

ATTACHMENT 3
CONDITIONS OF APPROVAL FOR
CONDITIONAL USE PERMIT (CUP) NO. PL13-0150
(As approved by the Planning Commission on June 11, 2015)

RESOURCE MANAGEMENT AGENCY (RMA) CONDITIONS

I. Planning Division Conditions

1. Project Description

The applicant requests that a modified CUP be granted to authorize additional oil and gas exploration and production activities within an existing oil field. The proposed project includes the following components:

- a. The drilling, testing, reworking, maintenance and placement into production of 19 new oil and gas wells on four existing drilling pads (Drill Sites 1, 2, 3 and 7).
- b. The continued operation of 17 existing oil and gas wells located on four existing drilling pads (Drill Sites 1, 2, 3 and 7). This operation includes well testing, reworking, maintenance and production activities.
- c. Separation of natural gas and produced water from crude oil;
- d. Processing activities required for on-site wastewater injection well operations; and,
- e. Operation of existing equipment associated with the storage, processing, and transportation of oil, gas, and wastewater (brine).
- f. Continued maintenance vehicle trips of 2 per day (4 one-way trips) from Monday through Saturday.

The location of the existing and proposed wells and the associated equipment located in the CUP area used to process, store and transport produced fluids is illustrated on the approved plans included in the February 17, 2015 Planning Director decision letter for the PL13-0150 application.

The proposed project does not include any new grading or removal of vegetation. All proposed wells will be drilled on the existing drill pads (Drill Site Nos. 1-3 and 7). The existing oil facilities are accessed by a private gated road connected to State Highway 150 just east of Thomas Aquinas College. In addition to the onsite equipment located on the existing drilling pads, the facility is connected to existing pipelines that are used to transport produced fluids to an offsite facility for separation, storage and transport to market. No new pipelines for the conveyance of produced fluids to the offsite facilities are proposed. Pumping units, gathering lines, electrical connections, produced fluid tanks and ancillary equipment will continue to be used for the operation of the facility.

There is no trucking of oil & gas from the Ferndale lease. Oil and gas produced from wells drilled on the Ferndale lease is conveyed by existing pipeline to the Hamp lease, where the oil, gas and water is separated. The water is disposed of onsite at the Hamp

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 (Project Description). Only equipment and/or materials which the Planning Director determines to substantially comply with Condition No. 1 (Project Description), or which are authorized by any subsequent amendments to this CUP, shall be stored on the property during the life of this CUP. Any project related equipment shall not be visible from Highway 150.

Documentation: Pursuant to Condition No. 1 (Project Description), 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 the redrilling of an existing well or 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* (2010, 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 project description (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 (*Ventura County Non-Coastal Zoning Ordinance 2005, § 8111-4.7*) from the granting or approval of this CUP. The Planning Director may grant a one year extension of time to the Permittee in order 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 March 2, 2045. 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 8111-6 of the *Ventura County Non-Coastal Zoning Ordinance* prior to March 2, 2045; 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 8111-2.10 of the Ventura County Non-Coastal Zoning Ordinance.

7. Consolidation of All Approved Exhibits and Permits

Purpose: To ensure compliance with and notification of requirements of the Non-Coastal Zoning Ordinance Section 8107-5.6, and other federal, state or local government regulatory agencies.

Requirement: The Permittee shall provide the Planning Division with documentation to verify that the Permittee has satisfied all requirements of Section 8107-5.6 of the Non-Coastal Zoning Ordinance, including the setback standards of NCZO Section 5.6.1 as described in the February 12, 2015 Public Works Agency Memorandum (O'Tousa) and the February 10, 2015 Planning Division Memorandum (Baca), and obtained or satisfied all other applicable federal, state and local entitlements and conditions requirements.

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 for the project file.

Timing: The documentation shall be submitted to the Planning Division prior to the issuance of the Zoning Clearance use inauguration or as dictated by the respective agency, and prior to drilling any new well on Drill Site No. 7.

Monitoring and Reporting: The Planning Division maintains the documentation provided by the Permittee in the respective project file. In the event that the permit is modified or changes are made by any other respective agency, the Permittee shall submit any revised documentation within 30 days of the modification.

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.

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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 10b. 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 (2010, § 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, 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 10a, above), monitoring and enforcement (Condition 10c, below) 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 [see Condition 10b, above] deposit and reimbursement agreement 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 (Project Description), 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. 12 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 oil and gas production facilities.

