



## MEMORANDUM

DATE: February 27, 2023

TO: Clerk of the Board of Supervisors and Board of Supervisors Agenda Distribution

FROM: Thomas Chaffee, Case Planner  
Mindy Fogg, Planning Manager

SUBJECT: Item #72 on the February 28, 2023 Agenda –Revision Packet Containing Public Comments for PL22-0152 and PL22-0153

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Please find attached as it relates to Item 72 of the Board's agenda:

- 99 public comment letters received to date
- Applicant Presentation
- Staff Presentation



February 23, 2023

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

Sent via email [clerkoftheboard@ventura.org](mailto:clerkoftheboard@ventura.org)

**Re: Case Number: PL22-0152 AND PL22-0153, Feb. 28, 2023 Board of Supervisors Hearing**

Dear Supervisors,

Climate First: Replacing Oil & Gas (CFROG) hereby submits this Comment Letter in Opposition to ABA Energy Corp.'s Appeal of the Planning Commission's December 15, 2022 Determination reversing the issuance of two oil drilling Zoning Clearances. As the underlying prevailing appellant before the Planning Commission, we request to be heard as a party and that our arguments presented below be formally incorporated into the record and considered.<sup>1</sup>

CFROG is a grassroots environmental nonprofit dedicated to combating the climate crisis by working to shape the transition from fossil fuels to a carbon-free economy in Ventura County. We are committed to ensuring that oil and gas operations are properly reviewed, permitted, monitored, and compliant. CFROG has been tracking oil and gas developments in Ventura County for almost 10 years. ABA Energy Corp.'s ("ABA", "Oil Operator" or "Applicant") redrilling project of the two wells at issue, together with 21 additional similar drilling projects, may be the largest drilling development we have monitored.

**For the reasons discussed below, the Zoning Clearances are in glaring violation of the County's Non-Coastal Zoning Ordinance (Ordinance).<sup>2</sup> We respectfully urge the Board of Supervisors to deny ABA Energy Corp.'s Appeal based on the Applicant's failure to comply with legal requirements and the Planning Division's erroneous issuance of the Zoning Clearances in violation of County law.**

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<sup>1</sup> CFROG has no recourse under the Ventura County Code to be heard as the original appellant and has not otherwise been granted with an opportunity to be heard as a party. CFROG nevertheless submits this letter to oppose ABA's appeal in an effort to be heard and, if required, to exhaust administrative remedies and preserve all further rights and remedies.

<sup>2</sup> The County's Non-Coastal Zoning Ordinance is codified at Chapter 1, Division 8 of the Ventura County Ordinance Code.

## I. INTRODUCTION

The two Zoning Clearances at issue would allow ABA to expand oil drilling operations in Oxnard under Special Use Permit #672 without satisfying long-standing, basic legal requirements. In particular, the Planning Division failed to comply with mandatory standards dictated by County Ordinance which the Division cannot ignore in its discretion.

Over the last several years, in addressing the climate, health, and safety impacts of oil drilling operations, the Board of Supervisors and the public have contended with such Conditional/Special Use Permits (CUPs/SUPs) granted decades ago prior to modern regulatory frameworks. Those archaic permits were issued under very different conditions than today, including when there was a dearth of science, data, and other information about their detrimental environmental, health, and fiscal impacts, like those Ventura County is now confronting. Nevertheless, those old permits, including ABA's Special Use Permit #672 (SUP 672) issued in 1957, are bound by its terms and conditions, as well as county, state, and federal laws.

On August 19, 2022, oil operator ABA filed with the Planning Division two Zoning Clearance Applications required to obtain authorization for oil drilling operations. Specifically, the Oil Operator sought approval to redrill two separate oil wells—designated Malhaurdt #9S and Dorothy Moon #2ST—through a technique called “sidetracking.” The new redrilling of the Malhaurdt #9ST and Dorothy Moon #2ST wells through sidetracking would extract oil from wells that are currently idle and abandoned, respectively. The Planning Division undertook a ministerial review and granted ABA's applications on September 22, 2022, issuing Zoning Clearances ZC22-0937 (Malhaurdt #9ST) and ZC22-0938 (Dorothy Moon #2ST).

The approved sidetracking drilling operations consist of drilling a secondary wellbore from an original wellbore to in essence redrill the well to a new target. The proposed operations “will include the sidetracked wellbore and the ancillary equipment used for the wellbore such as the pumping unit/pad, the electrical lines, the oil/gas scrubber, and the pipeline from the wellhead to ABA's existing facilities.” (ABA Applications for Malhaurdt #9ST and Dorothy Moon #2ST, Exhibits 1).

ABA also submitted applications to redrill and sidetrack 21 additional wells and received Zoning Clearances by the Planning Division on November 18, 2022, altogether authorizing a vast oil drilling expansion of 23 wells in an Environmental Justice community in Oxnard. We discuss the significant health, environmental, climate, and fiscal impacts of this intensive drilling expansion further below in Section IV C.

CFROG filed timely appeals of Zoning Clearances ZC22-0937 (Malhaurdt #9ST) and ZC22-0938 (Dorothy Moon #2ST) with the Planning Commission on September 30, 2022, asserting that ABA's Applications and the issuance of the Zoning Clearances failed to meet legal

requirements and required they be nullified and declared void.<sup>3</sup> ABA's Zoning Clearance Applications for the two sidetrack drilling projects are nearly identical, containing exact responses and assertions regarding its alleged compliance with the Ordinance and other legal requirements, including terms and conditions of the underlying SUP 672. Accordingly, the arguments CFROG raised in its appeals applied equally to both applications, as they do here.

After both CFROG and applicant ABA presented at a Planning Commission hearing on December 15, 2022, the Planning Commission granted CFROG's appeal by rejecting the issuance of the oil drilling Zoning Clearances. ABA now appeals that decision to the Board of Supervisors, requiring the Board to make determinations of critical importance to the rule of law and the public's health and safety, as follows below.

## **II. QUESTIONS ON APPEAL**

ABA's Appeal of the Planning Commission's disapproval of issuing Zoning Clearances ZC22-0937 and ZC22-0938 requires the Board of Supervisors to determine whether the Applicant and the Planning Division complied with all legal requirements governing the applications for, review, and issuance of Zoning Clearances.

The Planning Division issued the two drilling Zoning Clearances ("ZC") pursuant to its ministerial duties under Sec. 8111-1.1.1(b) of the Non-Coastal Zoning Ordinance. Under a ministerial review standard,<sup>4</sup> the Board of Supervisors must assess and decide the following questions:

(1) Did the Oil Operator ZC Applications "contains in a full, true and correct form the required materials and information prescribed by the forms supplied by the Ventura County Planning Division" and "conform[] to the requirements of" the Code (Sections 8111-2.1; 8111-2.3); and

(2) Did the Planning Division faithfully discharge its ministerial duty imposed by the Non-Coastal Zoning Ordinance, designed to protect against the risk of injury, by ensuring that the Applications objectively satisfied all requirements, including that the proposed oil drilling operations:

- a. Comply with the terms and conditions of Special Use Permit #672;
- b. Comply with the standards of Division 8, Chapter 1 and 2 of the Ordinance Code;

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<sup>3</sup> CFROG did not challenge the additional 21 issued zoning clearances because the County's appeal process is cost-prohibitive and would have required CFROG to pay fees totaling \$23,000. Based on information and belief, however, those 21 applications and issuances presumably suffer from similar deficiencies as those challenged by CFROG. We further address this issue in Section IV B.

<sup>4</sup> CFROG also asserts, in the alternative, that the Planning Division erred in issuing the Zoning Clearances because the County was required to undertake a discretionary review and thus apply CEQA. Because a determination under the ministerial review standard by itself requires a determination nullifying and voiding the two Zoning Clearances, CFROG will not repeat that argument here and instead hereby incorporates and respectfully refers the Board to those arguments made in CFROG's December 15, 2022 Appeal of the Planning Department's issuance to ABA of the two Zoning Clearances at issue.



- c. Are compatible with the policies and land use designations specified in the General Plan;
- d. Are not located on the same lot where a violation exists of standards found in Chapters 1 and 2 or of any Ventura County Ordinance regulating land use,
- e. Are consistent with conditions and requirements established by specified County and federal water standards.

(Section 8111-1.1.1(b)). As we explain below, they did not.

ABA's applications are fatally flawed because they failed to provide the information and content necessary to demonstrate compliance with its SUP, code, and other legal requirements. In response to application instructions, ABA provided incomplete, non-responsive, hypothetical, and conclusory responses. As such, the Planning Division could not assess the given set of facts and required information in the "prescribed manner in obedience to the mandate of legal authority[.]" (Section 8102-0). The Planning Division's ministerial review is accordingly incomplete and determination unfounded, and cannot stand.

Based on a ministerial review, the questions before the Board of Supervisors are rather narrow. They do not concern environmental review or compliance with other laws, but simply whether the modest requirements for Zoning Clearance under the Non-Coastal Zoning Ordinance were met. CFROG asserts that they were not, and the Board of Supervisors must deny ABA's Appeal, reverse the issuance of the Zoning Clearances, and direct the Planning Division to adhere to its ministerial duty and ensure that any future Applications objectively satisfy all requirements.

This is a *modest* request, but of critical importance for two reasons: First, the current requirements under the Non-Coastal Zoning Ordinance are minimal but are common-sense safety protections, and the Board must ensure compliance with these existing requirements. Second, the oil drilling expansion at issue is within dangerous proximity to homes in an Environmental Justice community and operating directly in agricultural fields, subjecting farm laborers to the inherent hazards of oil drilling, heightening the moral duty to protect the welfare of community members and workers.

Section 8111-2.7 of the Non-Coastal Zoning Ordinance requires that Zoning Clearances ZC22-0937 and ZC22-0938 "shall be null and void" because ABA's Application and the Planning Division's determinations fail to satisfy mandatory requirements.

### **III. LEGAL STANDARD**

The Ventura County Non-Coastal Zoning Ordinance is unequivocal about the numerous requirements that Oil and Gas Zoning Clearances must satisfy under a ministerial review

process.<sup>5</sup> The Oil and Gas Zoning Clearance process does not concern mere nominal application requirements amenable to cursory reviews and rubber-stamping. Rather, an Oil and Gas Zoning Clearance Application requires substantive review and determinations.

The Ordinance requires oil operators to file for and obtain a Zoning Clearance “prior to drilling every well, commencing site preparation for such well(s), or installing related appurtenances[,]” even where the oil operator holds an underlying special use permit (Section 8107-5.4). Oil operators’ applications must “contain[] in a full, true and correct form the required materials and information prescribed by the forms[]” (Section 8111-2.1), as “determined by the Planning Division[,]” (Section 8111-2.3). The required Application information includes a “demonstrat[ion] [of] how the operator is in compliance with each condition[]” of the Special Use Permit. (Planning Division Oil & Gas Zoning Clearance Application Instructions (“Application Instructions”), Materials Section, ¶ 7).<sup>6</sup> The Planning Division is required to reject an application if it does not provide complete and full information and content as required by the Application Instruction and Ordinance Code. (Sections 8111-2.1, 8111-2.3).

While the Zoning Clearance application review concerns a ministerial decision, the Ordinance requires the Planning Division to ascertain that applications meet numerous County Code requirements, the terms and conditions of the underlying Special Use Permits, are consistent with the General Plan, and that the subject lots do not suffer from any existing violations. (Sections 8102-0; 8111-1.1).

Upon review, a Zoning Clearance can be issued *only* upon confirming that the proposed use of land, structure, or construction in the application:

- Complies with Code standards in Chapters 1 and 2,
- Complies with the terms and conditions of the current permit;
- Is compatible with the General Plan policies and land use designations;
- Is not located on a lot where there exists a violation of Code Chapters 1 and 2 or of any Ordinance regulating land use, or of permit terms;
- Is consistent with water conditions and requirements established by Pollutant Discharge and Stormwater ordinances.

(Section 8111-1.1.1(b); see also Section 8111-2.2(f),(g) (requiring rejection of application where a violation exists)). Oil and Gas Zoning Clearance Applications must meet additional Code requirements. (Section 8111-2.3 (citing Section 8107-5.6)).

A Zoning Clearance means that the County *certifies* that the project complies and is consistent with the code, permit conditions, general plan, violations, and water requirements. (Section 8111-1.1.1). Therefore, the Planning Division’s legal ministerial duty to ensure the

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<sup>5</sup> Again, CFROG also holds that the Planning Division erred in issuing the Zoning Clearances because discretionary and environmental review was required.

<sup>6</sup> The Oil & Gas Zoning Clearance Application is found at:  
[https://vcrma.org/docs/images/pdf/planning/programs/oil-gas/Zoning\\_Clearance\\_Application-OG\\_U.pdf](https://vcrma.org/docs/images/pdf/planning/programs/oil-gas/Zoning_Clearance_Application-OG_U.pdf)

numerous critical requirements are satisfied requires a careful, substantive review. Indeed, the Ordinance provides that while “Zoning Clearances applications may take up to 30 days to be processed and issued[,]” “[a]dditional time may be required if project information . . . requires further analysis or research[.]” (Application Instructions ¶ 9).

Because oil drilling operations inherently create health and safety risks, it is necessary for the Planning Division to conduct complete analysis and research to reach a substantiated determination. In light of the substantive review required for Zoning Clearances for Oil and Gas operations, the Code provides the County with the ability to seek outside expert consultant support at the cost of the applicant. Specifically, Section 8111-2.1 permits County staff to “refer any application [] to an independent and qualified consultant for review and evaluation of issues beyond the expertise or staffing capabilities of the County,” with “[t]he costs . . . borne by the applicant[.]” .

The Ordinance requires that a Zoning Clearance be declared null and void when:

1. An application did not provide full, true and correct information;
2. it does not comply with a term or condition of its use permit; or
3. other error was committed.

(Section 8111-2.7). County law thus provides for a mandatory nullification when the application or Zoning Clearance violates any one of these requirements.

#### IV. DISCUSSION

**A. The Non-Coastal Zoning Ordinance requires that the ABA Zoning Clearances be nullified because they fail to objectively meet mandatory legal requirements on multiple grounds, any one of which requires they be void.**

1. ABA’s Oil and Gas Zoning Clearance Applications must be rejected as non-compliant because they fail to provide “full, true, and correct . . . materials and information” required by the Ordinance and dictated by the Planning Division, in violation of Sections 8111-2.1 and 8111-2.3.

- a. *ABA’s Zoning Clearance Applications fail to provide the required information demonstrating compliance with SUP 672 Conditions.*

The County Ordinance prohibits the issuance of a Zoning Clearance unless the proposed activity “[c]omplies with the applicable terms and conditions of [the] permit” (Section 8111-1.1.1(b)(3)) and the Planning Division’s Zoning Clearance Application, therefore, instructs applicants to provide a copy of the underlying permit approval conditions and show how the operation complies. Accordingly, ABA was specifically required to “demonstrate how the operator is in compliance with each condition[.]” of SUP 672. (Application Instructions, Materials Section, ¶ 7). ABA failed to make this required showing.

Rather than prove or otherwise clearly show its compliance with SUP 672 Conditions, ABA instead provides promissory, ambiguous, non-responsive, and/or incomplete responses. Its compliance statements, contained in Exhibits 2 to Application ZC22-0937 and Application ZC22-0938, simply fail to make the requisite showing. The Applications' legal defects include, but are not limited to, SUP 672 Conditions 5, 8, 10, 11, and 13, as follows:

**i. Promissory statements on compliance with Condition 5.**

ABA was required to demonstrate compliance with permit Condition 5, which states:

all oil drilling and production operations shall be conducted in such a manner as to eliminate, as far as practicable, dust, noise, vibration or noxious odors, and shall be in accordance with the best accepted practices incident to drilling for and the production of oil, gas, and other hydrocarbon substances. Where economically feasible and where generally accepted and used, proven technological improvements in drilling and production methods shall be adopted as they may become from time to time, available, if capable of reducing factors of nuisance and annoyance.

ABA's compliance statement states only that it "will" do these things, and that "drilling and production operations will be conducted using good oil field practices." (Applications ZC22-0937, ZC22-0938, Condition Compliance Letters, Exhibits 2 at p. 2). ABA's compliance statements as to Conditions 5 do not amount to the requisite "demonstration," which requires a clear showing, proof, or explanation<sup>7</sup> that the Planning Division could assess and certify compliance, "in obedience to the mandate of legal authority[.]" (Sec. 8102-0).

**ii. Promissory, vague, and non-responsive statements on compliance with Condition 8.**

ABA was required to demonstrate compliance with permit Condition 8, which states that "all water, mud, oil, or any other fluid, semi-fluid, . . . which is removed from the . . . land for which a Special Use Permit is issued for the purpose of disposal as waste material, shall only be deposited in an approved disposal site." However, ABA again simply stated that it "will" comply, without providing any information about whether waste material is or will be removed, whether ABA has obtained a special use permit for such purpose, and without identifying its approved disposal site(s). (Applications ZC22-0937, ZC22-0938, Condition Compliance Letters, Exhibits 2 at p. 3). ABA's compliance statement violates Sections 8111-2.1, 8111-2.3, and 8111-1.1.1(b)(3).

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<sup>7</sup> See plain meaning of "demonstrate." Merriam-Webster. (n.d.). Demonstrate. In *Merriam-Webster.com dictionary*. Retrieved Feb. 21, 2023, from <https://www.merriam-webster.com/dictionary/demonstrate>.

**iii. Non-responsive statements on compliance with Condition 10.**

ABA was required to demonstrate compliance with permit Condition 10, which provides that ABA “shall at all times comply with the provisions of Section 3220 and Section 3221 of the Public Resources Code of the State of California, relating to the protection of underground water supply.” ABA’s statements fail to state if and how it complies with these state laws. Perplexingly, ABA instead merely identified what state authority implements those state laws, stating, “CalGEM supervises and inspects the drilling for and extraction of oil . . . to ensure” compliance with state law.” (Applications ZC22-0937, ZC22-0938, Condition Compliance Letters, Exhibits 2 at p. 3). This non-responsive statement violates Ordinance requirements.

**iv. Non-responsive statements on compliance with Condition 11.**

ABA was required to demonstrate compliance with permit Condition 11, which provides that ABA “shall at all times comply with the provisions of Chapter 3, Article 3600, Public Resources Code of the State of California, regarding the proper location of wells in reference to boundaries and public streets, roads or highways.” Rather than show how ABA is in compliance with this state law requirement, its non-responsive statement asserted that “CalGEM will not issue the necessary approval and regulatory clearance for the drilling of said well until permittee has demonstrated to the satisfaction of CalGEM that the location of said well is in compliance with the provisions of Chapter 3, Article 3600, Public Resources Code.” (Applications ZC22-0937, ZC22-0938, Condition Compliance Letters, Exhibits 2 at p. 3). This statement similarly violates Ordinance requirements.

**v. Non-responsive, incomplete, promissory, and erroneous statements on compliance with Condition 13.**

ABA was required to demonstrate compliance with permit Condition 13, which provides that ABA “shall comply with all conditions of the Ventura County Ordinance Code applicable to this permit.” ABA’s statements of compliance to Condition 13 fail to provide any information proving how the operator is or will be in compliance with the Ordinance Code. Instead, ABA states that it will *only* comply with those Code conditions that “existed at issuance of SUP 672.” (Applications ZC22-0937, ZC22-0938, Condition Compliance Letters, Exhibits 2 at p. 4).

First, ABA’s response indicates that it does *not* comply with the terms of Condition 13, or at the very least refuses to demonstrate its compliance. Second, ABA’s response seeks to modify Condition 13 and on its own narrow its legal obligations. Third, ABA does not even attempt to demonstrate compliance with the Code conditions it claims to comply with. Rather, ABA promises that it “will comply.” Therefore, ABA’s statements on compliance with Condition 13 of SUP 672 similarly violate Sections 8111-2.1, 8111-2.3, and 8111-1.1.1(b)(3).

In failing to demonstrate how the Applicant is in compliance with each of the cited conditions as demonstrated above, the Applicant failed to provide a full, true, and correct

account of the project, and cannot make the requisite showing of compliance with permit conditions.

b. *ABA's Zoning Clearance Applications fail to provide required site plans.*

ABA's application is also fatally defective because it fails to provide site plans for the proposed drilling activities as required by the Application Instructions, in violation of Sections 8111-2.1 and 8111-2.3. (See Application Instructions, Materials Section, ¶¶ 4, 5).

ABA's Applications include diagrams and photos of the "rig layout" and "pumping unit layout" that purport to comply with Application Instructions general and specific requirements for Site and Floor Plans. The diagrams and photos, however, fail to provide full or correct site plan information. Instead, ABA's Applications provide site plans of "typical" layouts, and state that ABA will decide what its actual plans will be "just prior to the actual time of operational commencement." (Applications ZC22-0937, ZC22-0938, Exhibits A, p. 2; Exhibits B). In essence, ABA states that it *does not yet know* what its actual plans will look like because it will decide at some unknown future time—"just prior" to commencing the proposed operations. ABA's Applications fail to comply with the County's legal requirements for this additional reason.

