

Planning Commission Hearing September 7, 2017

for

Renaissance Petroleum, LLC Naumann Oil and Gas Facility

Case No. PL14-0103

(Minor Modification of CUP LU05-0086)



Ventura County Planning Division
Bonnie Luke, Case Planner

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Naumann Oil and Gas Facility



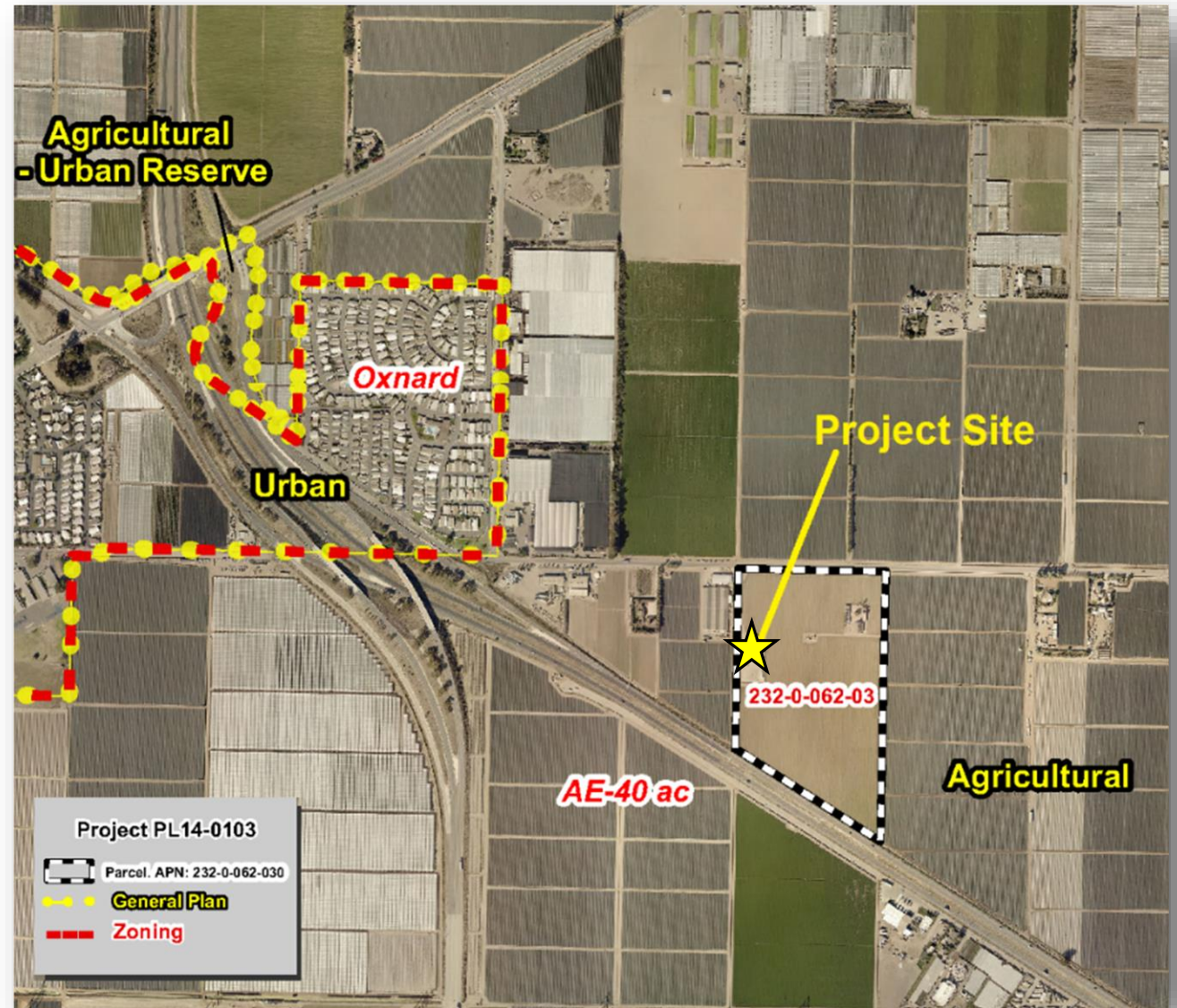
Project Location

3214 Etting Road, Oxnard, CA 93033



Land Use and Zoning

- 1-acre site on 26-acre parcel
- General Plan: Agricultural
- Zoning: AE-40 ac



Naumann Drill Site



PERMITTED SINCE 1986

- 1 – acre site
- Naumann No. 1 Well
- Produces oil and natural gas
- Permit Expires in 2037