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. Resolution of Complaints

The following process shall be used to resolve complaints related to the project:

- a. The Permittee shall post the telephone number for the designated Contact Person as identified pursuant to Condition No. 15 in a visible location on the site. The Contact Person shall be available via telephone on a 24-hour basis. Persons with concerns about a use as it is occurring may directly contact the Contact Person;
- b. If a written complaint about this CUP is received by the County, Planning staff will contact the Permittee's Contact Person or the Permittee to request information regarding the alleged violation; and,
- c. If, following a complaint investigation by County staff, a violation of Ventura County Code or a condition of this permit is confirmed, County enforcement actions pursuant to § 8114-3 of the *Non-Coastal Zoning Ordinance* may be initiated.

17. 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.

18. 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). 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 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 *Ventura County Non-Coastal Zoning Ordinance*.

19. Paleontological Resources Inadvertently Discovered During Grading

Purpose: In order to mitigate potential impacts to paleontological resources that may be encountered during ground disturbance or construction activities.

Requirement: If any paleontological remains are uncovered during ground disturbance or construction activities, the Permittee shall:

- a. Cease operations and assure the preservation of the area in which the discovery was made;
- b. Notify the Planning Director in writing, within three days of the discovery;
- c. Obtain the services of a paleontological consultant or professional geologist who shall assess the find and provide recommendations on the proper disposition of the site;
- d. Obtain the Planning Director's written concurrence of the recommended disposition before resuming development; and,
- e. Implement the agreed upon recommendations.

Documentation: Permittee shall submit the reports prepared by the paleontologist or geologist. Additional documentation may be required to demonstrate that the Permittee has implemented any recommendations made by in the paleontological report.

Timing: Paleontological reports shall be provided to the Planning Division immediately upon completion.

Monitoring and Reporting: The Permittee shall provide any paleontological report prepared for the project site to the Planning Division to be made part of the project file. The Permittee shall implement any recommendations made in the paleontological report to the satisfaction of the Planning Director.

20. Archaeological Resources Inadvertently Discovered During Grading

Purpose: In order to mitigate potential impacts to archaeological resources inadvertently discovered during ground disturbance.

Requirement: The Permittee shall implement the following procedures:

- a. If any archaeological or historical artifacts are uncovered during ground disturbance or construction activities, the Permittee shall:
 - i. Cease operations and assure the preservation of the area in which the discovery was made;
 - ii. Notify the Planning Director in writing, within three days of the discovery;
 - iii. Obtain the services of a County-approved archaeologist who shall assess the find and provide recommendations on the proper disposition of the site in a written report format; and,
 - iv. Obtain the Planning Director's written concurrence of the recommended disposition before resuming development.
- b. If any human burial remains are encountered during ground disturbance or construction activities, the Permittee shall:
 - i. Cease operations and assure the preservation of the area in which the discovery was made;
 - ii. Immediately notify the County Coroner and the Planning Director;
 - iii. Obtain the services of a County-approved archaeologist and, if necessary, Native American Monitor(s), who shall assess the find and

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- provide recommendations on the proper disposition of the site in a written report format; and,
- iv. Obtain the Planning Director's written concurrence of the recommended disposition before resuming development on-site.

Documentation: If archaeological remains are encountered, the Permittee shall submit a report prepared by a County-approved archaeologist including recommendations for the proper disposition of the site. Additional documentation may be required to demonstrate that the Permittee has implemented any recommendations made by the archaeologists report.

Timing: Archaeologist reports shall be provided to the Planning Division immediately upon completion.

Monitoring and Reporting: The Permittee shall provide any archaeologist report prepared for the project site to the Planning to be made a part of the project file. The Permittee shall implement any recommendations made in the archaeologist's report to the satisfaction of the Planning Director.

21. 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 prepared by 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.

22. 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.

Documentation: If needed, the Permittee shall obtain the Planning Director's written authorization to remove the equipment after the 30-day 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 for a time extension to the 30-day deadline, prior to the end of the 30-day period.

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*.

23. 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:

- a. furnish the Planning Division with a plan for controlling oil spillage and preventing saline or other polluting or contaminating substances from reaching surface or subsurface waters;
- b. provide a plan that is consistent with requirements of County, state and federal laws;
- c. prepare a containment plan that shows containment of any and all oil, produced water, drilling fluids, cuttings and other contaminants associated with the drilling, production, storage and transport of oil on the site unless properly transported off-site, injected into a well, treated or re-used in an approved manner on-site or, if allowed, off-site;
- d. secure all appropriate permits, permit modifications or approvals when necessary, prior to treatment or re-use of oil field waste materials; and,

- e. submit the containment plan to the Planning Division prior to issuance of a Zoning Clearance.

Documentation: The Permittee shall submit a containment plan to the Planning Division for review and approval.

Timing: The Permittee shall obtain approval of the Planning Division for the plan prior to issuance of a Zoning Clearance.

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*.

24. 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: The Permittee shall submit a written dust control plan to the Planning Division for review and approval.

Timing: Prior to the issuance of a Zoning Clearance, the Permittee shall obtain approval of the dust control plan.

