



November 10, 2020

Board of Supervisors
County of Ventura
800 S. Victoria Ave.
Ventura, CA 93009

Re: SUPPORT for Zoning Ordinances Amendments for Antiquated Oil
Drilling Permits—Case Number PL20-0052

Dear Chair Long and Members of the Board:

Our organization and its thousands of members and supporters across Ventura County strongly urge you to take the actions advised by County staff, which include adopting the proposed amendments to the Zoning Ordinances. These amendments would help address the significant risks to public health, safety, and the environment posed by new wells drilled under oil and gas permits issued up to over 70 years ago in Ventura County.

Many oil fields in Ventura County operate under permits issued in the 1940s, 1950s, and 1960s. These “antiquated permits” typically contain no limits on the number of wells that can be drilled within the permit boundary, and often have no expiration date. They contain outdated language and lack adequate provisions to protect the environment, human health, and worker safety. As a result, hundreds of new wells have been approved through the issuance of over-the-counter Zoning Clearances that are not subjected to normal public notice and environmental review.

The Sespe Oil Field in Ventura County serves as a telling example of how the County’s current system of antiquated permits allows the oil industry to avoid operating under modern planning standards. The Sespe Oil Field contains more than 200 active oil wells spread across 3,000 acres north of Fillmore, nestled between the Los Padres National Forest, the Sespe Condor Sanctuary, and the Hopper Mountain National Wildlife Refuge. Approximately half of the wells are on private land that is intermingled with national forest land. These oil wells on private land are within the County’s jurisdiction, falling within the boundaries of 21 Conditional Use Permits (CUPs). The County issued these CUPs between 1948 and 1976 and they are woefully outdated:

- Only 4 of the 21 CUPs contain expiration dates; the vast majority of the CUPs do not expire.
- Most CUPs do not restrict the number of wells and other facilities that can be placed within the boundaries, meaning that an unlimited number of wells could be drilled.
- Most CUPs have never undergone review under the California Environmental Quality Act (CEQA) because they predate CEQA.

- The antiquated permits contain inconsistent (and at times conflicting) provisions.

This is just one example of the many challenges presented by antiquated permits throughout the County. In the last five years alone, oil companies have applied for permission to drill more than 220 wells in Ventura County, most of which are under antiquated permits. Allowing this outdated practice to continue places the health and safety of Ventura County residents, workers, and environment at grave risk.

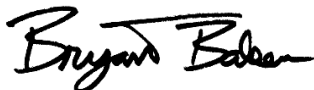
Another significant issue with antiquated permits is that many would allow new wells to be drilled in close proximity to the County's water resources. Consider that there are currently 259 active or idle wells within 300 feet of a "red line" waterway in Ventura County (Figures 1-2). There are an additional 154 active or idle wells within 100 feet of a "blue line" waterway in Ventura County (Figures 3-4). The Zoning Ordinance amendments would limit new well development within these buffer zones. Without such amendments, we can expect to see more of the same in the future: wells being drilled dangerously close to water resources throughout the county with nothing more than a simple Zoning Clearance. Not only would new wells in these riparian areas put water quality at risk, they would also involve removal of important streamside habitat on which countless species rely for food and shelter.

The California Supreme Court has long held that the vested rights doctrine does not protect permit holders who seek to drill new wells, or redrill, rework or deepen existing wells. See *Beverly Oil Co. v. City of Los Angeles* (1953) 40 Cal.2d 552, 557 (upholding City's ban against drilling new wells or deepening existing wells as applied to plaintiff's established oil and gas operation and rejecting his claim of a vested right "to reach any and all oil underlying his property").

Accordingly, the County should proceed with amending the Zoning Ordinances to require discretionary approval of new development regardless of the age of the underlying permit, as recommended by County staff. Such amendments would ensure that oil operations throughout the County operate in a safer, more responsible, and more transparent manner and would help protect public health, water quality, and local public lands.

