

COUNTY OF VENTURA
PLANNING COMMISSION HEARING
CASE NO. PL23 - 0113
PUBLIC COMMENTS RECEIVED FOR FEBRUARY 1, 2024,
PLANNING COMMISSION MEETING

Juachon, Luz

From: Andrew Holguin <andyh@oldcreekbranch.com>
Sent: Thursday, January 25, 2024 2:38 PM
To: Juachon, Luz
Cc: Andy Holguin
Subject: PL23-0113

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I strongly approve of the negotiated changes to the general plan that were made to Policy **Policy COS-7.7 and Policy COS-7.8**.

Andrew R Holguin

Juachon, Luz

From: merrilly@verizon.net
Sent: Thursday, January 25, 2024 3:23 PM
To: Juachon, Luz
Cc: JAMES MERRILL
Subject: PL23-0113

WARNING: If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to Email.Security@ventura.org.

Dear Ms. Juachon:

Many, many, many months and countless hours of citizen comment and staff time went into the development of the County 2040 General Plan. It was debated, carefully considered, and approved.

The piecemeal stripping away of environmental and health protections to support a dying petroleum-extraction industry, with no long-term study and overturning a carefully considered decision is, irresponsible.

To be clear, the proposed revisions to COS-7.7 and COS 7.8 essentially insert language to allow the extraction industry to discern what is "feasible." This is not in the public interest.

Carefully developed long-term plans should not be overturned just because of a short-term change in the board of supervisors.

Regards,

James A. Merrill
Oxnard, California

Subject: FW: Notice of Public Hearing: County of Ventura initiated amendments to the Ventura County General Plan Policies COS-7.7 and COS-7.8 pertaining to oil and gas operations

From: Haley Ehlers <haley@cfrog.org>

Sent: Friday, January 26, 2024 11:25 AM

To: Kessler, John <John.Kessler@ventura.org>

Cc: Sussman, Shelley <Shelley.Sussman@ventura.org>; Ward, Dave <Dave.Ward@ventura.org>

Subject: Re: Notice of Public Hearing: County of Ventura initiated amendments to the Ventura County General Plan Policies COS-7.7 and COS-7.8 pertaining to oil and gas operations

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Hi John, Shelly, and Director Ward,

Thank you for the notice. I am wondering if the public comments submitted for the original 12/7/23 Planning Commission on this issue will be submitted as part of this hearing record?

Additionally, we understand that the staff report and CEQA Addendum rely on the conclusion that any impacts as a result of these amendments will not be significant because they only apply to new wells on discretionary permits, which are a subset of wells in the county. While we do not agree with this assessment of insignificant impact, CFROG recommends that the staff report and/or presentation include mention of *why* discretionary permits are only a subset of oil and gas conditional use permits in the county -- Measures A & B, a campaign initiated and generously funded by the oil and gas industry to overturn policies passed by our democratically elected leaders via referendum. Based on previous hearings, it is clear that our leaders do not understand the impact of Measures A & B and that the intention of General Plan oil and gas policies was to be applied to all wells in the County.

Thank you,
Haley

On Thu, Jan 25, 2024 at 2:32 PM Kessler, John <John.Kessler@ventura.org> wrote:

Hello,

On **Thursday, February 1, 2024, at 8:30 a.m.**, the County of Ventura Planning Commission will hold a public hearing to discuss proposed amendments to two policies in the County's 2040 General Plan (COS-7.7 and COS-7.8). Goal COS-7, within the Conservation and Open Space Element, establishes the County's goal to effectively and safely manage the exploration, production, and drilling of oil and gas resources in unincorporated Ventura County.

More details about the hearing and the project are included in the notice attached to this email. This hearing was rescheduled from December 7, 2023.

The public hearing will be held at 800 S. Victoria Avenue, Ventura, California 93009, County Government Center, Hall of Administration, Board of Supervisors Hearing Room. A live stream of the hearing will be available online on the day of the hearing at: <https://vcrma.org/en/planning-commission>

The public may participate in the hearing both in-person and through Zoom. To find out how you may electronically attend the Planning Commission hearing and provide public comment, please refer to the instructions on our website at: <https://vcrma.org/en/public-comments-for-planning-commission-hearings>

Inquiries on this item may be directed to Luz Juachon, at (805) 654-2478 or by e-mail to Luz.Juachon@ventura.org

Hola,

el jueves 1 de febrero de 2024 a las 8:30 a.m., la Comisión de Planificación del Condado de Ventura llevará a cabo una audiencia pública para discutir las enmiendas propuestas a dos políticas en el Plan General 2040 del Condado (COS-7.7 y COS-7.8). Dentro del Elemento COS, la Meta COS-7 establece la meta del Condado de gestionar de manera efectiva y segura la exploración, producción y perforación de recursos de petróleo y gas en la zona no incorporada del Condado de Ventura.