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*.

25. 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* and to ensure that lighting:

- a. avoids interference with the reasonable use of adjoining properties;

- b. avoids conflict with landscape features;
- c. minimizes on-site and eliminates off-site glare;
- d. provides adequate on-site lighting for security;
- e. minimizes impacts to wildlife movement;
- f. minimizes energy consumption; and,
- g. includes devices that are compatible with the design of the permitted facility and minimize energy consumption.

Requirement: For any new permanent lighting, the Permittee shall prepare a lighting plan. The lighting plan must comply with the following:

- a. the lighting plan shall be prepared by an electrical engineer registered by the State of California;
- b. the lighting plan shall include a photometric plan and manufacturer's specifications for each exterior light fixture type (e.g., light standards, bollards, and wall mounted packs);
- c. the lighting plan shall provide illumination information within parking areas, pathways, streetscapes, and open spaces proposed throughout the development;
- d. in order to minimize light and glare on the project property, all light fixtures shall be high cut-off type that divert lighting downward onto the property and shall not cast light on any adjacent property or roadway; and,
- e. light emanation shall be controlled so as not to produce excessive levels of glare or abnormal light levels directed at any neighboring uses. Lighting shall be kept to a minimum to maintain the normal night-time light levels in the area, but not inhibit adequate and safe working light levels.
- f. The Permittee shall bear the total cost of the review and approval of the lighting plan, and shall install all elements of the approved lighting plan according to the approved Lighting Plan.

Documentation: The Permittee submit the lighting plan to the Planning Division for review and approval.

Timing: Prior to the issuance of a Zoning Clearance for construction for drilling any new well the Permittee shall obtain approval of the lighting plan. 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*.

26. 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 for review and approval. 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 obtain approval of the submitted plans. 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*.

27. 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. 21 until it has determined that the grading and restoration plans have been implemented as approved.

28. 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.

Timing: Prior to the issuance of a Zoning Clearance, the Permittee shall provide the liability insurance Planning Division for review and approval. Prior to the issuance of a Zoning Clearance, the Permittee shall submit a copy of the approved liability insurance to the Planning Division for the project file. The Permittee shall maintain liability insurance 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.

29. 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):

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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.

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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.

30. 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*.

31. Limited Drilling Hours

Purpose: In order to comply with § 8107-5.6.20 of the *Ventura County Non-Coastal Zoning Ordinance*.

Requirement: All drilling activities shall be limited to the hours of 7:00 a.m. through 7:00 p.m. of the same day when they occur within 800 feet of an occupied sensitive use. Nighttime drilling shall be permitted if it can be demonstrated to the satisfaction of the Planning Director that the applicable noise standards can be met or that all applicable and affected parties within the prescribed distance have signed a waiver pursuant to § 8107-5.6.25.

Documentation: If the permitted uses involve nighttime drilling, the Permittee shall submit: the required waivers; or, in lieu of the waivers, a noise study from a qualified acoustical consultant for review and approval by the Planning Division.

Timing: The Permittee shall implement limited drilling hours until the drilling phase is complete. If the permitted uses involve nighttime drilling, the Permittee shall submit the waivers prior to the issuance of a Zoning Clearance. If the Permittee retains an acoustical consultant to prepare a noise study, the Permittee shall submit the noise study prior to the issuance of a Zoning Clearance. If the noise study reveals the need for the implementation of noise attenuation measures to reduce sound levels to acceptable levels, the Permittee shall implement the noise attenuation measures prior to conducting the noise generating activities.

Monitoring and Reporting: The Planning Division maintains any submitted waivers in the project file. If a noise study is prepared, the Planning Division will review the study and ensure that any required soundproofing is installed prior to the commencement of noise generating activities. The Planning Division maintains any submitted noise study 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*.

32. 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. 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.

Documentation: The Permittee shall submit a sign plan to the Planning Division and Ventura County Fire Protection District (VCFPD) for review and approval.

Timing: The Permittee shall obtain approval of the sign plan prior to the issuance of a Zoning Clearance. 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*.

33. 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/or 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.

Documentation: The Permittee shall prepare an approved site plan and/or landscape plan illustrating the fences.

Timing: Prior to the issuance of a Zoning Clearance, the Permittee shall submit a site plan which identifies the location of the fences to the Planning Division for review and approval. These plans must include schematic details of the fences illustration height and construction materials. 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*.

34. 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:

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.

35. Nesting Bird Pre-Construction Surveys:

Purpose: In order to prevent impacts to birds protected under the Migratory Bird Treaty Act, the drilling or re-working of wells shall be regulated.