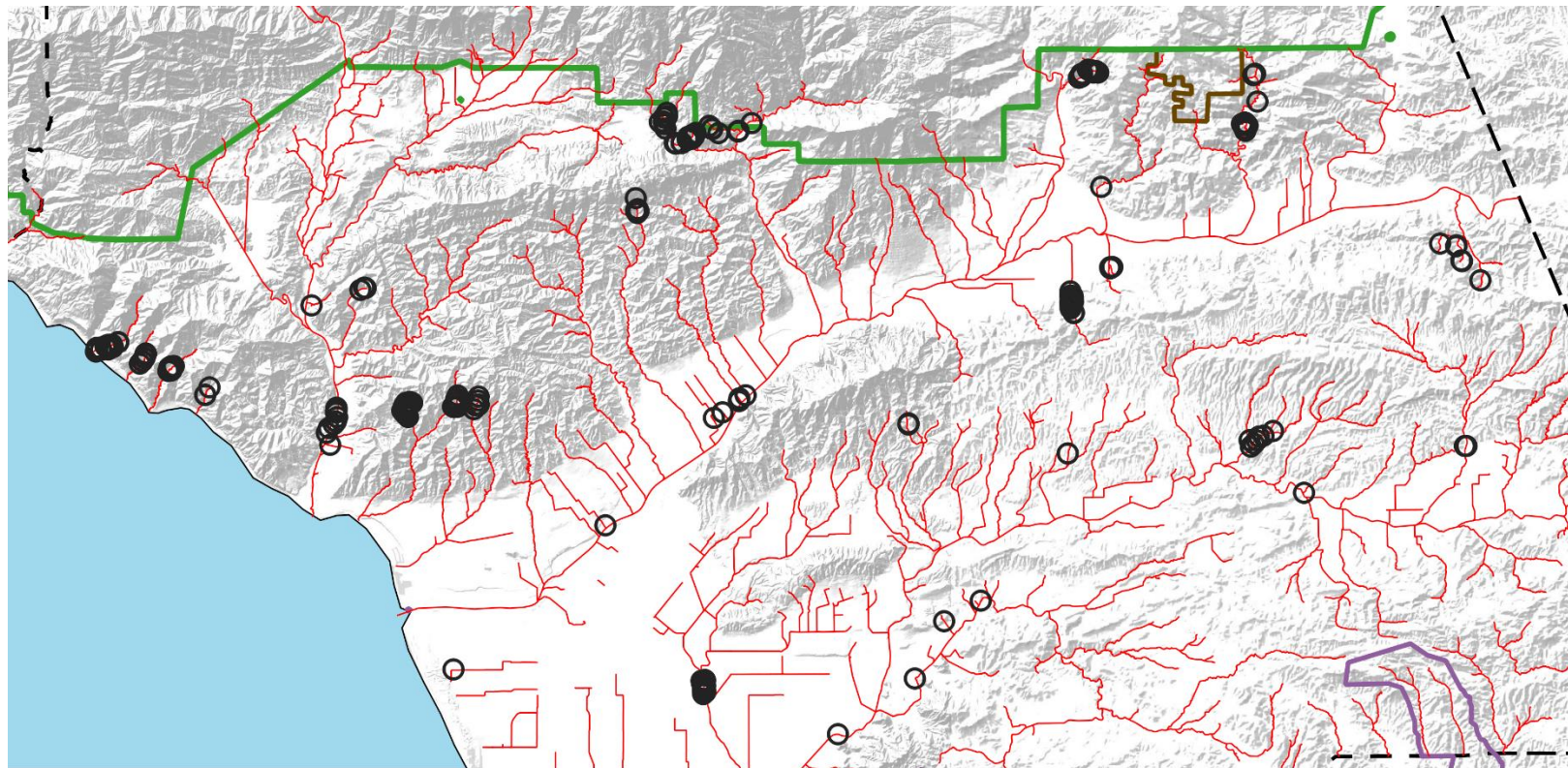
For the reasons outlined above, we urge you to vote YES on adopting the proposed amendments to the Zoning Ordinance.

Sincerely,

A handwritten signature in black ink, reading "Bryant Baker". The signature is written in a cursive, flowing style.

Bryant Baker, M.S.
Conservation Director
Los Padres ForestWatch

Figure 1. Map of all active and idle wells within 300 feet of a “Red Line” waterway in Ventura County.




Active or Idle Wells Near Red Line Waterways in Ventura County

-  National Forest Boundary
-  National Park Service Land Boundary
-  National Wildlife Refuge Boundary
-  County Boundary
-  "Red Line" Waterway
-  Active or Idle Well (< 300' from Red Line)



0 2.5 5 mi



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Figure 2. Examples of active wells within 300 feet of a “Red Line” waterway. Location: Along Padre Juan Canyon Road, Ventura County.

