubs, grass, and aquatic plants)?	—	—	<input checked="" type="checkbox"/>
b. Reduction of the numbers of any unique, rare or endangered species of plants?	—	<input checked="" type="checkbox"/>	—
c. Introduction of new species of plants into an area, or in a barrier to the normal replenishment of existing species?	—	—	<input checked="" type="checkbox"/>
33. <u>Animal Life</u>			
Will the proposal result in:			
a. Change in the diversity of species, or numbers of any species of animals (birds, land animals including reptiles, fish and shellfish, benthic organisms or insects)?	—	—	<input checked="" type="checkbox"/>
b. Reduction of the numbers of any unique, rare or endangered species of animals?	—	—	<input checked="" type="checkbox"/>
c. Introduction of new species of animals into an area, or result in a barrier to the migration or movement of animals?	—	—	<input checked="" type="checkbox"/>

	<u>Yes</u>	<u>Maybe</u>	<u>No*</u>
d. Deterioration to existing fish or wildlife habitat?	—	—	✓

III. MANDATORY FINDINGS OF SIGNIFICANCE

1. Does the project have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?	—	—	✓
2. Does the project have the potential to achieve short-term, to the disadvantage of long-term, environmental goals? (A short-term impact on the environment is one which occurs in a relatively brief, definitive period of time while long-term impacts will endure well into the future).	—	—	✓
3. Does the project have impacts which are individually limited, but cumulatively considerable? (Several projects may have relatively small individual impacts on two or more resources, but the total of those impacts on the environment is significant).	—	—	✓
4. Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	—	—	✓

IV. RECOMMENDATION

On the basis of this initial evaluation:

- In conformance with Section 15061 of the State CEQA Guidelines, I find with certainty that the proposal would not have a significant impact on the environment.
- I find the proposed project is categorically exempt pursuant to Class _____.
- I find the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION should be prepared.
- I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measure described on an attached sheet could be applied to the project. A MITIGATED NEGATIVE DECLARATION should be prepared.
- I find the proposed project MAY have a significant effect on the environment or may contribute to a cumulative effect, and an ENVIRONMENTAL IMPACT REPORT is required.
- I find the proposed project MAY have a significant effect on the environment or may contribute to a cumulative effect, and an ADDENDUM to an existing certified Environmental Impact Report is required.
- I find the proposed project MAY have a significant effect on the environment or may contribute to a cumulative effect, and this effect is adequately addressed in a certified Environmental Impact Report, and thus SUBSEQUENT USE of the existing EIR is required.

August 20, 1985
Date

Ingrid Kainline
(Signature of Environmental Planner)

Initial Study Contributors:

Agency/Department

MC.CLELLAN ENG

BIOLOGICAL RESOURCES

CHESTER KING

ARCHAEOLOGY

RV:j

INITIAL STUDY

EXPLANATION TO ANSWERS

Petro Resources, Inc.
CUP 1994 - 2

- 15a - Off-Site Biological Impacts (Risk of Upset)
- 27a - Archaeological Impacts
- 32b - On-Site Biological Impacts (Plant Life)

For all the above subjects, please see attached Mitigated
Negative Declaration.



Planning Director Staff Report – Hearing on December 3, 2015

County of Ventura • Resource Management Agency • Planning Division
800 S. Victoria Avenue, Ventura, CA 93009-1740 • (805) 654-2478 • ventura.org/rma/planning

TEG Oil & Gas Facility, PL15-0070

A. PROJECT INFORMATION

1. **Request:** The applicant requests that a Conditional Use Permit (CUP) be granted to authorize continued oil and gas production activities in the Eureka Oil Field (Case No. PL15-0070).
2. **Applicant:** TEG Oil and Gas USA, Incorporated, 326 South Pacific Coast Highway, Suite 102, Redondo Beach, California, 90277
3. **Property Owner:** Gayron and Kathleen Downs, 1057 East La Loma Avenue, Somis, California, 93066
4. **Applicant's Representative:** InterAct, Attention: Uliana Micovic, 4567 Telephone Road, Suite 203, Ventura, California, 93003
5. **Decision-Making Authority:** Pursuant to the Ventura County Non-Coastal Zoning Ordinance (NCZO) (§ 8105-4 and § 8111-1.2 et seq.), the Planning Director is the decision-maker for the requested CUP.
6. **Project Site Size, Location, and Parcel Number:** The project site is located in the Eureka Oil Field approximately 1.75 miles to the south of the town of Piru, in the unincorporated area of Ventura County. The Tax Assessor's parcel numbers for the parcels that constitutes the project site are 055-0-290-095, 055-0-290-105, 055-0-290-115, 055-0-290-125, 055-0-290-135, 055-0-290-145, 055-0-290-155, 055-0-290-195, 055-0-290-205 (Exhibit 2).
7. **Project Site Land Use and Zoning Designations (Exhibit 2):**
 - a. Countywide General Plan Land Use Map Designation: Open Space and Agriculture
 - b. Piru Area Plan Land Use Map Designation: Open Space, 80 acre minimum lot size
 - c. Zoning Designation: "AE 40 ac" (Agricultural Exclusive, 40-acre minimum lot size) and "AE 40 ac/MRP" (Agricultural Exclusive, 40-acre minimum lot size, mineral resource protection overlay zone)

- d. The off-site storage and transportation of produced gas and crude oil products from the site, and,
- e. Operation and maintenance of equipment associated with the storage, processing, and transporting of oil, gas, and water, as shown on Exhibit 3 in the hearing exhibits.

The proposed project does not include any new grading or removal of vegetation. The facility will be visited up to six times per day (i.e. up to 12 one-way vehicle trips per day) by company personnel for equipment maintenance and transport of produced oil. The proposed project does not include any new facilities or equipment. Oil and gas produced at this facility are transported by truck to offsite facilities.

The project includes the continued operation and maintenance of the equipment and facilities at the Eureka Tank Battery and the Smith Tank Battery as described below.

The existing equipment at the Eureka Tank Battery includes the following:

- One 1,000 barrel crude oil storage tank
- One 1,000 barrel wash tank
- One loading rack
- One flare
- One manifold
- Various meters, valves, connecting pipelines, electrical panels, etc.

The existing equipment at the Smith Tank Battery includes the following:

- One 1,000 barrel crude oil storage tank
- One 500 barrel wash tank
- One 450 barrel produced water tank
- One 200 barrel wash tank
- One gas separator
- One loading rack
- One flare
- One manifold
- Various meters, valves, connecting pipelines, electrical panels, etc.

Hydraulic fracturing or acid well stimulation techniques subject to the draft regulations for the implementation of Senate Bill 4 would not be authorized by the requested modified permit. Any such well stimulation activity would require a separate modified permit.

B. STATEMENT OF ENVIRONMENTAL FINDINGS:

On December 19, 1985, the Planning Commission adopted a Mitigated Negative Declaration (MND) that evaluated the environmental impacts of the drilling 20 oil and gas wells and related production facilities.