Naumann Drill Site



PERMITTED SINCE 1986

Fire water storage tank

Existing well

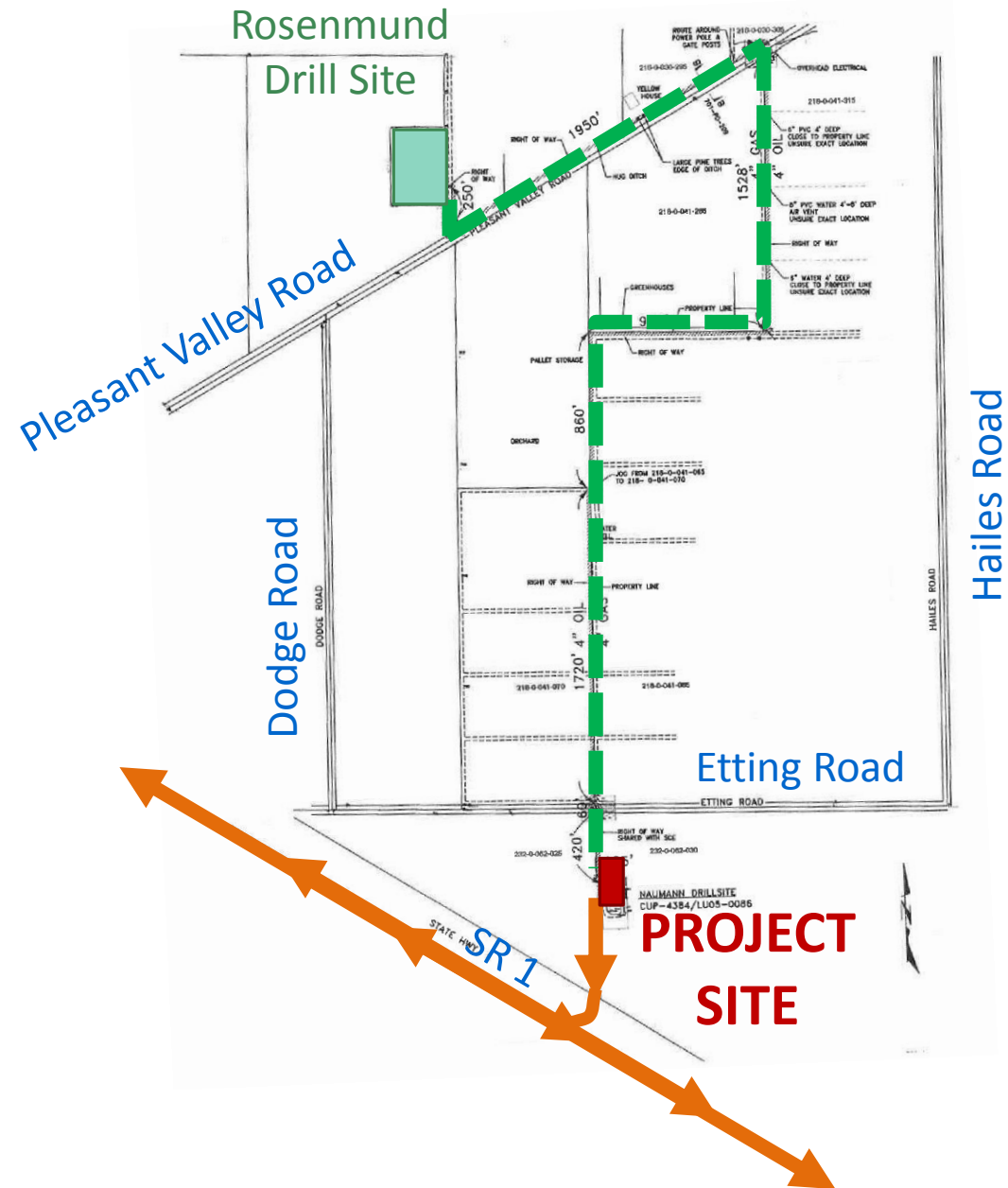
Storage tanks

Emergency gas
flare

Existing Pipelines

---SCGC Distribution Line

--- Gathering Pipeline Route (carrying oil, gas, and water)



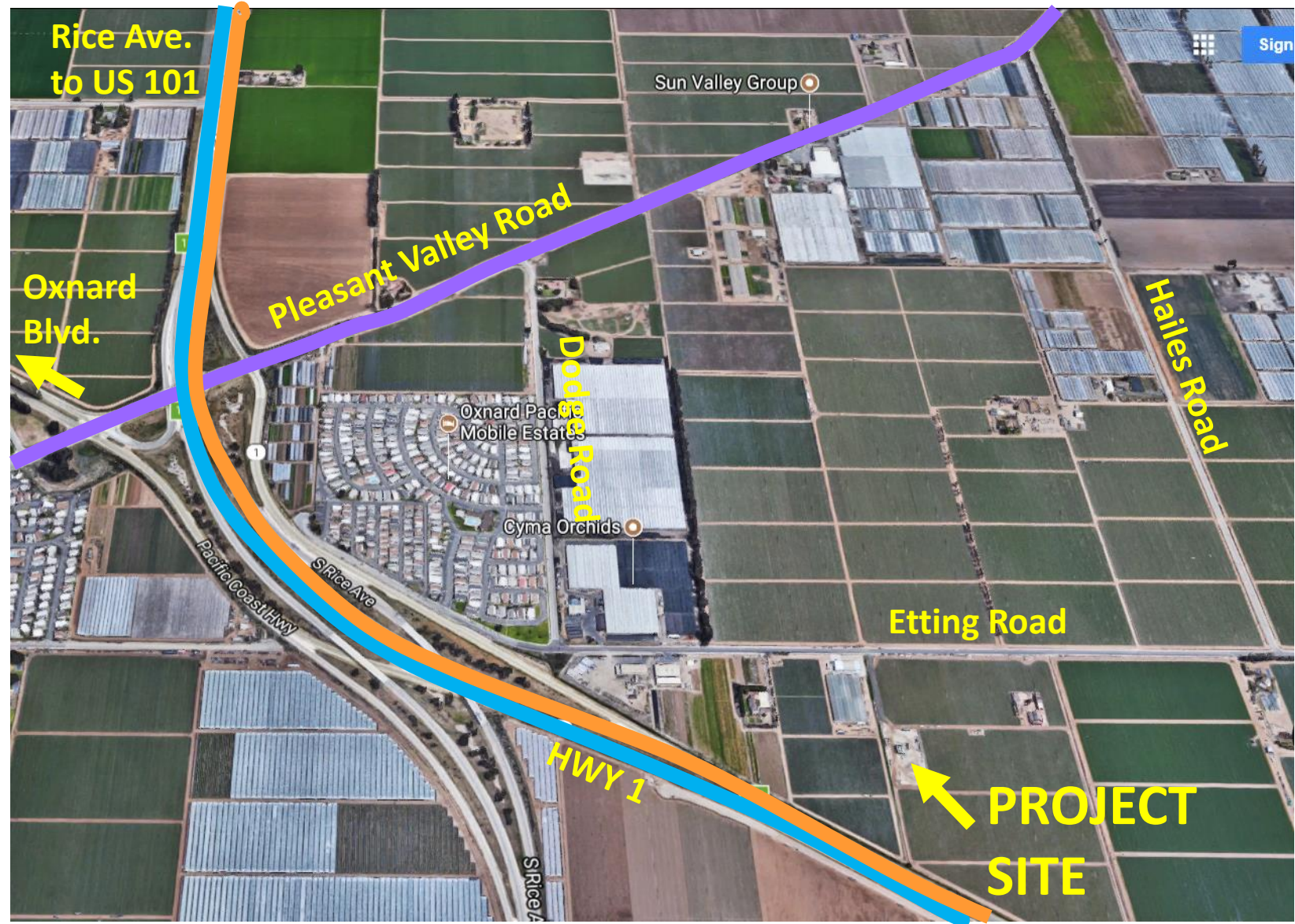
Site Access

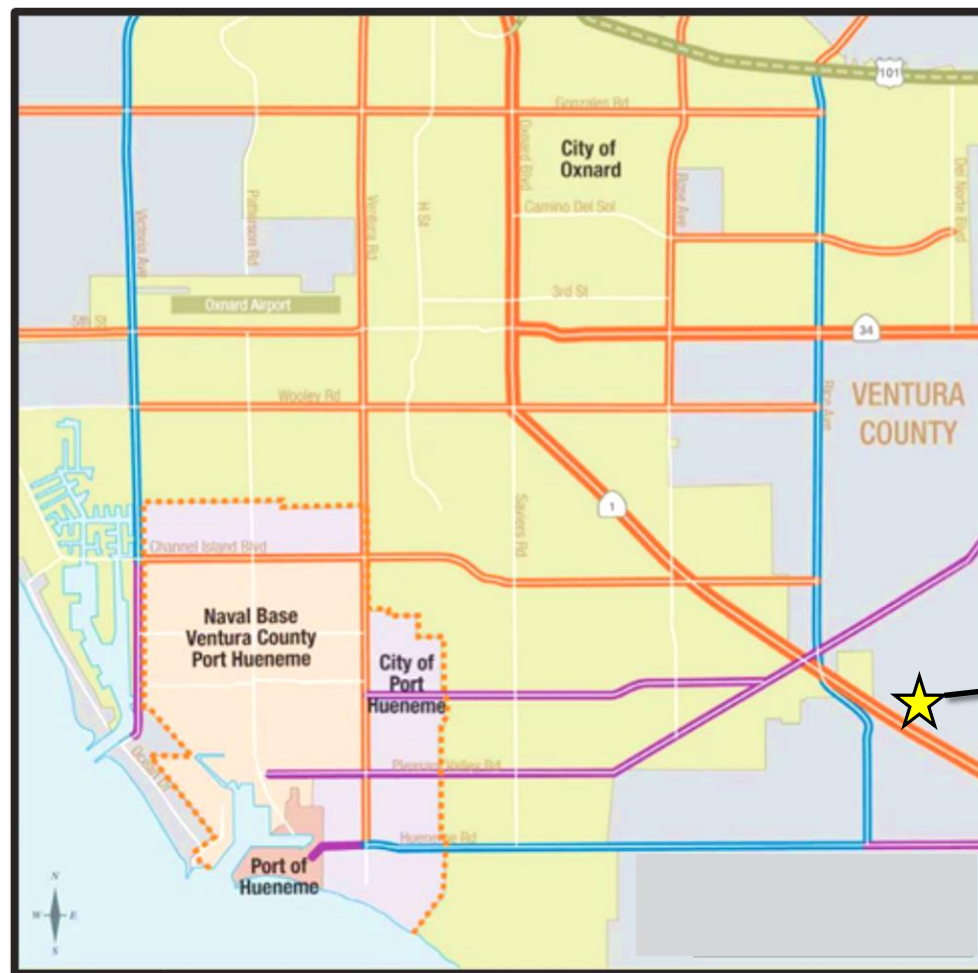
- Etting Road
- Dodge or Hailes Roads
- Pleasant Valley Road
- HWY 1 (SR 1)/Rice Ave.