The Ordinance is clear on its face that applications that do not provide "full, true, and correct . . . materials and information" required by the Ordinance and the Planning Division shall not be accepted for filing and processing. (Section 8111-2.1). Accordingly, the Board of Supervisors must reject the Application as non-compliant.

2. The Planning Division failed to discharge its duty by disregarding mandatory standards and erred in issuing the Zoning Clearances where ABA could not satisfy legal requirements.

The Planning Division committed serious error in issuing the ABA Zoning Clearances notwithstanding the Applicant's failure to comply and in disregard of duty to objectively ensure compliance with various legal requirements. In issuing the Zoning Clearances, the Planning Division certified that: "All conditions of SUP 672 will apply. All conditions of SUP 672 have been reviewed, and the operation is in compliance with all applicable conditions at this time." This certification cannot stand, however, for two reasons.

First, the Planning Division could not have determined the SUP 672 conditions were satisfied without the required underlying information. "[F]ull, true and correct" information from the applicant is a necessary condition, without which the Planning Division cannot make an assessment "based upon a given set of facts in a prescribed manner in obedience to the mandate of legal authority." (Section 8120-0).

Second, the Planning Division failed to assess, determine and certify whether the proposed drilling operations comply with:

- Code standards in Chapters 1 and 2;

- General Plan policies and land use designations;
- the no violations requirement;
- water conditions and requirements.

(See Sections 8111-1.1.1(b); 8111-2.2(f),(g); 8111-2.3).

**Based on these deficiencies, ABA's Applications appear to have been "rubber-stamped," and the Zoning Clearances must be nullified as mandated by County Ordinance.** Section 8111-2.7 states that "Zoning Clearances . . . **shall be null and void**" when:

- "[t]he application . . . was not in full, true and correct form";
- it fails to "comply with the terms and conditions of the permit"; or
- it was otherwise "issued erroneously."

Section 8111-2.7 (emphasis added). All three grounds for nullification are present here.

County law prohibits oil drilling operations from commencing without the County's mandatory assessment of complete facts and information to make a determination that the proposed activity satisfies Ordinance, Permit, General Plan, and water safety requirements, and to ensure no current violations exist. (Sections 8107-5.4 and 8111-1.1.1(b); see Section 8111-2.2(f),(g); 8111-2.3).

- a. *The Planning Division failed to objectively ensure the Applicant's compliance with Permit Conditions.*

We incorporate the discussion of the Applications' deficiencies here, rather than repeat it. The incomplete, non-responsive, promissory, and vague responses provided by ABA required to demonstrate compliance with permit conditions necessarily preclude an objective assessment and determination of compliance. The Planning Division does not have the discretion to ignore its duty to conduct an objective compliance assessment. Its failure to conduct a faithful objective assessment renders the Zoning Clearances fatally flawed.

Furthermore, the Zoning Clearance appears in violation of SUP 672, which specifically excludes "bulk storage." Yet the Oil Operator Applications show a "Tank Farm and Facilities," without demonstrating if and how the Tank Farm is authorized by a separate permit. (Applications ZC22-0937, ZC22-0938, Exhibits D, Figure 1). The Planning Division must assess what the nature of the Tank Farms are for, whether they are permitted or not, and whether they are consistent with SUP 672. Without having done so, the Planning Division failed to comply with mandatory standards dictated by County Ordinance.

- b. *The Planning Division failed to objectively ensure the Applicant's compliance with Site Plan requirements.*

Because the oil operator Applications indicate that site plan determinations have not yet been made, and will instead be decided "just prior to" commencing operations, the Planning

Division was unable to objectively assess site plan compliance. The Zoning Clearances are defective for this additional reason.

- c. *The Planning Division failed to objectively ensure the Applicant's compliance with County Ordinance Code requirements.*

The Zoning Clearances provide no indication about the objective determination of County Ordinance Code compliance. It appears that the Planning Division instead erroneously accepted (1) ABA's improper attempt to limit its required compliance with the Ordinance Code, and (2) ABA's promissory statement that it "will comply."

The Planning Division does not have the authority to change or limit the language of the SUP 672 Conditions. By issuing the Zoning Clearances, the Planning Division either (1) improperly permitted the Applicant to alter and limit Condition 13, which involved the exercise of judgment or opinion in applying broader subjective standards, making this a discretionary decision; or (2) altogether ignored Condition 13 and Code compliance. These two Zoning Clearances must be nullified in either case.

- d. *The Planning Division failed to objectively ensure the Applicant's compliance with General Plan requirements.*

The Zoning Clearances provide no indication about its objective determination of oil operator ABA's compliance with the County's General Plan, as required. County law is clear that a Zoning Clearance may not be issued if the proposed oil operation is not "compatible with policies and land use designations specified in the General Plan." (8111-1.1.1.b(2)).

The issuance of the two Zoning Clearances (and the additional 21 Zoning Clearances) is inconsistent with the requirements of Section 8111-1.1.1b. For example, the Ventura County 2040 General Plan includes many Environmental Justice policies that should have been, but were not, considered.<sup>8</sup>

**B. The 23 Zoning Clearances applied for by ABA Energy Corp. in 2022 are part of a single large project that share fatal deficiencies; the current appeal process and fee structure, however, thwart public participation, in violation of Ventura County's Guiding Principle on Environmental Justice.**

In addition to the two Zoning Clearances at issue today (ZC22-0937 and ZC22-0938), ABA was approved to redrill and sidetrack 21 additional wells through the issuance of 21 separate, additional Zoning Clearances on the same land. The redrilling of these 23 wells is clearly one project: except for well identification details, the 23 Zoning Clearance applications use reiterative language.

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<sup>8</sup> To view environmental justice policies included in the Ventura County 2040 General Plan, visit <https://egeneralplan.vcrma.org/chapter/environmental-justice/>

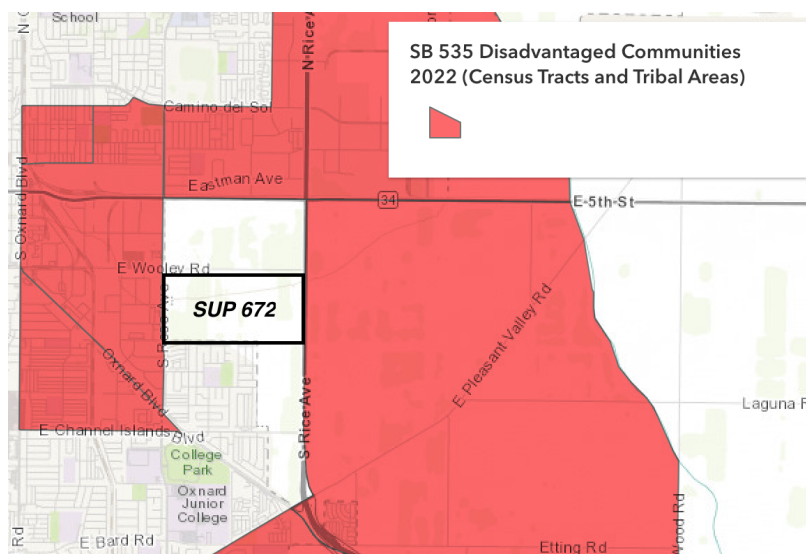


The cumulative costly fees required to appeal the full project thwart opportunities for public participation by making the appeal process inaccessible and undemocratic. An appellant would have to pay \$23,000 (\$1,000 each) to create opportunities for public participation via a hearing with the Planning Commission, which shuts out public participation.

Per the Ventura County General Plan Environmental Justice Land Use and Community Character chapter, the first “major component[] of environmental justice” “is meaningful involvement in the decision-making process, and the second is the actual planning, siting, development, and operation of public facilities and infrastructure.”<sup>9</sup> The California Government Code provides that, at a minimum, Environmental Justice requires meaningful consideration of input from those most impacted by environmental harms resulting from land use decisions. (Cal. Gov. Code § 65040.12(e)).

ABA’s proposed oil drilling projects impact Environmental Justice (“EJ”) communities which must be considered in this matter. ABA’s project location is surrounded by communities meeting disadvantaged designations via SB 535 (Figure 1) and CalEnviroScreen (Figure 2), with percentiles ranging from 76 to 92 (Figure 2).<sup>10</sup> The specific project location is on land zoned for agriculture and in a census tract with relatively few residences.<sup>11</sup> Because of these characteristics, the project location has a 73-percentile CalEnviroScreen 4.0 ranking (just two percentiles under the Environmental Justice threshold).

Figure 1 - Project Location (SUP 672) and Nearby Disadvantaged Communities (SB 535)

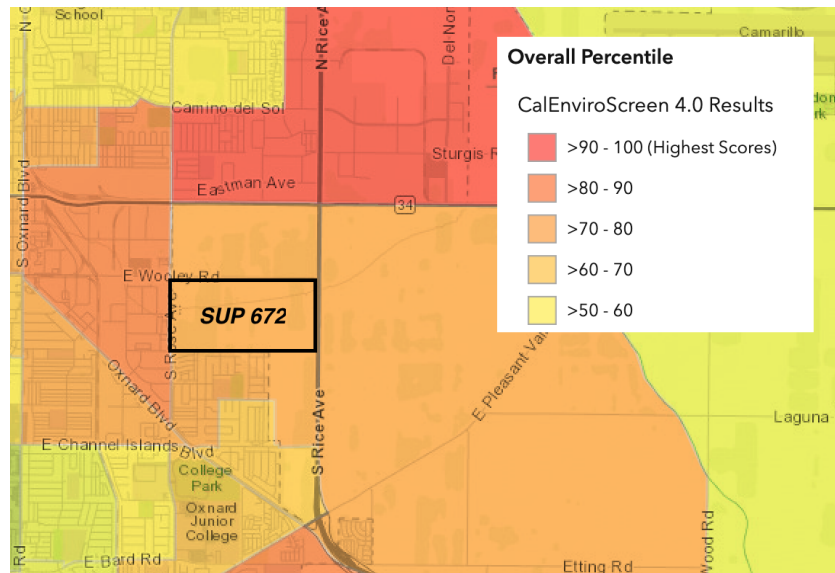


<sup>9</sup> Ventura County General Plan Environmental Justice Land Use and Community Character chapter at <https://egeneralplan.vcrma.org/chapter/environmental-justice/>

<sup>10</sup> Visit mapping tools CalEnviroScreen 4.0 at <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40> and SB 535 Disadvantaged Communities at <https://oehha.ca.gov/calenviroscreen/sb535>

<sup>11</sup> The drilling operation is in the southwest of the intersection of East Wooley Road and South Rice Road (Assessor’s Parcel No. 217-0-030-105).

Figure 2 - Project Location (SUP 672) and Nearby Communities CalEnviroScreen Percentiles



The issuances of these re-drilling Zoning Clearances and the 21 subsequent Zoning Clearances over the period of two months do not meet or even address the local or state requirements of Environmental Justice. In fact, it is a clear case of environmental injustice imposed upon a community of color with no attempt by the County to inform residents of the impending additional pollution burdens.

Further, because ABA's 21 additional Applications seeking zoning clearances are nearly identical, they most likely suffer from the same fatal deficiencies discussed above and fail to comply with the County Ordinance. Accordingly, the Board of Supervisors should act on its authority and *sua sponte* direct the Planning Division to nullify the zoning clearances and undertake a complete, faithful review as required by County law.

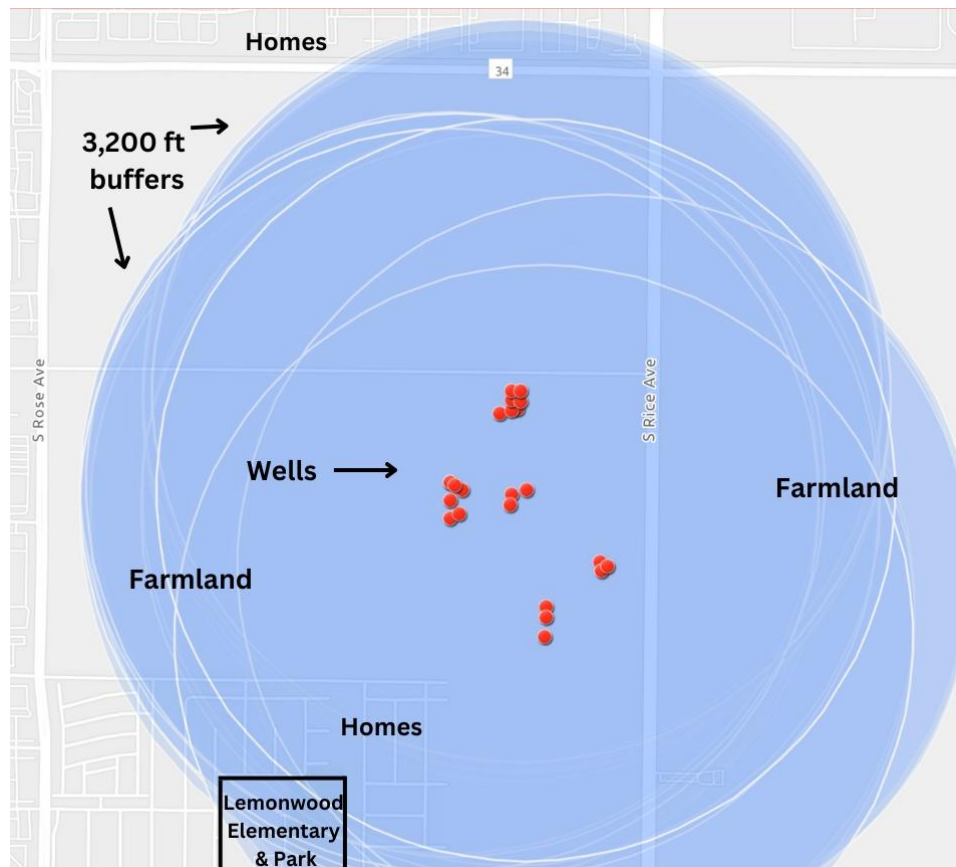
**C. The oil drilling operations at issue pose serious threats to the health of nearby Environmental Justice communities and farm laborers, as well as to greenhouse gas emissions, and fiscal burdens of the county.**

1. The proximity of this redrilling project to homes and schools presents a human health threat.

The two wells determined by ZC22-0937 and ZC22-0938 and the additional 21 wells approved for sidetracking on this permit are all within 3,200 feet of a home, school, or park in the Lemonwood and Rose Park neighborhoods of Oxnard. See Figure 3 on page 14. The California Oil and Gas Public Health Rulemaking Scientific Advisory Panel found 3,200 feet as the minimum distance between oil and gas wells and sensitive receptors to protect the health and

safety of people.<sup>12</sup> The direct and consequential impact oil drilling has on human health has been confirmed by various scientific research and has been reflected in state and local policies.

Figure 3 - Wells Approved for Re-Drilling on SUP 672 with 3,200-foot Buffer and Nearby Sensitive Receptors



Living and working near oil wells is linked to reduced lung function and wheezing, and in some cases, the respiratory damage is similar to that of daily exposure to secondhand smoke or living beside a freeway.<sup>13</sup> Research shows that people who live near oil and gas drilling sites are exposed to harmful pollution and air toxins such as benzene, ethylbenzene, and n-hexane.<sup>14</sup> This

<sup>12</sup> California Oil and Gas Public Health Rulemaking Scientific Advisory Panel response to questions posed by California Geologic Energy Management Division can be found at [https://www.conservation.ca.gov/calgem/Documents/public-health/Public%20Health%20Panel%20Responses\\_FINAL%20ADA.pdf](https://www.conservation.ca.gov/calgem/Documents/public-health/Public%20Health%20Panel%20Responses_FINAL%20ADA.pdf)

<sup>13</sup> Johnston, J. E., Enebish, T., Eckel, S. P., Navarro, S., & Shamasunder, B. (2021). Respiratory health, pulmonary function and local engagement in urban communities near oil development. *Environmental research*, 197, 111088.

<sup>14</sup> U.S. EPA basic information about oil and natural gas air pollution standards can be found at <https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-industry/basic-information-about-oil-and-natural-gas#>

puts these people at greater risk of preterm births,<sup>15</sup> asthma,<sup>16</sup> respiratory disease,<sup>17</sup> and cancer.<sup>18</sup> Another study analyzed nearly 3 million births in California of people living within 6.2 miles (~32,736 feet) of at least one oil or gas well.<sup>19</sup> The findings concluded that living near those wells during pregnancy increased the risk of low-birthweight babies. Living close to petroleum facilities was also associated with an increased risk of childhood leukemia.<sup>20</sup> People working in the oil and gas industry or living near oil and gas facilities were also found to be at increased risk for developing several different cancer types including mesothelioma, skin melanoma, multiple myeloma, and cancers of the prostate and urinary bladder.<sup>21</sup>

Dorothy Moon #2<sup>22</sup> is located approximately 1,096 feet away from the outer perimeter of Lemonwood residences, 2,296 feet away from Lemonwood Park, and 2,741 feet away from Lemonwood School (Figure 4 on page 16). Maulhardt #9<sup>23</sup> is located approximately 1,675 feet away from the outer perimeter of Lemonwood residences, 2,641 feet away from Lemonwood Park, and 3,013 feet away from Lemonwood School (Figure 5 on page 16).

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<sup>15</sup> Gonzalez, D. J., Sherris, A. R., Yang, W., Stevenson, D. K., Padula, A. M., Baiocchi, M., ... & Shaw, G. M. (2020). Oil and gas production and spontaneous preterm birth in the San Joaquin Valley, CA: a case-control study. *Environmental Epidemiology*, 4(4).

<sup>16</sup> Shamasunder, B., Collier-Oxandale, A., Blickley, J., Sadd, J., Chan, M., Navarro, S., ... & Wong, N. J. (2018). Community-based health and exposure study around urban oil developments in South Los Angeles. *International journal of environmental research and public health*, 15(1), 138.

<sup>17</sup> Webb, E., Hays, J., Dyrszka, L., Rodriguez, B., Cox, C., Huffling, K., & Bushkin-Bedient, S. (2016). Potential hazards of air pollutant emissions from unconventional oil and natural gas operations on the respiratory health of children and infants. *Reviews on environmental health*, 31(2), 225-243.

<sup>18</sup> Onyije, F. M., Hosseini, B., Togawa, K., Schüz, J., & Olsson, A. (2021). Cancer incidence and mortality among petroleum industry workers and residents living in oil producing communities: a systematic review and meta-analysis. *International journal of environmental research and public health*, 18(8), 4343.

<sup>19</sup> Tran, K. V., Casey, J. A., Cushing, L. J., & Morello-Frosch, R. (2020). Residential proximity to oil and gas development and birth outcomes in California: a retrospective cohort study of 2006–2015 births. *Environmental health perspectives*, 128(6), 067001.

<sup>20</sup> Ibid.

<sup>21</sup> Ibid.

<sup>22</sup> API 411122233

<sup>23</sup> API 411122360

Figure 4 - Proximity of Dorothy Moon #2 to Homes, School & Park

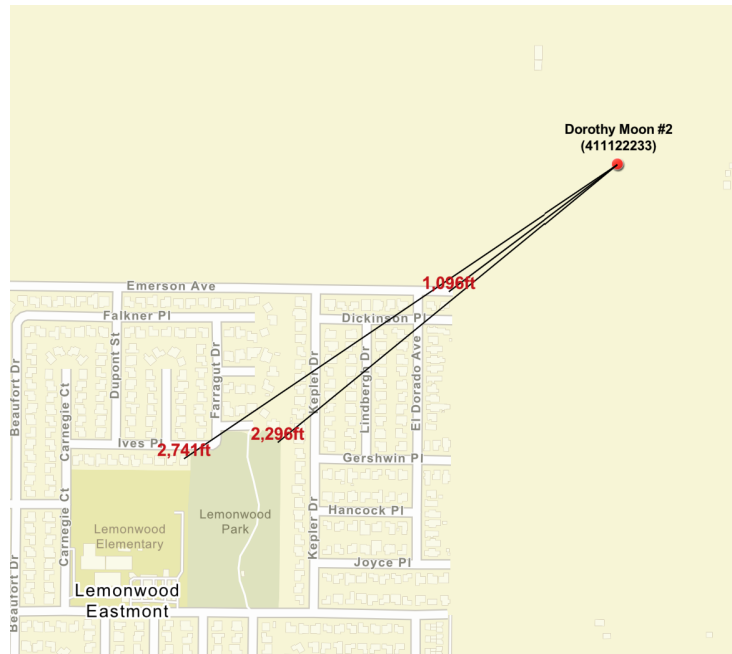
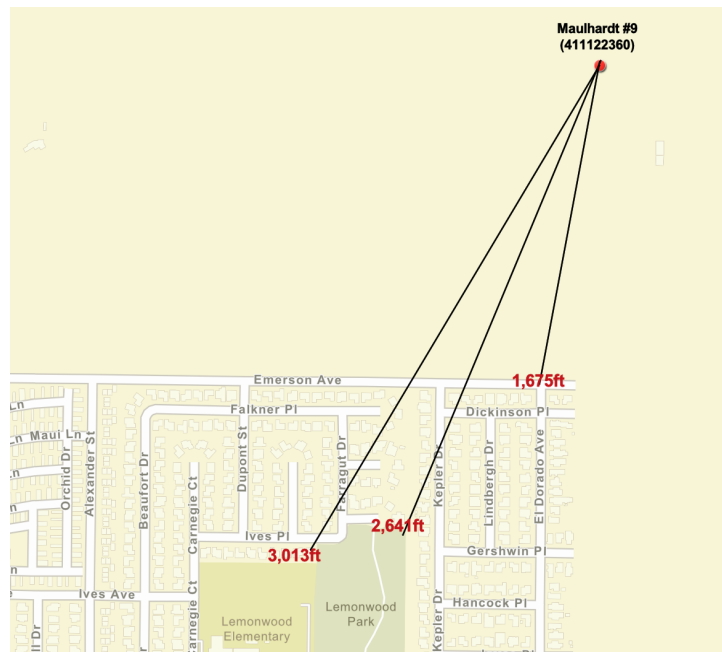


Figure 5 - Proximity of Maulhardt #9 to Homes, School & Park



Based on the numerous studies referenced above and the proximity of these wells to homes and a school, the safety and health of the nearby community of Lemonwood will be impacted and put at risk by the redrilling of these wells.

