

EXHIBIT 8

ADDITIONAL COMMENTS

March 30, 2024

From: Phil White - Ojai, CA

To: Ventura County Board of Supervisors

SUBJECT: PROPOSED REVISIONS TO POLICY COS-7.8 – PROBLEMS WITH ENVIRONMENTAL REPORT

On September 15, 2020, the Board of Supervisors adopted the new 2040 General Plan, including policy COS – 7.8, which prohibited routine (non-emergency) flaring connected with new oil and gas drilling operations. After this policy went into effect on October 15, 2020, a number of lawsuits by oil and gas interests were filed seeking to reverse this policy to allow routine flaring based on “infeasibility” of not being allowed to flare.

The “project” being considered by the Board of Supervisors is a proposed change to, and weakening of, County regulations on flaring. Environmental documentation associated with this “project” is required by CEQA Section 15162 to assess the environmental impacts of this proposed change. The documentation presented to the Planning Commission and the Board of Supervisors (2040 General Plan EIR and Addendum) fails to properly do this. This failure needs to be addressed with further analysis and documentation before the Board of Supervisors can make an informed decision on whether or not to weaken the existing regulation banning routine flaring. The environmental documentation (the Addendum) is flawed and needs to be revised before the Board makes a decision.

There are clear impacts that would result from the County allowing routine (non-emergency) flaring that have not been addressed:

1. Loss of Known Petroleum Resources of Value to the Region. Flaring, by its nature, wastes and destroys valuable natural gas by burning it up, without producing any benefit.

The original EIR and subsequent Addendum discuss the loss of petroleum resources and mineral resources associated with the flaring issue; however, they only refer to the loss of oil resources that could be affected by banning flaring (banning flaring clearly does not cause a loss of natural gas resources – quite the opposite). The loss of natural gas resources resulting from now allowing routine flaring as is being proposed in the “project” has not been addressed either in the original EIR or in the Addendum. This is an impact that deserves additional analysis and documentation.

This a new impact that was not previously addressed. This is new information requiring additional analysis. The statement about loss of petroleum resources in the Addendum “..no new or substantially severe impacts would occur compared to those identified in the 2040 General Plan EIR and the conclusions and findings of the 2040 General Plan EIR remain valid” is patently false. Neither the original EIR nor the Addendum addresses the loss of natural gas whatsoever.

2. Generate Greenhouse Gas Emissions. Flaring generates greenhouse gas emissions, including carbon dioxide, nitrous oxide, and methane.

The original EIR and subsequent Addendum discuss greenhouse gas emissions; however neither document addresses the specific greenhouse gas emissions and their effects that would result from weakening the flaring regulation to allow (non-emergency) routine flaring. That analysis does not appear.

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3. Conflict with the Climate Action Plan. The 2040 General Plan includes a Climate Action Plan designed to achieve State greenhouse gas emission goals. Policy COS – 7.8 is part of the Climate Action Plan because it would reduce greenhouse gas emissions by eliminating greenhouse gas emissions from flaring associated with new well drilling.

This is a new impact that was not previously addressed. This is new information requiring additional analysis. The statement about conflict with the adopted Climate Action Plan in the Addendum“..no new or substantially severe impacts would occur compared to those identified in the 2040 General Plan EIR and the conclusions and findings of the 2040 General Plan EIR remain valid” is patently false. Neither the original EIR nor the Addendum analyze whatsoever the specific greenhouse gas emissions and their conflicts with the Climate Action Plan that would result from allowing flaring. The County’s Climate Action Plan already is projected to have insufficient greenhouse gas emission reductions to meet State targets. Eliminating a previously-adopted greenhouse gas emission policy will only exacerbate the problem.

4. Generate Air Pollution Emissions. Flaring generates air pollution emissions, including oxides of nitrogen, benzene, particulates, and odors.

The original EIR and subsequent Addendum discuss air pollution emissions; however neither document addresses the specific air pollution emissions and consequent impacts that would result from weakening the flaring regulation to allow (non-emergency) routine flaring. That analysis does not appear.

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5. A Comment on the Addendum Minimizing Impacts Based on Permit History. The writers of the EIR Addendum minimized the possible impacts of weakening the flaring regulation by citing the lack of permit applications for new discretionary wells in recent years, implying that operators have not been making applications so will likely not be applying for new permits in the future. This argument was made at least sixteen times in the Addendum. The reality is that no one really knows. The fact that oil interests have spent millions of dollars in efforts to be allowed to flare makes one think that they may fully intend to take advantage of the proposed change. The recent buy-out of local oil and gas resources by CRC potentially changes everything that happens in Ventura County, including the possibility of increases in drilling and the desire for flaring.

Before the Board of Supervisors acts on whether or not to weaken the flaring regulation approved by the Board in 2020, they need to be presented with proper environmental documentation. As is pointed out above, this has yet to happen. The presented environmental documents including the original EIR and the subsequent Addendum fail to address the noted impacts.

It is recommended that the Board continue this matter and direct County staff to address the identified deficiencies in the environmental documentation.