Trucking Routes

- HWY 1 (SR 1)/Rice Ave.
- Pleasant Valley Road





- City of Oxnard Commercial Vehicle Route
- City of Port Hueneme Commercial Vehicle Route
- Other Truck Route

PROJECT SITE

Source: Cities of Port Hueneme and
Oxnard Truck Traffic Study, 2008

Area Trucking Routes

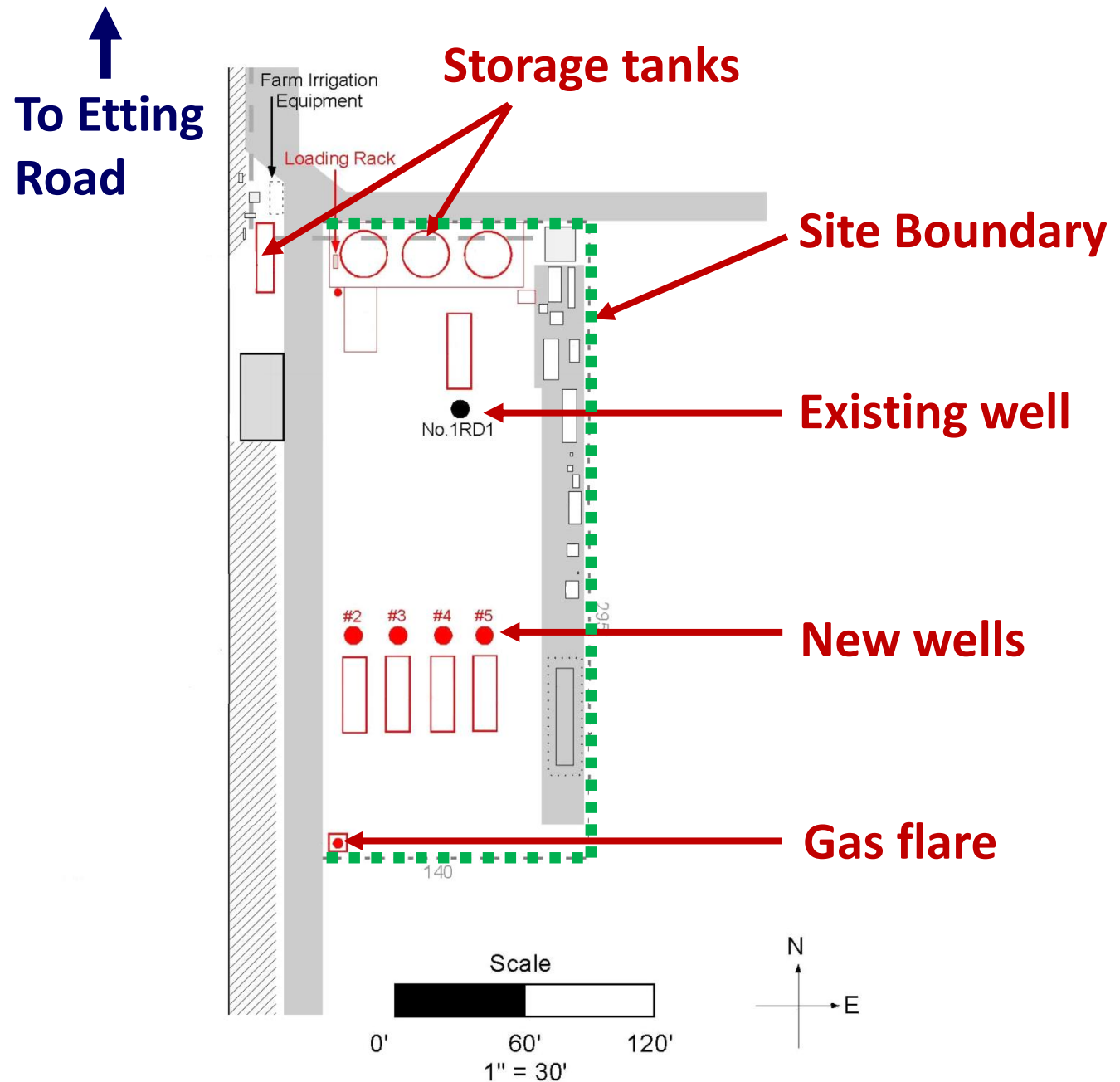
2015 Traffic Data

(Vehicles Per Day)

Road	Location	Vehicles per Day (VPD)
Rice Avenue	s/o E. Fifth Street (SR 34)	31,700 (~2,000 trucks)
Pleasant Valley Road	s/o E. Fifth Street (SR 34)	15,900
Etting Road	e/o Dodge Road	2,700
Laguna Road	e/o Pleasant Valley Road	2,200
Wood Road	s/o E. Fifth Street (SR 34)	1,200

Proposed Facility Modifications

- Installation of 4 new oil and gas wells
- Modifications to existing equipment
 - ✓ Relocate gas flare
 - ✓ Relocate fire water storage tank
 - ✓ Replace produced water and oil storage tanks