2. The surrounding impacted communities suffer from cumulative environmental impacts and should not bear further pollution burdens posed by the proximity of this re-drilling project.

The health impacts described above are not only a public health threat, they are a clear case of environmental injustice. The communities impacted by these wells already experience a pollution burden 77 to 93 percent higher than other California communities; higher than any other community in Ventura County.<sup>24</sup> See Figures 6 and 7.

Figure 6 - SUP 672 Proximity to Pollution-Burdened, Environmental Justice Communities per CalEnviroScreen 4.0

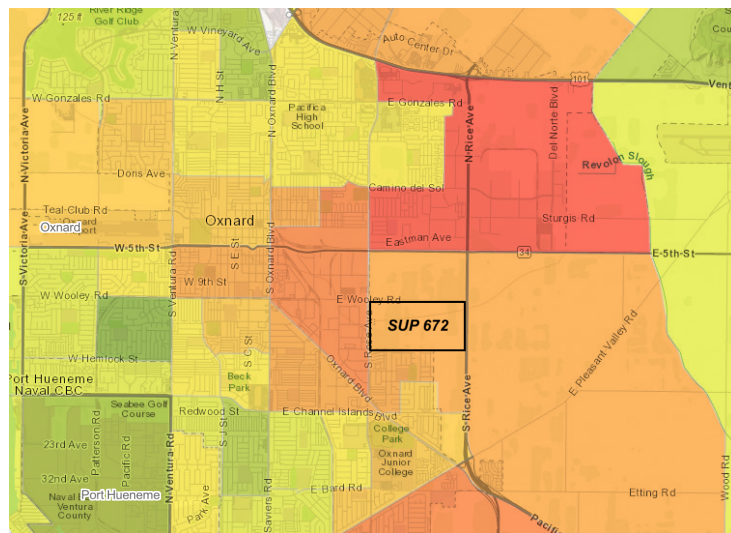
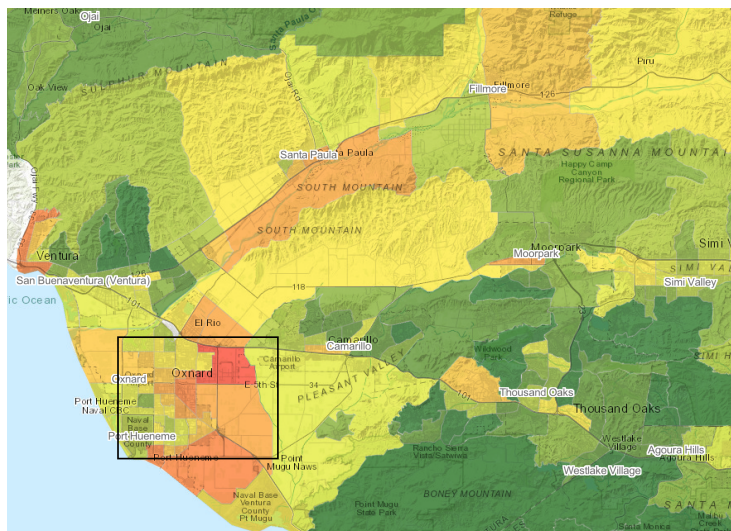


Figure 7 - Ventura County per CalEnviroScreen, Highlighting Area Surrounding SUP 672



<sup>24</sup> According to CalEnviroScreen 4.0 at <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40>

These are communities of color (over 90 percent Latinx and Asian) and are experiencing poverty at rates 64 to 90 percent higher than the rest of the state.<sup>25</sup> The expansion of polluting and dangerous fossil fuel infrastructure is not and would not happen in white, higher-income neighborhoods.

Due to the location of these wells in land identified as “prime farmland,” an additional population of thousands of farm laborers is put at risk. There are over 40,000 people working on Ventura County farms and ranches.<sup>26</sup> These farmworkers are critical to Ventura County’s \$2 billion-a-year agricultural industry.<sup>27</sup> This workforce is made up of migrant and low-income individuals, who face unique challenges including the enforcement of basic labor standards. In Ventura County, farm laborers have been subject to dangerous and sometimes lethal air and water pollution. Below is an excerpt from a news piece titled “Life, Death & Chemicals: Strawberries and Oil on the Oxnard Plains.”<sup>28</sup> The piece begins with an update stating that “In March 2016, Juan Delgado passed away at the age of 63 due to cancer, a victim of the toxic conditions for working-class & poor families in Oxnard.

Delgado’s neighborhood, Lemonwood, his home for the last 30 years, borders a beautiful, poisoned landscape. A waste dump for spent oil and gas chemicals lies to the east, pesticides from the farming surround him, and to the south, tar sands. When the coastal fog burns off, you can stand on a Lemonwood roof and see just about the entire field, the reflective silver tarps on strawberries, miles of drills, big sky. “Sometimes the smoke is brown. Sometimes I see black smoke,” says Delgado of the farm tractors and drilling rigs, whose exhaust wafts through the air as it has for decades. An old abandoned well contaminates a park where his grandkids play.

The expansion and redrilling of polluting oil wells in this disadvantaged community conflicts with many local and state policies and principles.

3. All of the 23 wells, except for one, are stripper wells, which consist of little production, big liability, and big pollution.

A ‘stripper’ well is broadly defined as an oil well producing up to 10-15 barrels (bbls) per day averaged over a 12-month period and/or a gas well producing a maximum of 60-90 Mcf per day.<sup>29</sup> These types of wells are called ‘strippers’ because they are stripping the last remaining oil and gas out of the ground.

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<sup>25</sup> Ibid.

<sup>26</sup> Learn more at House Farm Workers at <https://housefarmworkers.org/>

<sup>27</sup> Ventura County 2021 Crop & Livestock Report at <https://www.ventura.org/agricultural-commissioner/crop-reports/>

<sup>28</sup> Cherot, N. (2015). Life, death & chemicals: Strawberries and oil on the Oxnard Plains. *Colectivo Todo Poder al Pueblo*.

<https://todopoderalpueblo.org/2015/05/28/life-death-chemicals-strawberries-and-oil-on-the-oxnard-plains/>

<sup>29</sup> Learn more about Stripper Well definitions at <https://drillers.com/what-is-a-stripper-well/>



These wells are not profitable but do delay closure costs. Over the last decade, operators across California have been delaying shutting down these minimally-profitable wells (sometimes even operating at a loss) and selling them to smaller companies with the goal to “strip all value from the ground and leave the cleanup bill to someone else.”<sup>30</sup>

In fact, the CalGEM production data for Dorothy Moon #2 and Maulhardt #9 tell a clear story of low or non-existent production.<sup>31</sup>

Dorothy Moon #2<sup>32</sup> was drilled in 2013 as an exploratory well of the OF-OJ Sespe Sands, a geologic target that had not been produced from this area of the Oxnard Oil Field (page 43 of CalGEM well record).<sup>33</sup> But ABA’s stated possibility of “a new and deeper pool than the reservoirs from which the existing wells are producing” was not met as the well produced no oil or gas, was considered a ‘dry hole,’ and plugged within the same year as it was drilled. In the application, the Oil Operator mentions that this well shares a surface well site with Dorothy Moon #1<sup>34</sup> “which has been producing since 2011.” This nearby well has only produced a daily average of 13.2 bbls of oil and 12.8 mcf of gas over the last year.

Maulhardt #9<sup>35</sup> was drilled in 2016 and has sat idle, not producing since 2019. But even in its last 12 months of production, the well only produced a daily average of 3.8 bbls of oil and 0.5 mcf of gas. Similarly, the Oil Operator mentions in the application that this well shares a surface well site with currently producing wells: Maulhardt #6, 7, 8, 10, 11, and 15. The average daily production of these wells is only 9.6 bbls of oil and 9.2 mcf of gas. See Table 2 on page 25 for production data on all ABA wells located on the permit.

#### 4. Stripper well operation and additional drilling have dire consequences for air quality and greenhouse gas emissions.

Despite stripper wells producing very low amounts of resources, these wells have major implications for air quality and greenhouse gas emissions. Scientific research shows that stripper wells throughout the U.S. emit methane at about 6-12 times the national average of all oil and gas well sites.<sup>36</sup> The study estimates that 4 million metric tons of methane is emitted annually from low-producing wells in the U.S.—representing about one-half of the total methane emissions from the U.S. oil and gas production sector.

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<sup>30</sup> Rogers, G., Horton, T., & Schuwiek, R. (2020). California gives new meaning to stripper wells. *Carbon Tracker*. <https://carbontracker.org/california-gives-new-meaning-to-stripper-wells/>

<sup>31</sup> All production data and inferences from CalGEM’s WellSTAR database which can be accessed at [https://www.conservation.ca.gov/calgem/Online\\_Data/Pages/WellSTAR-Data-Dashboard.aspx](https://www.conservation.ca.gov/calgem/Online_Data/Pages/WellSTAR-Data-Dashboard.aspx)

<sup>32</sup> API 411122233

<sup>33</sup> To view well record, request “11122233\_DATA\_03-26-2018.pdf” from <https://filerequest.conservation.ca.gov/WellRecord?api=11122233>

<sup>34</sup> API 411122089

<sup>35</sup> API 411122360

<sup>36</sup> Omara, M., Zavala-Araiza, D., Lyon, D. R., Hmiel, B., Roberts, K. A., & Hamburg, S. P. (2022). Methane emissions from US low production oil and natural gas well sites. *Nature Communications*, 13(1), 2085.



Leaks from low-producing and idle wells continue to be identified across California,<sup>37</sup> Colorado,<sup>38</sup> Ohio,<sup>39</sup> and New Mexico.<sup>40</sup> Methane, a primary component of natural gas, is a powerful greenhouse gas that has over 80 times the atmospheric warming power of carbon dioxide over a 20-year time period.<sup>41</sup> A recent report from the UN's Intergovernmental Panel on Climate Change emphasizes that methane reductions are key to preventing further climate change.<sup>42</sup> In fact, this group of international scientists calls for a methane emission reduction of at least 30 percent by 2030 to avert major climate catastrophes. To help reach this goal, the panel specifically calls on local governments to ensure that wells are appropriately remediated and emissions minimized.<sup>43</sup>

The Ventura County General Plan includes ambitious and necessary greenhouse gas (GHG) emission reduction goals – most imminent, to reduce GHG emissions by 41 percent below 2015 levels by 2030. This is only seven years away. The General Plan commits the County to “improv[ing] the long-term sustainability of the community through *local efforts* [emphasis added]” to reduce GHG emissions. With 15 percent of total GHG emissions in unincorporated Ventura County coming from oil and gas production alone (275,096 MTCO<sub>2</sub>e), the responsible limiting of oil and gas permits is a prudent place to start.

The Ventura County Air Pollution Control District (VCAPCD) dictates that emissions of reactive organic compounds (ROCs) from an oil and gas well be estimated at 2 lbs/day (VCAPCD PEETS Emissions Factors CSS 31000122). To protect our climate and communities from “significant adverse impact on air quality” VCAPCD has set a threshold of 25 pounds per day for

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<sup>37</sup> Ferrar, K. (2022). FracTracker finds widespread hydrocarbon emissions from active & idle oil and gas wells and infrastructure in California. *FracTracker*. <https://www.fracktracker.org/2022/08/fracktracker-finds-widespread-hydrocarbon-emissions-from-active-idle-oil-and-gas-wells-and-infrastructure-in-california/>

<sup>38</sup> Klooster, A. (2022). A quite terrible update on pollution from stripper wells in Colorado (and what you can do about it). *EarthWorks*. <https://earthworks.org/blog/a-quite-terrible-update-on-pollution-from-stripper-wells-in-colorado-and-what-you-can-do-about-it/>

<sup>39</sup> Boettner, T. (2022). Methane emissions and low-producing oil & gas wells in Appalachia. *Ohio River Valley Institute*. <https://ohiorivervalleyinstitute.org/methane-emissions-and-low-producing-oil-gas-wells-in-appalachia/>

<sup>40</sup> Hedden, A. (2022). Low oil production, big impact on pollution come from New Mexico's 'stripper' wells. *Carlsbad Current Argus*. <https://www.currentargus.com/story/news/2022/04/23/low-producing-oil-wells-impact-new-mexico-air-pollution-permian-basin-stripper-environment/7383809001/>

<sup>41</sup> Learn more about methane at <https://www.epa.gov/gmi/importance-methane>

<sup>42</sup> Learn more about the United Nations' Intergovernmental Panel on Climate Change and their reports here <https://www.ipcc.ch/>

<sup>43</sup> Dodman, D., B. Hayward, M. Pelling, V. Castan Broto, W. Chow, E. Chu, R. Dawson, L. Khirfan, T. McPhearson, A. Prakash, Y. Zheng, and G. Ziervogel, 2022: Cities, Settlements and Key Infrastructure. In: *Climate Change 2022: Impacts, Adaptation and Vulnerability. Contribution of Working Group II to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change* [H.-O. Pörtner, D.C. Roberts, M. Tignor, E.S. Poloczanska, K. Mintenbeck, A. Alegría, M. Craig, S. Langsdorf, S. Löschke, V. Möller, A. Okem, B. Rama (eds.)]. Cambridge University Press, Cambridge, UK and New York, NY, USA, pp. 907–1040, doi:10.1017/9781009325844.008.

projects within Ventura County.<sup>44</sup> This redrilling project on CUP 672 exceeds this threshold by almost double at 46 lbs/day of ROC emissions. See Table 1. This estimate does not include the other various active and idle wells on this SUP.

Table 1 - Estimated ROC Emissions from Redrilling Project on SUP 672*			
# of wells	ROC Emissions/Well (lbs/day)	Total ROC Emissions (lbs/day)	VCAPCD ROC Threshold (lbs/day)
23	2	46	25

\*Not including emissions from currently active and idle wells not being re-drilled on the permit

The approval to redrill—and in some cases, reopen—low-producing oil and gas wells is inconsistent with County goals in emission reduction and exceeds safety and climate standards set by the VCAPCD.

5. Ventura County already faces risks from idle and orphan wells and should not approve the reopening of plugged wells.

Five of the wells approved for redrill on this lease are currently plugged, including Dorothy Moon #2. An oil well is generally plugged and abandoned when “it reaches the end of its useful life or becomes a dry hole”<sup>45</sup>—as was the case for Dorothy Moon #2. CalGEM, the state oil and gas regulatory agency, defines the plugging and abandonment of a well as “permanent closure and sealing.” The permanent closure and sealing of a well is summarized by CalGEM as “A well is plugged by placing cement in the wellbore or casing at certain intervals, as specified in California laws or regulations. The purpose of the cement is to seal the well-bore or casing to prevent fluid from migrating between underground rock layers. Cement plugs are required to be placed across the oil or gas reservoir (zone plug), across the base-of-fresh-water (BFW plug), and at the surface (surface plug). . . . Also, the hole is filled with drilling mud to help prevent the migration of fluids.”<sup>46</sup>

As a result of this permanent process, the surface site of Dorothy Moon #2 is flat, void of any infrastructure, and possible pathways of contamination mitigated – as *seen* in Figure 8. The redrilling and reactivation of a plugged and abandoned well defies the State’s definition of a plugged and abandoned well. This clear conflict is alarming for a few reasons.

<sup>44</sup> See page 3-2 of Ventura County Air Quality Assessment Guidelines at <http://www.vcapcd.org/pubs/Planning/VCAQGuidelines.pdf>

<sup>45</sup> According to United States Department of Labor OSHA at <https://www.osha.gov/etools/oil-and-gas/abandoning-well>

<sup>46</sup> See CalGEM’s State Oil and Gas Well Plug and Abandonments information page at <https://www.conservation.ca.gov/calgem/Pages/State-Abandonments.aspx>

Figure 8 - Photo of Dorothy Mood #2 site after plugging from CalGEM well record



First, Ventura County already has a significant idle, orphan, and poorly abandoned well inventory. According to State data, within Ventura County, there are 2,267 idle oil and gas wells, 1,520 of which are considered “long-term idle wells,” meaning that they have been idle for at least eight years. At least 1,275 of these wells have been idle for 15 or more years, and 155 wells have been idle for a century or more.<sup>47</sup>

The “idle well problem” is likely to soon become an “orphan well problem” in Ventura County. Orphan wells have no financially solvent operator of record, therefore pushing the cleanup to the state and costs to the taxpayer.<sup>48</sup> In fact, CalGEM has already identified 473 orphaned or deserted wells in the county.<sup>49</sup>

In addition to unplugged orphan and idle wells, over 40 percent of the plugged wells in Ventura County cannot be confirmed as properly plugged.<sup>50</sup> One of these poorly abandoned wells is located in Lemonwood Park, neighboring Lemonwood School. After a series of redrilling, the well was abandoned in 1991, but the well record includes a note that the area did not pass

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<sup>47</sup> As of January 2022 per CalGEM WellSTAR database

<sup>48</sup> Alexander, A. (2022). California’s orphan well problem needs more than money. *NRDC*.  
<https://www.nrdc.org/experts/ann-alexander/californias-orphan-well-problem-needs-more-money>

<sup>49</sup> CalGEM’s Likely Orphan and Deserted Well Inventory here  
<https://www.conservation.ca.gov/calgem/Documents/202209%20Well%20Inventory%20List%20with%20Scenario%20Tiers.pdf>

<sup>50</sup> Read more about CFROG’s research on poorly abandoned oil and gas wells at  
<https://cfrog.org/what-we-do/what-we-do-poorly-abandoned-wells/>

surface inspection because the soil was still contaminated. Although there are no documents reporting that the soil contamination was resolved, the site passed surface inspection years later in 1994.

In addition to clear economic risks to taxpayers, the impacts caused by these wells are well-documented, including surface and drinking water contamination and air pollution. Many are located near neighborhoods, schools, farms, and waterways where air pollution can have a disproportionate impact on low-income communities and people of color.

With an already overwhelming inventory of wells that need to be plugged, reopening wells that have been determined unproductive and then properly plugged is irresponsible.

## **V. REQUESTED REMEDIES**

As explained in detail above, the Planning Division committed legal error in issuing Zoning Clearances ZC22-0937 (Malhaurdt #9ST) and ZC22-0938 (Dorothy Moon #2ST). The Board of Supervisors must uphold County law and ensure faithful compliance, especially in light of the significant health, safety, climate, and fiscal consequences to workers, EJ communities, and the County. The Planning Division's approval of ABA's additional 21 oil drilling Applications in all likelihood suffer from the same legal violations. Accordingly, CFROG respectfully requests that the Board of Supervisors:

- Deny ABA's Appeal;
- Direct the Planning Division to faithfully discharge its duty to ensure that all oil and gas zoning clearance applications comply prior to accepting them, and to objectively assess and ensure compliance with each legal requirement, including referring assessments to expert consultants; and
- Direct the Planning Commission to reevaluate ABA's 21 other drilling applications and ensure their compliance as stated above.

## **VI. CONCLUSION**

The issuance of Zoning Clearances for the redrilling of 23 wells based on multiple egregious violations of basic legal requirements and protections is dangerous, irresponsible, and puts Ventura County residents at risk, specifically Environmental Justice communities in Oxnard.

We thank you for your close consideration of our position and analysis on behalf and look forward to your determination as requested above.

