



November 9, 2020

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Ventura County Board of Supervisors
800 S. Victoria Avenue, #L1740
Ventura, CA 93009-1740

Re: Agenda Item #34: Recommendation of Supervisors Bennett and Parks to Direct the Resource Management Agency to Return to the Board with Zoning Ordinance Amendments to Further Restrict Oil and Gas Permitting

Dear Chair Long and Honorable Members of the Board of Supervisors:

Thank you for the opportunity to provide comments on the recommendation of Supervisors Bennett and Parks to direct the Resource Management Agency to bring back Zoning Ordinance amendments to further restrict and add requirements to oil and gas permits.

On November 5, 2020 - a mere four days ago - the Planning Commissioners discussed a nearly identical recommendation, citing the same expressed concerns about idle and abandoned wells from an article published by the L.A. Times on February 6, 2020. At that hearing, the Commissioners voted to direct Planning staff to study the issue and gather more information regarding idle and abandoned wells. As of this hearing (November 10, 2020), it is doubtful that County staff have had the opportunity and time to complete such a study.

Last week, CoLAB provided written comments to the Planning Commission outlining recent legislation that the L.A. Times failed to disclose in their February 6 article. We also urged the County to coordinate directly with the California Geologic Energy Management Division (CalGEM). Our comment letter is attached.

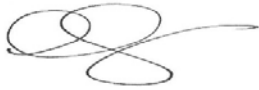
CalGEM is the state agency authorized to administer oil and gas activities, including implementing regulations for onshore drilling, production, operations, idle well management, and well abandonment. This exclusive authority has been codified by the State Legislature and recognized numerous times over the last five years in the public record by RMA staff and County Counsel.

The County's authority is limited to land use oversight. This authority does not extend to the regulation of subsurface activities and many oilfield operations. Supervisors Bennett and Parks' proposed recommendation exceeds the County's legal authority by demanding that RMA staff "incorporate measures to assure timely permanent plugging and restoration of wells." Requirements for plugging and abandonment of wells, operation of pumping units, and bonding are all comprehensively addressed by state

law. The Supervisors' proposed recommendation is preempted by the authority of CalGEM and the state.

CoLAB urges the County to contact CalGEM directly to verify the information about regulatory oversight for subsurface activities and operations. We also strongly encourage the County to open discussions with CalGEM and industry subject matter experts on oil and gas regulatory issues, such as the Western States Petroleum Association and the California Independent Producers Association, to assist with educating County staff and officials, and the general public on regulatory oversight authority and existing requirements for oil and gas operations.

Sincerely,

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Louise Lampara
Executive Director

October 30, 2020

Ventura County CoLAB
Board of Directors & Officers

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Tony Skinner, IBEW Local 952
Director

Alex Teague, Limoneira
Director

Andy Waters, Waters Family Farms
Director

Ventura County Planning Commission
Hall of Administration
Resource Management Agency/Planning Division
Attn: Meighan Batinica
800 S. Victoria Ave., L#1740
Ventura, CA 93009-1740

RE: **Agenda Item #5** – Recommendation of Commissioner White to recommend action by the Board of Supervisors regarding the regulation of abandoned and idle oil and gas wells in Ventura County

Dear Chair White and Members of the Planning Commission:

Thank you for the opportunity to provide comment on Chair White's recommendation for the Planning Commission to recommend action by the Board of Supervisors and direct the Resource Management Agency to investigate the status of abandoned and idle oil and gas wells in Ventura County.

Chair White references a February 6, 2020 L.A. Times article as the basis for his concern and the impetus for his recommendation. Unfortunately, this article fails to portray an accurate and complete representation of existing regulatory oversight associated with idle wells in California.

Some recent legislation that was not mentioned or considered in the L.A. Times article includes:

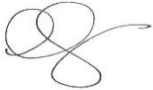
- AB2729, which increases the operator fees and bonding required for idle wells and requires operators to plug and abandon between 4-6% of their idle wells annually
- AB1057, which gives the State Oil and Gas Supervisor the authority to require additional bonds, over and above the state established amounts, from operators
- AB1328, which requires CalGEM and CARB to commission an independent study to review emissions from idle and abandoned wells
- SB551, which requires operators to work with CalGEM to disclose their plan to meet all future financial obligations to abandon idle wells, prior to receiving certification from CalGEM.

In addition to the above, CoLAB would like to point out that state regulations state that the oil industry, not taxpayers, are responsible for 100% of the costs to decommission on-shore wells, even if those wells do not have a verifiable owner.

The responsibility for idle and abandoned well management and regulation in the State of California rests solely with CalGEM and is not within the regulatory jurisdiction of the County. As both RMA and County Counsel have noted on public record numerous times in the past, CalGEM is responsible for all pertinent regulatory and enforcement programs regarding the drilling, operation and abandonment of oil and gas wells in the state.

CoLAB urges the County to contact CalGEM to verify the information about regulatory oversight for idle and abandoned wells outlined in this comment letter. We also strongly urge the County to open discussions with CalGEM and industry subject matter experts on oil and gas regulatory issues, such as WSPA and CIPA, to help educate County staff and officials, and the general public on regulatory oversight authority for this issue.

Sincerely,

A handwritten signature in black ink, appearing to read 'Louise Lampara', with a stylized, looping flourish extending to the right.

Louise Lampara
Executive Director