Se incluyen más detalles sobre la audiencia y el proyecto en el aviso adjunto a este correo electrónico.

La audiencia pública se llevará a cabo en 800 S. Victoria Avenue, Ventura, California 93009, Centro de Gobierno del Condado, Salón de Administración, Sala de Audiencias de la Junta de Supervisores. Una transmisión en vivo de la audiencia estará disponible en línea el día de la audiencia en: <https://vcrma.org/en/planning-commission>

El público podrá participar en la audiencia tanto en persona como a través de Zoom. Para saber cómo puede asistir electrónicamente a la audiencia de la Comisión de Planificación y proporcionar comentarios públicos, consulte las instrucciones en nuestro sitio web en: <https://vcrma.org/en/public-comments-for-planning-commission-hearings>

Las preguntas sobre este tema pueden dirigirse a Luz Juachon, al (805) 654-2478 o por correo electrónico a Luz.Juachon@ventura.org

Thank you,

John

John Kessler | Planner III
John.Kessler@ventura.org

Ventura County Resource Management Agency
Planning Division
P. (805) 654-2461 | F. (805) 654-2509
800 S. Victoria Ave., L #1740 | Ventura, CA 93009-1740
Visit our website at vcrma.org
For online permits and property information, visit [VC Citizen Access](#)



Pursuant to the California Public Records Act, email messages retained by the County may constitute public records subject to disclosure.

From: Ann Dorsey <aedorsey@hotmail.com>
Sent: Saturday, January 27, 2024 5:19 PM
Subject: Agenda Item 6.A

WARNING: If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to Email.Security@ventura.org.

Ventura County Planning Commission,

I urge you to reject the proposal to add "if feasible" to the General Plan (COS-7.7 re: diesel truck traffic and COS-7.8 re: flaring ban). The County must stand firm and protect communities and our future from the harms caused by oil and gas operations.

Adding "if feasible" is counter to Ventura County principles of protecting the health and safety of residents, businesses and visitors from human-caused hazards and ensuring environmental justice as well as goals to reduce greenhouse gas emissions.

Emissions from flaring include carbon monoxide, nitrogen oxides, particulate matter and volatile organic compounds

- and those from diesel exhaust include particulate matter that often includes toxic metals and chemicals.
- All of these emissions are known to cause serious health problems.
-
- Oil and gas operations in Ventura County are found predominantly in low-income communities of color.
- The negative health impacts from these operations are an example of environmental racism.
-
- Additionally, methane (from flaring) and nitrogen oxides (from diesel trucking) are potent greenhouse gasses,
 - which will increase.
-
- If the feasibility language is included in the General Plan, it is imperative that there are provisions to ensure:
 - each claim of infeasibility includes substantive written documentation supporting the claim,
 - that claims are analyzed on a case-by-case basis for each site,
 - there is an opportunity for open, public comment regarding the evidence provided that
 - enables independent experts to review and evaluate any such claims
 - • There must also be strict guidelines for claims of economic infeasibility:
 - The fact that piping oil or containing gases "may be more expensive or less profitable" than trucking and flaring
 - is insufficient to prove infeasibility.
 - Apply the objective 'reasonably prudent person' standard to test
 - if the cost of compliance is preventing extraction activities.

That decisions are made without regard to an operator's financial status.

-
- Please act to uphold the beneficial intent of the 2040 General Plan
- to protect communities and improve future conditions by
- reducing pollution and greenhouse gas emissions, especially from oil and gas operations.
-
- Thank you,

-
- Ann Dorsey
-



January 29, 2024

Ventura County Planning Commission
Sent via email shelley.sussman@ventura.org

Re: Agenda Item 6.A

Dear Commissioners,

Climate First: Replacing Oil & Gas (CFROG) is a grassroots environmental nonprofit dedicated to combating the climate crisis by working to shape the transition away from fossil fuels to a carbon-free economy in Ventura County. During the last multi-year General Plan Update process, CFROG worked with community members to advocate for bold climate action and ensure community voices were being heard and reflected in the plan that would guide our community for the next 20 years. We are proud, and hope you are too, that this led to a precedent-setting General Plan, including some of the first policies to protect community health and safety from oil drilling in the nation.