The proposed project is comprised of the continued use of the existing 9 oil wells and related facilities on existing graded pads and the continued use of the existing production facilities. The project does not include any new grading or vegetation removal outside of the existing pads.

Section 15164(b) of the CEQA Guidelines (Title 14, California Code of Regulations, Chapter 3) states that the decision-making body may adopt an addendum to an adopted MND if: (1) only minor technical changes or additions are necessary; and, (2) none of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of an Environmental Impact Report (EIR) or subsequent mitigated negative declaration have occurred.

The conditions described in Section 15162 of the CEQA Guidelines which require the preparation of an EIR or subsequent mitigated negative declaration, are provided below, along with a discussion as to why an EIR or subsequent mitigated negative declaration is not required:

1. Substantial changes are proposed in the project which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects [§ 15162(a)(1)].

The oil and gas facility was previously analyzed for its potential impacts on the environment and to identify any required mitigation measures. The proposed project is comprised of the continued operation of 9 existing oil and gas wells and related production facilities on existing drill pads. The requested permit modification would extend the effective term of the CUP and authorize operation of the facility until [date]. The continued operation of the existing facility does not include any physical change of the land outside of the existing graded pads where the oil wells and other facilities have been installed.

In summary, the continued operation of the existing facility on the existing drill pads will not create any new environmental impacts that were not previously analyzed in the MND. Thus, no major revisions of the adopted MND are required.

2. Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous MND due to the involvement of new significant environmental effects or a

substantial increase in the severity of previously identified significant effects [§ 15162(a)(2)].

The circumstances under which the potential impacts to the environment were evaluated have not substantially changed such that the continued operation of the facility will require major revisions to the MND. No new potentially significant environmental effects have been identified for the proposed project. The operation of the existing 9 oil and gas wells and related facilities will not create any new impacts that were not previously analyzed in the MND. Thus, major revisions of the previous MND are not required.

3. New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the Board of Supervisors certified the previous MND, shows any of the following:

a. The project will have one or more significant effects not discussed in the previous MND [§ 15162(a)(3)(A)].

No new information of substantial importance that was unknown and could not have been known when the MND was adopted have become available. The environmental conditions that currently exist on site are substantially the same as those that existed at the time at which the MND was adopted. Therefore, the continued operation of the existing 9 oil and gas wells and related facilities on existing drill pads will not create any significant effects that were not discussed in the previous MND.

Since the granting of the current CUP in 1985, a program to re-establish the California Condor population in the Los Padres National Forest area north of the Santa Clara River has been conducted. There is no evidence that a condor has been injured or killed by oil equipment operating in the various oil fields in this area. Thus, the continued operation of the existing facility does not represent a potentially significant impact on the condor. In any case, measures to minimize any potential adverse effects on the California Condor have been developed by the U.S. Fish and Wildlife Service for oil and gas facilities. These “Best Management Practices” have been included in the conditions of approval of the requested modified permit.

Based on the information provided above, there is no substantial evidence to warrant the preparation of a subsequent MND. The decision-making body shall consider this Addendum to the final MND prior to making a decision on the project.

C. PUBLIC REVIEW:

Pursuant to the State CEQA Guidelines § 15164(c), this addendum to the MND does not need to be circulated for public review, and shall be included in, or attached to, the adopted MND.

Prepared by:

Reviewed by:



Jay Dobrowalski, Case Planner
Commercial and Industrial Permits Section



Brian R. Baca, Manager
Commercial and Industrial Permits
Section

The Planning Director finds that this Addendum has been completed in compliance with the California Environmental Quality Act.

Kimberly L. Prillhart, Planning Director

Date

EXHIBIT 5

TEG Oil & Gas Project

CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT (CUP) NO. PL15-0070

RESOURCE MANAGEMENT AGENCY (RMA) CONDITIONS

I. Planning Division Conditions

1. Project Description

This permit authorizes the continued operation and maintenance of the existing oil and gas exploration and production facilities at the Eureka Oil Field including:

- a. The testing, drilling, production, reworking and maintenance (excluding hydraulic fracturing) of nine existing oil and gas wells located on existing drilling pads. The location of the wells is shown on Planning Director hearing Exhibit 3;
- b. Separation of natural gas and produced water from crude oil
- c. Processing operations required for on-site injection well purposes
- d. The off-site storage and transportation of produced gas and crude oil products from the site, and,
- e. Operation and maintenance of equipment associated with the storage, processing, and transporting of oil, gas, and water, as shown on Exhibit 3 in the hearing exhibits.

The proposed project does not include any new grading or removal of vegetation. The facility will be visited up to six times per day (i.e. up to 12 one-way vehicle trips per day) by company personnel for equipment maintenance and transport of produced oil. The proposed project does not include any new facilities or equipment. Oil and gas produced at this facility are transported by truck to offsite facilities.

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- One 200 barrel wash tank
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- One flare
- One manifold
- Various meters, valves, connecting pipelines, electrical panels, etc.

Hydraulic fracturing or acid well stimulation techniques subject to the draft regulations for the implementation of Senate Bill 4 would not be authorized by the requested modified permit. Any such well stimulation activity would require a separate modified permit.

2. Site Maintenance

Purpose: To ensure that the CUP area is maintained in a neat and orderly manner so as not to create any hazardous conditions or unsightly conditions which are visible from outside the CUP area.

Requirement: The Permittee shall maintain the project site in compliance with the described uses outlined in Condition No. 1 (Permitted Land Uses). Only equipment and/or materials which the Planning Director determines to substantially comply with Condition No. 1 (Permitted Land Uses), or which are authorized by any subsequent amendments to this CUP, shall be stored on the property during the life of this CUP.

Documentation: Pursuant to Condition No. 1 (Permitted Land Uses), the CUP and any amendments thereto.

Timing: Prior to occupancy and for the life of the permit.

Monitoring and Reporting: The County Building Inspector, Public Works Grading Inspector, Fire Marshall, and/or Planning Division staff has the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition consistent with the requirements of § 8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*.

3. CUP Modification

Prior to undertaking any operational or construction-related activity which is not expressly described in these conditions or Project Description, the Permittee shall first

contact the Planning Director to determine if the proposed activity requires a modification of this CUP. The Planning Director may, at the Planning Director's sole discretion, require the Permittee to file a written and/or mapped description of the proposed activity in order to determine if a CUP modification is required. If a CUP modification is required, the modification shall be subject to:

- a. The modification approval standards of the Ventura County Ordinance Code in effect at the time the modification application is acted on by the Planning Director; and,
- b. Environmental review, as required pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code, § 21000-21178) and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, § 15000-15387), as amended from time to time.

4. Construction Activities

Prior to any construction, the Permittee shall obtain a Zoning Clearance for construction from the Planning Division, and a Building Permit from the Building and Safety Division. Prior to any grading, the Permittee shall obtain a Grading Permit from the Public Works Agency.