Requirement: The Permittee shall conduct all drilling and re-working activities in such a way as to avoid impacts to nesting native birds. This can be accomplished by implementing one of the following options:

1. Timing of drilling and re-working of wells: Prohibit drilling and re-working activities during the breeding and nesting season January 1—September 15, in which case the following surveys are not required; or
2. Surveys and noise mitigation for occupied nests: Conduct site-specific surveys prior to drilling and well re-working activities during the breeding and nesting season (January 1 – September 15) and avoid impacting occupied bird nests. Surveys shall be conducted to identify any occupied (active) bird nests in the area of disturbance. Impacts to occupied nests shall be avoided until juvenile birds have vacated the nest. All surveys shall be conducted by a County-approved biologist.

An initial breeding and nesting bird survey shall be conducted 30 days prior to the initiation of drilling or re-working activities. The project site must continue to be surveyed on a weekly basis with the last survey completed no more than 3 days prior to the initiation of drilling or re-working activities. The nesting bird survey area (noise mitigation area) will include all areas with an Leq at or greater to 50dB(A) or an Leq 10dB(A) greater than ambient levels, whichever is less during drilling or re-working activities. Leq is defined as the average sound levels recorded during the measurement period. If ground nesting species have the potential to occur in the area, ground surveys shall also be conducted. The survey area shall also be defined as any area with a peak sound level (Lmax) greater than 60 dB(A). If occupied (active) nests are found, noise from drilling or re-working activities shall be mitigated through noise mitigating measures (e.g. noise barriers, acoustic enclosures, etc.) so that noise level within the noise mitigation area drop below the levels specified above. Monitoring shall be conducted at the noise mitigation area boundary at a frequency to be determined by the Planning Division. Evidence that noise has been mitigated to the Leq and Lmax specified shall be demonstrated to the Planning Division prior to commencement of drilling or re-working activities. The noise mitigation area can

be increased or decreased based on the recommendation of the County-approved biologist and approval from the Planning Division.

Documentation: The Permittee shall provide to the Planning Division a Survey Report from a County-approved biologist documenting ambient sound levels, the sound levels generated by the equipment to be used during drilling or re-working activities, and the distance from the noise source to the perimeter of the survey area that determines the survey and noise mitigation area for nesting birds. The Permittee shall also provide results of the initial nesting bird survey. If nesting birds are found, a Noise Mitigation Plan shall be submitted that includes noise mitigation measures and a range of reduction (in dB(A)) each mitigation measure can achieve. Along with the Survey Report and Noise Mitigation Plan (as necessary), the Permittee shall provide a copy of a signed contract (financial information redacted) with a County-approved biologist responsible for the surveys, monitoring of any occupied nests discovered, and establishment of noise mitigation measures. If nesting birds are found to occur, the Permittee shall submit to the Planning Division a Mitigation Monitoring Report from a County-approved biologist following drilling and re-working activities documenting noise level monitoring and any adjustments made to mitigation measures to ensure compliance with Leq and Lmax levels.

Timing: If drilling or re-working activities will occur between January 1 and September 15, nesting bird surveys shall be conducted 30 days prior to initiation of drilling or re-working activities, and weekly thereafter, and the last survey for nesting birds shall be conducted no more than 3 days prior to initiation of during drilling or re-working activities. The Survey Report documenting the results of the first nesting bird survey, Noise Mitigation Plan (as necessary), and signed contract shall be provided to the Planning Division prior to issuance of a zoning clearance for drilling and re-working activities. The Mitigation Monitoring Report shall be submitted within 14 days of completion of drilling and re-working activities.

Monitoring and Reporting: The Planning Division shall review the Survey Report, Noise Mitigation Plan (as necessary), and signed contract for adequacy prior to issuance of a Zoning Clearance for drilling and re-working activities. The Planning Division shall maintain copies of the signed contract, Survey Report, Noise Mitigation Plan, and Mitigation Monitoring Report in the project file.

Residual Impact(s)

With the implementation of the mitigation measures listed above, residual project-specific impacts will be less than significant and the proposed project will not make a cumulatively considerable contribution to significant cumulative impacts related to special status species.

36. Sensitive Species Surveys related to Noise Impacts

Purpose: To avoid impacts to special-status wildlife during drilling and re-working activities associated with oil exploration.

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Requirement:

The Permittee shall retain a qualified County- approved biologist familiar with sensitive species with potential to occur on the project site. The surveys should encompass the entire noise mitigation area as determined during Nesting Bird Pre-Construction Surveys. The survey methods should follow the latest guidance from USFWS and CDFW regarding survey protocols for listed and rare wildlife species. The Permittee shall notify USFWS for species listed under the Federal ESA and CDFW for species listed under CESA within 24 hours of locating any individuals of listed species. In the event of positive survey results, the Permittee shall a.) Consult with the USFWS for species listed under the Federal ESA and with CDFW for species listed under the State ESA in order to obtain an incidental take permit or b.) Mitigate noise and vibration levels below threshold levels specific to the species present.