With urgency,



Haley Ehlers, Director

Climate First: Replacing Oil & Gas (CFROG)

CC: Supervisor Matt LaVere  
Supervisor Jeff Gorell  
Supervisor Kelly Long  
Supervisor Janice S. Parvin  
Supervisor Vianey Lopez  
Matt Carroll  
Maruja Clensay  
Mark Perryman  
Brian Miller  
Bruce Rokos  
Robert O'Riley  
Angel Garcia

<b>Table 2 - Production Data for ABA Wells Located on SUP 672 (CalGEM WellSTAR database)</b>									
Zoning Clearance	API	Name	Well #	Type	Lease	Pool	Ave. Daily Oil (bbls)	Ave. Daily Gas (mcf)	Notes
ZC22-1211	411122089	Dorothy Moon	1	Active	Dorothy Moon	McInnes [15]	13.2	12.8	
<b>ZC22-0938</b>	<b>411122233</b>	<b>Dorothy Moon</b>	<b>2</b>	<b>Plugged</b>	<b>Dorothy Moon</b>		<b>0.0</b>	<b>0.0</b>	<b>Dry hole</b>
ZC22-1230	411122110	Gabrielle Maulhardt	1	Plugged	Gabrielle Maulhardt		0.8	0.2	Only produced 5 months
ZC22-1223	411122361	Gus Maulhardt	1	Active	Gus Maulhardt	McInnes [15]	11.6	11.7	
ZC22-1224	411122364	Gus Maulhardt	2	Active	Gus Maulhardt	McInnes [15]	14.4	13.7	
ZC22-1225	411122372	Gus Maulhardt	3	Idle	Gus Maulhardt	Topanga [13]	0.0	0.0	Not produced since 2003
ZC22-1226	411122376	Gus Maulhardt	4	Active	Gus Maulhardt	McInnes [15]	23.5	21.8	
ZC22-1227	411122389	Gus Maulhardt	5	Active	Gus Maulhardt	McInnes [15]	7.6	5.6	

Zoning Clearance	API	Name	Well #	Type	Lease	Pool	Ave. Daily Oil (bbls)	Ave. Daily Gas (mcf)	Notes
ZC22-1228	411122381	Gus Maulhardt	6	Active	Gus Maulhardt	McInnes [15]	11.1	10.7	
ZC22-1218	411122041	Joseph-Maulhardt	1	Plugged	Joseph-Maulhardt		0.0	0.0	Dry hole
ZC22-1217	411122187	Joseph-Maulhardt	2	Active	Joseph-Maulhardt	McInnes [15]	7.7	7.0	
ZC22-1215	411122294	Joseph-Maulhardt	4	Active	Joseph-Maulhardt	McInnes [15]	15.9	14.9	
ZC22-1214	411122302	Joseph-Maulhardt	5	Active	Joseph-Maulhardt	McInnes [15]	9.8	9.3	
ZC22-1216	411122352	Joseph-Maulhardt	6	Active	Joseph-Maulhardt	Livingston and E-D [25]	8.2	8.2	
ZC22-1219	411122357	Joseph-Maulhardt	7	Active	Joseph-Maulhardt	Livingston and E-D [25]	15.9	14.9	
ZC22-1220	411122358	Joseph-Maulhardt	8	Active	Joseph-Maulhardt	McInnes [15]	11.0	10.2	
<b>ZC22-0937</b>	<b>411122360</b>	<b>Joseph-Maulhardt</b>	<b>9</b>	<b>Idle</b>	<b>Joseph-Maulhardt</b>		<b>3.8</b>	<b>0.5</b>	<b>Not produced since 2019</b>

Zoning Clearance	API	Name	Well #	Type	Lease	Pool	Ave. Daily Oil (bbls)	Ave. Daily Gas (mcf)	Notes
ZC22-1213	411122363	Joseph-Maulhardt	10	Active	Joseph-Maulhardt	McInnes [15]	12.1	11.0	
ZC22-1221	411122390	Joseph-Maulhardt	11	Active	Joseph-Maulhardt	McInnes [15]	3.8	3.8	
ZC22-1212	411122382	Joseph-Maulhardt	13	Plugged	Joseph-Maulhardt		5.0	0.5	
ZC22-1222	411122400	Joseph-Maulhardt	15	Active	Joseph-Maulhardt	McInnes [15]	3.7	4.3	
ZC22-1210	411101076	Maulhardt	1	Active	Maulhardt	McInnes [15]	5.9	5.7	
ZC22-1229	411101081	Maulhardt	5	Plugged	Maulhardt		0.0	0.0	Last produced in 2001



**From:** [Juan Sanchez](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** PL22-0152 and PL22-0153  
**Date:** Thursday, February 23, 2023 12:42:10 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

My name is Juan Sanchez and I am a resident of Ojai. I am expressing my concern about the expansion of fossil fuel infrastructure in an environmental justice community in Ventura County. I respectfully urge the Board of Supervisors to deny ABA Energy Corporation's appeal based on the failure to comply with legal requirements and the Planning Division's erroneous issuance of the Zoning Clearances in violation of County law.

I support the Ventura County Planning Commission's decision to deny these oil and gas wells from being re-drilled in December 2022. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools analyzed. I believe these are prudent measures the Board of Supervisors should also take into account and not ignore.

These two wells are in addition to twenty-one other oil and gas wells already approved for the area adjacent to homes, a school, and a park in the Lemonwood neighborhood. These twenty-one oil and gas wells are on an "antiquated" permit issued in 1957, with no environmental review required. And though these wells are within the CA 3,200-foot health and safety buffer zone, they can be approved for drilling since the buffer zone has been suspended until 2024 due to the oil industry referendum campaign. This is why it is essential that the Board of Supervisors carefully review the application within procedural compliance with County law.

The two oil and gas wells proposed by ABA Energy Corporation for permitting would add to the cumulative pollution burden of neighborhoods and schools nearby the proposed sites. This location has been identified as having the highest amount of pollution in Ventura County. The talking points pushing the need to protect oil and gas jobs by jettisoning permit compliance leaves the children of Ventura County and our neighbors vulnerable.

Thank you.  
Juan Sanchez

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*Juan Sánchez*  
World Languages  
Director of Sustainability

Head Boys Soccer Coach

[REDACTED]

Unceded Chumash Territory

[REDACTED]



**From:** [Ruth Cooper](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Re: PL22-0152 and PL22-0153  
**Date:** Friday, February 24, 2023 8:50:23 AM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

My name is Ruth Cooper and I am a resident of Ojai. I am writing to express my concern about the expansion of fossil fuel drilling in Lemonwood. I urge the Board of Supervisors to deny ABA Energy Corporation's appeal.

I support the Ventura County Planning Commission's decision to deny these oil and gas wells from being re-drilled. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools analyzed. I believe these are prudent measures the Board of Supervisors should also take into account and not ignore.

These two wells are in addition to twenty-one other oil and gas wells already approved for the area adjacent to homes, a school, and a park in the Lemonwood neighborhood.

The two oil and gas wells would add to the cumulative pollution burden of neighborhoods and schools nearby the proposed sites. This location has been identified as having the highest amount of pollution in Ventura County.

If you are concerned about jobs, focus on supporting the green energy transition. Don't further jeopardize the safety of families in the Lemonwood neighborhood.

Thank you

Ruth Cooper



Ojai, CA

**From:** [Liam Horstick](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda Item 72  
**Date:** Friday, February 24, 2023 8:57:37 AM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

My name is Liam Horstick and I am a resident of Oxnard. I am expressing my concern about the expansion of fossil fuel infrastructure in Ventura County. I respectfully urge the Board of Supervisors to deny ABA Energy Corporation's appeal based on the failure to comply with legal requirements and the Planning Division's erroneous issuance of the Zoning Clearances in violation of County law.

I support the Ventura County Planning Commission's decision to deny these oil and gas wells from being re-drilled in December 2022. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools analyzed. I believe these are prudent measures the Board of Supervisors should also take into account and not ignore.

These two wells are in addition to twenty-one other oil and gas wells already approved for the area adjacent to homes, a school, and a park in the Lemonwood neighborhood. These twenty-one oil and gas wells are on an "antiquated" permit issued in 1957, with no environmental review required. And though these wells are within the CA 3,200-foot health and safety buffer zone, they can be approved for drilling since the buffer zone has been suspended until 2024 due to the oil industry referendum campaign. This is why it is essential that the Board of Supervisors carefully review the application within procedural compliance with County law.

The two oil and gas wells proposed by ABA Energy Corporation for permitting would add to the cumulative pollution burden of neighborhoods and schools nearby the proposed sites. This location has been identified as having the highest amount of pollution in Ventura County. The talking points pushing the need to protect oil and gas jobs by jettisoning permit compliance leaves the children of Ventura County and our neighbors vulnerable.

Thank you.

Liam

**From:** [Sylvia Johnson](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda item #72 @ 1:30  
**Date:** Friday, February 24, 2023 12:58:35 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Please do not approve these oil wells and keep us and our children and farmworkers safe.

Sylvia Johnson



Newbury Park 91320

**From:** [June Behar](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda Item 72  
**Date:** Friday, February 24, 2023 1:11:36 PM

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WARNING: If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

You, the Board of Supervisors, have the power to remove a threat to human health in the vicinity of Lemonwood, Oxnard. You must not allow re-drilling of oil wells close to where families live, because they face the danger of asthma, respiratory diseases and cancer from the environmental pollution in their schools, homes and neighborhoods.

When wells have been properly plugged and remediated, the operators should NOT be permitted to re-open or re-drill them.

Please DENY the appeal of ASA Energy Corporation regarding its proposed two oil and gas wells in the Lemonwood area.

June Behar

[REDACTED]

Ojai CA 93023

[REDACTED]

**From:** [Riddhi Patel](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda Item 72  
**Date:** Friday, February 24, 2023 1:11:26 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Hi there,

My name is Riddhi, I'm a resident in Kern County, however I live within 3200' of oil and gas wells. I, my family, and my community, including the elementary school across the street feel the health impacts every day. A state commissioned public health panel has already stated it is dangerous to live near oil and gas drilling, so much that a state law, SB 1137, was passed to prevent it from happening ever again.

These are commonsense public health protections and I urge the Ventura County Board of Supervisors to not allow this project to move forward. You are charged with protecting residents not fossil fuel CEOs. Do the right thing.

In Community,



**Riddhi Patel**

they/them

Economic Development Coordinator | Center on Race, Poverty, & the Environment



**From:** [groots@earthlink.net](mailto:groots@earthlink.net)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda item #72  
**Date:** Friday, February 24, 2023 1:19:56 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Hello,

We feel that the VC Board of Supervisors has a responsibility to protect the health of County residents and workers (especially those communities that end up getting most affected by pollution). The Board of Supervisors needs to consider the protection of our local freshwater aquifers that supply drinking water to households and make farming crops possible.

Board of Supervisors, please resist the pressure of oil companies to accept "just two more wells" in the vicinity of our schools, parks and residences. Our county and our families need a healthy environment way more than the oil prospectors need a few more barrels of oil. We urge you to think about this as you come to decision and we hope you will put people and our environment first. Please don't approve more drilling, especially near people and through critical aquifers!

Thank you,

John and Marilyn Groot

[REDACTED]

Camarillo CA 93012

J's Cell: [REDACTED]

M's Cell: [REDACTED]



Virus-free [www.avg.com](http://www.avg.com)



**From:** [Kobi Naseck](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda Item 72  
**Date:** Friday, February 24, 2023 1:52:16 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

To the Ventura County Board of Supervisors,

On behalf of VISIÓN, Voices in Solidarity Against Oil in Neighborhoods, a coalition of frontline, environmental justice, and public health organizations statewide with constituents in Ventura county, I am expressing my concern about the expansion of fossil fuel infrastructure in Lemonwood, an environmental justice community in Ventura County. I respectfully urge the Board of Supervisors to deny ABA Energy Corporation's appeal based on the failure to comply with legal requirements and the Planning Division's erroneous issuance of the Zoning Clearances in violation of County law.

I support the Ventura County Planning Commission's decision to deny these oil and gas wells from being re-drilled in December 2022. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools analyzed. I believe these are prudent measures the Board of Supervisors should also take into account and not ignore.

These two wells are in addition to twenty-one other oil and gas wells already approved for the area adjacent to homes, a school, and a park in the Lemonwood neighborhood. These twenty-one oil and gas wells are on an "antiquated" permit issued in 1957, with no environmental review required. And though these wells are within the CA 3,200-foot health and safety buffer zone, they can be approved for drilling since the buffer zone has been suspended until 2024 due to the oil industry referendum campaign. This is why it is essential that the Board of Supervisors carefully review the application within procedural compliance with County law.

The two oil and gas wells proposed by ABA Energy Corporation for permitting would add to the cumulative pollution burden of neighborhoods and schools nearby the proposed sites. This location has been identified as having the highest amount of pollution in Ventura County. The talking points pushing the need to protect oil and gas jobs by jettisoning permit compliance leaves the children of Ventura County and our neighbors vulnerable.

It is past time to end the dangerous and racist practice of neighborhood drilling.

Thank you,  
Kobi Naseck  
Coalition Coordinator

--

**Kobi Naseck (he/him/his)**  
**VISION Coalition Coordinator**  
Center on Race, Poverty & the Environment  
5901 Christie Ave, Suite 208  
Emeryville, CA 94608  
(214) 609-2439

**From:** [Ana Palacios](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** PL22-0152 and PL22-0153  
**Date:** Friday, February 24, 2023 2:04:45 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

My name is Ana Palacios and I am a resident of Ojai, California. I am expressing my concern about the expansion of fossil fuel infrastructure in Lemonwood, an environmental justice community in Ventura County. I respectfully urge the Board of Supervisors to deny ABA Energy Corporation's appeal based on the failure to comply with legal requirements and the Planning Division's erroneous issuance of the Zoning Clearances in violation of County law.

I support the Ventura County Planning Commission's decision to deny these oil and gas wells from being re-drilled in December 2022. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools analyzed. I believe these are prudent measures the Board of Supervisors should also take into account and not ignore.

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The two oil and gas wells proposed by ABA Energy Corporation for permitting would add to the cumulative pollution burden of neighborhoods and schools nearby the proposed sites. This location has been identified as having the highest amount of pollution in Ventura County. The talking points pushing the need to protect oil and gas jobs by jettisoning permit compliance leaves the children of Ventura County and our neighbors vulnerable.

Thank you.  
Ana Palacios

**From:** [Simone McGraw](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** PL22-0152 and PL22-0153  
**Date:** Friday, February 24, 2023 2:04:44 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

To whom it may concern --

My name is Vina McGraw and I am a resident of Ojai. I am expressing my concern about the expansion of fossil fuel infrastructure in Lemonwood, an environmental justice community in Ventura County. I respectfully urge the Board of Supervisors to deny ABA Energy Corporation's appeal based on the failure to comply with legal requirements and the Planning Division's erroneous issuance of the Zoning Clearances in violation of County law.

I support the Ventura County Planning Commission's decision to deny these oil and gas wells from being re-drilled in December 2022. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools analyzed. I believe these are prudent measures the Board of Supervisors should also take into account and not ignore.

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Thank you.

Vina

**From:** [Lucy Maitland-Lewis](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** ABA Energy in Lemonwood  
**Date:** Friday, February 24, 2023 2:03:51 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

My name is Lucy Maitland-Lewis and I am a resident of Ojai.

I am expressing my concern about the expansion of fossil fuel infrastructure in Lemonwood, an environmental justice community in Ventura County. I respectfully urge the Board of Supervisors to deny ABA Energy Corporation's appeal based on the failure to comply with legal requirements and the Planning Division's erroneous issuance of the Zoning Clearances in violation of County law.

I support the Ventura County Planning Commission's decision to deny these oil and gas wells from being re-drilled in December 2022. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools analyzed. I believe these are prudent measures the Board of Supervisors should also take into account and not ignore.

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Thank you.

**From:** [Margot Davis](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Item 72  
**Date:** Friday, February 24, 2023 2:03:27 PM

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Sent from my iPhone

**From:** [Mariah Davis](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** PL22-0152 and PL22-0153  
**Date:** Friday, February 24, 2023 2:04:53 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

My name is Mariah Davis, and I am a resident of Ojai. I am expressing my concern about the expansion of fossil fuel infrastructure in Lemonwood, an environmental justice community in Ventura County. I respectfully urge the Board of Supervisors to deny ABA Energy Corporation's appeal based on the failure to comply with legal requirements and the Planning Division's erroneous issuance of the Zoning Clearances in violation of County law.

I support the Ventura County Planning Commission's decision to deny these oil and gas wells from being re-drilled in December 2022. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools analyzed. I believe these are prudent measures the Board of Supervisors should also take into account and not ignore.

These two wells are in addition to twenty-one other oil and gas wells already approved for the area adjacent to homes, a school, and a park in the Lemonwood neighborhood. These twenty-one oil and gas wells are on an "antiquated" permit issued in 1957, with no environmental review required. And though these wells are within the CA 3,200-foot health and safety buffer zone, they can be approved for drilling since the buffer zone has been suspended until 2024 due to the oil industry referendum campaign. This is why it is essential that the Board of Supervisors carefully review the application within procedural compliance with County law.

The two oil and gas wells proposed by ABA Energy Corporation for permitting would add to the cumulative pollution burden of neighborhoods and schools nearby the proposed sites. This location has been identified as having the highest amount of pollution in Ventura County. The talking points pushing the need to protect oil and gas jobs by jettisoning permit compliance leaves the children of Ventura County and our neighbors vulnerable.

Thank you,  
Mariah

**From:** [Hattie Hatton](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** PL22-0152 and PL22-0153  
**Date:** Friday, February 24, 2023 2:05:06 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

My name is Hattie Hatton and I am a resident of Ojai. I am expressing my concern about the expansion of fossil fuel infrastructure in Lemonwood, an environmental justice community in Ventura County. I respectfully urge the Board of Supervisors to deny ABA Energy Corporation's appeal based on the failure to comply with legal requirements and the Planning Division's erroneous issuance of the Zoning Clearances in violation of County law.

I support the Ventura County Planning Commission's decision to deny these oil and gas wells from being re-drilled in December 2022. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools analyzed. I believe these are prudent measures the Board of Supervisors should also take into account and not ignore.

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The two oil and gas wells proposed by ABA Energy Corporation for permitting would add to the cumulative pollution burden of neighborhoods and schools nearby the proposed sites. This location has been identified as having the highest amount of pollution in Ventura County. The talking points pushing the need to protect oil and gas jobs by jettisoning permit compliance leaves the children of Ventura County and our neighbors vulnerable.

Thank you.



**From:** [Steven Chen](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** PL22-0152 and PL22-0153  
**Date:** Friday, February 24, 2023 2:05:11 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

My name is Steven and I am a resident of Ojai. I am expressing my concern about the expansion of fossil fuel infrastructure in Lemonwood, an environmental justice community in Ventura County. I respectfully urge the Board of Supervisors to deny ABA Energy Corporation's appeal based on the failure to comply with legal requirements and the Planning Division's erroneous issuance of the Zoning Clearances in violation of County law.

I support the Ventura County Planning Commission's decision to deny these oil and gas wells from being re-drilled in December 2022. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools analyzed. I believe these are prudent measures the Board of Supervisors should also take into account and not ignore.

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Thank you.

**From:** [aram.demerjian](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda item #72 @ 1:30  
**Date:** Friday, February 24, 2023 2:06:02 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Please keep your oil wells away from the public. Do you want your loved ones yp breath the toxic air?  
Thank you/ Aram

**From:** [K Rodriguez](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda item 72  
**Date:** Friday, February 24, 2023 2:08:27 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

We who are in political realms throughout this country and state MUST remember our residents FIRST when it comes to voting. I strongly urge to deny any additional drilling projects, in fact, we should be decreasing the okayed projects we already have. It is a proven fact that our residents who live and work near oil operations suffer health issues. We must continue to honor Carmen Ramirez's spirit and STAND for these families and workers who have gone overlooked for way too long. We will be accountable for the health issues we create due to allowing the oil industry become more important than the well being of our citizens. Please do what's right and continue the spirit of Carmen Ramirez and stand up against these monsters. It is unacceptable to do anything else. Thank you.

KC Rodriguez

Executive Board Member of the California Democratic Party

Vice Chair Demorcratic Club Ventura

**From:** [MAUREEN TUNNEY](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** No more oil drilling in Lemonwood!  
**Date:** Friday, February 24, 2023 2:09:56 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

My name is MAUREEN TUNNEY and I am a resident of Ventura. I am expressing my concern about the expansion of fossil fuel infrastructure in Lemonwood, an environmental justice community in Ventura County. I respectfully urge the Board of Supervisors to deny ABA Energy Corporation's appeal based on the failure to comply with legal requirements and the Planning Division's erroneous issuance of the Zoning Clearances in violation of County law.

I support the Ventura County Planning Commission's decision to deny these oil and gas wells from being re-drilled in December 2022. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools analyzed. I believe these are prudent measures the Board of Supervisors should also take into account and not ignore.