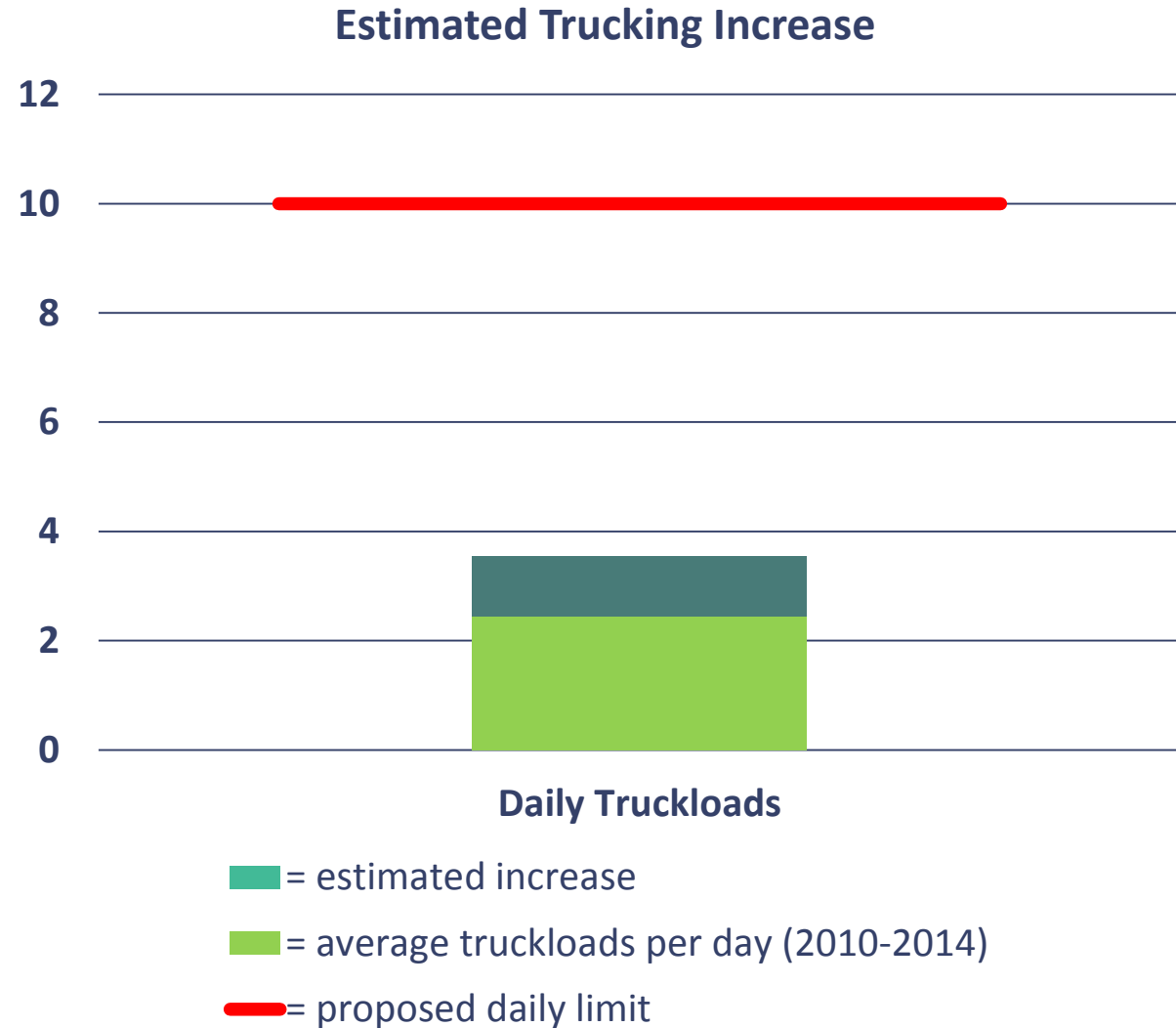


Proposed Operational Modifications

- Amend time limit on drilling phase
- Extend permit term to year 2047
- Prohibit use of Dodge Road
- Limit daily tanker truck traffic
 - ✓ 10 truckloads/day
 - ✓ 3 truckloads/hour
 - ✓ 2 truckloads/hour during peak traffic periods
- Allow trucking 24/7

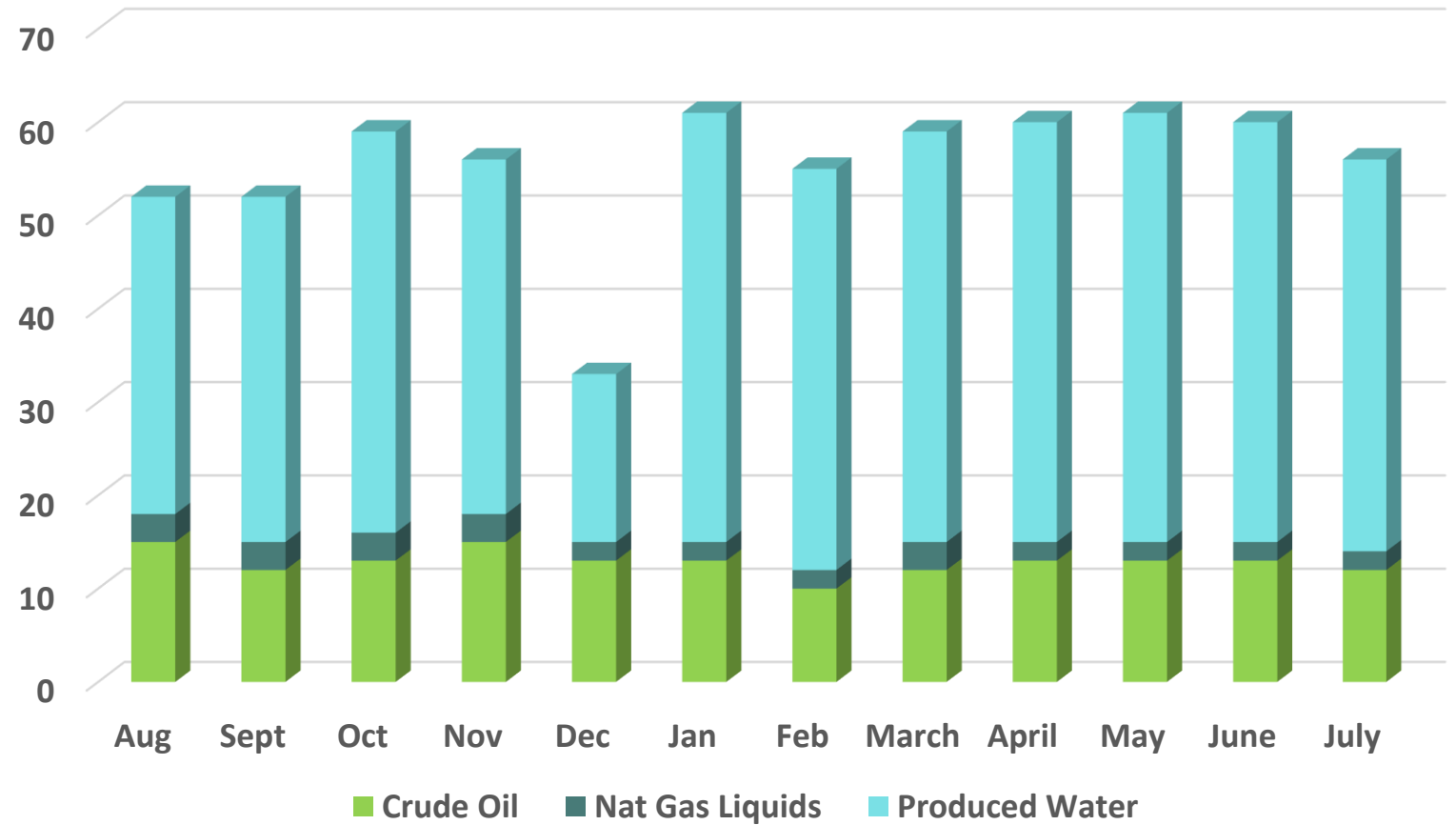
Estimated Increase in Daily Trucking

- Existing Average: 2.45 truckloads/day
- Project Average: +1.1 truckloads/day**
- New Est. Average: 3.55 truckloads/day