The County-approved Biologist shall conduct surveys for special-status wildlife, including but not limited to foothill yellow legged frog, southern California steelhead trout, western pond turtle, arroyo chub, and Santa Ana sucker. Survey area should include the same area used for nesting bird surveys and shall also include drainages or wetlands within 300 feet of the well.

If sensitive wildlife species are found and noise mitigation measures are put in place, the Biologist shall:

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Timing: Prior to issuance of a Zoning Clearance for drilling or re-working activities, the Permittee shall have taken the following actions:

40. Exceptions to Noise Standard

Pursuant to Section 8107-5.6.13, the noise standard established for this permit shall not be exceeded unless exempted under any of the following provisions:

- a. Where the ambient noise levels (excluding the subject facility) exceed the applicable noise standards. In such cases, the maximum allowable noise levels shall not exceed the ambient noise levels plus 3 dB(A).
- b. Where the owners/occupants of sensitive uses have signed a waiver pursuant to Section 8107-5.6.25 indicating that they are aware that drilling and production operations could exceed the allowable noise standard and that they are willing to experience such noise levels. The applicable noise levels shall apply at all locations where the owners/occupants did not sign such a waiver.

41. Drill Site No. 2 Noise Barrier

Prior to commencement of drilling on Drill Site No. 2, a minimum four-foot high earthen berm shall be installed and/or maintained along the western and southern boundaries of the drill site to minimize noise impacts at Thomas Aquinas College (or their successors in interest).

42. Hiking Trail

The Permittee shall cooperate with Thomas Aquinas College, the Ferndale Ranch (or their successors in interest) and the US Forest Service to establish a permanent hiking trail in the Santa Paula Canyon. In the meantime, the Permittee shall reconstruct and maintain a temporary hiking trail in the vicinity of Drill Site Nos. 1 and 7. In no case shall the oil operations obstruct the hiker's access to Santa Paula Canyon.

43. Oil Traffic on College/Ranch Road

The College/Ranch Road may be used during emergency situations, where all other access routes are impassable due to natural occurrences. The Permittee shall make the necessary repairs as soon as it is practical to do so. The designated oil traffic access route shall be restored to usable condition within 30 days. Failure to restore the road within the time specified shall be considered cause to suspend operations. For purposes of meeting the requirements of this condition, Emergency shall be used as defined in the California Environmental Quality Act (CEQA).

Emergency- a sudden, unexpected occurrence, involving a clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to life, health, property, or essential public services. Emergency includes such occurrences as fire, flood, earthquake, or other soil or geologic movements, as well as such occurrences as riot, accident, or sabotage (CEQA 15359).

44. Surfacing of Oil Access Road

That the access road from the Highway 150 entrance to each drill site shall be paved and maintained in good condition at all times.

45. Drill Site Berms and Dikes

Each drill site shall be designed to contain any accidental leakage on the site. This may be accomplished by constructing a minimum 12-inch earthen berm around the site (including vehicle access points) or by grading the site in such a way that all drainage flows toward the well cellars, a catch basin, or safety sump. The spill containment system shall be maintained in good condition at all times.

That the earthen dike around the production tanks on Drill Site No. 1 shall be compacted and maintained at a height that shall hold all the liquid volume that could be maintained in the subject tanks.

A barrier shall be constructed on the east side of Drill Site No. 7 a distance of at least 15 feet from the base of the slope. Such barrier shall be constructed to protect Drill Site No. 7 from potential hazard of falling rock.

46. Natural Gas Pipeline

All gas emitted from the wells shall be collected and transported off-site by means of a pipeline.

47. Gas Flaring and Venting Prohibited

Flaring or venting of gas shall be prohibited, except that temporary flaring may be permitted in case of emergency or for testing purposes only.

48. Drilling Prohibition

Drilling shall not be conducted during the months of July and May each year unless authorized in writing by Thomas Aquinas College.

II. Environmental Health Division (EHD) Conditions

49. Hazardous Materials Management

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

OTHER VENTURA COUNTY AGENCIES

III. Ventura County Public Works Agency (PWA) Conditions

50. Containment Area for Liquid Waste and Petroleum Products

Purpose: In accordance with the Ventura County General Plan Policies 1.3.2.2 & 4a, Containment Area for Liquid Waste and Petroleum Products is required.

Requirement: All liquid waste and petroleum products shall be stored in proper containers and stored in pre-approved or designated containment areas only. If waste

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products will be stored in an alternate temporary location, Permittee shall provide detailed plans of impermeable area with same construction as containment areas. Specifically describe where these waste products will be stored, an estimate of the amount of accumulated waste at any one time and information on the planned frequency for disposal.