5. Acceptance of Conditions and Schedule of Enforcement Responses

The Permittee's acceptance of this CUP and/or commencement of construction and/or operations under this CUP shall constitute the Permittee's formal agreement to comply with all conditions of this CUP. Failure to abide by and comply with any condition for the granting of this CUP shall constitute grounds for enforcement action provided in the *Ventura County Non-Coastal Zoning Ordinance* (2011, Article 14), which shall include, but is not limited to, the following:

- a. Public reporting of violations to the Planning Commission and/or Board of Supervisors;
- b. Suspension of the permitted land uses (Condition No. 1);
- c. Modification of the CUP conditions listed herein;
- d. Recordation of a "Notice of Noncompliance" on the deed to the subject property;
- e. The imposition of civil administrative penalties; and/or
- f. Revocation of this CUP.

The Permittee is responsible for being aware of and complying with the CUP conditions and all applicable federal, state, and local laws and regulations.

6. Time Limits

- a. Use inauguration:
 - i. The approval decision for this CUP becomes effective upon the expiration of the 10-day appeal period following the approval decision, or when any appeals of the decision are finally resolved. Once the approval decision becomes effective, the Permittee must obtain a

Zoning Clearance for use inauguration in order to initiate the land uses provided in Condition No. 1 (Project Description).

- ii. This CUP shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for use inauguration within one year [see the see the *Ventura County Non-Coastal Zoning Ordinance* (2011, § 8111-4.7)] from the granting or approval of this CUP. The Planning Director may grant a one-year extension of the deadline to obtain the Zoning Clearance for use inauguration if the Permittee can demonstrate to the satisfaction of the Planning Director that the Permittee has made a diligent effort to inaugurate the permitted land use, and the Permittee has requested the time extension in writing at least 30 days prior to the one year expiration date.
- iii. Prior to the issuance of the Zoning Clearance for use inauguration, all fees and charges billed to that date by any County agency, as well as any fines, penalties, and sureties, must be paid in full. After issuance of the Zoning Clearance for use inauguration, any final billed processing fees must be paid within 30 days of the billing date or the County may revoke this CUP.

b. Permit Life or Operations Period:

This CUP will expire on [insert date, 30yrs]. The lack of additional notification of the expiration date provided by the County to the Permittee shall not constitute grounds to continue the uses that are authorized by this CUP after the CUP expiration date. The uses authorized by this CUP may continue after the CUP expiration date if:

1. The Permittee has filed a permit modification application pursuant to Section 8181-10.4 of the Ventura County Coastal Zoning Ordinance prior to [insert date, 30yrs]; and
2. The County decision-maker grants the requested modification.

The uses authorized by this CUP may continue during processing of a timely-filed modification application in accordance with Section 8111-6 of the Ventura County Non-Coastal Zoning Ordinance.

7. Documentation Verifying Compliance with Other Agencies' Requirements Related to this CUP

Purpose: To ensure compliance with and notification of federal, state, or local government regulatory agencies that have requirements that pertain to the project (Condition No. 1, above) that is the subject of this CUP.

Requirement: Upon the request of the Planning Director, the Permittee shall provide the Planning Division with documentation (e.g., copies of permits or agreements from other agencies, which are required pursuant to a condition of this CUP) to verify that the

Permittee has obtained or satisfied all applicable federal, state, and local entitlements and conditions that pertain to the project.

Documentation: The Permittee shall provide this documentation to the County Planning Division in the form that is acceptable to the agency issuing the entitlement or clearance, to be included in the Planning Division project file.

Timing: The documentation shall be submitted to the Planning Division prior to the issuance of the Zoning Clearance for any drilling activity or as dictated by the respective agency.

Monitoring and Reporting: The Planning Division maintains the documentation provided by the Permittee in the respective project file. In the event that the federal, state, or local government regulatory agency prepares new documentation due to changes in the project or the other agency's requirements, the Permittee shall submit the new documentation within 30 days of receipt of the documentation from the other agency.

8. Notice of CUP Requirements and Retention of CUP Conditions On-Site

Purpose: To ensure full and proper notice of permit requirements and conditions affecting the use of the subject property.

Requirement: Unless otherwise required by the Planning Director, the Permittee shall notify, in writing, the Property Owner(s) of record, contractors, and all other parties and vendors regularly dealing with the daily operation of the proposed activities, of the pertinent conditions of this CUP.

Documentation: The Permittee shall present to the Planning Division copies of the conditions, upon the Planning Division's request.

Timing: Prior to issuance of a Zoning Clearance for use inauguration and until expiration of the CUP.

Monitoring and Reporting: The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*.

9. Recorded Notice of Land Use Entitlement

Purpose: In order to comply with § 8111-8.3 of the *Ventura County Non-Coastal Zoning Ordinance* a notice shall be recorded on the deed of the subject property that describes the responsibilities of the Property Owner and Permittee for compliance with applicable permit conditions and regulations.

Requirement: The Permittee and Property Owner of record shall sign, have notarized, and record with the Office of the County Recorder, a Notice of Land Use Entitlement

form furnished by the Planning Division, for tax assessor's parcel that is subject to this CUP.

Documentation: Recorded Notice of Land Use Entitlement.

Timing: Prior to the issuance of a Zoning Clearance for use inauguration.

Monitoring and Reporting: The Permittee shall return a copy of the recorded Notice of Land Use Entitlement to the Planning Division for the project file.

10. Condition Compliance, Enforcement, and Other Responsibilities

- a. **Cost Responsibilities:** The Permittee shall bear the full costs of all staff time, material costs, or consultant costs associated with the approval of studies, generation of studies or reports, on-going permit compliance, and monitoring programs as described below in Condition 10.b. Specifically, the Permittee shall bear the full costs of the following:
 - i. condition compliance costs which include, but are not limited to, staff time, material costs, or consultant costs associated with the approval of studies, generation of studies or reports, ongoing permit condition compliance review, and CEQA Mitigation Monitoring/other monitoring programs; and,
 - ii. monitoring and enforcement costs required by the *Ventura County Non-Coastal Zoning Ordinance (2011, § 8114-3)*. The Permittee, or the Permittee's successors-in-interest, shall bear the full costs incurred by the County or its contractors for inspection and monitoring, and for enforcement activities related to the resolution of confirmed violations. Enforcement activities shall be in response to confirmed violations and may include such measures as inspections (which may include weekday and/or weekend inspections), public reports, penalty hearings, forfeiture of securities, and suspension of this CUP. Costs will be billed at the contract rates in effect at the time enforcement actions are required. The Permittee shall be billed for said costs and penalties pursuant to the *Ventura County Non-Coastal Zoning Ordinance (§ 8114-3.4)*.
- b. **Establishment of Revolving Compliance Accounts:** Within 10 calendar days of the effective date of the decision on this CUP, the Permittee, or the Permittee's successors-in-interest, shall submit the following deposit and reimbursement agreement to the Planning Director:
 - i. a payment of \$500.00 for deposit into a revolving condition compliance and enforcement account to be used by the Planning Division to cover costs incurred for Condition Compliance review (Condition 10.a, above), monitoring and enforcement (Condition 10.c, below). The \$500.00 deposit may be modified to a higher amount by mutual agreement between the Permittee and the Planning Director; and,

