



**Planning Director Staff Report – Hearing on February 23, 2017**

**County of Ventura • Resource Management Agency • Planning Division**

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**Renaissance Petroleum Project  
Case No. PL14-0103**

**A. PROJECT INFORMATION**

1. **Request:** The applicant requests that a modified Conditional Use Permit (CUP) be granted to authorize the expansion and continued operation of an existing oil and gas facility. (Case No. PL14-0103)
2. **Applicant:** Renaissance Petroleum, LLC, P.O. Box 20456, Bakersfield, CA 93390
3. **Property Owner:** Richard Naumann, 714 3rd Street, Woodland, CA 95695
4. **Applicant's Representative:** Marc Traut, Renaissance Petroleum, LLC, P.O. Box 20456, Bakersfield, CA 93390
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 26.87-acre property is located at 3214 Etting Road, near the intersection of Etting Road and Highway 1, near the City of Oxnard, in the unincorporated area of Ventura County. The Tax Assessor's parcel number (APN) for the parcel that constitutes the project site is 232-0-062-030 (Exhibit 2). (Note: APN 232-9-062-034 applies to the subsurface mineral interest rights leased by the permittee from the property owner.)

**7. Project Site Land Use and Zoning Designations (Exhibit 2):**

- a. Countywide General Plan Land Use Map Designation: Agricultural
- b. Zoning Designation: AE-40 ac (Agriculture Exclusive, 40-acre minimum lot size)

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

Location in Relation to the Project Site	Zoning	Land Uses/Development
North	AE-40 ac (Agriculture Exclusive, 40 acre minimum lot size)	Agricultural/Etting Road
East	AE-40 ac	Agricultural

Location in Relation to the Project Site	Zoning	Land Uses/Development
South	AE-40 ac	Agricultural/Highway 1
West	AE-40 ac	Agricultural

**9. History:** The 26-acre project parcel is primarily used for agricultural purposes. An area of approximately 41,000 square feet of the site is used for the existing oil and gas facilities and operations authorized by Conditional Use Permit (CUP) 4384 (as modified by CUP LU05-0086). The authorized oil and gas activities include the installation, testing, production, reworking, and maintenance of one oil and gas well and associated equipment. The current operator of the oil and gas facility is Renaissance Petroleum, LLC. Historical discretionary development on the property includes the following:

- On December 19, 1986, the Planning Director granted CUP 4384 to Cities Service Oil and Gas Company to authorize the installation, operation and maintenance of one exploratory oil and gas well and associated facilities. The processing operations permitted included the separation of produced water and natural gas from crude oil and those processing operations required for injection purposes and for the transportation of production products from the site. The CUP was granted for a 20-year period ending on December 23, 2006.
- On May 21, 2007, the Planning Director granted CUP LU05-0086 to authorize a 30-year extension of the effective period of CUP 4384 (the expiration date of the current CUP is May 21, 2037), and to authorize the drilling of an additional well and construction of two gathering pipelines. The permitted uses included one existing well for oil and gas production, or injection, and the addition of one new well for oil and gas production, or injection. The second well was required to be drilled by May 31, 2012 but was not completed by that date (see below).
- On July 7, 2010, the Planning Director approved Permit Adjustment (PAJ) LU10-0067 of CUP LU05-0086. This PAJ modified Condition No. A-2 of CUP LU05-0086 to extend the authorized time period for the drilling of one additional oil and gas well from May 31, 2010, to May 31, 2012.
- On September 26, 2010, the Planning Director granted PAJ LU10-0089 of CUP LU05-0086 to authorize the installation of a natural gas tank at the existing oil and gas processing facility.

On July 24, 2014, the applicant, Renaissance Petroleum, LLC, applied for the modification of CUP LU05-0086 that is currently under review. The components of the proposed project are described below.