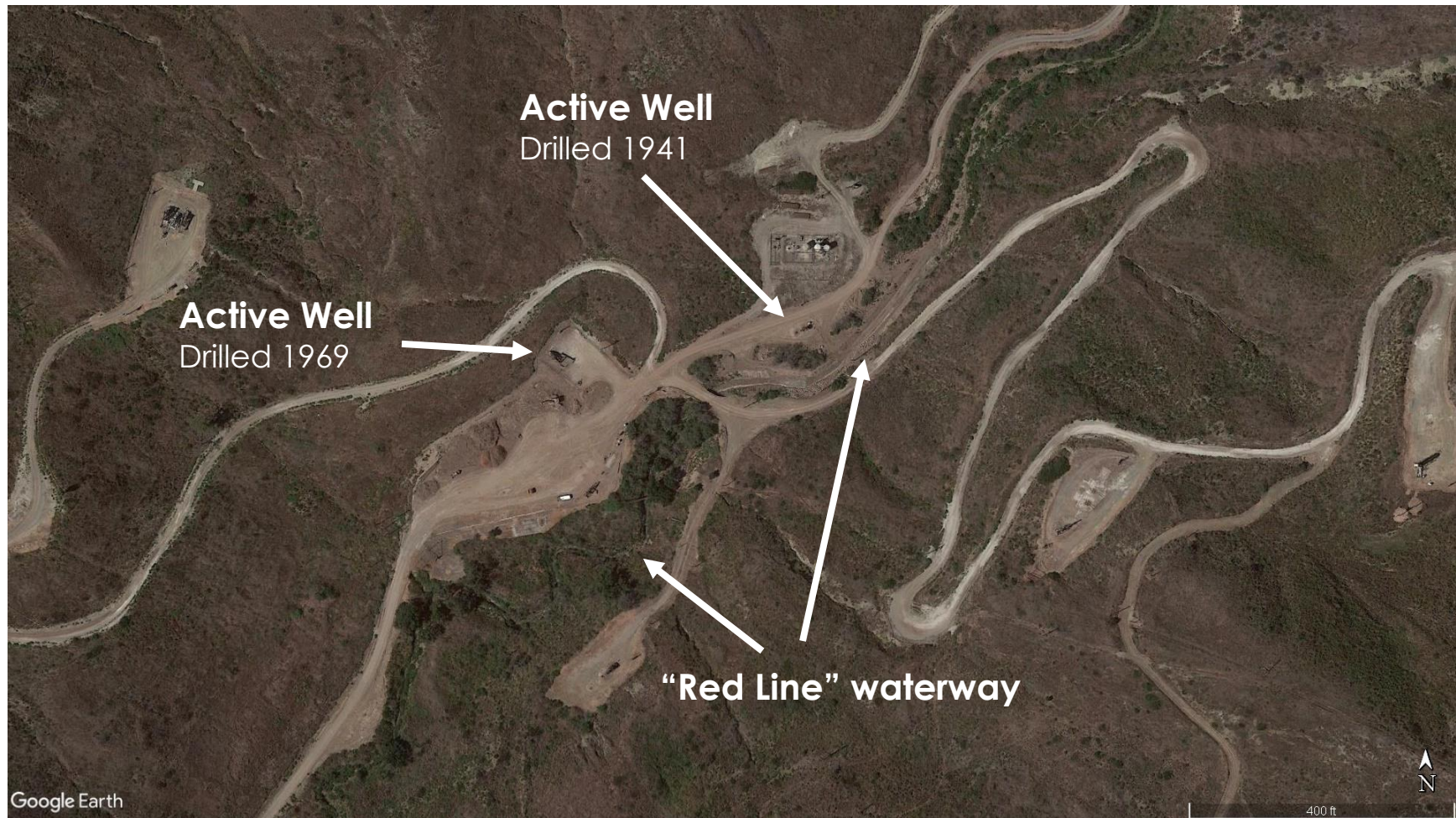
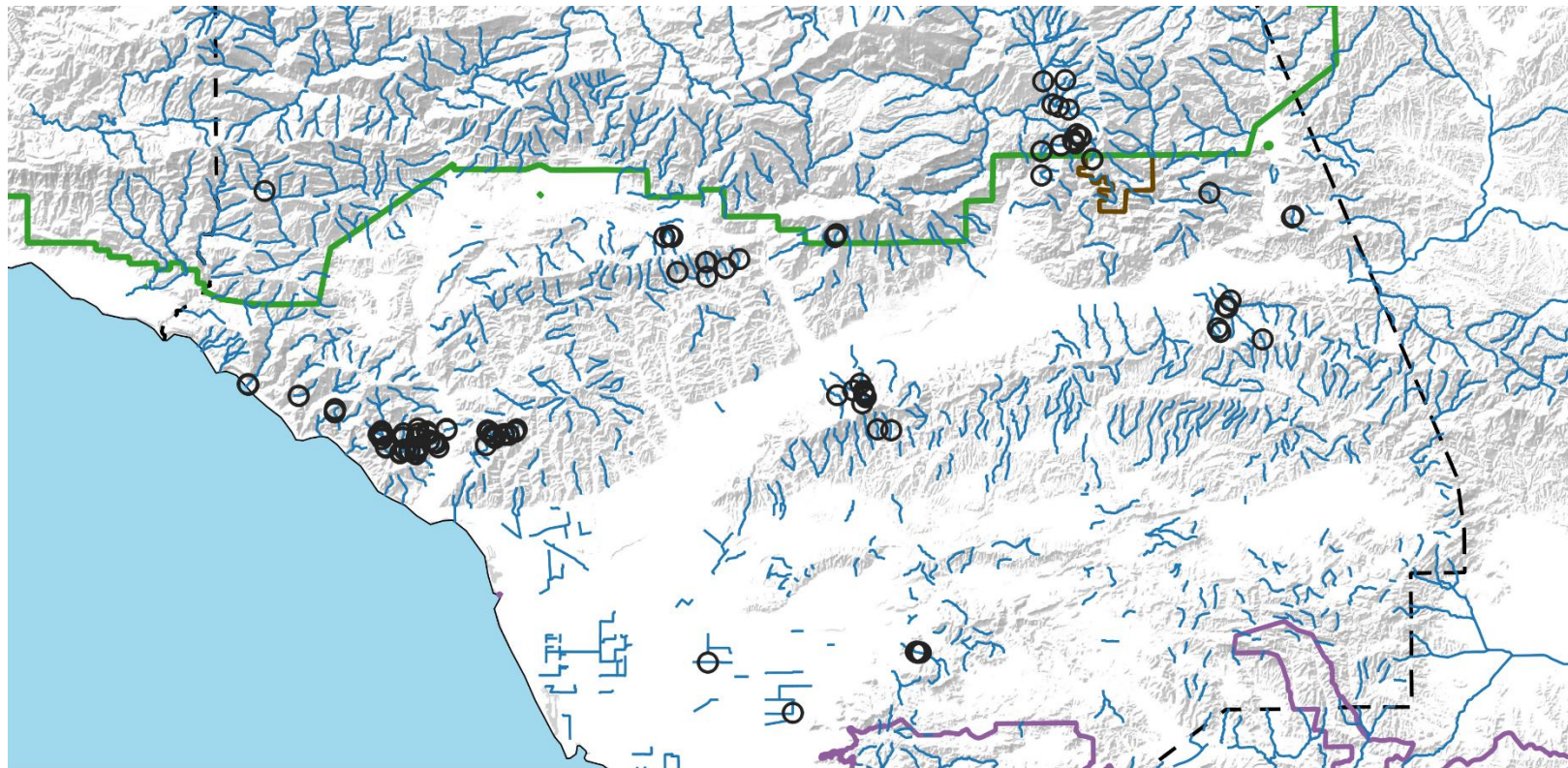


Figure 3. Map of all active and idle wells within 100 feet of a “Blue Line” waterway in Ventura County.



Active or Idle Wells Near Blue Line Waterways in Ventura County

-  National Forest Boundary
-  National Park Service Land Boundary
-  National Wildlife Refuge Boundary
-  County Boundary
-  "Blue Line" Waterway
-  Active or Idle Well (< 100' from Blue Line)



0 2.5 5 mi



Updated Nov. 10, 2020

Figure 4. Examples of active wells within 100 feet of a “Blue Line” waterway. Location: Near Smith Canyon Road, Ventura County.