- ii. a signed and fully executed County RMA reimbursement agreement, which is subject to the Permittee's right to challenge any charges obligating the Permittee to pay all Condition Compliance review, monitoring, and enforcement costs.
- c. **Monitoring and Enforcement Costs:** The \$500.00 deposit and reimbursement agreement (Condition 10.b, above) are required to ensure that funds are available for legitimate and anticipated costs incurred for Condition Compliance. All permits issued by the Planning Division may be reviewed and the sites inspected no less than once every three years, unless the terms of the permit require more frequent inspections. These funds shall cover costs for any regular compliance inspections or the resolution of confirmed violations of the conditions of this CUP and/or the *Ventura County Non-Coastal Zoning Ordinance* that may occur.
- d. **Billing Process:** The Permittee shall pay any written invoices from the Planning Division within 30 days of receipt of the request. Failure to pay the invoice shall be grounds for suspension, modification, or revocation of this CUP. The Permittee shall have the right to challenge any charge prior to payment.

11. Defense and Indemnity

As a condition of CUP issuance and use including adjustment, modification, or renewal thereof, the Permittee agrees to:

- a. Defend, at the Permittee's sole expense, against any claim, action or proceeding brought against the County by a third party challenging either the County's decision to issue this CUP or the manner in which the County is interpreting or enforcing the conditions of this CUP. The County shall promptly notify Permittee of any such claim, action or proceeding and shall cooperate fully in the defense.
- b. Indemnify the County against any settlements, awards, or judgments, including attorney's fees, arising out of, or resulting from, any claim, action or proceeding described in Section 11(a) above. Upon written demand from the County, the Permittee shall reimburse the County for any and all court costs and/or attorney's fees which the County may be required by a court to pay as a result of any such claim, action or proceeding the Permittee defended pursuant to Section 11(a) above. The County may, at its sole discretion, participate in the defense of any such claim, action or proceeding through its own legal counsel, but such participation shall not relieve the Permittee of the Permittee's obligations under this condition.
- c. Except with respect to claims arising from the County's sole negligence or intentional misconduct, the Permittee shall also indemnify, defend, and hold harmless the County, its officers, agents, and employees from any and all claims, actions, proceedings, demands, costs, and expenses, including attorney's fees, judgments, fines or liabilities arising out of the construction,

maintenance, or operations described in Condition No. 1 (Permitted Land Uses), as it may be subsequently modified pursuant to the conditions of this CUP. The County shall promptly notify Permittee of any such claim, action or proceeding and shall cooperate fully in the defense. The County may, at its sole discretion, participate in the defense of any such legal action through its own legal counsel, but such participation shall not relieve the Permittee of the Permittee's obligations under this condition.

- d. Neither the issuance of this CUP, nor compliance with the conditions thereof, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of this CUP serve to impose any liability upon the County, its officers, or employees for injury or damage to persons or property.

12. Invalidation of Condition(s)

If any of the conditions or limitations of this CUP are held to be invalid in whole or in part by a court of competent jurisdiction, that holding shall not invalidate any of the remaining CUP conditions or limitations. In the event that any condition imposing a fee, exaction, dedication, or other mitigation measure is challenged by the Permittee in an action filed in a court of competent jurisdiction, or threatened to be filed therein, the Permittee shall be required to fully comply with this CUP, including without limitation, by remitting the fee, exaction, dedication, and/or by otherwise performing all mitigation measures being challenged. This CUP shall continue in full force unless, until and only to the extent invalidated by a final, binding judgment issued in such action.

If a court of competent jurisdiction invalidates any condition in whole or in part, and the invalidation would change the findings and/or the mitigation measures associated with the approval of this CUP, at the discretion of the Planning Director, the Planning Commission may review the project and impose substitute feasible conditions/mitigation measures to adequately address the subject matter of the invalidated condition. The Planning Commission shall make the determination of adequacy. If the Planning Commission cannot identify substitute feasible conditions/mitigation measures to replace the invalidated condition, and cannot identify overriding considerations for the significant impacts that are not mitigated to a level of insignificance as a result of the invalidation of the condition, then this CUP may be revoked.

13. Consultant Review of Information and Consultant Work

The County and all other County permitting agencies for this land use have the option of referring any and all special studies that these conditions require to an independent and qualified consultant for review and evaluation of issues beyond the expertise or manpower of County staff.

Prior to the County engaging any independent consultants or contractors pursuant to the conditions of this CUP, the County shall confer in writing with the Permittee regarding the necessary work to be contracted, as well as the costs of such work. Whenever feasible, the County will use the lowest bidder. Any decisions made by County staff in reliance on consultant or contractor work may be appealed pursuant to

the appeal procedures contained in the Ventura County Zoning Ordinance Code then in effect.

The Permittee may hire private consultants to conduct work required by the County, but only if the consultant and the consultant's proposed scope-of-work are first reviewed and approved by the County. The County retains the right to hire its own consultants to evaluate any work that the Permittee or a contractor of the Permittee undertakes. In accordance with Condition No. 10 above, if the County hires a consultant to review any work undertaken by the Permittee, or hires a consultant to review the work undertaken by a contractor of the Permittee, the hiring of the consultant will be at the Permittee's expense.

14. Relationship of CUP Conditions, Laws and Other Permits

The Permittee shall design, maintain, and operate the CUP area and any facilities thereon in compliance with all applicable requirements and enactments of Federal, State, and County authorities. In the event of conflict between various requirements, the more restrictive requirements shall apply. In the event the Planning Director determines that any CUP condition contained herein is in conflict with any other CUP condition contained herein, when principles of law do not provide to the contrary, the CUP condition most protective of public health and safety and environmental resources shall prevail to the extent feasible.

No condition of this CUP for uses allowed by the Ventura County Ordinance Code shall be interpreted as permitting or requiring any violation of law, lawful rules or regulations, or orders of an authorized governmental agency. Neither the issuance of this CUP, nor compliance with the conditions of this CUP, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property.

A business tax certificate and regulatory licenses shall be obtained for operation of an oil and gas production facility.

15. Contact Person

Purpose: To designate a person responsible for responding to complaints.

Requirement: The Permittee shall designate a contact person(s) to respond to complaints from citizens and the County which are related to the permitted uses of this CUP. The designated contact person shall be available, via telecommunication, 24 hours a day.

Documentation: The Permittee shall provide the Planning Director with the contact information (e.g., name and/or position title, address, business and cell phone numbers, and email addresses) of the Permittee's field agent who receives all orders, notices, and communications regarding matters of condition and code compliance at the CUP site.