Documentation: A copy of the approved Containment Area for Liquid Waste and Petroleum Products site plan.

Timing: Prior to the issuance of a Zoning Clearance for use inauguration, the Permittee shall submit a Containment Area for Liquid Waste and Petroleum Products site plan to the WPD for review and approval.

Monitoring and Reporting: A copy of the approved Containment Area for Liquid Waste and Petroleum Products site plan will be maintained in the case file. The Permittee shall allow the WPD to inspect the Containment Area for Liquid Waste and Petroleum Products upon request.

51. Containment Area for Hazardous Materials

Purpose: In accordance with the Ventura County General Plan Policies 1.3.2.2 & 4a, Containment Area for Hazardous Materials is required.

Requirement: The Permittee shall submit a site plan to the WPD that shows all hazardous materials, fertilizers and chemicals are stored in a Containment Area properly designated and equipped for the safe storage of the hazardous materials, fertilizers and chemicals.

Documentation: A copy of the approved Containment Area for Hazardous Materials site plan.

Timing: Prior to the issuance of a Zoning Clearance for use inauguration, the Permittee shall submit the Containment Area for Hazardous Materials site plan to the WPD for review and approval.

Monitoring and Reporting: A copy of the approved Containment Area for Hazardous Materials site plan will be maintained in the case file. The Permittee shall allow WPD to inspect the Containment Area for Hazardous Materials upon request.

52. Compliance with Stormwater Development Construction Program

Purpose: To ensure compliance with the Los Angeles Regional Water Quality Control Board NPDES Municipal Stormwater Permit No. CAS004002 (Permit) the proposed project will be subject to the construction requirements for surface water quality and storm water runoff in accordance with Part 4.F., "Development Construction Program" of the Permit.

Requirement: The construction of the proposed project shall meet requirements

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contained in Part 4.F. "Development Construction Program" of the Permit through the inclusion of effective implementation of the Construction BMPs during all ground disturbing activities. In addition, Part 4.F requires additional inspections to be conducted by the Qualified Stormwater Pollution Prevention Plan (SWPPP) Developer, Qualified SWPPP Practitioner, or Certified Professionals in Erosion and Sediment Control (CPESC).

Documentation: The Permittee shall prepare and submit the following items to the Watershed Protection District, Surface Water Quality Section (SWQS) for review upon request:

- Complete SW-HR form (Best Management Practices for Construction at High Risk Sites), which can be found at <http://onestoppermit.ventura.org/>.

Timing: The above listed item shall be submitted to the SWQS for review and approval prior to issuance of a Zoning Clearance for Construction.

Monitoring and Reporting: SWQS will review the submitted materials for consistency with the NPDES Municipal Stormwater Permit. Grading Permit Inspectors will conduct inspections during construction to ensure effective installation of the required BMPs. In addition, the inspector will review record keeping of conducting required inspections by the project proponents Qualified SWPPP Developer, Qualified SWPPP Practitioner, or CPESC).

53. 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 issuance of Zoning Clearance for Use Inauguration.

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Monitoring and 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. (SWQ-2)

54. Floodplain Clearance

Purpose: To comply with the Ventura County Floodplain Management Ordinance and Ventura County General Plan policies 2.10.2-2 and 2.10.2-3.

Requirement: The Permittee shall obtain a Floodplain Clearance from the County Public Works Agency Floodplain Manager. The Clearance will verify that the site is located outside the mapped boundaries of the 1% annual chance floodplain as determined using the latest available Digital Flood Insurance Rate Map (DFIRM) provided by the Federal Emergency Management Agency (FEMA).

Documentation: A Floodplain Clearance issued by the County Public Works Agency Floodplain Manager.

Timing: The Floodplain Clearance shall be obtained prior to Zoning Clearance for Use Inauguration.

Monitoring and Reporting: A copy of the approved Floodplain Clearance shall be provided to the Building and Safety Department as well as maintained in the case file by the Public Works Agency.

IV. Ventura County Fire Protection District (VCFPD) Conditions

55. Address Numbers

Purpose: To ensure proper premise identification to expedite emergency response.

Requirement: The Permittee shall install a minimum of 10 inch (10") address numbers that are a contrasting color to the background and readily visible at night at the entrance to the oil field from Ojai-Santa Paula Road. Additional address directional signs may be required at common road access points.

Documentation: A stamped copy of an approved addressing approval from Building and Safety or a signed copy of the Ventura County Fire Protection District's Fire Code Permits.

Timing: The Permittee shall install address numbers before any drilling operations.

Monitoring and Reporting: A copy of the approved addressing plan and/or signed copy of the Ventura County Fire Protection District's Fire code permit shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final

inspection to ensure that all structures are addressed according to the approved plans/form.