As you consider amendments to weaken these policies as a result of a settlement between the County of Ventura and the oil industry, we urge you to (1) recognize the full environmental impacts, (2) clarify the operator's burden of proof to claim infeasibility with documentation, and (3) endorse the limits on economic infeasibility when any new permit is being considered.

The Staff Report and CEQA Addendum downplay the environmental impacts of the amendments. The original environmental impact report (EIR) for the General Plan determined that the benefits to human health and the environment from adopting the trucking¹ and flaring² policies without weakening them via a feasibility exception outweighed any effects on mineral and petroleum resources, especially benefits related to air quality, greenhouse gas emissions reduction, vehicle miles traveled, and traffic safety. We are disappointed that the Staff Report and CEQA Addendum now conclude that “the potential economic, environmental and other implications of the proposed General Plan amendments would be speculative and marginal at most” because the trucking and flaring policies only apply to new discretionary wells. The fact that new discretionary wells are a subset of all wells drilled and operated in the County does not change the original EIR's conclusion that when such wells are drilled, their impacts to human health and the environment will be substantial. Even *one new well* where the operator successfully claims a feasibility exemption will have *negative impacts on the surrounding community*.

Part C of the Staff Report, on General Plan consistency, properly recognizes that the feasibility exception could reduce the attainment of principles and policies concerning –

¹ Policy COS-7.7, in an effort to breakdown jargon that is often inaccessible for the general public, throughout this letter we will refer to this policy as the “trucking” policy

² Policy COS-7.8, in an effort to breakdown jargon that is often inaccessible for the general public, throughout this letter we will refer to this policy as the “flaring” policy

1. the minimization of health and safety impacts to residents, businesses and, visitors from human-cause hazards;
2. the reduction of greenhouse gas emissions; and
3. environmental justice – defined as, the “fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations and policies, protect disadvantaged communities from a disproportionate burden posed by toxic exposure and risk.”

Several studies³ demonstrate that flaring produces carbon monoxide, nitrogen oxides, particulate matter, and volatile organic compounds; these are all pollutants that have an unambiguously negative impact on human health. The communities most impacted by oil and gas drilling in Ventura County are low-income and communities of color and these negative health impacts are a case of environmental racism. For example, active flares on the Oxnard Plain are located near Oxnard Pacific Mobile Homes and Nyland Acres, with pollution burdens 94 and 78 percent higher than the rest of CA.⁴

Community members across Oxnard have been fighting for clean air for years and are overburdened with large diesel trucks polluting their neighborhoods. The tiny particles of pollution in diesel exhaust, which often include toxic metals and chemicals, can lodge deep in the lungs and cause irritation.⁵ In addition to causing short-term problems like coughing, headaches, and nausea, breaking diesel exhaust can damage both the lungs and the heart, and has been linked to very serious health problems.

The County must acknowledge and clarify the operator’s burden of proof. We appreciate that the feasibility exception will only be allowed “if the proponent demonstrates” infeasibility to the County’s satisfaction. This wording properly places the burden of proof on operators to provide evidence of infeasibility rather than allowing oil companies to rely on unsupported claims. We expect the County to thoroughly vet infeasibility claims on a case-by-case basis, based on the particular facts and circumstances of each site, rather than rubber-stamping permit applications. The County should **explicitly require operators to submit written materials sufficient to prove any claims of infeasibility.**



Image 1 - Jesus Vazquez, in front of a polluting flare near Oxnard Pacific Mobile Estates, shares his story of growing up here and developing asthma as a result of pollution



Image 2 - CAUSE members carry out a truck count on Hueneme Road in South Oxnard (CAUSE)

³ Wesley Blundell, Anatolii Kokoza, Natural gas flaring, respiratory health, and distributional effects, Journal of Public Economics, Volume 208, 2022.

⁴ CalEnviroScreen 4.0

⁵ <https://www.momscleanairforce.org/resources/how-diesel-pollution-affects-your-health/>

The County must critically assess the evidence provided through an open and public process that enables independent experts to review and evaluate any such claims.

In the June 1, 2023, Planning Commission hearing, during a conversation about building electrification ordinances, Commissioner Sandlin stated:

“I’d love to see some analysis of what’s feasible and what’s not feasible, as you mentioned, by putting the word [feasible] in there, it does give an out. [...] If there is “feasible” language in there, it looks like there would be an out to getting things done.”⁶

With this sound logic, Ventura County is providing “an out” to oil companies to continue polluting our communities. The County should follow Commissioner Sandlin’s sound logic by ensuring that each claim of infeasibility is analyzed and includes written documentation.