Timing: Prior to the issuance of a Zoning Clearance for use inauguration, the Permittee shall provide the Planning Division the contact information of the Permittee's

field agent(s) for the project file. If the address or phone number of the Permittee's field agent(s) should change, or the responsibility is assigned to another person, the Permittee shall provide the Planning Division with the new information in writing within three calendar days of the change in the Permittee's field agent.

Monitoring and Reporting: The Planning Division maintains the contact information provided by the Permittee in the respective project file. The Planning Division has the authority to periodically confirm the contact information consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

16. Reporting of Major Incidents

Purpose: To ensure that the Planning Director is notified of major incidents within the CUP area.

Requirement: The Permittee shall immediately notify the Planning Director by telephone, email, FAX, and/or voicemail of any incidents (e.g., fires, explosions, spills, landslides, or slope failures) that could pose a hazard to life or property inside or outside the CUP area.

Documentation: Upon request of any County agency, the Permittee shall provide a written report of any incident that shall include, but is not limited to: a description of the facts of the incident; the corrective measures used, if any; and, the steps taken to prevent a recurrence of the incident.

Timing: The Permittee shall provide the written report to the requesting County agency and Planning Division within seven days of the request.

Monitoring and Reporting: The Planning Division maintains any documentation provided by the Permittee related to major incidents in the CUP file.

17. Change of Owner and/or Permittee

Purpose: To ensure that the Planning Division is properly and promptly notified of any change of ownership or change of Permittee affecting the CUP site.

Requirement: The Permittee shall file, as an initial notice with the Planning Director, the new name(s), address(es), telephone/FAX number(s), and email addresses of the new owner(s), lessee(s), operator(s) of the permitted uses, and the company officer(s). The Permittee shall provide the Planning Director with a final notice once the transfer of ownership and/or operational control has occurred.

Documentation: The initial notice must be submitted with the new Property Owner's and/or Permittee's contact information. The final notice of transfer must include the effective date and time of the transfer and a letter signed by the new Property Owner(s), lessee(s), and/or operator(s) of the permitted uses acknowledging and agreeing to comply with all conditions of this CUP.

Timing: The Permittee shall provide written notice to the Planning Director 10 calendar days prior to the change of ownership or change of Permittee. The Permittee shall provide the final notice to the Planning Director within 15 calendar days of the effective date of the transfer.

Monitoring and Reporting: The Planning Division maintains notices submitted by the Permittee in the project file and has the authority to periodically confirm the information consistent with the requirements of § 8114-3 of the *Non-Coastal Zoning Ordinance*.

18. Financial Security

Purpose: In order to comply with § 8107-5.6.5 of the *Ventura County Non-Coastal Zoning Ordinance* and to ensure the conditions of this permit are fulfilled.

Requirement: The Permittee shall file, in a form acceptable to Operations Division of the Resource Management Agency, a bond or other security in the penal amount of not less than \$10,000.00 for each well that is drilled or to be drilled. In lieu of filing such a security for each well the Permittee may file a security in the penal amount of not less than \$10,000.00 to cover all operations conducted in the County of Ventura, conditioned upon the Permittee well and truly obeying, fulfilling and performing each and every term and provision of the permit. By accepting this Conditional Use Permit and providing the financial security for its operation, the Permittee is agreeing to cure any condition noncompliance issue that may be discovered during County compliance review. Forfeiture of the financial security may occur if the noncompliance issue is not resolved in a manner that is acceptable to the Planning Director.

Documentation: A receipt or memorandum from the Operations Division shall serve as evidence that the security has been submitted and accepted.

Timing: The Permittee shall provide evidence to the Planning Division that the security has been accepted by the Operations Division prior to commencing or continuing drilling or other uses associated with this permit.

Monitoring and Reporting: The Planning Division maintains evidence of the financial security submittal in the project file. In cases of any failure by the Permittee to perform or comply with any term or provision of the permit, the Planning Commission may, after notice to the Permittee and a public hearing, by resolution, determine the amount of the penalty and declare all or part of the security forfeited in accordance with its provisions. The sureties and principal will be jointly and severally obligated to pay forthwith the full amount of the forfeiture to the County of Ventura. The forfeiture of any security shall not insulate the Permittee from liability in excess of the sum of the security for damages or injury, or for expense or liability suffered by the County of Ventura from any breach by the Permittee of any term or condition of said permit or of any applicable ordinance or of this security. The Planning Division shall not exonerate the security until the Permittee has satisfied all of the applicable conditions of this Conditional Use Permit.

19. Removal of Drilling Equipment

Purpose: In order to comply with § 8107-5.6.3 of the *Ventura County Non-Coastal Zoning Ordinance* and to ensure the removal of unused equipment.

Requirement: All equipment used for drilling, re-drilling, and maintenance work on approved wells shall be removed from the site within 30 days of the completion of such work. This deadline can be extended at the sole discretion of the Planning Director upon written request of the Permittee.

Documentation: The Permittee shall submit photo-documentation that the equipment has been removed by the applicable deadline.

Timing: The Permittee shall remove the equipment within 30 days of the completion of such work unless the Permittee obtains the Planning Director's written approval of an alternate deadline.

Monitoring and Reporting: The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition pursuant to the requirements of § 8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*.

20. Waste Handling and Containment of Contaminants

Purpose: In order to comply with § 8107-5.6.4 of the *Ventura County Non-Coastal Zoning Ordinance* and to ensure waste materials and other pollutants are handled appropriately according to federal, state and local laws and regulations.

Requirement: The Permittee shall operate at all times in accordance with a DOGGR approved SPCC.

Documentation: The Permittee shall prepare a containment plan.

Timing: The Permittee shall provide a copy of the SPCC to the Planning Division upon request.

Monitoring and Reporting: The Planning Division maintains the containment plan provided by the Permittee in the project file. The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition pursuant to the requirements of § 8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*.

21. Dust Prevention and Road Maintenance

Purpose: In order to comply with § 8107-5.6.6 of the *Ventura County Non-Coastal Zoning Ordinance* and to ensure pollutants are handled appropriately.

Requirement: The Permittee shall prepare a dust control plan. The drill site and all roads or hauling routes located between the public right-of-way and the subject site shall be improved or otherwise treated as required by the County and maintained as

necessary to prevent the emanation of dust. Access roads shall be designed and maintained so as to minimize erosion, prevent the deterioration of vegetation and crops, and ensure adequate levels of safety.

Documentation: A copy of the approved dust control plan.

Timing: The Permittee shall submit a written dust control plan to the Planning Division for review and approval prior to the issuance of a Zoning Clearance

Monitoring and Reporting: The Planning Division shall review and approve the dust control plan prior to the issuance of a Zoning Clearance. A copy of the approved dust control plan shall be maintained in the project file. The Planning Director may require that additional dust control measures are added to the plan at any time if the Planning Director determines it necessary. The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*.

22. Lighting Plan

Purpose: To ensure lighting on the subject property is provided in compliance with § 8107-5.6.7 of the *Ventura County Non-Coastal Zoning Ordinance*.