**10. Project Description:**

The applicant requests that a modified Conditional Use Permit (CUP) be granted to authorize the expansion and continued use of an existing oil and gas facility. The proposed project includes the following components (refer also to Exhibit 3):

- a) Installation, testing, operation, reworking, and maintenance of a total of five oil and gas wells (i.e. one existing well and four proposed wells). The existing oil and gas well is designated as Naumann No. 1 (API No. 11121431) with the coordinates (NAD83): 34.1603, -119.131007. The four proposed oil and gas wells and pumping units will be designated as Naumann No. 2, No. 3, No. 4, and No. 5, and will be located on the existing drilling pad. All of the drilling, completion, and production operations will be conducted in accordance to the rules and regulations of the California Department of Conservation, Division of Oil and Gas and Geothermal Resources ("DOGGR");
- b) The operation of equipment such as pumps, heaters, and refrigeration systems, and compressors for the separation of natural gas and produced water from crude oil, the separation of natural gas liquids from produced natural gas, and the processing of the natural gas to the specifications established by the Southern California Gas Company ("SCGC") for the introduction of the natural gas into the SCGC distribution pipeline system for sale to local customers;
- c) The operation of equipment such as pumps and compressors to support the on-site injection of produced water into a well or wells for disposal purposes or the on-site injection of natural gas into a well or wells for the purpose of reservoir pressure maintenance, or for the utilization of natural gas for gas lifting liquids from wells. (One well is currently authorized to be used for injection purposes.). Any injection activities will only involve water or gas produced at the Naumann Drillsite or the Rosenmund Drillsite (another approved drillsite within the Cabrillo field which is discussed below);
- d) The transport of gas, natural gas liquids, crude oil, and produced water from the site (produced water may be transported to the Rosenmund Drillsite, or to a permitted commercial facility for disposal);
- e) The construction and operation of equipment and structures associated with the storage, processing, and transporting of oil, gas, natural gas liquids, and water, as shown on project plans;
- f) An increase in the permitted number of truck trips associated with the transport of produced fluids from 4 one-way trips per day (2 truckloads) to 20 one-way trips per day (10 truckloads) to account for the anticipated increase in

production. Truck transport of fluids will be limited to 4 one-way trips during peak traffic hours. The remaining 16 one-way trips will occur during non-peak hours;

- g) Extension of the hours of fluid transport (trucking) to 24 hours per day, 7 days per week from the currently authorized 7:30am to 6:30pm Monday through Saturday schedule; and,
- h) Modifications of the ancillary equipment used at the facility as follows:
  - i. Removal of two existing 500-barrel crude oil storage tanks;
  - ii. Removal of one existing 500-barrel produced water tank;
  - iii. Installation of two new 1,000-barrel crude oil storage tanks;
  - iv. Installation of one new 1,000-barrel produced water storage tank;
  - v. Relocation of one existing 500-barrel fire water storage tank;
  - vi. Relocation of one existing 20-foot tall light post; and,
  - vii. Relocation of one existing emergency gas flare.

Each of the three proposed new tanks is 21 feet in diameter and 16 feet in height.

The authorized Naumann Drillsite serves as the hub for operations of the Cabrillo Oil Field. The authorized oil and gas facility currently includes two gathering pipelines owned and operated by Renaissance Petroleum, LLC. The two gathering pipelines connect the Naumann Drillsite to the oil and gas facilities designated as Rosenmund Drillsite, authorized by CUP 5252 (see Exhibit 8). The Rosenmund Drillsite is located at 2797 East Pleasant Valley Road. Oil, gas and water produced at the Rosenmund Drillsite are conveyed by gathering pipelines to processing and storage facilities on the Naumann Drillsite in compliance with Section 8107-5.5.7 of the Ventura County Non-Coastal Zoning Ordinance. The gathering pipelines are regulated and administered by DOGGR.

No additional grading or expansion of the existing drilling pad is proposed. The applicant requests that the permit expiration date be extended from the Year 2037 to the year TBD (30 years after the effective date of this 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, 1986 the Planning Director adopted a Mitigated Negative Declaration (MND) that evaluated the environmental impacts of the project. This MND is attached as Exhibit 4b. 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 MND have occurred. The MND Addendum (Exhibit 4a) attached to this staff report 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 proposed project involves the continued use of an existing disturbed drillsite for oil and gas activities. No new disturbance of land, loss of agricultural soils, or other substantial environmental effect has been identified that would result from the proposed project. The increase in truck traffic volume of 16 one-way trips per day will be limited to non-peak hours under the recommended conditions of approval. The proposed expansion of the trucking hours to 24 hours per day will also distribute the truck trips associated with the project over a longer time period. Thus, no new potentially significant impact on traffic will result from the proposed project. The oil and gas production and associated injection operations will be subject to engineering standards and regulations enforced by the California Division of Oil and Gas and Geothermal Resources (DOGGR). The operator will be required by DOGGR to prepare and implement a Spill Prevention Control and Countermeasure Plan (SPCC). No substantial evidence has been identified that these facilities will result in a significant impact on surface or groundwater resources.