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The two oil and gas wells proposed by ABA Energy Corporation for permitting would add to the cumulative pollution burden of neighborhoods and schools nearby the proposed sites. This location has been identified as having the highest amount of pollution in Ventura County. The talking points pushing the need to protect oil and gas jobs by jettisoning permit compliance leaves the children of Ventura County and our neighbors vulnerable.

Thank You,

Maureen Tunney

**From:** [margot davis](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Item 72  
**Date:** Friday, February 24, 2023 2:16:07 PM

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WARNING: If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

To the board of supervisors:

Please deny the oil companies appeal of the planning commission's decision to deny zoning clearances so that they can re-drill 21 wells in Lemonwood area. Please represent the citizens of Ventura County (David) and stand up to the fossil fuel industry(Goliath). Thank you for your consideration.

Margot davis



Ventura 93001

Sent from my iPhone

**From:** [Michael Briley](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** health of our communities  
**Date:** Friday, February 24, 2023 11:28:30 AM

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WARNING: If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

No more oil wells. Preserve our area and the planet.

Mike Briley  
Ojai

**From:** [ClerkoftheBoard](#)  
**To:** [Chaffee, Thomas](#)  
**Cc:** [Key, Lori](#)  
**Subject:** FW: Agenda Item 72  
**Date:** Friday, February 24, 2023 10:15:02 AM  
**Attachments:** [image001.png](#)  
[image002.png](#)  
[image003.png](#)  
[image004.png](#)

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Good morning,

Please find attached a public comment as received by the Clerk of the Board for your Item #72 on the 2.28.23 BOS Meeting.

Kind regards,

*Anna Hall*

Deputy Clerk of The Board  
Office of The Clerk of The Board of Supervisors  
Phone (805) 654-2558



---

**From:** Teresa Bui <[tbui@pacificenvironment.org](mailto:tbui@pacificenvironment.org)>  
**Sent:** Friday, February 24, 2023 9:51 AM  
**To:** ClerkoftheBoard <[ClerkoftheBoard@ventura.org](mailto:ClerkoftheBoard@ventura.org)>  
**Subject:** Agenda Item 72

**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Hello,

On behalf of Pacific Environment, I am expressing my concern about the expansion of fossil fuel infrastructure in an environmental justice community in Ventura County. I respectfully urge the Board of Supervisors to deny ABA Energy Corporation's appeal based on the failure to comply with legal requirements and the Planning Division's erroneous issuance of the Zoning Clearances in violation of County law.

I support the Ventura County Planning Commission's decision to deny these oil and gas wells from being re-drilled in December 2022. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools analyzed. I believe these are prudent measures the Board of Supervisors should also take into account and not ignore.

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The two oil and gas wells proposed by ABA Energy Corporation for permitting would add to the cumulative pollution burden of neighborhoods and schools nearby the proposed sites. This location has been identified as having the highest amount of pollution in Ventura County. The talking points pushing the need to protect oil and gas jobs by jettisoning permit compliance leaves the children of Ventura County and our neighbors vulnerable.

Thank you for your consideration. Future generations will be grateful for your decisive climate action during the 2020’s, the most decisive years of world climate history.

Teresa

Teresa Bui  
State Climate Policy Director  
916-287-1497  
[www.pacificenvironment.org](http://www.pacificenvironment.org)

-



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**From:** [kevin ward](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** PL22-0152 and PL22-0153  
**Date:** Monday, February 27, 2023 6:44:23 AM

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It is imperative for the sake of future residents and now that all gas and oil drilling contracts be stopped.

The safety of our children is paramount and the predation of the oil industry is obvious in its insensitivity to all our survival.

Assume that we as citizens would gain some marginal benefit by continuing to support an industry that has savaged our land and air and water(see Refugio controlled leak for instance); how then can we now be faced with crippling gas bills at this very moment when there is a publicized glut of gas in the US thanks to their cornering the market?

It makes very little sense and nonsense to think of profit over Ventura county residents quality of living, survival.

Hyperbole would have been yesterday's expression, desperation is real and now.

Carmen Rameriz' efforts to hold the industry accountable and limited should be recognized as well as her sacrifice to oppose them.

Do the right thing now and don't approve any more.

Kevin P. Ward  
805-[REDACTED]

**From:** [mullsternmusic=netzero.net@mg.gospringboard.io](mailto:mullsternmusic=netzero.net@mg.gospringboard.io) on behalf of [Gregory Mull ClerkoftheBoard](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** No new oil wells near homes and schools!  
**Date:** Monday, February 27, 2023 6:07:29 AM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Dear Ventura County Clerk of the Board,

I urge you to deny approval for new oil wells near schools and homes.

Oil drilling near homes and schools is a threat to people's health. Public health experts have found that living, working, or going to school near oil and gas drilling can be linked to a host of harmful health impacts including asthma, respiratory diseases, preterm births, and cancer.

A state law was recently passed to protect frontline communities by requiring a 3,200-foot safety zone between oil drilling and homes, schools, and hospitals. The County's General Plan also has health and safety buffer zones and Environmental Justice regulations that prevent drilling this close to frontline communities. These wells are well inside this safety buffer zone -- close to hundreds of homes and Lemonwood Elementary and Park.

Oxnard communities should not bear the burden of more pollution and environmental racism. The communities impacted by these wells already experience a pollution burden 77-93% higher than other California communities; higher than any other community in Ventura County. These are communities of color (over 90% Latinx and Asian) that experiencing poverty at rates 64-90% higher than the rest of the state. This expansion of polluting and dangerous fossil fuel infrastructure would not be happening in white, higher income neighborhoods. It should not happen here.

In addition, Ventura County has zoned this land for agriculture, and it is home to prime farmland. Hundreds of people work in the fields immediately surrounding the wells, and the impact to their health and safety has not been assessed. Farmworkers who work near these wells have been subject to dangerous and sometimes lethal air and water pollution. The impact these re-drilled wells will have on Ventura County's farmworkers and agriculture has not been analyzed.

Please use your rightful authority to deny these oil wells near schools and homes.

Sincerely,

Gregory Mull



Ojai CA, 93023-2654

**From:** [salma gomez](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda item 72  
**Date:** Monday, February 27, 2023 1:25:42 AM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

As a resident of Ventura County I strongly oppose the continuation of drilling near schools and homes. Oil companies are notorious for their careless practices and often neglect pipelines which can lead to catastrophic health and environmental problems like we've seen countless times. As an agricultural city we must protect our people and water for future generations. Please do not let corporate greed interfere with the health and safety of our community. People over profit  
You can't drink oil

**From:** [Scott Wagenseller](#)  
**To:** [ClerkoftheBoard](#); [Supervisor Gorell](#); [Supervisor Parvin](#); [Lopez, Vianey](#)  
**Cc:** [LaVere, Matt](#); [Long, Kelly](#)  
**Subject:** Fw: PL22-152/153  
**Date:** Sunday, February 26, 2023 10:18:49 PM

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**From:** Scott Wagenseller  
**Sent:** Sunday, February 26, 2023 10:03 PM  
**To:** [clerkoftheboard@ventura.org](mailto:clerkoftheboard@ventura.org)  
**Subject:** PL22-152/153  
PL22-152 and 153

Ventura needs to support reliable energy sources and should support all legal and proven efforts to lessen our dependence on foreign supplies and costly unreliable energy sources.

Approve permits and encourage efforts from our existing business partners and take advantage of the clean oil and gas sources that have empowered our country and driven our economy for the past century!

Scott Wagenseller  
Thousand Oaks, CA

**From:** [James Young](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Submission of video review for 2/28 BOS meeting  
**Date:** Sunday, February 26, 2023 9:45:01 PM

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Clerk of the Ventura County Board of Supervisors,


My name is Jimmy Young and I have preregistered for agenda item #72 for Tuesday's meeting, 1:30 pm.

Here is a link (Dropbox) to my 2min 22sec .mp4 background video I would like to play during my 3 minute talk. There is no sound.

<https://www.dropbox.com/s/aqv7ddagru6jw60/Lemonwood%20Survey%20test%202.mp4?dl=0>

If approved are you capable of downloading it?  
Otherwise I should bring a thumbdrive to you?  
Logistics?

Thank you in advance,

Jimmy Young  
805-  
Call/text or email

**From:** [rawitt@verizon.net](mailto:rawitt@verizon.net)  
**To:** [Clerk@theBoard](#)  
**Subject:** Agenda Item #72; Feb. 28, 2023 Board of Supervisors Meeting  
**Date:** Sunday, February 26, 2023 7:46:44 PM

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Dear Clerk of the Board,

Please deliver the following comments to Supervisor Jeff Gorell, provide copies to each of his colleagues on the Board, and include the correspondence in the official records of this coming Tuesday's meeting of the Board of Supervisors.

Thank you for all of your work on behalf of our community.

Appreciatively,

Rose Ann Witt  
Thousand Oaks, CA

RE: Ventura County Board of Supervisors Meeting on Tuesday, February 28, 2023; Agenda Item #72; Planning Division Case Nos. PL22-0152 and PL22-0153

February 26, 2023

Good evening Supervisor Gorell,

Like you, I am a parent of two children. My daughter has always loved to run -- because the energy in her limbs and the wind in hair make her feel alive -- and free. What began as an expression of joy quickly became her passion. She wasn't graced with a runner's body; so to compensate, she trained harder than competitors and teammates who were. When I picked her up after practice, I always found her running extra laps around the track. Twice elected Captain of Westlake High's Girls Cross Country, Jordanna dreamed of leading her varsity team to a state championship. But like growing numbers of children and teens in Ventura County, and across California, she also suffers with asthma. My husband and I didn't know this until she collapsed while competing in a race -- struggled to catch her breath -- and could not.

The episodes came sporadically at first -- more interrupted races, cheering for her teammates at finish lines she never reached, and panicked moments stuck in rush-hour traffic as she gasped for air -- but as the lung damage worsened her respiratory distress came to dominate every aspect of our lives. It was only later that we learned her debilitating attacks were triggered by pollution from breathing oil and gas emissions.

As a concerned parent who can't bear to watch any child suffer as mine did, I am sharing my own family's lived experience because I want you to know that fossil fuel pollution damages real people, permanently -- especially children -- and most especially children living, playing and going to school close to petrochemical activity.

Multiple studies show that people living near oil and gas drilling are exposed to higher rates of asthma, cancer, and increased risk of more deadly cases of Covid-19. UC Berkeley research, published last year by the National Institutes of Health, found that living near oil and gas wells also causes significant adverse health outcomes for pregnant mothers and newborn babies.

Last year even CalGEM, California's oil and gas oversight agency, conceded that living near oil and gas wells is injurious to human health; and the Governor announced rules to codify 3,200 foot setbacks separating homes, schools, businesses and health facilities, from new wells -- to protect families, children and other vulnerable populations. In August, state lawmakers passed SB1137 for just that purpose. That law was scheduled to become effective on January 1st, 2023; but the oil industry spent more than 20 million dollars to qualify a ballot referendum to stop it. And, as in Ventura County's primary election, industry brought in paid signature gatherers who were accused of misleading voters with false information to persuade them to sign petitions -- forcing our residents to wait two more years for relief from pollution causing cumulative health impacts that prolong suffering. (That massive amount of money was, not coincidentally, in addition to Aera Energy's 7.4 million dollar contribution to the effort to defeat Measures A and B here in VC and eliminate sensible protective requirements on the industry which were adopted by Ventura County's previous Board of Supervisors.)

Data available on CalGEM's website indicate more than 800 idled Ventura County wells within that 3,200-foot health and safety buffer. That number includes the two oil and gas wells currently under consideration and all 21 of the wells previously approved on an "antiquated" permit issued in 1957 -- 65 years ago (!), when "no environmental reviews" were required for such permits -- because the dangerous health impacts of their proximity to residential living was as yet unknown -- for an area adjacent to homes, a school, and a park in the Lemonwood neighborhood of Oxnard (a high poverty, predominantly Latin and Asian community, that is already overburdened by industrial pollution). Such "aging well sites" -- which are older than I am -- "have a much higher rate of casing failures and elevated level of groundwater contamination." Had the oil and gas industry not exploited its seemingly inexhaustible wealth against the people of California, all 23 of those wells would be illegal today. If brought back into production -- which is increasingly likely as L.A. city and L.A. county shut down all of their oil and gas extraction -- these wells, together with the potential re-opening of thousands more previously plugged VC wells, pose a growing threat to our families' health, to our county's fiscal solvency (2/17/22, Capital and Main, California Oil Safety Rule Contains 'Zombie Well' Loophole, Advocates Say - Lawsuit in Bay Area represents a looming issue for thousands of idled oil and gas wells: <https://capitalandmain.com/california-oil-safety-rule-contains-zombie-well-loophole-advocates-say/>), and of regional Climate Chaos-related impacts in what is already the fastest-heating county, in one of the most Climate Crisis- affected states, in the continental U.S. (The Washington Post, 12/2019, "2°C: Beyond The Limit - Fires, floods and free parking: California's unending fight against climate change" - [https://d3n8a8pro7vhnmx.cloudfront.net/cfrog/pages/609/attachments/original/1581544066/California\\_climate\\_change\\_Fires\\_floods\\_and\\_a\\_fight\\_over\\_free\\_parking\\_-\\_Washington\\_Post.pdf?1581544066](https://d3n8a8pro7vhnmx.cloudfront.net/cfrog/pages/609/attachments/original/1581544066/California_climate_change_Fires_floods_and_a_fight_over_free_parking_-_Washington_Post.pdf?1581544066))

The International Energy Agency (IEA), a traditionally conservative, fossil fuel-focused, global energy policy body, warned that preventing an overshoot of 1.5°C of Global Heating, and even more catastrophic impacts of Climate Breakdown (including the devastating heat, drought and wildfires already plaguing our county), requires no "new" fossil fuel investment beginning "last year".

Droughts and floods are already pummeling U.S. farm productivity; and local Ventura County farmers are warning that the former will mean the end of VC's two billion dollar farming economy within the next decade if change doesn't come soon. Without immediate, rapid, large-scale fossil fuel phase-outs now, according to the Intergovernmental Panel on Climate Change (IPCC) we can expect heatwaves too hot to grow food and work outside, vitamin and mineral-deficient fruits and vegetables, 10-25% lower crop yields for every extra degree of heating, and 30% less usable farm and pasture.

That means that people in positions of power like you, at every level of government, must prohibit or at least minimize any additional fossil fuel development ... not at some later date, but starting right now. (IEA further explained that doing so would result in tremendous benefits by creating 30 million new jobs, preventing 2.5 million deaths every year, and adding 0.4% to annual, global GDP growth.)

At the very least, you must reject all new drilling within California's 3,200-foot health and safety buffer zone to safeguard public health.

Wyoming, Pennsylvania, North Dakota, New Mexico, Virginia, West Virginia, Maryland, Illinois, Colorado, Louisiana, and even Texas, \*all\* have setbacks to protect their residents from the well-documented, dangerous impacts of petroleum pollution.

How is it possible that the people -- and especially the children -- of both California and Ventura County have been denied these same protections for so long? Why are Ventura County families, especially minority and working class families, routinely sacrificed for fossil fuel profits?

As a parent who has watched my child's eyes widen in terror as she gasped for air because of petroleum-pollution-triggered asthma, I stand squarely with the Lemonwood community and call on you, and all of your colleagues, to stop allowing industry to treat Ventura County farmworker communities and communities of color as sacrifice zones filled with disposable people, and to end Ventura County's legacy of environmental racism.

Ventura County leaders must stop rubber-stamping inherently dangerous and toxic oil and gas activities close to our neighbors' homes, our children's schools, and the farms that grow our food -- starting here and now.

I support the Ventura County Planning Commission's December 2022 decision to deny these oil and gas wells from being re-drilled and respectfully urge you to deny ABA Energy Corporation's appeal. Please say "no" to all new drilling in Ventura County neighborhoods!

Sincerely,

Rose Ann Witt

**From:** [lhamor=sbcglobal.net@mg.gospringboard.io](mailto:lhamor=sbcglobal.net@mg.gospringboard.io) on behalf of [lori hamor](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** No new oil wells near homes and schools!  
**Date:** Sunday, February 26, 2023 7:27:25 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Dear Ventura County Clerk of the Board,

I urge you to deny approval for new oil wells near schools and homes.

Oil drilling near homes and schools is a threat to people's health. Public health experts have found that living, working, or going to school near oil and gas drilling can be linked to a host of harmful health impacts including asthma, respiratory diseases, preterm births, and cancer.

A state law was recently passed to protect frontline communities by requiring a 3,200-foot safety zone between oil drilling and homes, schools, and hospitals. The County's General Plan also has health and safety buffer zones and Environmental Justice regulations that prevent drilling this close to frontline communities. These wells are well inside this safety buffer zone -- close to hundreds of homes and Lemonwood Elementary and Park.

Oxnard communities should not bear the burden of more pollution and environmental racism. The communities impacted by these wells already experience a pollution burden 77-93% higher than other California communities; higher than any other community in Ventura County. These are communities of color (over 90% Latinx and Asian) that experiencing poverty at rates 64-90% higher than the rest of the state. This expansion of polluting and dangerous fossil fuel infrastructure would not be happening in white, higher income neighborhoods. It should not happen here.

In addition, Ventura County has zoned this land for agriculture, and it is home to prime farmland. Hundreds of people work in the fields immediately surrounding the wells, and the impact to their health and safety has not been assessed. Farmworkers who work near these wells have been subject to dangerous and sometimes lethal air and water pollution. The impact these re-drilled wells will have on Ventura County's farmworkers and agriculture has not been analyzed.

Please use your rightful authority to deny these oil wells near schools and homes.

Sincerely,

lori hamor



Ojai CA, 93023-2107



**From:** [jon.schwalbach](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** PL22-0152 and PL22-0153  
**Date:** Sunday, February 26, 2023 7:21:30 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Please approve the applications for the wells that are the subject of this hearing. Oil and gas operations have occurred in Ventura county for over 100 years, with very minimal impact to our environment. If the oil is not produced here, more oil and gas will be imported from countries with much less stringent regulations than in California. That means more oil tankers and sending money to people that don't like. California monitors all wells for environmental concerns, and these wells will be produced responsibly.

Jon R. Schwalbach, Ph.D.  
Oxnard, CA

**From:** [Conejo Climate](#)  
**To:** [Supervisor Gorell](#)  
**Cc:** [ClerkoftheBoard](#); [Perryman, Mark](#); [LaVere, Matt](#); [Long, Kelly](#); [Supervisor Parvin](#); [Lopez, Vianey](#)  
**Subject:** BOS February 28 Meeting – Agenda Item 72  
**Date:** Sunday, February 26, 2023 7:13:31 PM  
**Attachments:** [image.png](#)

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February 25, 2023

Supervisor Jeff Gorell  
Ventura County Board of Supervisors  
625 West Hillcrest Drive  
Thousand Oaks, CA 91360

Dear Supervisor Gorell,

A “no fossil fuel” pledge during the Board of Supervisors race requires your commitment to “prioritize the health of our families, climate and democracy over fossil fuel industry profits.” Your vote on Agenda Item 72 will show that you are fulfilling a campaign promise to “boost public safety”. Please make Tuesday an example of your values, and deny ABA Energy Corporation’s apparent disregard for the same, reflected in their current appeal.

It should go without saying that having oil wells in close proximity to homes, schools and parks is unthinkable. You have children. Would you send them to schools within 3500 feet of working oil wells?

Conejo Climate Coalition supports the 2022 Ventura County Planning Commission’s decision to deny the oil and gas wells in the Lemonwood neighborhood to be re-drilled. The Planning Commission’s decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools assessed.

The Oil and Gas industry has the funds to win time and again, putting their profits over any other human value. When you vote on agenda item 72 consider that you are voting on an environmental justice issue, as well as a public health and safety issue.

Our elected leaders will ideally represent those issues effectively and not be swayed by the self-interested arguments of ABA Energy.

Thank you,

Conejo Climate Coalition  
Representing District 2 Constituents

**From:** [Molly McCoy](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda Item 72  
**Date:** Sunday, February 26, 2023 6:26:01 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Greetings,

My name is Molly McCoy, I'm a Camarillo resident writing to express my disapproval and concern regarding the expansion of fossil fuel infrastructure in Lemonwood.

As an environmental science college student, I'm appalled at the injustice that this community is being subjected to. Oxnard's population is predominantly Latino and Asian; they are already suffering a pollution burden 77 to 93 percent higher than other California communities. This is higher than any other community in Ventura County, and additionally, they are experiencing poverty at rates 64 percent to 90 percent higher than the rest of the state. The placement of this fossil fuel project is no accident; there are no other polluter sites like this in wealthy, white neighborhoods.

Second, I fail to see how this expansion aligns with Ventura County's climate goals, considering that this project will further the lifespan of fossil fuels within our region. We need to contribute to the global effort of cutting carbon emissions in half by 2030 rather than extending our reliance on these dangerous sites.