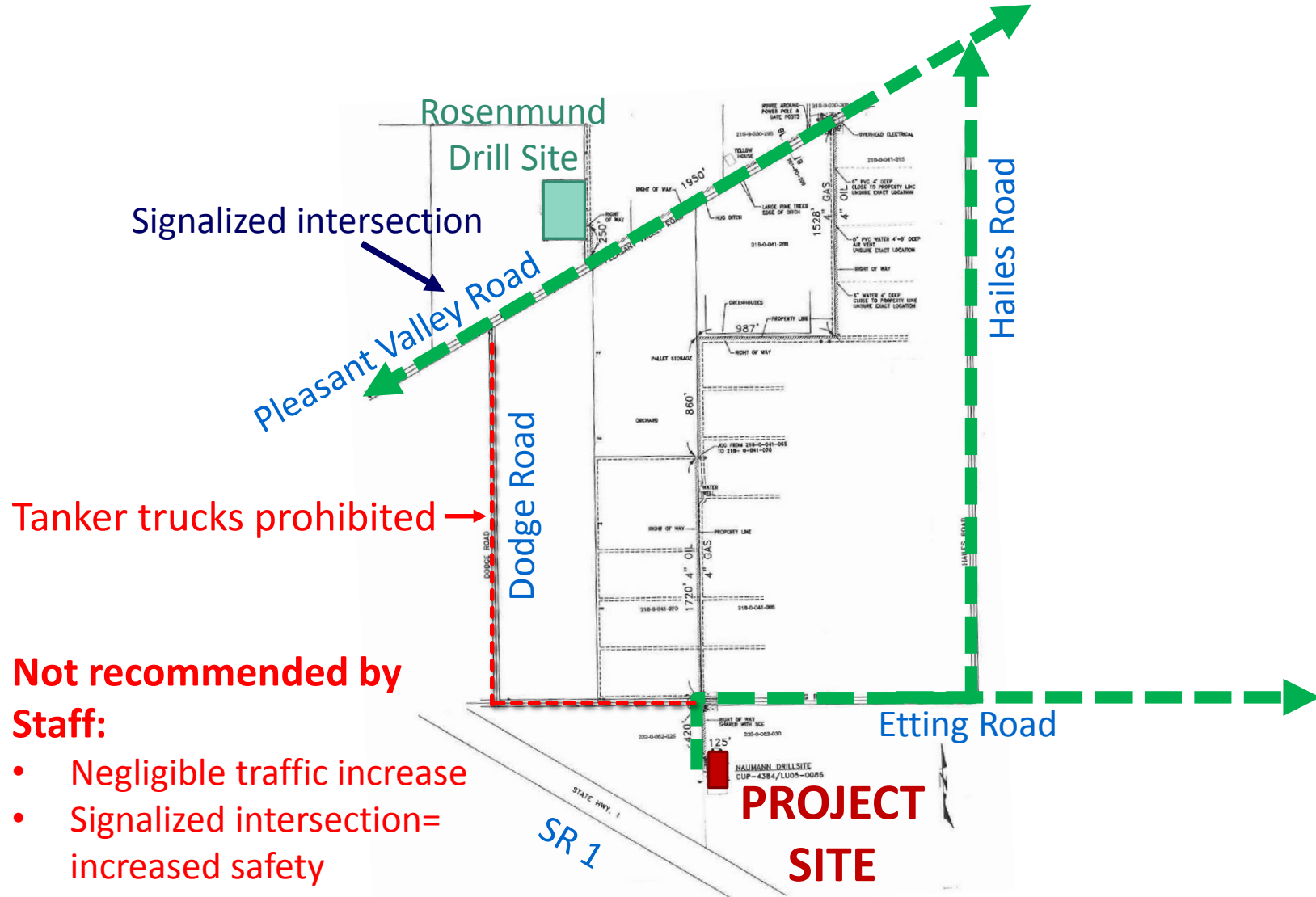


Total Truckloads

August 2013-July 2014



Proposed Trucking Routes



Dodge Road vs. Hailes Road



Signalized intersection with dedicated turn lane



Stop sign; no dedicated turn lanes.
Cross-traffic does not stop. Speed limit on Pleasant Valley Road = 55 mph.

Project Summary

Currently Authorized		Proposed
Total # of Wells	1	5
Days of Operation	7 days/week	No change
Hours of Operation (maintenance; non-emergency)	7AM – 7PM	No change
Trucking Days	6 days/week; (Monday – Saturday)	7 days/week
Trucking Hours	7:30AM – 6:30PM	24 hours/day
Daily Truck Trip Limits	No Limits	10 truckloads/day 3 truckloads/hour 2 truckloads/hour (peak traffic periods)
<i>Permit Term</i>	<i>Term ending 2037</i>	<i>Term ending 2047</i>

Project History

Action	Description	CEQA	Date
Planning Director grants CUP 4384	<i>One exploratory oil well and associated facilities</i>	<i>MND adopted</i>	December 19, 1986
Planning Director grants Permit Adjustment to CUP4384	<i>Redrilling of existing well; two additional exploratory wells</i>	<i>Categorically exempt from CEQA.</i>	February 22, 1989
Planning Director grants Modified CUP (Case No. LU05-0086)	<i>One additional well and gathering pipelines</i>	<i>Categorically exempt from CEQA.</i>	May 21, 2007
Planning Director grants Modified CUP (Case No. PL14-0103)**	<i>Four additional wells</i>	<i>MND Addendum</i>	April 3, 2017
**Decision Appealed to Planning Commission			April 13, 2017

Scope of Hearing

There are two decisions before the Commission:

- 1) Decide whether the request for the modified CUP should be granted, granted with conditions, or denied.
- 2) Decide whether the subject appeal should be granted, denied, or granted with modifications.

Appellants

- CFROG
- Food and Water Watch

Grounds of the Appeal

“Appellants challenge the Planning Director’s decision based on violations of the California Environmental Quality Act, California Environmental Justice statutes, the Ventura County Non-Coastal Zoning Ordinance, and other federal, state and local laws, regulations, procedures and policies to protect the environment and public from the adverse effects of oil and gas development and to ensure due process of law.”

Ground of Appeal No. 1

The Planning Director's decision violates CEQA.

- Preparation of a full EIR is required.
- Naumann + Rosenmund drill sites = single project under CEQA.

Staff Response to Ground No. 1

- The “whole of the action” under review is the 4 new wells at the Naumann facility
- There is no substantial evidence of a significant impact
- The MND addendum is the appropriate document
 - Traffic, Air Quality, Health Risk evaluated
- An EIR is not required because:
 - criteria specified in CEQA Section 15162 not met
 - no adopted threshold of significance has been exceeded
- No change in the Rosenmund facility is proposed

This ground of appeal is without merit.

CEQA Substantial Evidence Requirement

Section 15064(f)(4): *The existence of **public controversy** over the environmental effects of a project will not require preparation of an EIR if there is no **substantial evidence** before the agency that the project may have a significant effect on the environment.*

What is Substantial Evidence?

Section 15064(f)(5): *Argument, speculation, unsubstantiated opinion or narrative, or evidence that is clearly inaccurate or erroneous, or evidence that is not credible, shall not constitute substantial evidence.*

Substantial evidence shall include facts, reasonable assumptions predicated on facts, and expert opinion supported by facts.

Ground of Appeal No. 2

The Planning Director's decision violates California Environmental Justice statutes.