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 a MND, and the Addendum to the MND (Exhibit 4a) satisfies the environmental review requirements of CEQA.

### **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*.

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.*

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. It is estimated by the applicant that the installation of the proposed four new wells will require the consumption of approximately 120,000 gallons (0.4 acre-feet) of water (60,000 for the first well, and 20,000 for each of the three wells). In addition, 21,000 gallons of water will be stored onsite for fire suppression purposes. This short-term use of a minor quantity of groundwater does not constitute a potentially significant effect on water resources. The water for the project site is supplied by the United Water Conservation District. The project site will use recycled agricultural water as a secondary source of water.

Oil and injection well construction is regulated by DOGGR who requires that new wells be sealed with cement from ground surface to below the base of fresh water. This engineering standard prevents the contamination of fresh-water zones from petroleum fluids produced from deeper geologic formations. Injection wells are subject to periodic testing and additional regulations that serve to prevent contamination of fresh water zones. The operator will be required by DOGGR to prepare and implement an SPCC. The SPCC serves to minimize the frequency and adverse effects of incidental spills of produced fluids. Therefore, the proposed project will not result in a potentially significant impact on the quality of water resources.

Based on the above discussion, the proposed project is consistent with Policy 1.3.2-4.

2. **Resources Policy 1.6.2-1:** *Discretionary development located on land designated as Agricultural (see Land Use Chapter) and identified as Prime Farmland or Farmland of Statewide Importance on the State's Important Farmland Inventory, shall be planned and designed to remove as little land as possible from potential agricultural production and to minimize impacts on topsoil.*

**Resources Policy 1.6.2-6:** *Discretionary development adjacent to Agricultural-designated lands shall not conflict with agricultural use of those lands.*

**Land Use Policy 3.2.2-4:** *Agricultural: (1) The Agricultural land use designation shall primarily include lands which are designated as Prime Farmlands, Farmlands of Statewide Importance or Unique Farmlands in the State's Important Farmland Inventory (IFI), although land may not be designated Agricultural if small areas of agricultural land are isolated from larger blocks of farming land (in such cases, the agricultural land is assigned to the Open Space or Rural designation of the surrounding properties). (2) The smallest minimum parcel size consistent with the Agricultural land use designation is 40 acres. Subzones may require larger minimum parcel sizes. (3) Agricultural land shall be utilized for the production of food, fiber and ornamentals; animal husbandry and care; uses accessory to agriculture and limited temporary or public uses which are consistent with agricultural or agriculturally related uses.*

The project site has a designation of Prime Farmland. The project site has been previously disturbed for the construction of the existing oil and gas facility. The proposed project does not involve any expansion of the oil and gas facility or removal of Prime Farmland from agricultural use.

The project site's utilization as an oil and gas production site is compatible with the adjacent agricultural uses and is allowed by the Non-Coastal Zoning Ordinance. Additionally, Conditions of Approval Nos. 59 and 60 will minimize any potential minor conflicts between the project site and adjacent agricultural uses.

Based on the above discussion, the proposed project is consistent with Policies 1.6.2-1, 1.6.2-6 and 3.2.2-4.

- 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 not located within a Scenic Resource Protection overlay zone and no scenic resources exist on the site. The above-ground components of the proposed project will be installed on the existing graded pad in the CUP area. The site is located adjacent to State Route 1. State Route 1 is designated as an Eligible County Scenic Highway. Although the facility is visible along State Route 1, the project would not create a significant visual impact because the modifications/new equipment at the project site would be similar to

the existing equipment and, per Condition of Approval No. 28, the facilities would be required to be painted/colored so as to mask the facilities from the surrounding environment. Additionally, the site is consistent in appearance with other development in the Oxnard Plain area.