Not only is this proposed expansion a detriment to the residents and the climate progress within Ventura County, it is an unnecessary waste of resources. The vast majority of wells on this land are "stripper" wells, meaning they produce very little oil (under 20 barrels a day) and work to "strip" the last drop of oil out of the ground. ABA Energy is proposing to reopen wells that have already been properly closed and cleaned up—most of them plugged only a few years ago. Why is the county looking to expend time, labor, and money on an unprofitable project when there are 2,000 idle and 400 orphaned wells that are in greater need of help?

This expansion is a horrible investment for our community's economical, physical, and environmental well-being. I implore the board to consider the immediate and long-term consequences of approving these wells. I also respectfully urge the Board of Supervisors to deny ABA Energy Corporation's appeal based on its failure to comply with legal requirements and the Planning Division's erroneous issuance of the zoning clearances in violation of County law.

Sincerely,  
Molly McCoy

**From:** [Adrian Conway](#)  
**To:** [Supervisor Gorell](#); [ClerkoftheBoard](#)  
**Cc:** [Perryman, Mark](#); [LaVere, Matt](#); [Long, Kelly](#); [Supervisor Parvin](#); [Lopez, Vianey](#)  
**Subject:** BOS Feb. 28 Meeting --> Agenda Item 72  
**Date:** Sunday, February 26, 2023 5:07:20 PM

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Dear Supervisor Gorell,

I join my friends, family, and neighbors in asking for your vote on Agenda item 72 to be one for the environment and our Ventura County communities. I support the 2022 Ventura County Planning Commission's decision to deny the oil and gas wells in the Lemonwood neighborhood to be re-drilled. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding neighborhoods and schools assessed.

As we saw with the Measures A and B campaign this past summer, the Oil and Gas industry expends significant funding to spread disinformation (See this [Ventura Star article](#)). A major talking point that is brought up repeatedly is the potential loss of jobs. Yet this report from the [Ventura County Community College District \("VCCCD"\) Economic Development and Workforce Division](#) estimated 854 people were employed in mining, quarrying, and oil and gas extraction in 2019. A brief Google search shows over [1800 children live in the Lemonwood area](#).

While I wholeheartedly agree that Ventura County should be looking to grow economically, I can't in good conscience say that those 854 jobs should have priority over the health and safety of our County's children.

The environmental impact of re-drilling oil wells within 3500 feet of schools, homes and parks should be assessed. It's both a public safety and health priority.

This issue does not start and stop with District 3; oil permits are within every Ventura County District. Requesting an environmental review confirms that **all** Supervisors are on the same page when it comes to public health and safety for all of the Ventura districts.

Respectfully,

Adrian Conway  
Thousand Oaks

--

Adrian Conway (she/her)

805-

**From:** [Frances Lee](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Deny 2 Oil and Gas Wells by ABA Energy near homes and schools in Ventura County  
**Date:** Sunday, February 26, 2023 4:55:57 PM

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Dear Board of Supervisors,

I would like to address Agenda Item 72:

My name is Frances Lee, I am a resident of Moorpark, and I am speaking today to make certain you know that this appeal by ABA Energy Corporation is an environmental justice issue. The two wells that ABA wants to re-drill are near the community of Lemonwood, Oxnard, with homes, a school, a park and farmland less than 1 mile away. The Ventura County Planning Commission voted against drilling close to this neighborhood, because of the increased exposure to chemicals that cause higher rates of asthma, cancer, and pre-term births. The Lemonwood community already has a 77-99% higher incidence than other Californian communities, including communities in Ventura County. In addition, this company plans to re-drill 21 other wells within the same proximity to this community, yet, they want 2 more.

As you know, there is a state law making a 3200ft safety buffer zone to protect people where they are living, working and playing, but the Oil Industry has spent millions once again to halt this law and force a referendum on the 2024 election. As in many cases, this community is over 90% Latinx and Asian who cannot afford to stand up to the power of a company with millions to spend to get their way, here with your vote and at the ballot box. Please consider this case of utmost importance to your community members and deny this appeal by ABA Energy Corporation.

Thank-you,

Frances Lee



Moorpark, CA 93021

Sent from [Mail](#) for Windows

**From:** [kaelin carraway](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda Item 72  
**Date:** Sunday, February 26, 2023 4:19:35 PM

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To whom this may concern,

I demand the expansion of the drilling in Lemonwood unacceptable and to be stopped. It is increasingly harmful to those that attend school, lives in the area, and go to the park. This project expansion being a mile away raises environmental and health concerns. Please take this into consideration and prevent the expansion of this project. Thank you.

Sincerely,  
Kaelin Carraway



**From:** [Marlenewait](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda item #72 @ 1:30  
**Date:** Sunday, February 26, 2023 1:18:56 PM

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Against #72 item  
Marlene Wait



Sent from my iPhone

**From:** [Linda Waldroup](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Re-Drilling Oil Wells near Lemonwood, Oxnard  
**Date:** Sunday, February 26, 2023 12:47:39 PM

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Board of Supervisors  
County of Ventura


My name is Linda Waldroup, and I am a resident of Camarillo. I am expressing my concern about the expansion of fossil fuel infrastructure in Lemonwood, an environmental justice community in Ventura County. I respectfully urge the Board of Supervisors to deny ABA Energy Corporation's appeal based on the failure to comply with legal requirements and the Planning Division's erroneous issuance of the Zoning Clearances in violation of County law.

I support the Ventura County Planning Commission's decision to deny these oil and gas wells from being re-drilled in December 2022. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools analyzed. I believe these are prudent measures the Board of Supervisors should also take into account and not ignore.

These two wells are in addition to twenty-one other oil and gas wells already approved for the area adjacent to homes, a school, and a park in the Lemonwood neighborhood. These twenty-one oil and gas wells are on an "antiquated" permit issued in 1957, with no environmental review required. And though these wells are within the CA 3,200-foot health and safety buffer zone, they can be approved for drilling since the buffer zone has been suspended until 2024 due to the oil industry referendum campaign. This is why it is essential that the Board of Supervisors carefully review the application within procedural compliance with County law.

The two oil and gas wells proposed by ABA Energy Corporation for permitting would add to the cumulative pollution burden of neighborhoods and schools nearby the proposed sites. This location has been identified as having the highest amount of pollution in Ventura County. The talking points pushing the need to protect oil and gas jobs by jettisoning permit compliance leaves the children of Ventura County and our neighbors vulnerable.

Thank you.

Linda Waldroup  
  
Camarillo, CA 93012

*Linda Waldroup*

"She is too fond of books, and it has turned her brain." *Louisa May Alcott*

**From:** [elise swarts](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda Item 72  
**Date:** Sunday, February 26, 2023 12:25:17 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

My name is Elise Swarts, and I am a Ventura County resident who is very concerned about the possibility of more oil drilling in Lemonwood. The oil wells are in close proximity to homes and a school, but these people would be at high risk for severe long-term health issues, like asthma, cancer, pre-term births, and respiratory diseases because of the oil drilling. Carcinogens and endocrine disruptors, such as benzene and formaldehyde, fine and ultra-fine particulate matter, and hydrogen sulfide are some examples of the health dangers that young children in schools, hard-working farmworkers, and residents would be exposed to. This is not acceptable. The Board of Supervisors must deny ABA Energy Corporation's appeal based on the failure to comply with legal requirements and the Planning Division's erroneous issuance of the Zoning Clearances in violation of County law. I support the Ventura County Planning Commission's decision to deny these oil and gas wells from being re-drilled in December 2022. There are already twenty-one oil and gas wells near Lemonwood, and these are within the CA 3,200-foot health and safety buffer zone (because the oil industry pushed for a delay in enforcing the buffer). If approved, the two oil and gas wells would pollute the Lemonwood area even more, and this community is targeted due to the fact that many of its residents are people of color and have lower incomes than in other, less polluted areas. Protect the health of people in Lemonwood, and do not allow more oil drilling in Oxnard.

Thank you.

**From:** [Mark Mendelsohn](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda Item 72  
**Date:** Sunday, February 26, 2023 12:10:11 PM

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Hello,

My name is Mark Mendelsohn and I am a resident of Ventura. I am expressing my concern about the expansion of fossil fuel infrastructure in Lemonwood, an environmental justice community in Ventura County. I respectfully urge the Board of Supervisors to deny ABA Energy Corporation's appeal based on the failure to comply with legal requirements and the Planning Division's erroneous issuance of the Zoning Clearances in violation of County law.

I support the Ventura County Planning Commission's decision to deny these oil and gas wells from being re-drilled in December 2022. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools analyzed. I believe these are prudent measures the Board of Supervisors should also take into account and not ignore.

These two wells are in addition to twenty-one other oil and gas wells already approved for the area adjacent to homes, a school, and a park in the Lemonwood neighborhood. These twenty-one oil and gas wells are on an "antiquated" permit issued in 1957, with no environmental review required. And though these wells are within the CA 3,200-foot health and safety buffer zone, they can be approved for drilling since the buffer zone has been suspended until 2024 due to the oil industry referendum campaign. This is why it is essential that the Board of Supervisors carefully review the application within procedural compliance with County law.

The two oil and gas wells proposed by ABA Energy Corporation for permitting would add to the cumulative pollution burden of neighborhoods and schools nearby the proposed sites. This location has been identified as having the highest amount of pollution in Ventura County. The talking points pushing the need to protect oil and gas jobs by jettisoning permit compliance leaves the children of Ventura County and our neighbors vulnerable.

Thank you.

**From:** [efharisto@sbcglobal.net](mailto:efharisto@sbcglobal.net)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda Item 72  
**Date:** Sunday, February 26, 2023 12:06:33 PM

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Dear Ventura County Board of Supervisors,

My name is Robert Leonard, and I am a resident of the City of Ventura. I write to respectfully urge the Board of Supervisors to stop the expansion of fossil fuel infrastructure in Lemonwood, Ventura County by voting to deny ABA Energy Corporation's appeal based on the failure to comply with legal requirements and the Planning Division's erroneous issuance of the Zoning Clearances in violation of County law.

I support the Ventura County Planning Commission's December 2022 decision to deny these oil and gas wells from being re-drilled. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed and impacts on the surrounding homes and schools analyzed. I believe these are prudent measures the Board of Supervisors should not ignore.

These two wells are in addition to twenty-one other oil and gas wells already approved for the area adjacent to homes, a school, and a park in the Lemonwood neighborhood. These twenty-one oil and gas wells are on an "antiquated" permit issued in 1957, with no environmental review required. And though these wells are within the CA 3,200-foot health and safety buffer zone, they can be approved for drilling since the buffer zone has been suspended until 2024 due to the oil industry referendum campaign. This is why it is essential that the Board of Supervisors carefully review the application within procedural compliance with County law.

The two oil and gas wells proposed by ABA Energy Corporation for permitting would add to the cumulative pollution burden of neighborhoods and schools nearby the proposed sites. This location has been identified as having the highest amount of pollution in Ventura County. ABA Energy's deceptive talking points suggesting that oil and gas jobs are at risk and must be protected by jettisoning permit compliance leaves the children of Ventura County and our neighbors vulnerable. I therefore urge you to vote to protect Ventura County residents and deny ABA Energy Corporation's appeal.

Sincerely,

Robert Leonard



Ventura, CA 93004

**From:** [Catherine Vidal](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Oil sites-No more within 1 mile of lives  
**Date:** Sunday, February 26, 2023 9:05:03 AM

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*Catherine Vidal*

805- [REDACTED]

**From:** [Kim Stephenson](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda Item 72  
**Date:** Sunday, February 26, 2023 1:56:15 AM

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Dear Honorable Board of Supervisors for Ventura County,

I am writing in support of the Ventura County Planning Commission's decision to stop two oil well re-drills near homes and Lemonwood School in Oxnard.

“Rubber-stamping“ decades old permits is not acceptable for the safety of the community - people who live and work in the area, especially teachers, farmworkers, and children.

Thank you for considering my input.

Sincerely,

Kim Marra Stephenson, PhD

Teacher, Oxnard Union High School District  
President, Ventura County Women's Forum Collaborative  
Board Member, Social Justice Fund for Ventura County  
(805) [REDACTED]



**From:** [Ann Dorsey](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda Item 72  
**Date:** Saturday, February 25, 2023 10:05:03 PM

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I urge the Board of Supervisors to deny the request to re-drill 2 oil and gas wells in the Lemonwood community in Oxnard for the following reasons:

The oil operator's zoning clearance applications fail to meet the modest requirements of the Ventura County Ordinance Code. County law, which both the Applicant Oil Operator and the Planning Division violated, must be upheld and enforced.

Oil drilling near homes and schools is a threat to human health.

This is an environmental injustice - Oxnard communities should not bear more pollution burdens.

Ventura County has zoned this land for agriculture and it is home to prime farmland. Hundreds of people work in the fields immediately surrounding the wells and the impact to their health and safety has not been assessed.

Please deny these inherently dangerous drilling operations.

Thank you,

Ann Dorsey

**From:** [Rebecca Canright](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda Item 72  
**Date:** Saturday, February 25, 2023 7:29:42 PM

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Greetings! As a young person who cares about safeguarding our environment, I ask you to please support investing in renewable energy like solar and wind, over continued reliance upon fossil fuels. It is important that we work together to protect our communities and ecosystems from continued oil reliance.

I am expressing my concern about the expansion of fossil fuel infrastructure in Lemonwood, an environmental justice community in Ventura County. I respectfully urge the Board of Supervisors to deny ABA Energy Corporation's appeal based on the failure to comply with legal requirements and the Planning Division's erroneous issuance of the Zoning Clearances in violation of County law.

I support the Ventura County Planning Commission's decision to deny these oil and gas wells from being re-drilled in December 2022. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools analyzed. I believe these are prudent measures the Board of Supervisors should also take into account and not ignore.

**Thank you for your time and consideration! Rebecca**

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Frigate birds fly for months over the ocean and can engage in both regular sleep and use half their brain at a time to sleep during soaring or gliding flight.



Compassion for all creatures great and small.

**From:** [Kathleen Good](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda Item 72  
**Date:** Saturday, February 25, 2023 6:38:06 PM

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Dear County Board of Supervisors:

I am writing in regard to the Board hearing to ask you to stop the re-drilling of two oil and gas wells in the Lemonwood Community of Oxnard. The oil operator's zoning clearance applications fail to meet the modest requirements of the Ventura County Ordinance Code. The Board of Supervisors must uphold and enforce County law, which both the Applicant Oil Operator and the Planning Division violated. Please put an end to the rubber stamping of inherently dangerous drilling operations. The re-drilling of two wells is too close to homes and schools.

It is your duty to help keep the citizens of Ventura county safe, no matter what the rich oil companies want to do. I urge you to vote no to re-drilling in the Lemonwood Community of Oxnard. **Oil drilling near homes and schools is a threat to human health.** The word community says it all—this is not a place for dangerous business. the people have a human right to safety!

Thank you for your consideration of this matter.  
Kathleen Good  
Resident of Ventura County

**From:** [Kathryn Selm](#)  
**To:** [Supervisor Gorell](#); [ClerkoftheBoard](#)  
**Cc:** [Perryman, Mark](#); [LaVere, Matt](#); [Long, Kelly](#); [Supervisor Parvin](#); [Lopez, Vianey](#)  
**Subject:** Email Subject Line: BOS February 28 Meeting – Agenda Item 72  
**Date:** Saturday, February 25, 2023 4:40:34 PM

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My name is Kat Selm and I am a resident of Thousand Oaks. I am expressing my concern about the expansion of fossil fuel infrastructure in Lemonwood, an environmental justice community in Ventura County. I respectfully urge the Board of Supervisors to deny ABA Energy Corporation's appeal based on the failure to comply with legal requirements and the Planning Division's erroneous issuance of the Zoning Clearances in violation of County law.

I support the Ventura County Planning Commission's decision to deny these oil and gas wells from being re-drilled in December 2022. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools analyzed. I believe these are prudent measures the Board of Supervisors should also take into account and not ignore.

These two wells are in addition to twenty-one other oil and gas wells already approved for the area adjacent to homes, a school, and a park in the Lemonwood neighborhood. Public health experts have found that living, working, or going to school near oil and gas wells can be harmful to people's health. Impacts include asthma, premature births, respiratory illnesses and cancer.

These twenty-one oil and gas wells are on an "antiquated" permit issued in 1957, with no environmental review required. And though these wells are within the CA 3,200-foot health and safety buffer zone, they can be approved for drilling since the buffer zone has been suspended until 2024 due to the oil industry referendum campaign. This is why it is essential that the Board of Supervisors carefully review the application within procedural compliance with County law.

The two oil and gas wells proposed by ABA Energy Corporation for permitting would add to the cumulative pollution burden of neighborhoods and schools nearby the proposed sites. This location has been identified as having the highest amount of pollution in Ventura County. The talking points pushing the need to protect oil and gas jobs by jettisoning permit compliance leaves the children of Ventura County and our neighbors vulnerable.

Thank you,  
-Kat Selm

-Kat Selm



February 24, 2023

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

Sent via email [clerkoftheboard@ventura.org](mailto:clerkoftheboard@ventura.org)

**Re: Agenda Item 72, Case Number: PL22-0152 AND PL22-0153, Feb. 28, 2023 Board of Supervisors Hearing**

Dear Supervisors,

Climate First: Replacing Oil & Gas (CFROG) hereby submits this *Amended* Comment Letter in Opposition to ABA Energy Corp.'s Appeal of the Planning Commission's December 15, 2022 Determination reversing the issuance of two oil drilling Zoning Clearances. As the underlying prevailing appellant before the Planning Commission, we request to be heard as a party and that our arguments presented below be formally incorporated into the record and considered.<sup>1</sup>

CFROG is a grassroots environmental nonprofit dedicated to combating the climate crisis by working to shape the transition from fossil fuels to a carbon-free economy in Ventura County. We are committed to ensuring that oil and gas operations are properly reviewed, permitted, monitored, and compliant. CFROG has been tracking oil and gas developments in Ventura County for almost 10 years. ABA Energy Corp.'s ("ABA", "Oil Operator" or "Applicant") redrilling project of the two wells at issue, together with 21 additional similar drilling projects, may be the largest drilling development we have monitored. As explained herein, the oil drilling Zoning Clearances were issued in glaring violation of the County's Non-Coastal Zoning Ordinance (Ordinance).<sup>2</sup>

**For the reasons detailed below, we respectfully urge the Board of Supervisors to deny ABA Energy Corp.'s Appeal because the Zoning Clearance Applications at issue: (1) are legally deficient and must be rejected; and (2) nevertheless cannot objectively satisfy legal requirements under a ministerial review. County law requires that ABA's Appeal be rejected.**

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<sup>1</sup> CFROG has no recourse under the Ventura County Code to be heard as the original appellant before the Planning Commission, and has not otherwise been granted with an opportunity to be heard as a party here. CFROG nevertheless submits this letter to be heard in its opposition to ABA's appeal and, if required, to exhaust administrative remedies and preserve all further rights and remedies.

<sup>2</sup> The County's Non-Coastal Zoning Ordinance is codified at Chapter 1, Division 8 of the Ventura County Ordinance Code.

## I. INTRODUCTION

The two Zoning Clearances at issue would allow ABA to expand oil drilling operations in Oxnard under Special Use Permit #672 without satisfying long-standing, basic legal requirements. In particular, the Planning Director failed to comply with mandatory ministerial review standards dictated by County Ordinance which the Director cannot ignore in its discretion. A *de novo* review by the Board of Supervisors cannot fare any better. The Oil Operator's Applications are so lacking and incomplete under the Ordinance Code that they fail to meet the required threshold to even be *considered*. The Board of Supervisors therefore cannot undertake the required objective ministerial analysis and are precluded from making finding of compliance.

Over the last several years, in addressing the climate, health, and safety impacts of oil drilling operations, the Board of Supervisors and the public have contended with such Conditional/Special Use Permits (CUPs/SUPs) granted decades ago prior to modern regulatory frameworks. Those archaic permits were issued under very different conditions than today, including when there was a dearth of science, data, and other information about their detrimental environmental, health, and fiscal impacts, like those Ventura County is now confronting. Nevertheless, those old permits, including ABA's Special Use Permit #672 (SUP 672) issued in 1957, are bound by its terms and conditions, as well as county, state, and federal laws.

On August 19, 2022, oil operator ABA filed with the Planning Director two Zoning Clearance Applications required to obtain authorization for oil drilling operations. Specifically, the Oil Operator sought approval to redrill two separate oil wells—designated Malhaurdt #9S and Dorothy Moon #2ST—through a technique called “sidetracking.” (“Applications”). The new redrilling of the Malhaurdt #9ST and Dorothy Moon #2ST wells through sidetracking would extract oil from wells that are currently idle and abandoned, respectively. The Planning Director undertook a ministerial review and granted ABA's applications on September 22, 2022, issuing Zoning Clearances ZC22-0937 (Malhaurdt #9ST) and ZC22-0938 (Dorothy Moon #2ST).