Staff Response to Ground No. 2

- Ensuring a healthy environment for everyone is an inherent purpose of CEQA
- The County did not discriminate in its action
- The Appellant misapplied the CalEnviroScreen tool

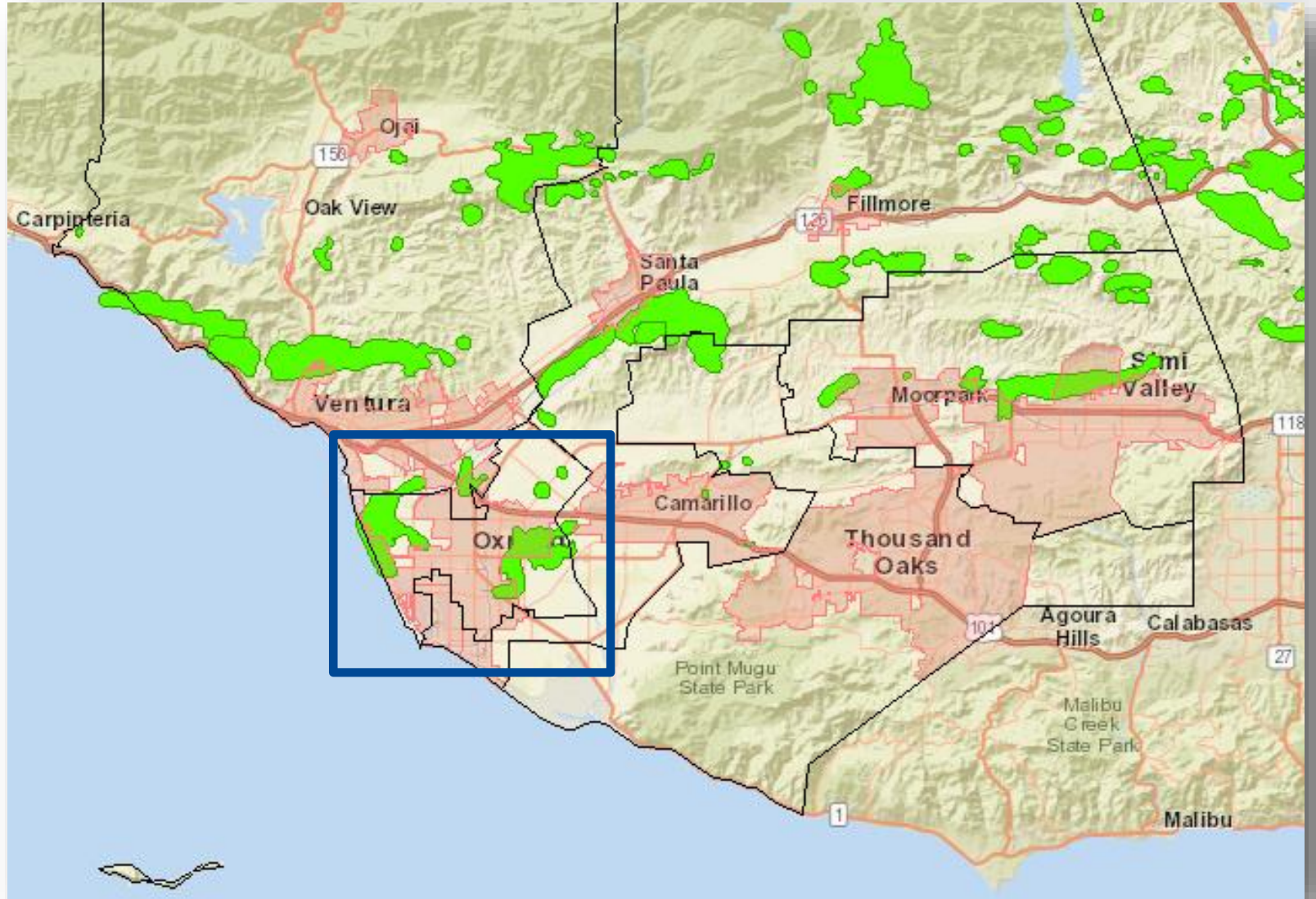
This ground of appeal is without merit.

What is Environmental Justice?

Environmental Justice : *“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.”* (Gov Code, section 65040.12)

Ventura County Oil Fields

- 33 oil fields in the County
- Over 8,000 wells



---West Montalvo

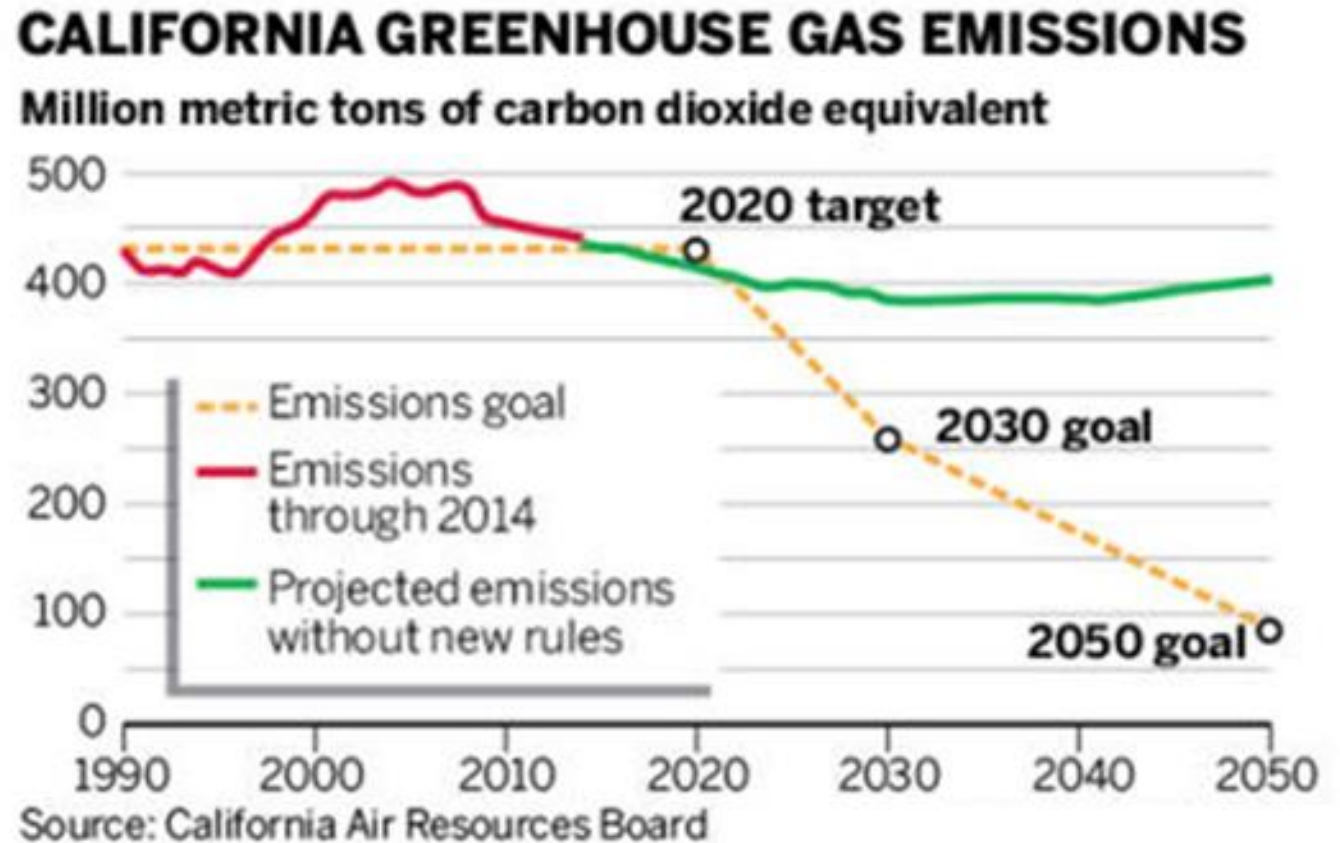
---El Rio

---Cabrillo



Assembly Bill 32: The California Global Warming Solutions Act of 2006

- Requires California to reduce GHG emissions to 1990 levels by 2020
- Cap-and-Trade Program was designed to achieve reduction goals
- Additional reduction targets for 2030 and 2050