The County must endorse the limits on claims of economic infeasibility. We note that the General Plan’s definition of feasibility is identical to the definition in section 15364 of the CEQA Guidelines. When making a case-by-base determination on feasibility, our expectation is that the County will follow feasibility principles from CEQA case law, including the following three limits:

1. First, the fact that piping oil or containing gases “may be more expensive or less profitable” than trucking/flaring should be insufficient to show that compliance is financially infeasible. Instead, the County should require “evidence that the additional costs or lost profitability are sufficiently severe as to render it impractical to proceed with the project.” *Citizens of Goleta Valley v. Board of Supervisors* (1988) 197 Cal.App.3d 1167, 1181.
2. Second, the County should apply an objective test to evaluate claims that compliance with limitations on trucking, flaring, or venting is “infeasible.” Under this test, the County should consider whether the marginal costs of compliance “are so great that a reasonably prudent [person] would not proceed” with the extraction activities if required to comply. *Sustainability, Parks, Recycling & Wildlife Legal Defense Fund v. San Francisco Bay Conservation & Development Com.* (2014) 226 Cal.App.4th 905, 918, as modified (June 25, 2014).
3. Third, feasibility decisions should be made without regard to an operator’s individual financial status. *Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4th 587, 599–600.

Community members across Ventura County are disappointed, saddened, and frustrated that the progress we made together to protect community health and climate has been dampened by oil and gas industry tactics – from multiple lawsuits, a settlement, and a 7 million dollar referendum campaign. The County of Ventura must do better to protect our community, especially those most vulnerable, and our future.

With urgency,



Haley Ehlers, Executive Director

⁶ <https://www.youtube.com/live/BvFgA7PvHgQ?si=tut9UvAhnJqEcRa&t=3282>

From: Bede Pittenger <Bede.Pittenger.323079484@advocatefor.me>
Sent: Tuesday, January 23, 2024 4:14 PM
To: Oil and Gas Ordinance
Subject: Agenda Item 6a, Case Numbers PL21-0099 and PL21-0100: Hold the Oil and Gas Industry Accountable

WARNING: If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to Email.Security@ventura.org.

Dear Ventura County Planning Commission:

I support the proposed amendments to the Non-Coastal Zoning Ordinance and Coastal Zoning Ordinance related to oil and gas operations in Ventura County. I urge you not to weaken the proposed amendments to placate the oil industry.

As climate change worsens, it is a critical time for the County to adopt strong policies for ensuring that oil and gas companies clean up their infrastructure at the end of its useful life, minimize air and water contamination, and pay their fair share so that taxpayers aren't left footing the bill.

Please protect our communities, air, water, endangered species, and the climate by recommending to the Board of Supervisors that they adopt the proposed amendments.

Thank you for your consideration,
Bede Pittenger
281 Brentwood Way
Goleta, CA 93117

From: Camille Gilbert <Camille.Gilbert.8445072@advocatefor.me>
Sent: Tuesday, January 23, 2024 4:40 PM
To: Oil and Gas Ordinance
Subject: Agenda Item 6a, Case Numbers PL21-0099 and PL21-0100: Hold the Oil and Gas Industry Accountable

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Please protect our communities, air, water, endangered species, and the climate by recommending to the Board of Supervisors that they adopt the proposed amendments.

Thank you for your consideration,
Camille Gilbert
1923 San Andres St
Santa Barbara, CA 93101

From: David Harris <David.Harris.321326959@foradvocacy.com>
Sent: Tuesday, January 23, 2024 4:44 PM
To: Oil and Gas Ordinance
Subject: Agenda Item 6a, Case Numbers PL21-0099 and PL21-0100: Hold the Oil and Gas Industry Accountable

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Thank you for your consideration,
David Harris
670 Cedar Pl
Ventura, CA 93001

From: Caitlin Wylde <Caitlin.Wylde.325300296@grsdelivery.com>
Sent: Tuesday, January 23, 2024 5:01 PM
To: Oil and Gas Ordinance
Subject: Agenda Item 6a, Case Numbers PL21-0099 and PL21-0100: Hold the Oil and Gas Industry Accountable

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Thank you for your consideration,
Caitlin Wylde
1663 Sargent Pl
Los Angeles, CA 90026

Juachon, Luz

From: Jerami Prendiville <Jerami.Prendiville.616157077@advocacymessages.com>
Sent: Tuesday, January 23, 2024 6:19 PM
To: Oil and Gas Ordinance
Subject: Agenda Item 6a, Case Numbers PL21-0099 and PL21-0100: Hold the Oil and Gas Industry Accountable