The approved sidetracking drilling operations consist of drilling a secondary wellbore from an original wellbore to in essence redrill the well to a new target. The proposed operations “will include the sidetracked wellbore and the ancillary equipment used for the wellbore such as the pumping unit/pad, the electrical lines, the oil/gas scrubber, and the pipeline from the wellhead to ABA's existing facilities.” (ABA Applications for Malhaurdt #9ST and Dorothy Moon #2ST, Exhibits 1).

ABA also submitted applications to redrill and sidetrack 21 additional wells and received Zoning Clearances by the Planning Director on November 18, 2022, altogether authorizing a vast oil drilling expansion of 23 wells in an Environmental Justice community in Oxnard. We discuss the significant health, environmental, climate, and fiscal impacts of this intensive drilling expansion further below in Section IV C.

CFROG filed timely appeals of Zoning Clearances ZC22-0937 (Malhaurdt #9ST) and ZC22-0938 (Dorothy Moon #2ST) with the Planning Commission on September 30, 2022, asserting that ABA's Applications and the issuance of the Zoning Clearances failed to meet legal requirements and required they be nullified and declared void.<sup>3</sup> ABA's Zoning Clearance Applications for the two sidetrack drilling projects are nearly identical, containing exact responses and assertions regarding its alleged compliance with the Ordinance and other legal requirements, including terms and conditions of the underlying SUP 672. Accordingly, the arguments CFROG raised in its appeals applied equally to both applications, as they do here.

After both CFROG and applicant ABA presented at a Planning Commission hearing on December 15, 2022, the Planning Commission granted CFROG's appeal by rejecting the issuance of the oil drilling Zoning Clearances. ABA now appeals that decision to the Board of Supervisors, requiring the Board to make determinations of critical importance to the rule of law and the public's health and safety, as follows below.

## **II. QUESTIONS ON APPEAL**

ABA's Appeal of the Planning Commission's disapproval of Zoning Clearances ZC22-0937 and ZC22-0938 ("ZC") requires the Board of Supervisors to review ABA's Applications for oil drilling Gas Zoning Clearances *de novo*. The Supervisors therefore carry a heightened duty in their review and in making a legal determination. The review requires the Supervisors to discharge their legal duty—designed to protect against the risk of injury—by applying the law to the facts and determine whether, based on the information provided in the Applications, ABA can objectively satisfy all legal requirements under County law.

Under a ministerial review pursuant to the Non-Coastal Zoning Ordinance,<sup>4</sup> the Board of Supervisors must therefore independently assess and decide the following questions:

(1) Do the Oil Operator ZC Applications "contain[] in a full, true and correct form the required materials and information prescribed by the forms supplied by the Ventura County Planning Division" and "conform[] to the requirements of" the Code (Sections 8111-2.1; 8111-2.3)?; and

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<sup>3</sup> CFROG did not challenge the additional 21 issued zoning clearances because the County's appeal process is cost-prohibitive and would have required CFROG to pay fees totaling \$23,000. Based on information and belief, however, those 21 applications and issuances presumably suffer from similar deficiencies as those challenged by CFROG. We further address this issue in Section IV B.

<sup>4</sup> CFROG also asserts, in the alternative, that the Zoning Clearances cannot be issued because the County must undertake a discretionary review and apply CEQA. Because a determination under the ministerial review standard by itself requires a determination nullifying and voiding the two Zoning Clearances, CFROG will not repeat that argument here and instead hereby incorporates and respectfully refers the Board to those arguments made in CFROG's December 15, 2022 Appeal of the Planning Director's issuance to ABA of the two Zoning Clearances at issue.

(2) Upon a faithful application of the ministerial duty imposed by the Non-Coastal Zoning Ordinance, do the ZC Applications objectively satisfy all requirements, including that the proposed oil drilling operations:

- a. Comply with the terms and conditions of Special Use Permit #672;
- b. Comply with the standards of Division 8, Chapter 1 and 2 of the Ordinance Code;
- c. Are compatible with the policies and land use designations specified in the General Plan;
- d. Are not located on the same lot where a violation exists of standards found in Chapters 1 and 2 or of any Ventura County Ordinance regulating land use,
- e. Are consistent with conditions and requirements established by specified County and federal water standards?

(Section 8111-1.1.1(b)). As we explain below, they did not.

ABA's ZC Applications are fatally flawed and must be rejected for processing because they fail to provide the information and content necessary to demonstrate compliance with its Special Use Permit, Ordinance Code, and other legal requirements. In response to application instructions, ABA provided incomplete, non-responsive, hypothetical, and conclusory responses. As such, the Board of Supervisors cannot assess the given set of facts and required information in the "prescribed manner in obedience to the mandate of legal authority[.]" (Section 8102-0). Just as the Planning Director's ministerial review was incomplete and the determination baseless, a decision by the Board to issue the Zoning Clearances will be legally flawed and unfounded.

Based on a ministerial review, the questions before the Board of Supervisors are rather narrow. They do not concern environmental review or compliance with other laws, but simply whether the modest requirements for Zoning Clearance under the Non-Coastal Zoning Ordinance are met. CFROG asserts that they are not, and the Board of Supervisors must deny ABA's Appeal and direct the Planning Director to adhere to its ministerial duty and ensure that any future Applications objectively satisfy all requirements.

This is a *modest* request, but of critical importance for two reasons: First, the current requirements under the Non-Coastal Zoning Ordinance are minimal but are common-sense safety protections, and the Board must ensure compliance with these existing County law. Second, the oil drilling expansion at issue is within dangerous proximity to homes in an Environmental Justice community and operating directly in agricultural fields, subjecting farm laborers to the inherent hazards of oil drilling, heightening the moral duty to protect the welfare of community members and workers.

Because the Applications are legally deficient, the Non-Coastal Zoning Ordinance requires they be rejected, and the inquiry must end there. Nevertheless, Ordinance Code Section 8111-2.7 requires that Zoning Clearances ZC22-0937 and ZC22-0938 "shall be null and void" because the Applications fail to satisfy mandatory requirements. The nullification of ABA's Zoning Clearances must stand.



### III. LEGAL STANDARDS

The Ventura County Non-Coastal Zoning Ordinance is unequivocal about the numerous requirements that Oil and Gas Zoning Clearances must satisfy under a ministerial review process.<sup>5</sup> The Oil and Gas Zoning Clearance process does not concern mere nominal application requirements amenable to cursory reviews and rubber-stamping. Rather, an Oil and Gas Zoning Clearance Application requires substantive review and determinations.

The Ordinance requires oil operators to file for and obtain a Zoning Clearance “prior to drilling every well, commencing site preparation for such well(s), or installing related appurtenances[,]” even where the oil operator holds an underlying special use permit (Section 8107-5.4). Oil operators’ applications must “contain[] in a full, true and correct form the required materials and information prescribed by the forms[]” (Section 8111-2.1), as “determined by the Planning Division[,]” (Section 8111-2.3). The Zoning Clearance Application requires ABA to “demonstrate how the operator is in compliance with each condition[]” of the Special Use Permit. (Planning Division Oil & Gas Zoning Clearance Application Instructions (“Application Instructions”), Materials Section, ¶ 7).<sup>6</sup> The Ordinance Code mandates the County to reject an application if it does not provide complete and full information and content as required by the Application Instruction and Ordinance Code. (Sections 8111-2.1, 8111-2.3).

While the Zoning Clearance application review concerns a ministerial decision, the Ordinance Code requires the County to objectively ascertain that an application meets numerous Code requirements, the terms and conditions of the underlying Special Use Permits, be consistent with the General Plan, and that the subject lots do not suffer from any existing violations. (Sections 8102-0; 8111-1.1).

Upon an objective assessment, the County may issue a Zoning Clearance *only* upon confirming that the proposed use of land, structure, or construction in the application:

- Complies with Code standards in Chapters 1 and 2,
- Complies with the terms and conditions of the current permit;
- Is compatible with the General Plan policies and land use designations;
- Is not located on a lot where there exists a violation of Code Chapters 1 and 2 or of any Ordinance regulating land use, or of permit terms;
- Is consistent with water conditions and requirements established by Pollutant Discharge and Stormwater ordinances.

(Section 8111-1.1.1(b); see also Section 8111-2.2(f),(g) (requiring rejection of application where a violation exists)). Oil and Gas Zoning Clearance Applications must meet additional Code requirements. (Section 8111-2.3 (citing Section 8107-5.6)).

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<sup>5</sup> Again, CFROG also holds that the Planning Division erred in issuing the Zoning Clearances because discretionary and environmental review was required.

<sup>6</sup> The Oil & Gas Zoning Clearance Application is found at:  
[https://vcrma.org/docs/images/pdf/planning/programs/oil-gas/Zoning\\_Clearance\\_Application-OG\\_U.pdf](https://vcrma.org/docs/images/pdf/planning/programs/oil-gas/Zoning_Clearance_Application-OG_U.pdf)

A Zoning Clearance means that the County *certifies* that the proposed oil drilling project complies and is consistent with the Ordinance Code, permit conditions, general plan, violations, and water requirements. (Section 8111-1.1.1). Therefore, the County's legal ministerial duty to ensure the numerous critical requirements are satisfied requires a careful, substantive review. Indeed, the Ordinance provides that while "Zoning Clearances applications may take up to 30 days to be processed and issued[.]" "[a]dditional time may be required if project information . . . requires further analysis or research[.]" (Application Instructions ¶ 9).

Because oil drilling operations inherently create health and safety risks, it is necessary for the County to conduct complete analysis and research to reach a substantiated determination. In light of the substantive review required for Zoning Clearances for Oil and Gas operations, the Code provides the County with the ability to seek outside expert consultant support at the cost of the applicant. Specifically, Section 8111-2.1 permits County staff to "refer any application [] to an independent and qualified consultant for review and evaluation of issues beyond the expertise or staffing capabilities of the County," with "[t]he costs . . . borne by the applicant[.]"

In sum, the County Non-Coastal Ordinance Code:

1. *Prohibits* ABA's ZC Applications from being accepted for processing "unless [they] conform[]to the requirements of [the Code] [and] contain[]in a full, true and correct form the required materials and information prescribed by the forms supplied[.]" (Section 8111-2.1); and
2. *Requires* a Zoning Clearance be declared null and void when:
  1. An application did not provide full, true and correct information;
  2. it does not comply with a term or condition of its use permit; or
  3. other error was committed.

(Section 8111-2.7). County law thus provides for a mandatory nullification when the application or Zoning Clearance violates any one of these requirements.

#### IV. DISCUSSION

**A. The Non-Coastal Zoning Ordinance prohibits the issuance of ABA's requested Zoning Clearances because ABA fails to objectively meet mandatory legal requirements on multiple grounds, any one of which requires they be rejected.**

1. ABA's Oil and Gas Zoning Clearance Applications must be rejected as non-compliant because they fail to provide "full, true, and correct . . . materials and information" required by the Ordinance and dictated by the Planning Division, in violation of Sections 8111-2.1 and 8111-2.3.

- a. *ABA's Zoning Clearance Applications fail to provide the required information demonstrating compliance with SUP 672 Conditions.*

The County Ordinance prohibits the issuance of a Zoning Clearance unless the proposed activity “[c]omplies with the applicable terms and conditions of [the] permit” (Section 8111-1.1.1(b)(3)). The Planning Division’s Zoning Clearance Application, therefore, instructs applicants to provide a copy of the underlying permit approval conditions and show how the proposed oil operation complies. Specifically, **ABA is required to “demonstrate how the operator is in compliance with each condition[]”** of SUP 672. (Application Instructions, Materials Section, ¶ 7). This means that ABA must make a clear showing, prove, and/or explain<sup>7</sup> compliance. ABA fails to make this required showing, and the ZC Applications must be rejected.

Rather than prove or otherwise clearly show its compliance with SUP 672 Conditions, ABA instead provides promissory, ambiguous, non-responsive, and/or incomplete responses. Its compliance statements, contained in Exhibits 2 to Application ZC22-0937 and Application ZC22-0938, simply fail to make the requisite showing. The Applications’ legal defects include, but are not limited to, SUP 672 Conditions 5, 8, 10, 11, and 13, as follows:

- i. **Promissory statements on compliance with Condition 5.**

ABA’s ZC Applications must demonstrate compliance with permit Condition 5, which states:

all oil drilling and production operations shall be conducted in such a manner as to eliminate, as far as practicable, dust, noise, vibration or noxious odors, and shall be in accordance with the best accepted practices incident to drilling for and the production of oil, gas, and other hydrocarbon substances. Where economically feasible and where generally accepted and used, proven technological improvements in drilling and production methods shall be adopted as they may become from time to time, available, if capable of reducing factors of nuisance and annoyance.

The oil operator’s compliance statement, however, states only that it “will” do these things, and that “drilling and production operations will be conducted using good oil field practices.” (Applications ZC22-0937, ZC22-0938, Condition Compliance Letters, Exhibits 2 at p. 2). Further, ABA’s promise that will use “good” oil field practices also fails the standard required by Condition 5—that AB use the “best accepted practices” and “prove technological improvements.”

ABA’s compliance statements as to Conditions 5 do not amount to the requisite “demonstration,” which requires a clear showing, proof, or explanation, that the County can

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<sup>7</sup> See plain meaning of “demonstrate.” Merriam-Webster. (n.d.). Demonstrate. In *Merriam-Webster.com dictionary*. Retrieved Feb. 21, 2023, from <https://www.merriam-webster.com/dictionary/demonstrate>.

assess and upon which it can certify compliance “in obedience to the mandate of legal authority[.]” (Sec. 8102-0).

**ii. Promissory, vague, and non-responsive statements on compliance with Condition 8.**

ABA’s Applications must demonstrate compliance with permit Condition 8, which states that “all water, mud, oil, or any other fluid, semi-fluid, . . . which is removed from the . . . land for which a Special Use Permit is issued for the purpose of disposal as waste material, shall only be deposited in an approved disposal site.” However, ABA again simply stated that it “will” comply, without providing any information about whether waste material is or will be removed, whether ABA has obtained a special use permit for such purpose, and without identifying its approved disposal site(s). (Applications ZC22-0937, ZC22-0938, Condition Compliance Letters, Exhibits 2 at p. 3). ABA’s compliance statement violates Sections 8111-2.1, 8111-2.3, and 8111-1.1.1(b)(3), and its ZC Applications must therefore be rejected.

**iii. Non-responsive statements on compliance with Condition 10.**

ABA’s ZC Applications must demonstrate compliance with permit Condition 10, which provides that ABA “shall at all times comply with the provisions of Section 3220 and Section 3221 of the Public Resources Code of the State of California, relating to the protection of underground water supply.” ABA’s statements fail to state if and how it is in compliance with these state laws. Perplexingly, ABA instead merely identifies what state authority implements those state laws, stating, “CalGEM supervises and inspects the drilling for and extraction of oil . . . to ensure” compliance with state law.” (Applications ZC22-0937, ZC22-0938, Condition Compliance Letters, Exhibits 2 at p. 3). This non-responsive statement violates Ordinance requirements. For this additional reason, the ZC Applications must be rejected and not processed.

**iv. Non-responsive, ambiguous statements on compliance with Condition 11.**

ABA’s ZC Applications must demonstrate compliance with permit Condition 11, which provides that ABA “shall at all times comply with the provisions of Chapter 3, Article 3600, Public Resources Code of the State of California, regarding the proper location of wells in reference to boundaries and public streets, roads or highways.” Rather than show how ABA is in compliance with this state law requirement, its non-responsive statement asserts that “CalGEM will not issue the necessary approval and regulatory clearance for the drilling of said well until permittee has demonstrated to the satisfaction of CalGEM that the location of said well is in compliance with the provisions of Chapter 3, Article 3600, Public Resources Code.” (Applications ZC22-0937, ZC22-0938, Condition Compliance Letters, Exhibits 2 at p. 3). This response cannot demonstrate compliance with Condition 11, and the lack of response similarly violates Ordinance requirements.

**v. Non-responsive, incomplete, promissory, and erroneous statements on compliance with Condition 13.**

ABA's ZC Applications must demonstrate compliance with permit Condition 13, which provides that ABA "shall comply with all conditions of the Ventura County Ordinance Code applicable to this permit." ABA's statements of compliance to Condition 13 fail to provide any information proving how the oil operator is or will be in compliance with the Ordinance Code. Instead, ABA merely states that it will *only* comply with those Code conditions that "existed at issuance of SUP 672." (Applications ZC22-0937, ZC22-0938, Condition Compliance Letters, Exhibits 2 at p. 4).

First, ABA's response indicates that it does *not* comply with the terms of Condition 13, or at the very least refuses to demonstrate its compliance. Second, ABA's response seeks to modify Condition 13 and on its own narrow its legal obligations. Third, ABA does not even attempt to demonstrate compliance with the Code conditions it claims to comply with. Rather, ABA again promises that it "will comply." Therefore, ABA's statements on compliance with Condition 13 of SUP 672 similarly violate Sections 8111-2.1, 8111-2.3, and 8111-1.1.1(b)(3).

In failing to demonstrate how the Applicant is in compliance with each of the cited conditions as explained above, the Applicant fails to provide a full, true, and correct account of the project, and cannot make the requisite showing of compliance with permit conditions.

**b. ABA's Zoning Clearance Applications fail to provide required site plans.**

ABA's ZC Applications are also fatally defective and must be rejected under County law because they fail to provide site plans for the proposed drilling activities as required by the Application Instructions, in violation of Sections 8111-2.1 and 8111-2.3. (See Application Instructions, Materials Section, ¶¶ 4, 5).

ABA's ZC Applications include diagrams and photos of the "rig layout" and "pumping unit layout" that purport to comply with Application Instructions general and specific requirements for Site and Floor Plans. The diagrams and photos, however, fail to provide full or correct site plan information. Instead, ABA's Applications provide site plans of "typical" layouts, and state that ABA will decide what its actual plans will be "just prior to the actual time of operational commencement." (Applications ZC22-0937, ZC22-0938, Exhibits A, p. 2; Exhibits B). In essence, ABA states that it *does not yet know* what its actual plans will look like because it will decide at some unknown future time—"just prior" to commencing the proposed operations. ABA's Applications fail to comply with the County's legal requirements for this additional reason.

The Ordinance is clear on its face that applications that do not provide "full, true, and correct . . . materials and information" required by the Ordinance and the Planning Division shall not be accepted for filing and processing. (Section 8111-2.1). Accordingly, the Board of

Supervisors must reject ABA's ZC Applications as non-compliant, and its determination must end here.

2. The County may not issue the oil operator's requested Zoning Clearances because ABA's Applications cannot objectively satisfy mandatory legal requirements.

Because ABA's ZC Applications are fatally flawed and must be rejected, the Board of Supervisors cannot proceed to objectively examine the Applications' compliance with the various requirements that must be satisfied to certify a zoning clearance.

Nevertheless, we discuss here the serious errors that the County would commit in issuing the ABA Zoning Clearances notwithstanding the Applicant's failure to comply and in disregard of the duty to objectively ensure compliance with various legal requirements. Indeed, the Planning Director in the first instance failed to discharge its duty by disregarding mandatory standards and erred in issuing the Zoning Clearances where ABA could not satisfy legal requirements. The Board of Supervisors should not repeat that error.

A Zoning Clearance means that the County *certifies* that the proposed oil drilling project complies and is consistent with the Ordinance Code, permit conditions, General Plan, violations, and water requirements. (Section 8111-1.1.1). Such a certification cannot be issued here.<sup>8</sup>

First, the Board of Supervisors cannot determine that the SUP 672 conditions are satisfied without the required underlying information. "[F]ull, true and correct" information from the applicant is a necessary condition, without which the County cannot make an assessment "based upon a given set of facts in a prescribed manner in obedience to the mandate of legal authority." (Section 8120-0).

Second, the County cannot assess, determine and certify whether the proposed drilling operations comply with:

- Code standards in Chapters 1 and 2;
- General Plan policies and land use designations;
- the no violations requirement;
- water conditions and requirements.

(See Sections 8111-1.1.1(b); 8111-2.2(f),(g); 8111-2.3).

**Based on these deficiencies, the issuance of Zoning Clearances would amount to a "rubber-stamping" of ABA's Applications. Rather, the Ordinance Code mandates that the Zoning Clearances be nullified. Section 8111-2.7 states that "Zoning Clearances . . . shall be null and void" when:**

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<sup>8</sup> In issuing the Zoning Clearances, the Planning Division certified that: "All conditions of SUP 672 will apply. All conditions of SUP 672 have been reviewed, and the operation is in compliance with all applicable conditions at this time." This certification is unfounded and cannot stand, as explained in this section.

- “[t]he application . . . was not in full, true and correct form”;
- it fails to “comply with the terms and conditions of the permit”; or
- it was otherwise “issued erroneously.”

Section 8111-2.7 (emphasis added). All three grounds for nullification are present here.