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

- 4. Resources Policy 1.8.2-1:** *Discretionary developments shall be assessed for potential paleontological and cultural resource impacts, except when exempt from such requirements by CEQA. Such assessments shall be incorporated into a Countywide paleontological and cultural resource data base.*

The proposed project involves minor ground disturbance in areas that have largely been disturbed as part of historic oil and gas exploration and production activities. Although the ground disturbance activities are unlikely to encounter or reveal the presence of subsurface cultural resources, it is possible that previously unknown and undocumented subsurface resources exist on the site. Therefore, the proposed project will be subject to conditions of approval to address a discovery made during construction. If paleontological or archaeological resources are discovered during ground disturbance activities, all activities shall cease until a County-approved consultant evaluates the resources and measures are implemented to recover or preserve the discovered resources (Exhibit 5, Condition Nos. 21 and 22).

Based on the above discussion, the proposed project is consistent with Policy 1.8.2-1.

- 5. 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.*

A 21,000-gallon (500 barrel) water tank will be maintained on the site for fire suppression. The proposed oil and gas facility will be accessible for fire protection and evacuation purposes from a County-maintained road (Etting Road). The proposed project has been reviewed by the Ventura County Fire Protection District (VCFPD) and will be subject to conditions of approval to require that adequate water supply and access for fire protection and evacuation purposes be maintained. The VCFPD has determined that adequate access and response time for fire protection is available to serve the project site.

Based on the above discussion, the proposed project is consistent with Policy 2.13.2-1.



**6. 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.*

The proposed project is an existing oil and gas facility and is not a noise sensitive use. The site is located about 500 feet north of Highway 1. Traffic on this highway contributes to the ambient noise in the area. The proposed additional oil and gas activities would be similar to the existing permitted activities. The proposed activities will generate noise during construction (well and ancillary facility installation), operation of pumping units, and truck traffic. The well drilling activities are temporary and would involve only a few months of the 30-year lifespan of the project. The pumping units are electrically-powered and do not generate substantial noise. In any case, the nearest noise sensitive uses are single-family residences located approximately 500 feet to the west of the proposed project site (approximately 250 north of Highway 1), and 2,000 feet to the east of the site. At these distances/locations, the noise generated from the activities included in the proposed project would not exceed the noise thresholds established in the above policies. Additionally, the proposed project will be subject to conditions of approval to maintain project related noise levels measured at the residential areas below the policy limits or to obtain waivers from the affected parties. Finally, the noise from the increased trucking operations are not subject to the County noise policy as the trucks would be travelling on roads included in the Regional Road Network.

Based on the above discussion, the proposed project is consistent with Policy 2.16.2-1.

- 7. 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 the development of new public improvements and services related specifically to the subject facility. The project will, however, incrementally contribute to regional traffic. Thus, the Permittee will be required to pay a Transportation Impact Mitigation Fee as specified by County ordinance. Thus, the Permittee will contribute to the cost of public improvements.

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

- 8. 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 proposed project involves an existing oil and gas facility for which adequate public services are already available. The expansion and ongoing operation of this existing facility 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.

**9. 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 proposed project has been reviewed by the VCFPD and will be subject to conditions of approval (Exhibit 5, Condition of Approval No. 50) that require adequate water supply for fire protection to be maintained. A 21,000-gallon (500 barrel) water tank will be installed on the site to provide water for fire suppression. Access to the project site is provided from Etting Road and is adequate for fire protection and other emergency services. The response time from the nearest fire station located on 531 East Pleasant Valley Road in Oxnard is adequate for fire protection.

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), the proposed use is allowed in the Agriculture Exclusive zone district with the granting of a CUP. Upon the granting of the CUP, the Permittee will be in compliance with this requirement.

The proposed project includes the construction and use of structures that are subject to the development standards of the Ventura County NCZO (§ 8106-1.1). Table 2 lists the applicable development standards and an evaluation of whether the proposed project is designed in conformance with these standards.

**Table 2 – Development Standards Consistency Analysis**

Type of Requirement	Zoning Ordinance Requirement	In conformance?
Minimum Lot Area (Gross)	40 acres	Not applicable. Oil and gas facilities can be permitted on substandard lots regardless of legal lot status.
Maximum Percentage of Building Coverage	5 percent	Yes
Front Setback	20 feet	Yes
Side Setback	10 feet	Yes
Rear Setback	15 feet	Yes
Maximum Building Height	25 feet	Yes

**Table 2 – Development Standards Consistency Analysis**

Type of Requirement	Zoning Ordinance Requirement	In conformance?
		(Note: The temporary drilling rig will exceed 25 feet in height.)