56. Access Road Maintenance

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall maintain all on-site access road(s) not included in a maintenance agreement. Repairs shall be made as needed or as required by the Fire District to maintain the original design and installation of the access road(s) and driveway(s). The minimum width of access road shall be no less than 20 feet.

Documentation: A copy of the Covenants, Conditions and Restrictions or such other documentation as may be deemed acceptable by the Fire Prevention Bureau.

Timing: The Permittee shall provide evidence of provisions for maintenance must be submitted to the Fire Prevention Bureau prior to occupancy.

Monitoring and Reporting: The Fire District has the authority to inspect all on-site access road(s) and driveway(s) as it deems necessary. The Permittee shall be responsible for ongoing maintenance of the access road and driveways and shall conduct repairs as required by the Fire District.

57. Vertical Clearance

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall provide a minimum vertical clearance of 13 feet 6 inches (13'-6") along all access roads/driveways.

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall submit an access plan to the Fire Prevention Bureau for approval before the issuance of building permits. All required access shall be installed before the start of combustible construction.

Monitoring and Reporting: A copy of the approved access plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that the access is installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the access for the life of the development.

58. Turning Radius

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall provide a minimum 40-foot inside turning radius at all turns along the access roads/driveways.

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall submit an access plan to the Fire Prevention Bureau for approval before the issuance of building permits. All required access shall be installed before the start of combustible construction.

Monitoring and Reporting: A copy of the approved access plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that the access is installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the access for the life of the development.

59. Turnarounds

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall provide an approved turnaround area for fire apparatus where dead-end Fire Department access roads exceed 150 feet. Required turnaround areas shall be designed such:

- a. Does not exceed a 5% cross-slope in any direction.
- b. Located within 150 feet of the end of the access road / driveway
- c. Posted as fire lanes in accordance with Ventura County Fire Protection District Standards.
- d. Kept free of obstructions at all times.

Documentation: A stamped copy of the approved access plan.

Timing: The Permittee shall maintain a copy of approved access plans and provide a copy to the Fire Prevention Bureau. The plans shall indicate all access road locations and proposed turnaround locations and design.

Monitoring and Reporting: A copy of the approved access plans shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection ensure that turnaround areas are installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the turnaround areas for the life of the development.

60. Access Road Gates

Purpose: To ensure that adequate fire department access is provided in conformance with current California State Law and Ventura County Fire Protection District Standards.

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Requirement: The Permittee shall maintain all gates along required fire access roads consistent with Fire Protection District Standards. A Knox lock shall be provided for each gate.

Documentation: A stamped copy of the approved gate plans.

Timing: The Permittee shall submit gate plans to the Fire Prevention Bureau for the installation or replacement of any access road gates.

Monitoring and Reporting: A copy of the approved gate plan shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that access gates are installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the gates for the life of the development.

61. Alternate / Private Water Supply

Purpose: To ensure that adequate water supply is available for firefighting purposes where no water purveyor service is available or where the water purveyor certifies that the existing water system cannot provide the required fire flow and duration and approves the use of a private water system.

Requirement: The Permittee shall install a private water system (tank and hydrant). Private water systems shall be provided no less than 20,000 gallons during the drilling of new wells and the redrilling of exiting wells sites. This requirement applies to each new drilling operation.

Documentation: A stamped copy of the approved private water system plans.

Timing: The Permittee shall submit private water system plans to the Fire Prevention Bureau for approval before the issuance of Fire Code Permits for Oil Well Drilling. The private water system shall be installed and operational before the start of drilling operations. Before burying, all underground piping (if applicable) shall be visually inspected by the Fire Prevention Bureau.

Monitoring and Reporting: A copy of the approved private water system plans shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct on-site inspections to ensure that the private water system is installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the private water system for the life of the development.

62. Hazardous Fire Area

Purpose: To advise the applicant that the project is located within a Hazardous Fire Area and ensure compliance with California Building and Fire Codes.

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Requirement: The Permittee shall construct all new structures to meet hazardous fire area building code requirements.

Documentation: A stamped copy of the approved building plans to be retained by the Building Department.

Timing: The Permittee shall submit building plans to the Building Department for approval before the issuance of building permits.

Monitoring and Reporting: The Fire Prevention Bureau shall conduct a final inspection to ensure that the structure is constructed according to the approved hazardous fire area building code requirements. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the approved construction for the life of the structure.

63. Hazard Abatement

Purpose: To ensure compliance with Ventura County Fire Protection District Ordinance.

Requirement: The Permittee shall have all grass or brush adjacent to oil drilling sites and storage tanks cleared for a distance of 30 feet. All grass and brush shall be removed a distance of 10 feet on each side of all access road(s) and power poles within the project site.