Requirement: Any permanent lighting for this facility shall be designed in conformance with § 8107-5.6.7.

Documentation: The Permittee shall submit two copies of a lighting plan to the Planning Division for review and approval prior to implementing such plan.

Timing: Prior to the issuance of a Zoning Clearance for construction. The Permittee shall maintain the lighting as approved in the lighting plan for the life of the permit.

Monitoring and Reporting: The Planning Division shall maintain a stamped copy of the approved lighting plan in the project file. The Building and Safety inspector and Planning Division staff have the authority to ensure that the lighting is installed according to the approved lighting plan prior to the issuance of a Certificate of Occupancy. The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition pursuant to the requirements of § 8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*.

23. Painting of Permanent Facilities, Structures and Pipelines

Purpose: In order to ensure that buildings and structures comply with the Oil Development Standards of § 8107-5.6.9 of the *Ventura County Non-Coastal Zoning Ordinance* and blend in with their natural surroundings.

Requirement: The Permittee shall:

- a. provide the specifications for all pumping equipment and ancillary equipment (e.g., tanks, equipment in cabinets, and pipes) on all development plans;
- b. construct and maintain the exterior surfaces of all buildings and structures using building materials and colors that are compatible with surrounding terrain (e.g., earth tones and non-reflective paints);
- c. construct the project site in compliance with the approved plans;
- d. provide photo evidence to the Planning Division that the equipment is installed in compliance with the approved plans; and,
- e. maintain the site in compliance with the approved plans.

Documentation: The Permittee shall provide plans with equipment specifications and exterior colors to the Planning Division. The Permittee shall provide photo evidence that the equipment is installed according to the approved plans.

Timing: Prior to the issuance of a Zoning Clearance for construction, the Permittee shall provide the details of all structures and equipment on plans for review and approval by the Planning Division. Prior to final inspection, the Permittee shall paint and treat the approved structures according to the approved plans. Prior to final inspection of the oil and gas facility, the Permittee shall provide photos demonstrating that the facility was treated as approved.

Monitoring and Reporting: The Planning Division maintains a copy of the approved plans in the project file. The Planning Division maintains the photo evidence provided by the Permittee demonstrating compliance with this condition in the project file. The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition pursuant to the requirements of § 8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*.

24. Restoration of Site After Pipeline Installation

Purpose: In order to comply with § 8107-5.5.5(e) of the *Ventura County Non-Coastal Zoning Ordinance* and to promote visual and environmental quality.

Requirement: The Permittee shall contract with County-approved qualified biologist to prepare a restoration plan, including grading, planting, maintenance and monitoring plans. The Permittee shall also contract with civil engineer if an engineered grading plan is necessary. The Permittee shall restore areas disturbed by the installation of oil and gas pipelines to their approximate previous grade and condition. All sites previously covered with native vegetation shall be recovered with the previously removed vegetation and shall meet success criteria outlined in the restoration plan. The success criteria shall include:

- a. the restored area shall attain a 50 percent cover;
- b. nonnative species shall comprise 10 percent cover or less; and,
- c. the native plantings shall survive at least 2 years without irrigation.

The Permittee shall provide annual reports prepared by a County-approved qualified biologist on the progress of the restoration area for 5 years (or more if the success criteria have not been met by Year 5).

Documentation: The Permittee shall include this requirement on all site and grading plans that are submitted to the Planning Division for review and approval. The restoration plan, engineered grading plan, and annual reports on the progress of the restoration.

Timing: The Permittee shall restore the grade and plant the vegetation upon completion of pipeline construction prior to Final Inspection by the Public Works Grading Inspector.

Monitoring and Reporting: If native vegetation is required as part of the restoration plan, the mitigation area shall be monitored by a County-approved qualified biologist (monitoring biologist) for at least 5 years, or more if the success criteria have not been met by Year 5. The monitoring biologist shall provide an annual report on the status of the mitigation area, including results of qualitative monitoring (i.e. photographs taken at permanent photo-points and observations of the health and condition of plantings) and quantitative monitoring (i.e. randomly placed transects to estimate cover) to the Planning Division for the length of the monitoring period.

(Note: The existing facility does not include buried pipelines. This condition applies to any future proposal to install underground pipelines.)

25. Site Restoration

Purpose: In order to comply with §§ 8107-5.5.5(e), 8107-5.5.6, & 8107-5.6.11 of the *Ventura County Non-Coastal Zoning Ordinance*.

Requirement: The Permittee shall restore disturbed areas in the project area to its original grade and condition, unless otherwise requested by landowner in writing and approved by the Planning Director.

Documentation: The Permittee shall submit a grading plan prepared by civil engineer to restore the site to the original contours. The Permittee shall also submit a restoration plan prepared by a County-approved, qualified biologist to be reviewed and approved by the Planning Division.

Timing: The Permittee shall submit the grading and restoration plans to the Planning Division and Public Works Agency within 30 days of revocation, expiration, or surrender of the permit, or abandonment of the use. The Permittee shall commence restoration work on the site within 90 days of revocation, expiration, or surrender of the permit, or abandonment of the use.

Monitoring and Reporting: The Permittee shall submit the grading plan to the Public Works Agency and the Planning Division prior to the commencement of the restoration work. The Planning Division will not exonerate the financial securities required by

Condition No. 20 until it has determined that the grading and restoration plans have been implemented as approved.

26. Insurance

Purpose: In order to comply with § 8107-5.6.12 of the *Ventura County Non-Coastal Zoning Ordinance*.

Requirement: The Permittee shall maintain liability insurance of not less than \$500,000 for one person, and \$1,000,000 for all persons, and \$2,000,000 for property damage. The Permittee shall name the County of Ventura as additionally insured. This requirement does not preclude the Permittee from being self-insured.

Documentation: The Permittee shall submit a copy of the liability insurance policy documents to the Planning Division for review and approval. .

Timing: Prior to the issuance of a Zoning Clearance, the Permittee shall obtain approval of the liability insurance documents from the Planning Division. The Permittee shall maintain liability issuance for the subject property for the life of the permit.

Monitoring and Reporting: The Permittee shall submit the liability insurance to Planning Division for review and approval to ensure that the Oil and Gas Operation has the required coverage in a manner that is required. The Planning Division maintains a copy of the liability insurance in the project file. The Planning Director may ask for a current insurance policy at any time to confirm ongoing compliance with this condition.

27. Noise Standard for Oil and Gas Operations

Purpose: In order to comply with § 8107-5.6.13 of the *Ventura County Non-Coastal Zoning Ordinance*.