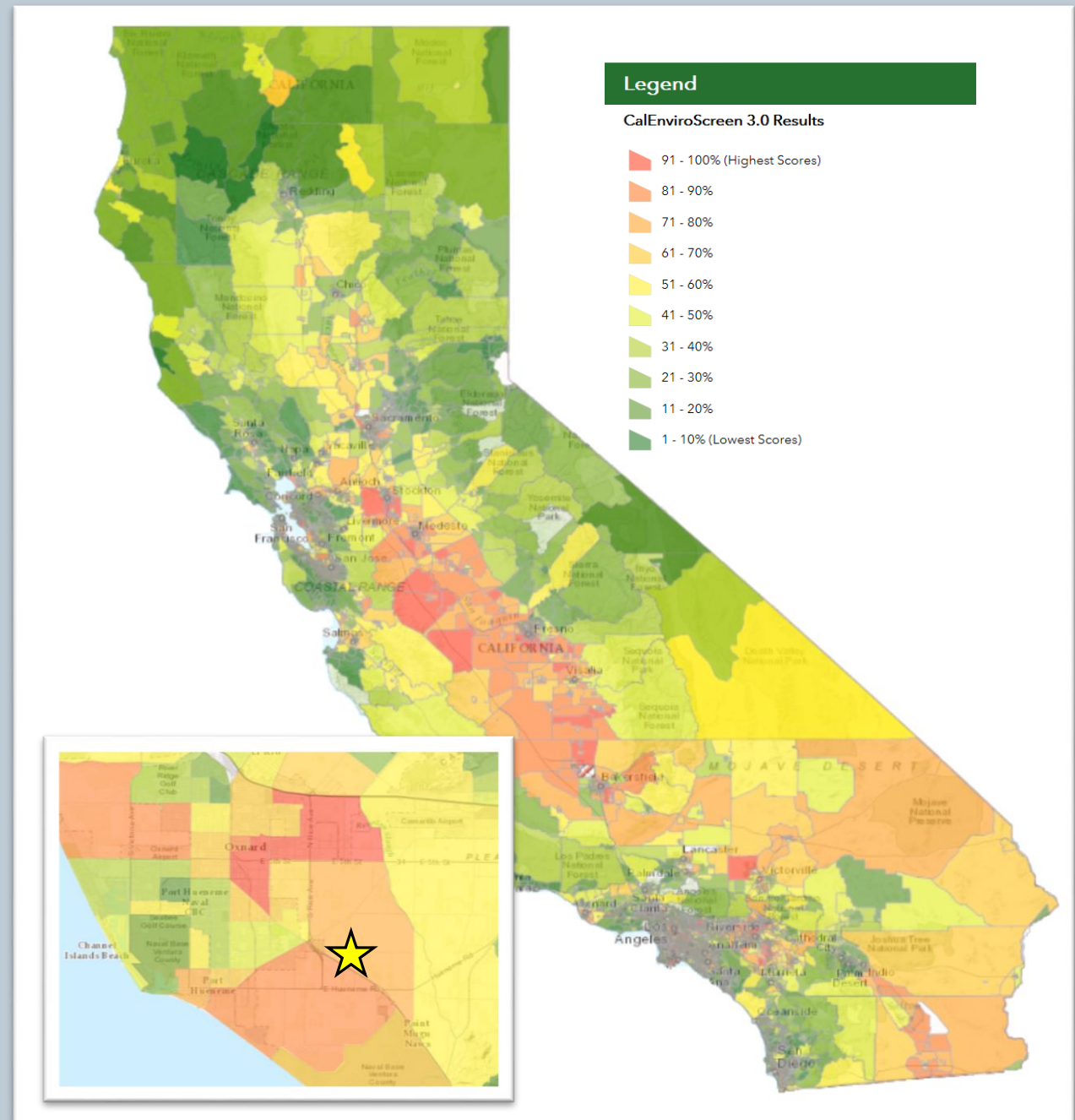


Senate Bill 535 and Assembly Bill 1550; Funds Allocation

SB 535 Investment Minimums	New AB 1550 Investment Minimums	Target Investment Area
10%	25%	Projects within and benefiting disadvantaged communities
25%	-	Project benefiting disadvantaged communities
-	5%	Projects within and benefiting low-income communities or benefiting low-income households statewide
-	5%	Projects within and benefiting low-income communities, or low-income households, that are within ½ mile of a disadvantaged community

CalEnviroScreen Mapping Tool

- Intended to help agencies identify communities for GHG funding opportunities
- Identifies 25% of state census tracts as “disadvantaged communities”



CalEnviroScreen Caveats

- ***NOT*** a substitute for cumulative impacts analysis under CEQA.
- ***NOT*** intended to restrict the authority of government agencies in permit and land use decisions.
- ***NOT*** the appropriate tool to guide all public policy decisions.

Ground of Appeal No. 3

The Planning Director's decision violates the County's Non-Coastal Zoning Ordinance.

Staff Response to Issue No. 3

- No evidence submitted in support of this argument
- County staff applied all applicable provisions of the NCZO

This ground of appeal is without merit.

Ground of Appeal No. 4

The Planning Director's decision violates other federal, state, and local laws regulations, procedures and policies to protect the environment and public from the adverse effects of oil and gas development.

Staff Response to Ground No. 4

- No evidence submitted in support of this argument
- Appellant does not identify specific laws purported to be violated

This ground of appeal is without merit.