The proposed oil and gas facility is subject to the special use standards of the Ventura County NCZO (§ 8107-5.6). Table 3 lists the applicable special use standard and a description of whether the proposed project is designed in conformance with the special use standards.

**Table 3 – Special Use Standards Consistency Analysis**

Special Use Standard	In conformance?
Setbacks	Yes, Applicant has obtained a waiver from the owner of the buildings located on the adjacent parcel to the west of the drillsite.
Drainage Course Obstruction	Yes
Removal of Equipment	Yes, pursuant to Condition No. 24
Waste Handling	Yes, pursuant to Condition No. 25
Securities	Yes, pursuant to Condition No. 23
Dust Prevention and Road Maintenance	Yes, pursuant to Condition No. 26 and 60
Light Emanation	Yes, pursuant to Condition No. 27
Reporting of Accidents	Yes, pursuant to Condition No. 19
Painting	Yes, pursuant to Condition No. 28
Site Maintenance	Yes, pursuant to Condition No. 4
Site Restoration	Yes, pursuant to Condition No. 29
Insurance	Yes, pursuant to Condition No. 30
Noise Standard	Yes, pursuant to Condition No. 31
Preventive Noise Insulation	Yes, pursuant to Condition No. 32
Soundproofing Material	Yes, pursuant to Condition No. 32
Hours of Well Maintenance	Yes, pursuant to Condition No. 2
Limited Drilling Hours	Yes, pursuant to Condition No. 33
Signs	Yes, pursuant to Condition No. 34
Fencing	Yes, pursuant to Condition No. 35
General Standards	Yes, pursuant to the Conditions of Approval.
Screening and Landscaping	Yes, the project site is located in an existing site and is consistent with the characteristics of the surrounding areas.
Inspection, Enforcement and Compatibility Review	Yes, pursuant to Condition No. 12

Oil Development Guidelines (Section 8107-5.5 of the NCZO):

The project is subject to the Oil Development Guidelines established in the NCZO. The guidelines require the use of pipelines to transport petroleum products from the production site whenever physically and economically feasible and practicable. The

applicant has provided an evaluation (Exhibit 7) of the feasibility to transport petroleum products from the production site with a pipeline rather than the current and proposed truck transport. Planning Division staff reviewed this evaluation and finds it adequate to address this issue. Staff concurs with the conclusion that it is not feasible or practical to convey petroleum products from the facility with a pipeline. This conclusion is based primarily on the economic infeasibility of the development of a new pipeline for the limited anticipated production. The nearest pipeline connections are located from approximately 7 miles to approximately 11 miles from the subject facility. Two of the three options evaluated would require under crossings below U.S. Highway 101. Given these cost factors, the limited historic and anticipated production, and the lack of new potentially significant impacts that would result from the continued truck transport of produced fluid, it is not "physically and economically feasible and practicable" to require the construction of a pipeline to serve the existing and proposed oil production facilities on the project site.

#### **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 NCZO. 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 drilling of up to four oil and gas wells and the installation of related production equipment on an existing drilling pad within the Oxnard Oil Field. No substantial change in the character of the facility or the area would occur with the proposed project. Most of the project parcel and the surrounding lands are used for cultivated agriculture and the site will continue to be compatible with the character of the surrounding area.

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].**

No substantial adverse effect on neighboring property or uses has been identified that would result from the proposed project. Given the location of the existing oil and gas facilities, and the conditions of approval, no obnoxious or harmful effect on sensitive residential uses or people are anticipated to result from the continued and expanded oil and gas activities. The use of the surrounding agricultural lands would also not be affected or impaired.

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 drilling of four additional wells at an existing oil and gas facility. No substantial adverse effect on public health, safety, convenience or welfare has been identified that would result from implementation of the proposed project. In addition to County regulation under the requested modified CUP, the facility will be subject to permit requirements and ongoing monitoring by the California Division of Oil and Gas and Geothermal Resources (DOGGR), and the Ventura County Air Pollution Control District. In addition, the facility will be subject to regulation by the Regional Water Quality Control Board. The project will be subject to conditions of approval (Exhibit 5) to require that oil and gas operations be conducted in compliance with County and State regulations.