Documentation: A signed copy of the Ventura County Fire Protection District's Fire Code Permits or the "Notice to Abate" issued under the Fire District's Fire Hazard Reduction Program.

Timing: The Permittee shall remove all grass and brush as outlined by the Ventura County Fire Protection District's Fire Hazard Reduction Program guidelines before the start of construction on any structure.

Monitoring and Reporting: The Fire Prevention Bureau shall conduct on-site inspections to ensure compliance with this condition.

64. Fire Protection Plan

Purpose: To minimize and mitigate the fire problems created by the project with the purpose of reducing impact on the community's fire protection delivery system and increase emergency response capability.

Requirement: The Permittee shall prepare a Fire Protection Plan (FPP). The FPP shall be prepared by a qualified fire protection consultant as approved by the Ventura County Fire Protection District. The Permittee, all land owners and any tenants shall abide by the approved FPP.

Documentation: A copy of the approved Fire Protection Plan (FPP).

Timing: The Permittee shall submit a copy of the Fire Protection Plan (FPP) to the Fire Prevention Bureau for approval before the issuance of a building permit.

Monitoring and Reporting: A copy of the approved Fire Protection Plan shall be kept on file with the Fire Prevention Bureau.

65. Fire Code Permits

Purpose: In order to minimize fire hazards, the project shall be constructed in conformance with the requirements of the Ventura County Fire Code.

Requirement: The Permittee and/or tenant shall obtain all applicable Fire Code permits.

Documentation: The Permittee shall submit a Fire Code permit application along with required documentation/plans to the Fire Prevention Bureau for review and approval.

Timing: Prior to final occupancy clearance, installation or use of any required item or system, the Permittee must obtain approval of all necessary Fire Code permits.

Monitoring and Reporting: A copy of the approved Fire Code permits shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that the requirements of the Fire Code permit are installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the conditions of the Fire Code permit for the life of the development.

66. Inspection Authority

Purpose: To ensure on-going compliance with all applicable codes, ordinances and project conditions.

Requirement: The Permittee, by accepting these project conditions of approval, shall acknowledge that the fire code official (Fire District) is authorized to enter at all reasonable times and examine any building, structure or premises subject to this project approval for the purpose of enforcing the Fire Code and these conditions of approval.

Documentation: A copy of the approved entitlement conditions.

Timing: The Permittee shall allow on-going inspections by the fire code official (Fire District) for the life of the project.

Monitoring and Reporting: A copy of the approved entitlement conditions shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall ensure ongoing compliance with this condition through on-site inspections.

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67. Oil Well Drilling

Purpose: To ensure the project complies with the California Fire Code, National Fire Protection Association Standard #30 and Ventura County Fire Protection District requirements.

Requirement: The Permittee shall obtain a Fire Code permit for drilling.

Documentation: A signed copy of the Fire Code permit(s).

Timing: The Permittee shall submit a Fire Code permit application along with required documentation/plans to the Fire Prevention Bureau for approval at least two (2) weeks before drilling. The submittal shall include a plot plan drawn to scale or with dimensions showing all buildings and improvements within a radius of 300 feet of the exact location of the proposed wellhead. Approval and on-site inspection by the Fire Prevention Bureau shall be completed before start of drilling.

Monitoring and Reporting: A copy of the approved Fire Code permits shall be kept on file with the Fire Prevention Bureau. The Fire Prevention Bureau shall conduct a final inspection to ensure that the requirements of the Fire Code permit are installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and his successors in interest, shall maintain the conditions of the Fire Code permit for the life of the project.

V. Air Pollution Control District (APCD) Conditions

68. Authority to Construct

An APCD Authority to Construct shall be obtained for all equipment subject to permit prior to construction or commencement of drilling operations.

69. APCD Rules

Facilities shall be constructed and operated in accordance with the Rules and Regulations of the Ventura County Air Pollution Control District.

As added at the January 8, 2015 Planning Director Hearing:

70. Landscaping Maintenance

Purpose: To ensure that the CUP area is adequately screened so as not to create any unsightly conditions visible from public viewing areas.

Requirement: All drill sites shall be landscaped so as to screen production equipment (including permanent storage tanks) and cut and fill slopes from view of Highway 150, Thomas Aquinas College, the Santa Paula Canyon hiking trail and any residences in the area to the extent which the Planning Director determines is reasonably feasible.

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Required landscaping shall be accomplished in a manner consistent with the native character of the area. All landscape plans shall be prepared in accordance with the County's Landscape Guidelines. Landscaping shall be maintained for the life of the permit.

Documentation: Permittee shall submit a landscape plan to the Planning Division for review and approval.

Timing: The Permittee shall obtain approval of the landscape plan prior to the issuance of a zoning clearance for use inauguration.

Monitoring and Reporting: The County 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*.