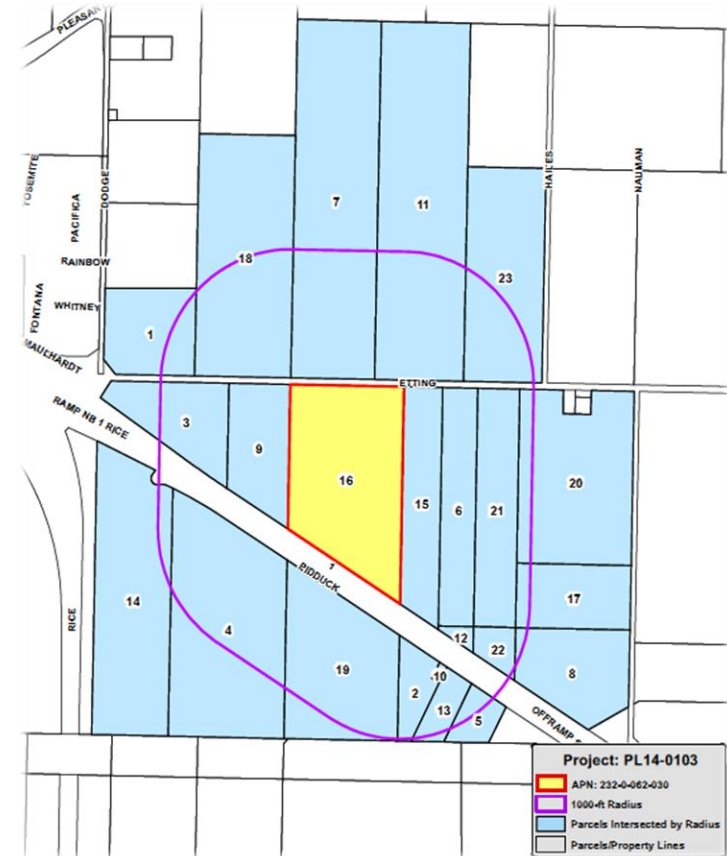
Ground of Appeal No. 5

The Planning Director's decision violates due process.

Staff Response to Ground No. 5

- County noticed property owners within 1000 feet of project site
- Additional noticing sent to:
 - cities of Oxnard and Camarillo
 - other interested parties
- Advertisement placed in local newspaper
- Public hearings provide due process

This ground of appeal is without merit.



Appellants' Recommended Action

The Appellants request that your Commission take the following actions:

- **Grant the Appeal**
- **Deny the Project**
- **Require an EIR**

Staff Recommended Actions



1. **CERTIFY** that the Planning Commission has reviewed and considered the 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 the requested 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 the staff report for the February 23, 2017 Planning Director hearing, and the entire record;
5. **GRANT** modified CUP PL14-0103, subject to the revised conditions of approval (Exhibit 15).
6. **DENY** the appeal in its entirety and decline to refund any appeal fees;
7. **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.



Questions?

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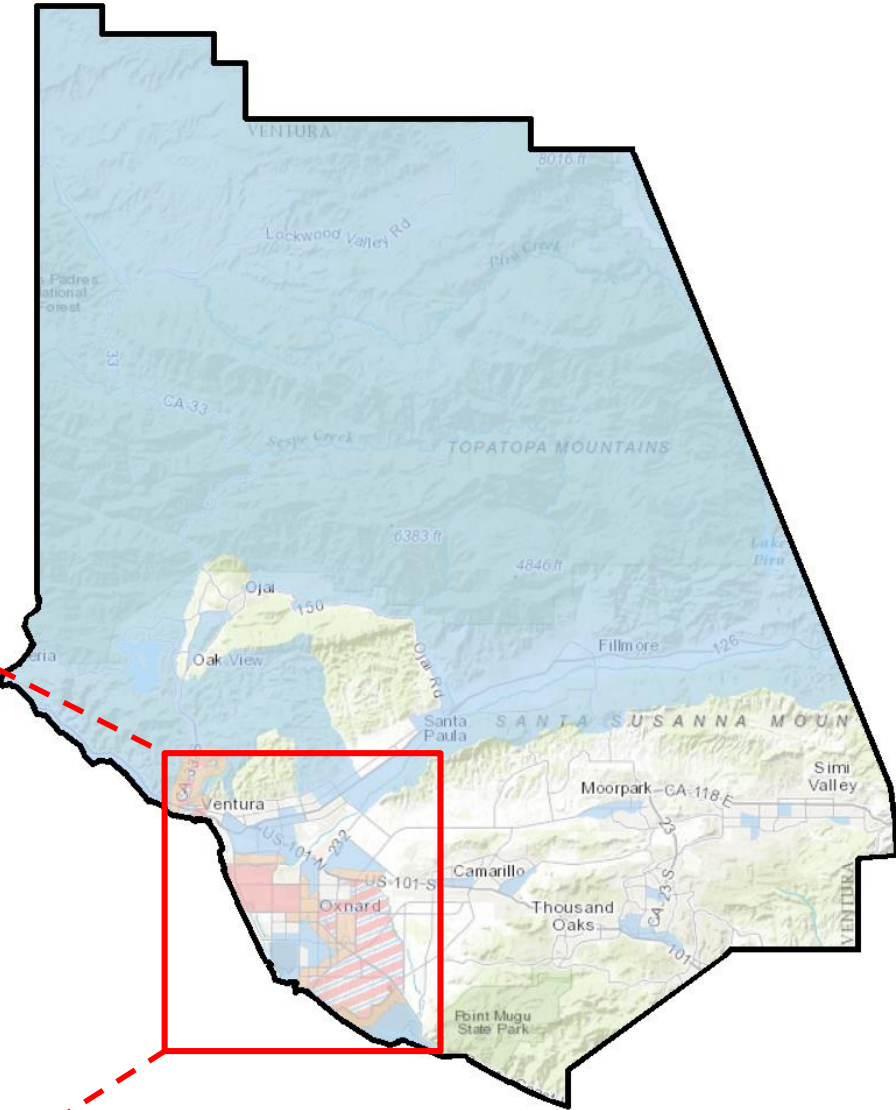
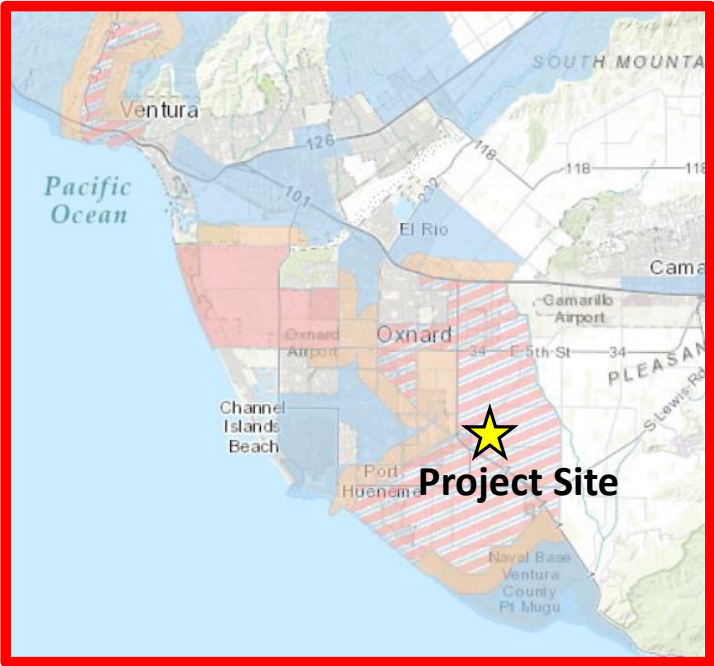


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SB 535 Disadvantaged and AB 1550 Low-Income Communities

Legend

- | | |
|---|--|
|  SB 535 Disadvantaged Communities |  AB 1550 Low-income Communities |
|  SB 535 Disadvantaged Communities and AB 1550 Low-income Communities |  AB 1550 Low-income Communities within a 1/2 mile of a SB 535 Disadvantaged Community |



Source: CalEPA Air Resources Board, 2017

Dodge Road vs. Hailes Road



Clear line of sight



Obscured line of sight

Pleasant Valley Road/Dodge



Looking westbound at intersection with Dodge Road.



Looking eastbound.