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Thank you for your consideration,
Jerami Prendiville
12619 Ridge Dr
Santa Rosa Valley, CA 93012

From: Isaac Wollman <Isaac.Wollman.39573210@foradvocacy.com>
Sent: Tuesday, January 23, 2024 6:27 PM
To: Oil and Gas Ordinance
Subject: Agenda Item 6a, Case Numbers PL21-0099 and PL21-0100: Hold the Oil and Gas Industry Accountable

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Thank you for your consideration,
Isaac Wollman
73 Contenta Ct
San Luis Obispo, CA 93401

Juachon, Luz

From: George Lewis <George.Lewis.228162892@sendgrassroots.com>
Sent: Wednesday, January 24, 2024 11:26 AM
To: Oil and Gas Ordinance
Subject: Agenda Item 6a, Case Numbers PL21-0099 and PL21-0100: Hold the Oil and Gas Industry Accountable

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Thank you for your consideration,
George Lewis
1852 6th St
Baywood-los Osos, CA 93402

From: Jon Cotham <Jon.Cotham.74578081@advocacymessages.com>
Sent: Wednesday, January 24, 2024 7:05 PM
To: Oil and Gas Ordinance
Subject: Agenda Item 6a, Case Numbers PL21-0099 and PL21-0100: Hold the Oil and Gas Industry Accountable

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Thank you for your consideration,
Jon Cotham
1129 Maricopa Hwy
Ojai, CA 93023

From: Peter Ford <Peter.Ford.74736940@grsdelivery.com>
Sent: Friday, January 26, 2024 2:39 PM
To: Oil and Gas Ordinance
Subject: Agenda Item 6a, Case Numbers PL21-0099 and PL21-0100: Hold the Oil and Gas Industry Accountable

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Thank you for your consideration,
Peter Ford
4636 Vista Buena Rd
Santa Barbara, CA 93110

From: Ronit Corry <Ronit.Corry.325381710@p2a.co>
Sent: Saturday, January 27, 2024 8:20 AM
To: Oil and Gas Ordinance
Subject: Agenda Item 6a, Case Numbers PL21-0099 and PL21-0100: Hold the Oil and Gas Industry Accountable

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Thank you for your consideration,
Ronit Corry
1711 Pampas Ave
Santa Barbara, CA 93101

From: Amy Wolfberg <Amy.Wolfberg.231725316@advocatefor.me>
Sent: Saturday, January 27, 2024 12:20 PM
To: Oil and Gas Ordinance
Subject: Agenda Item 6a, Case Numbers PL21-0099 and PL21-0100: Hold the Oil and Gas Industry Accountable

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Thank you for your consideration,
Amy Wolfberg
1817 N Fuller Ave
Los Angeles, CA 90046

Juachon, Luz

From: Phil White <philbranco@gmail.com>
Sent: Wednesday, January 31, 2024 2:01 PM
To: Sussman, Shelley; Juachon, Luz; Ward, Dave
Subject: PC Hearing 2/1 item 6A

WARNING: If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to Email.Security@ventura.org.

Dear Commissioners

In 2020, the Planning Commission recommended that the Board of Supervisors adopt a package of policies and programs into the 2040 General Plan.

An important part of that recommended package, which the Board approved in September, 2020, was a new Climate Action Plan (CAP) designed to reduce Ventura County greenhouse gas (GHG) emissions to meet State goals. Included as part of the Climate Action Plan were new policies to reduce greenhouse gas emissions from oil and gas operations.

The regulation on eliminating routine flaring of natural gas produced in new drilling operations (COS-7.8) was designed to address the wasteful burning of a valuable energy resource and eliminate the significant air pollution and greenhouse gas emissions generated. The adopted regulation allows flaring for emergencies and testing.

Today you are voting on whether to change the adopted flaring regulation. I strongly encourage you to vote no, allowing the existing regulation to remain in effect.

Last December in Dubai, the United Nations Climate Conference worked toward refining international policies and programs to address Climate Change worldwide. Coincidentally, a major push by participants (including some major oil and gas companies) was to reduce GHG emissions from oil and gas operations, including a ban on routine flaring of natural gas produced from new well drilling.

Looking at what happened in Dubai, it is clear that the Ventura County Planning Commission and Board of Supervisors were very prescient by approving the climate actions on flaring in 2020.

The problems with flaring haven't gone away. Flaring produces significant air pollution and greenhouse gas emissions and destroys a valuable energy resource without providing any benefit whatsoever. It is unconscionable to support the idea of routine flaring.

I urge you to vote no on changing this regulation.

Thank you,

Phil White

Ojai