Requirement: The Permittee shall ensure that drilling, production, and maintenance operations associated with this permit do not exceed the following noise levels, as measured over a one-hour period at locations that are occupied by noise-sensitive receptors (e.g., residences, schools, health care facilities, or places of public assembly):

One Hour Average Noise Levels (LEQ)		
<u>Time Period</u>	<u>Drilling and Maintenance Phase</u>	<u>Producing Phase</u>
Day (6:00 a.m. to 7:00 p.m.)	55 dB(A)	45 dB(A)
Evening (7:00 p.m. to 10:00 p.m.)	50 dB(A)	40 dB(A)
Night (10:00 p.m. to 6:00 a.m.)	45 dB(A)	40 dB(A)

For the purposes of this condition, a well is in the "producing phase" when hydrocarbons are being extracted or when the well is idle and not undergoing maintenance. It is presumed that a well is in the "drilling and maintenance phase" when it is not in the "producing phase."

Upon the request of the Planning Director, the Permittee shall have a qualified acoustical consultant measure the offending noise, in accordance with the procedures in *Ventura County General Plan Hazards Appendix*. These measurements shall occur within 24 hours of the Planning Director's request.

When the Permittee has been notified by the Planning Division that the Permittee is operating in violation of the applicable noise standard, the Permittee shall correct the problem as soon as possible in coordination with the Planning Division. In the interim, operations may continue; however, the operator shall attempt to minimize the total noise generated at the site by limiting, whenever possible, such activities as the following:

- a. hammering on pipe;
- b. racking or making-up of pipe;
- c. acceleration and deceleration of engines or motors;
- d. drilling assembly rotational speeds that cause more noise than necessary and could reasonably be reduced by use of a slower rotational speed; and,
- e. picking up or laying down drill pipe, casing, tubing or rods into or out of the drill hole.

If the noise problem has not been corrected by 7:00 p.m. of the following day, the offending operations, except for those deemed necessary for safety reasons by the Planning Director upon the advice of the Division of Oil and Gas, shall be suspended until the problem is corrected.

This condition applies for the life of the permit. A report from a qualified acoustical consultant shall be submitted to the Planning Division upon request. If corrective measures are required to attenuate the offending noise to acceptable levels, The Permittee shall submit written and/or photo evidence to demonstrate that the corrective measures are in place prior to restarting the offending operations.

Documentation: The Permittee shall prepare a noise report from a qualified acoustical consultant and provide it to the County for review and approval prior to any construction activity that causes noise.

Timing: If a qualified acoustical consultant is hired by the Permittee to investigate an alleged violation, the acoustical consultant shall submit their findings, by telephone, to the Planning Division immediately upon completing their measurements. Within 24 hours of completing the measurements, the acoustical consultant shall submit a written report to the Planning Division.

Monitoring and Reporting: The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition pursuant to the requirements of § 8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*. The Planning Division maintains all acoustical reports, and a written description of any corrective measures, provided by the Permittee in the project file.

28. Preventive Noise Insulation

Purpose: In order to comply with § 8107-5.6.16 of the *Ventura County Non-Coastal Zoning Ordinance*.

Requirement: The Permittee shall provide sufficient soundproofing to ensure that noise levels do not exceed County adopted noise limits. Such soundproofing shall include any or all of the following: acoustical blanket coverings, sound walls, or other soundproofing materials or methods which ensure that operations meet the applicable noise standard.

Documentation: The Permittee shall submit photo-documentation, or some other evidence acceptable to the Planning Director, that the soundproofing is installed.

Timing: The Permittee shall install soundproofing prior to the commencement of drilling or maintenance activities, and shall maintain the soundproofing until the operations are complete. The Permittee shall provide photo evidence that the sound proofing is in place prior to the issuance of a Zoning Clearance.

Monitoring and Reporting: The Planning Division shall maintain in the project file the photo evidence that the soundproofing was installed. The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition pursuant to the requirements of § 8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*.

29. Signs

Purpose: In order to comply with § 8107-5.6.21 of the *Ventura County Non-Coastal Zoning Ordinance*.

Requirement: In addition to the signage otherwise allowed by the *Ventura County Non-Coastal Zoning Ordinance* (§ 8110-0 et seq.), the Permittee shall only place within the permit area, signs that are required for directions, instructions, and warnings, identification of wells and facilities, or signs required by other County ordinances or State and federal laws. Identification signs shall not exceed four square feet in size and shall contain, at a minimum, the following information:

- a. the Division of Oil and Gas well name and number;
- b. the name of the owner/operator of the oil facility;
- c. the name of the lease and name and/or number of the well; and,
- d. the name and telephone number of person(s) on 24-hour emergency call.

The Permittee shall maintain the well identification sign(s) at the well site from the time drilling operations commence until the well is abandoned.

Documentation: The Permittee shall submit to the Planning Division for review and approval, a sign plan for well identification, which includes the sign size, text, and site location.

Timing: The Permittee shall obtain approval of the sign plan prior to the issuance of a Zoning Clearance for Construction (grading). The Permittee shall install the approved signs prior to the commencement of drilling.

Monitoring and Reporting: The Planning Division maintains the approved sign plan in the project file. The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition pursuant to the requirements of § 8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*.

30. Fencing

Purpose: In order to comply with § 8107-5.6.22 of the *Ventura County Non-Coastal Zoning Ordinance*.

Requirement: The Permittee shall securely fence all active well sites (except submersible pumps), sumps and drainage basins or any machinery in use or intended to be used at the well site or other associated facilities, if required, based on the Planning Director's determination that fencing is necessary due to the proximity of nearby businesses, residences, or other occupied sensitive uses. The Permittee may use a single, adequate fence, which is compatible with the surrounding area, in order to enclose the wells or well site and appurtenances. The fences must meet all Division of Oil and Gas regulations.

The Permittee shall prepare a fencing plan for the site, unless waived by the Planning Director.

Documentation: The Permittee shall submit a fencing plan to the Planning Division for review and approval. These plans must include schematic details of the fence location, height and construction materials.

Timing: The Permittee shall obtain approval of any required fencing plan prior to the issuance of a Zoning Clearance for Construction. The Permittee shall install the fences prior to activating the wells.

Monitoring and Reporting: The Planning Division maintains the approved site plan and fencing plans in the project file. The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition pursuant to the requirements of § 8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*.

31. Tanker Truck Hours

All tanker trucking shall be limited to Monday through Saturday, between the hours of 7:30am and 6:30pm of the same day.

32. California Condor Protection BMPs

Purpose: To avoid significant impacts during drilling and ongoing operation of approved wells and facilities and ensure compatibility with conservation efforts outlined in the

Recovery Plan for California Condor (April 19, 1996) and direction provided by United States Fish and Wildlife Service (USFWS) for oil and gas facilities within the range of the California Condor in Ventura County (USFWS, 2013).

Requirement: During construction and operation, the Permittee shall adhere to the following USFWS recommended California condor Best Management Practices (BMPs):

Transmission and Landing Deterrents

- a. All power lines, poles, and guy wires shall be retrofitted with raptor guards, flight diverters, and other anti-perching or anti-collision devices to minimize the potential for collision or electrocution of condors. Landing deterrents (e.g. Daddi Long Legs or porcupine wire) shall be attached to the walking beams on pumping units. New power and distribution lines shall be installed underground if determined to be necessary to avoid impacts to the California condor by the Planning Director in consultation with USFWS.
- b. All surface structures which are identified by the USFWS or County-approved qualified biologists as a risk to California condors, shall be modified (e.g. to include installation of raptor guards, anti-perching devices, landing deterrents) or relocated to reduce or eliminate the risk.