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 oil and gas facilities is allowed in the Agricultural Exclusive Zone with the granting of a Conditional Use Permit. This facility occupies only one acre of a large agricultural property and will continue to be compatible with the surrounding agricultural uses. The portion of the project parcel dedicated to oil and gas production is not proposed to expand. Given the prime agricultural soils in the area and the General Plan designation of Agriculture, a change in the land use designation, zoning or land use 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 [§ 8111-1.2.1.1.f].**

The applicant requests that a modified conditional use permit be granted to authorize continued and expanded 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.

**7. The establishment or maintenance of this use will not significantly reduce, restrict or adversely affect agricultural resources or the viability of agricultural operations in the area [Section 8111-1.2.1.2.a].**

The project site is located on land designated as Agricultural in the County of Ventura General Plan and identified as Prime Farmland in the State's Important Farmland Inventory. The project site has been previously disturbed for the construction of the existing oil and gas facility. The proposed project does not involve any expansion of the oil and gas facility footprint or removal of Prime Farmland. Additionally, no operational aspects of the project, including maintenance, would restrict or adversely affect agricultural resources or the viability of agricultural operations in the area. The project site's utilization as an oil and gas production site is compatible with agricultural uses and allowed by the NCZO. Additionally, Conditions of Approval Nos. 59 and 60 will minimize any potential minor conflicts between the project site and adjacent agricultural uses.

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

**8. The structures will be sited to minimize conflicts with agriculture, and other uses will not significantly reduce, restrict or adversely affect agricultural activities on-site or in the area, where applicable [Section 8111-1.2.1.2.b].**

The project site has been previously disturbed for the construction of the existing oil and gas facility. The proposed project will utilize the existing site for the new facilities and does not involve any expansion of the oil and gas site. The project site's utilization as an oil and gas production site is compatible with agricultural uses and allowed by the Non-Coastal Zoning Ordinance. Additionally, Conditions of Approval Nos. 59 and 60 will minimize any potential minor conflicts between the project site and adjacent agricultural uses.

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

**9. The use will be sited to remove as little land from agricultural production (or potential agricultural production) as possible [Section 8111-1.2.1.2.c].**

The project site has been previously disturbed for the construction of the existing oil and gas facility. The proposed project does not involve any expansion of the oil and gas facility or removal of additional land from agricultural production.

Based on the discussion above, 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*. Additionally, for a hearing previously scheduled (and subsequently cancelled) for February 26, 2015, noticing was completed. At the time of the initial hearing notice, 59 letters in support of the project were received (Exhibit 6). As of the date of this document, the Planning Division has received no additional letters of public comment.

The project site is located within the City of Oxnard's Area of Interest. Therefore, on October 13, 2014, the Planning Division notified the City of Oxnard of the proposed project. The City of Oxnard has not provided any comment on 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 MND Addendum (Exhibit 4a), and has considered all comments received during the public comment process;
2. **FIND** that none of the conditions described in Section 15162 of the CEQA Guidelines calling for the preparation of a subsequent MND have occurred;
3. **APPROVE** the MND Addendum (Exhibit 4a) as satisfying the environmental review requirements of CEQA;



4. **MAKE** the required findings to grant a modified 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 PL14-0103, subject to the conditions of approval (Exhibit 5).
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 10<sup>th</sup> 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 Monica Hood at (805) 654-5038 or [Monica.Hood@ventura.org](mailto:Monica.Hood@ventura.org).

Prepared by:

Reviewed by:



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Commercial & Industrial Permits Section



Brian R. Baca, Manager  
Commercial & Industrial Permits Section

#### EXHIBITS

- Exhibit 2 – Location Map
- Exhibit 3 – Site Plans
- Exhibit 4 – Environmental Documents
  - a. MND Addendum
  - b. Mitigated Negative Declaration
- Exhibit 5 – Draft Conditions of Approval
- Exhibit 6 – Letters Submitted in Favor of Project at Time of Noticing for Previously Scheduled Hearing
- Exhibit 7 – Pipeline Feasibility Analysis
- Exhibit 8 – Existing Gathering Pipelines