Microtrash

- c. All construction debris, food items, road kill, cigarette butts, and other trash including micro-trash (including but not limited to small items as screws, nuts, washers, nails, coins, rags, small electrical components, small pieces of plastic, glass, or wire, and anything that is colorful or shiny) will be covered or otherwise removed from a project site (including the access road) at the end of each day or prior to periods when workers are not present at the site.
- d. All hoses or cords that must be placed on the ground due to drilling operations that are outside of the primary work area (immediate vicinity of the drilling rig) will be covered to prevent California condor access. Covering will take the form of burying or covering with heavy mats, planks, or grating that will preclude access by California condors.
- e. All equipment and work-related materials (including, but not limited to, loose wires, open containers, rags, hoses, or other supplies or materials) shall be contained in closed containers either in the work area or placed inside vehicles.
- f. Poly chemical lines shall be replaced with stainless steel lines to preclude condors from obtaining and ingesting pieces of poly line.
- g. Prior to issuance of a Zoning Clearance for drilling or re-working of wells, informational signs describing the threat that micro-trash poses to condors, and the cleanup or avoidance measures being implemented, shall be posted at the site.
- h. Prior to conducting work on-site, employees and contractors shall be made aware of the California condor, and how to avoid impacts on them. Special emphasis shall be placed on keeping the well pad site free of micro-trash and other hazards.
- i. Wells pads shall be inspected closely for micro-trash on a daily basis.

Chemicals

- j. Ethylene glycol based anti-freeze or other ethylene glycol based liquid substances shall be avoided, and propylene glycol based antifreeze will be encouraged. Equipment or vehicles that use ethylene glycol based anti-freeze or other ethylene glycol based liquid substances shall be inspected daily for leaks, including (but not limited to) areas below vehicles for leaks and puddles. Standing fluid (e.g. a puddle of anti-freeze) will be remediated (e.g. cleaned up, absorbed, or covered) immediately upon discovery. Leaks shall be repaired immediately. The changing of antifreeze of any type shall be prohibited onsite.
- k. Open drilling mud, water, oil, or other liquid storage or retention structures shall be prohibited. All such structures must have netting or other covering that precludes entry or other use by condors or other listed avian species
- l. The design and location of any flaring equipment shall be subject to review and approval by the Planning Director in consultation with the USFWS.

Miscellaneous

- m. All food items and associated refuse shall be placed in covered containers that preclude access or use by California condors.
- n. All equipment and work-related materials (including loose wires, open containers, rags, hoses, or other supplies) will be placed in closed containers or inside vehicles.
- o. No dogs or other potentially predatory domesticated animals shall be allowed on the drill site unless on a leash or otherwise contained at all times.
- p. All construction equipment, staging areas, materials, and personnel shall remain within the perimeter of the disturbed area authorized under the applicable permit.
- q. The discharge of firearms at the project site or vicinity by any employee or contractor of the Permittee shall be prohibited.
- r. Feeding of wildlife by any employee or contractor working for the Permittee shall be prohibited.
- s. Access to the project site shall be made available to the representatives of the State and Federal wildlife agencies including California Department of Fish and Wildlife (CDFW) and USFWS upon request. Should a California condor be observed on-site by personnel of the Permittee, the USFWS, CDFW and the Planning Division shall be contacted immediately.
- t. Any road kill found on the access road shall be immediately cleared from the roadway and disposed.

The Permittee shall implement the BMPs listed above throughout the entire life of the project, unless modified by the County Planning Director in consultation with USFWS and CDFW. A County-approved qualified biologist shall confirm and photo-document the installation of the BMPs.

Documentation: The application shall prepare photo documentation of the complete installation of the signage and above BMPs.

Timing: Prior to the issuance of a Zoning Clearance for Construction (i.e. grading or land clearing activities), the Permittee must take the following actions:

- Install signage.
- Submit photo-documentation of the installation of the signage to the Planning Division.

Prior issuance of a Zoning Clearance for Use Inauguration (i.e. the Zoning Clearance for the drilling of first well), the Permittee must provide the Planning Division with photo documentation of the implementation of the above requirements.

Monitoring and Reporting: Planning Division staff will review the submitted reports. The Planning Division has the authority to conduct site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

II. Environmental Health Division (EHD) Conditions

33. Hazardous Materials Management

The storage, handling, and disposal of any potentially hazardous material must be in compliance with applicable state regulations.

VENTURA COUNTY AIR POLLUTION CONTROL DISTRICT (APCD) CONDITIONS

34. APCD Rules and Regulations for Fugitive Dust

Purpose: To ensure that fugitive dust and particulate matter that may result from activities on the site are minimized.

Requirement: The Permittee shall comply with the provisions of applicable VCAPCD Rules and Regulations, which include but are not limited to, Rule 50 (Opacity), Rule 51 (Nuisance), and Rule 55 (Fugitive Dust).

Documentation: The Lead Agency shall ensure compliance with the following provisions:

- I. Fugitive dust throughout the construction site shall be controlled by the use of a watering truck or equivalent means. Environmentally-safe dust control agents may be used in lieu of watering.
- II. Signs shall be posted onsite limiting traffic to 15 miles per hour or less.

Timing: Throughout the life of the permit.

Reporting and Monitoring: The Lead Agency shall monitor all dust control measures.

VENTURA COUNTY PUBLIC WORKS AGENCY (PWA) CONDITIONS

III. Water Quality Section

35. State General Industrial Stormwater Permit No. CAS000001 Requirements

Purpose: To ensure the project maintains compliance with all water quality provisions in accordance with NPDES General Permit (No. CAS000001), Waste Discharge Requirements for Discharges of Stormwater Runoff Associates with Industrial Activities.

Requirement: Proper filing of all compliance documents required under the NPDES General Industrial Stormwater Permit (No. CAS000001).

Documentation: The Permittee shall submit the following items to the Watershed Protection District - Surface Water Quality Section (SWQS) staff for review:

- a. Current Notice of Intent (NOI) in accordance with the State Water Resources Control Board requirements under the NPDES General Industrial Stormwater Permit (No. CAS000001); or verification of payment for current coverage year, whichever one is more recent;
- b. Copy of the project Stormwater Pollution Prevention Plan (SWPPP); and
- c. Copy of the most recent Annual Report if applicable.

Timing: The above listed items shall be submitted to the SWQS for review prior to Zoning Clearance for Use Inauguration.

Monitoring & Reporting: SWQS staff will review the submitted materials for consistency with the General Industrial Stormwater Permit. Current and site-specific SWPPP shall be kept on-site for periodic review by the SWQS inspectors.