County law prohibits oil drilling operations from commencing without the County’s mandatory assessment of complete facts and information to determine that the proposed activity satisfies Ordinance, Permit, General Plan, and water safety requirements, and to ensure no current violations exist. (Sections 8107-5.4 and 8111-1.1.1(b); see Section 8111-2.2(f),(g); 8111-2.3). ABA’s ZC Applications utterly fail to meet these County requirements.

*a. The ZC Applications fail to objectively comply with Permit Conditions.*

We incorporate the discussion of the ZC Applications’ deficiencies here, rather than repeat it. The incomplete, non-responsive, promissory, and vague responses provided by ABA required to demonstrate compliance with permit conditions necessarily preclude an objective assessment and determination of compliance. The Board of Supervisors does not have the discretion to ignore its duty to conduct an objective compliance assessment. A failure to conduct a faithful objective assessment, which cannot be undertaken on deficient Applications, would render the Zoning Clearances fatally flawed.

Furthermore, the Zoning Clearances would violate SUP 672, which specifically excludes “bulk storage.” The Oil Operator Applications show a “Tank Farm and Facilities,” without demonstrating if and how the Tank Farm is authorized by a separate permit. (Applications ZC22-0937, ZC22-0938, Exhibits D, Figure 1). An assessment must review what the nature of the Tank Farms are for, whether they are permitted or not, and whether they are consistent with SUP 672. Failure to undertake this objective assessment would violate mandatory standards dictated by County Ordinance.

*b. ABA’s ZC Applications fail to objectively comply with Site Plan requirements.*

Because the oil operator Applications indicate that site plan determinations have not yet been made, and will instead be decided “just prior to” commencing operations, the Board of Supervisors cannot objectively assess site plan compliance. A certification for Zoning Clearances would be defective for this additional reason.

*c. ABA’s ZC Applications fail to objectively comply with County Ordinance Code requirements.*

A ministerial objective assessment of County Ordinance Code compliance is precluded by the Applications’ incomplete and non-responsive information provided. The required assessment necessitates the Board to make a founded determination based upon complete and sufficient information, which is lacking.

The County must reject (1) ABA's improper attempt to limit its required compliance with the Ordinance Code, and (2) ABA's promissory statement that it "will comply."<sup>9</sup>

The Board of Supervisors does not have the authority to change or limit the language of the SUP 672 Conditions via a zoning clearance review. Issuing ABA the Zoning Clearances would (1) improperly permit the Applicant to alter and limit Condition 13, which involves the exercise of judgment or opinion in applying broader subjective standards, making this a discretionary decision; or (2) altogether ignore Condition 13 and Code compliance. The two Zoning Clearances would require nullification in either case.

d. *ABA's ZC Applications fail to objectively ensure compliance with General Plan requirements.*

County law is clear that a Zoning Clearance may not be issued if the proposed oil operation is not "compatible with policies and land use designations specified in the General Plan." (8111-1.1.1.b(2)).<sup>10</sup> Accordingly, an objective determination of oil operator ABA's compliance with the County's General Plan is required.

The issuance of the two Zoning Clearances (and the additional 21 Zoning Clearances) is inconsistent with the requirements of Section 8111-1.1.1b. For example, the Ventura County 2040 General Plan includes many Environmental Justice policies that should have been, but were not, considered.<sup>11</sup> Accordingly, the required determination cannot be made without additional information, and would nevertheless fail, as discussed further below.

**B. The 23 Zoning Clearances applied for by ABA Energy Corp. in 2022 are part of a single large project that share fatal deficiencies; the current appeal process and fee structure, however, thwart public participation, in violation of Ventura County's Guiding Principle on Environmental Justice.**

In addition to the two Zoning Clearances at issue today (ZC22-0937 and ZC22-0938), ABA was approved to redrill and sidetrack 21 additional wells through the issuance of 21 separate, additional Zoning Clearances on the same land. The redrilling of these 23 wells is clearly one project: except for well identification details, the 23 Zoning Clearance applications use reiterative language.

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<sup>9</sup> The Planning Directors' Zoning Clearances provide no indication about a determination and compliance with the Ordinance Code. Rather, it appears that the Planning Division instead erroneously accepted (1) ABA's improper attempt to limit its required compliance with the Ordinance Code, and (2) ABA's promissory statement that it "will comply."

<sup>10</sup> The Zoning Clearances provide no indication about its objective determination of oil operator ABA's compliance with the County's General Plan, as required.

<sup>11</sup> To view environmental justice policies included in the Ventura County 2040 General Plan, visit <https://egeneralplan.vcrma.org/chapter/environmental-justice/>



The cumulative costly fees required to appeal the full project thwart opportunities for public participation by making the appeal process inaccessible and undemocratic. An appellant would have to pay \$23,000 (\$1,000 each) to create opportunities for public participation via a hearing with the Planning Commission, which shuts out public participation.

Per the Ventura County General Plan Environmental Justice Land Use and Community Character chapter, the first “major component[] of environmental justice” “is meaningful involvement in the decision-making process, and the second is the actual planning, siting, development, and operation of public facilities and infrastructure.”<sup>12</sup> The California Government Code provides that, at a minimum, Environmental Justice requires meaningful consideration of input from those most impacted by environmental harms resulting from land use decisions. (Cal. Gov. Code § 65040.12(e)).

ABA’s proposed oil drilling projects impact Environmental Justice (“EJ”) communities which must be considered in this matter. ABA’s project location is surrounded by communities meeting disadvantaged designations via SB 535 (Figure 1) and CalEnviroScreen (Figure 2), with percentiles ranging from 76 to 92 (Figure 2).<sup>13</sup> The specific project location is on land zoned for agriculture and in a census tract with relatively few residences.<sup>14</sup> Because of these characteristics, the project location has a 73-percentile CalEnviroScreen 4.0 ranking (just two percentiles under the Environmental Justice threshold).

The issuances of these re-drilling Zoning Clearances and the 21 subsequent Zoning Clearances over the period of two months do not meet or even address the local or state requirements of Environmental Justice. In fact, it is a clear case of environmental injustice

Figure 1 - Project Location (SUP 672) and Nearby Disadvantaged Communities (SB 535)

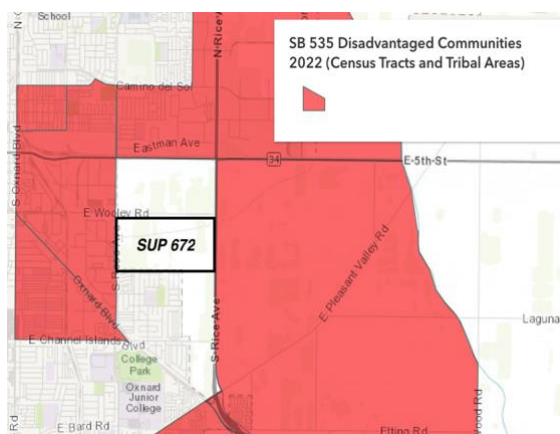
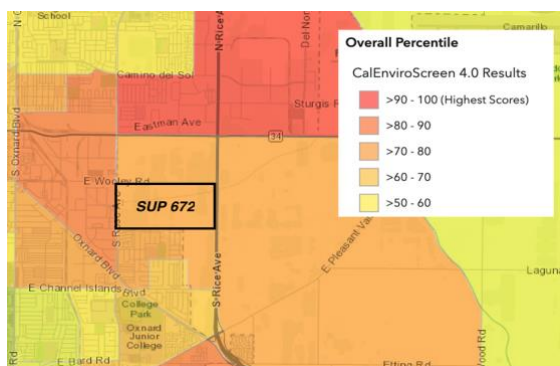


Figure 2 - Project Location (SUP 672) and Nearby Communities CalEnviroScreen Percentiles



<sup>12</sup> Ventura County General Plan Environmental Justice Land Use and Community Character chapter at <https://egeneralplan.vcrma.org/chapter/environmental-justice/>

<sup>13</sup> Visit mapping tools CalEnviroScreen 4.0 at <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40> and SB 535 Disadvantaged Communities at <https://oehha.ca.gov/calenviroscreen/sb535>

<sup>14</sup> The drilling operation southwest of the intersection of E. Wooley Rd and S. Rice Rd (Parcel No. 217-0-030-105).

imposed upon a community of color with no attempt by the County to inform residents of the impending additional pollution burdens.

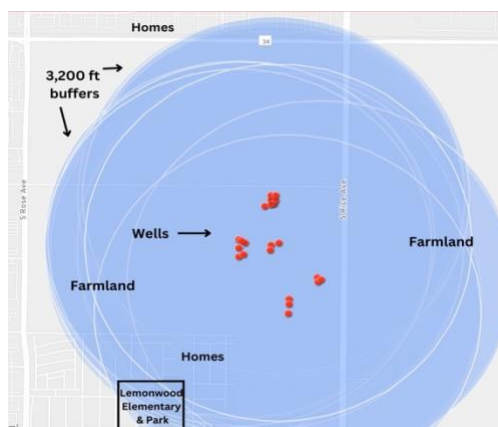
Further, because ABA's 21 additional Applications seeking zoning clearances are nearly identical, they most likely suffer from the same fatal deficiencies discussed above and fail to comply with the County Ordinance. Accordingly, the Board of Supervisors should act on its authority and *sua sponte* direct the Planning Director to nullify the zoning clearances and undertake a complete, faithful review as required by County law.

**C. The oil drilling operations at issue pose serious threats to the health of nearby Environmental Justice communities and farm laborers, as well as to greenhouse gas emissions, and fiscal burdens of the county.**

1. The proximity of this redrilling project to homes and schools presents a human health threat.

The two wells determined by ZC22-0937 and ZC22-0938 and the additional 21 wells approved for sidetracking on this permit are all within 3,200 feet of a home, school, or park in the Lemonwood and Rose Park neighborhoods of Oxnard. See Figure 3. The California Oil and Gas Public Health Rulemaking Scientific Advisory Panel found 3,200 feet as the minimum distance between oil and gas wells and sensitive receptors to protect the health and safety of people.<sup>15</sup> The direct and consequential impact oil drilling has on human health has been confirmed by various scientific research and has been reflected in state and local policies.

Figure 3 - Wells with 3,200' buffer and nearby sensitive receptors



Living and working near oil wells is linked to reduced lung function and wheezing, and in some cases, the respiratory damage is similar to that of daily exposure to secondhand smoke or living beside a freeway.<sup>16</sup> Research shows that people who live near oil and gas drilling sites are exposed to harmful pollution and air toxins such as benzene, ethylbenzene, and n-hexane.<sup>17</sup>

<sup>15</sup> California Oil and Gas Public Health Rulemaking Scientific Advisory Panel response to questions posed by California Geologic Energy Management Division can be found at [https://www.conservation.ca.gov/calgem/Documents/public-health/Public%20Health%20Panel%20Responses\\_FINAL%20ADA.pdf](https://www.conservation.ca.gov/calgem/Documents/public-health/Public%20Health%20Panel%20Responses_FINAL%20ADA.pdf)

<sup>16</sup> Johnston, J. E., Enebish, T., Eckel, S. P., Navarro, S., & Shamasunder, B. (2021). Respiratory health, pulmonary function and local engagement in urban communities near oil development. *Environmental research*, 197, 111088.

<sup>17</sup> U.S. EPA basic information about oil and natural gas air pollution standards can be found at <https://www.epa.gov/controlling-air-pollution-oil-and-natural-gas-industry/>

This puts these people at greater risk of preterm births,<sup>18</sup> asthma,<sup>19</sup> respiratory disease,<sup>20</sup> and cancer.<sup>21</sup> Another study analyzed nearly 3 million births in California of people living within 6.2 miles (~32,736 feet) of at least one oil or gas well.<sup>22</sup> The findings concluded that living near those wells during pregnancy increased the risk of low-birthweight babies. Living close to petroleum facilities was also associated with an increased risk of childhood leukemia.<sup>23</sup> People working in the oil and gas industry or living near oil and gas facilities were also found to be at increased risk for developing several different cancer types including mesothelioma, skin melanoma, multiple myeloma, and cancers of the prostate and urinary bladder.<sup>24</sup>

Dorothy Moon #2 is located approximately 1,096 feet away from the outer perimeter of Lemonwood residences, 2,296 feet away from Lemonwood Park, and 2,741 feet away from Lemonwood School. See Figure 4. Maulhardt #9 is located approximately 1,675 feet away from the outer perimeter of Lemonwood residences, 2,641 feet away from Lemonwood Park, and 3,013 feet away from Lemonwood School. See Figure 5.

Figure 4 - Proximity of Dorothy Moon #2 to Homes, School & Park

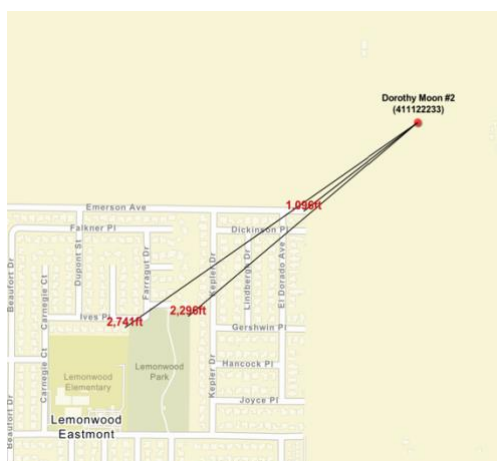


Figure 5 - Proximity of Maulhardt #9 to Homes, School & Park



<sup>18</sup> Gonzalez, D. J., Sherris, A. R., Yang, W., Stevenson, D. K., Padula, A. M., Baiocchi, M., ... & Shaw, G. M. (2020). Oil and gas production and spontaneous preterm birth in the San Joaquin Valley, CA: a case-control study. *Environmental Epidemiology*, 4(4).

<sup>19</sup> Shamasunder, B., Collier-Oxandale, A., Blickley, J., Sadd, J., Chan, M., Navarro, S., ... & Wong, N. J. (2018). Community-based health and exposure study around urban oil developments in South Los Angeles. *International journal of environmental research and public health*, 15(1), 138.

<sup>20</sup> Webb, E., Hays, J., Dyrszka, L., Rodriguez, B., Cox, C., Huffling, K., & Bushkin-Bedient, S. (2016). Potential hazards of air pollutant emissions from unconventional oil and natural gas operations on the respiratory health of children and infants. *Reviews on environmental health*, 31(2), 225-243.

<sup>21</sup> Onyije, F. M., Hosseini, B., Togawa, K., Schüz, J., & Olsson, A. (2021). Cancer incidence and mortality among petroleum industry workers and residents living in oil producing communities: a systematic review and meta-analysis. *International journal of environmental research and public health*, 18(8), 4343.

<sup>22</sup> Tran, K. V., Casey, J. A., Cushing, L. J., & Morello-Frosch, R. (2020). Residential proximity to oil and gas development and birth outcomes in California: a retrospective cohort study of 2006–2015 births. *Environmental health perspectives*, 128(6), 067001.

<sup>23</sup> Ibid.

<sup>24</sup> Ibid.

Based on the numerous studies referenced above and the proximity of these wells to homes and a school, the safety and health of the nearby community of Lemonwood will be impacted and put at risk by the redrilling of these wells.

2. The surrounding impacted communities suffer from cumulative environmental impacts and should not bear further pollution burdens posed by the proximity of this re-drilling project.

The health impacts described above are not only a public health threat, they are a clear case of environmental injustice. The communities impacted by these wells already experience a pollution burden 77 to 93 percent higher than other California communities; higher than any other community in Ventura County.<sup>25</sup> See Figures 6 and 7.

Figure 6 - SUP 672 Proximity to Pollution-Burdened, Environmental Justice Communities per CalEnviroScreen 4.0

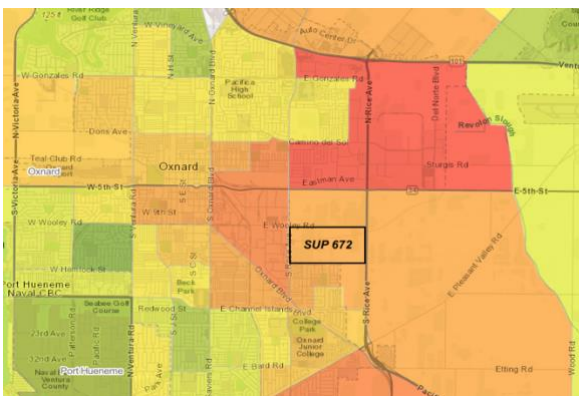
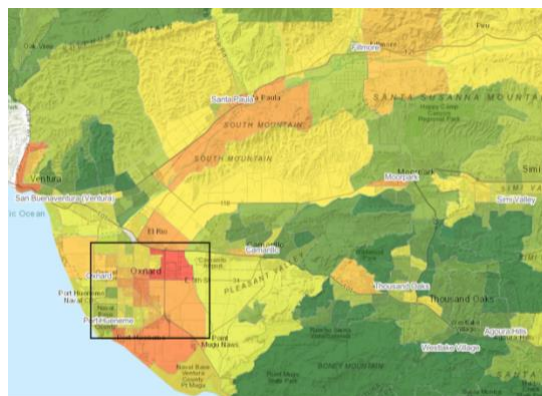


Figure 7 - Ventura County per CalEnviroScreen, Highlighting Area Surrounding SUP 672



These are communities of color (over 90 percent Latinx and Asian) and are experiencing poverty at rates 64 to 90 percent higher than the rest of the state.<sup>26</sup> The expansion of polluting and dangerous fossil fuel infrastructure is not and would not happen in white, higher-income neighborhoods.

Due to the location of these wells in land identified as “prime farmland,” an additional population of thousands of farm laborers is put at risk. There are over 40,000 people working on Ventura County farms and ranches.<sup>27</sup> These farmworkers are critical to Ventura County’s \$2 billion-a-year agricultural industry.<sup>28</sup> This workforce is made up of migrant and low-income individuals, who face unique challenges including the enforcement of basic labor standards. In Ventura County, farm laborers have been subject to dangerous and sometimes lethal air and

<sup>25</sup> According to CalEnviroScreen 4.0 at <https://oehha.ca.gov/calenviroscreen/report/calenviroscreen-40>

<sup>26</sup> Ibid.

<sup>27</sup> Learn more at House Farm Workers at <https://housefarmworkers.org/>

<sup>28</sup> Ventura County 2021 Crop & Livestock Report at <https://www.ventura.org/agricultural-commissioner/crop-reports/>

water pollution. Below is an excerpt from a news piece titled “Life, Death & Chemicals: Strawberries and Oil on the Oxnard Plains.”<sup>29</sup> The piece begins with an update stating that “In March 2016, Juan Delgado passed away at the age of 63 due to cancer, a victim of the toxic conditions for working-class & poor families in Oxnard.

Delgado’s neighborhood, Lemonwood, his home for the last 30 years, borders a beautiful, poisoned landscape. A waste dump for spent oil and gas chemicals lies to the east, pesticides from the farming surround him, and to the south, tar sands. When the coastal fog burns off, you can stand on a Lemonwood roof and see just about the entire field, the reflective silver tarps on strawberries, miles of drills, big sky. “Sometimes the smoke is brown. Sometimes I see black smoke,” says Delgado of the farm tractors and drilling rigs, whose exhaust wafts through the air as it has for decades. An old abandoned well contaminates a park where his grandkids play.

The expansion and redrilling of polluting oil wells in this disadvantaged community conflicts with many local and state policies and principles.

3. All of the 23 wells, except for one, are stripper wells, which consist of little production, big liability, and big pollution.

A ‘stripper’ well is broadly defined as an oil well producing up to 10-15 barrels (bbls) per day averaged over a 12-month period and/or a gas well producing a maximum of 60-90 Mcf per day.<sup>30</sup> These types of wells are called ‘strippers’ because they are stripping the last remaining oil and gas out of the ground.

These wells are not profitable but do delay closure costs. Over the last decade, operators across California have been delaying shutting down these minimally-profitable wells (sometimes even operating at a loss) and selling them to smaller companies with the goal to “strip all value from the ground and leave the cleanup bill to someone else.”<sup>31</sup>

In fact, the CalGEM production data for Dorothy Moon #2 and Maulhardt #9 tell a clear story of low or non-existent production.<sup>32</sup>

Dorothy Moon #2 was drilled in 2013 as an exploratory well of the OF-OJ Sespe Sands, a geologic target that had not been produced from this area of the Oxnard Oil Field (page 43 of

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<sup>29</sup> Cherot, N. (2015). Life, death & chemicals: Strawberries and oil on the Oxnard Plains. *Colectivo Todo Poder al Pueblo*. <https://todopoderalpueblo.org/2015/05/28/life-death-chemicals-strawberries-and-oil-on-the-oxnard-plains/>

<sup>30</sup> Learn more about Stripper Well definitions at <https://drillers.com/what-is-a-stripper-well/>

<sup>31</sup> Rogers, G., Horton, T., & Schuwiek, R. (2020). California gives new meaning to stripper wells. *Carbon Tracker*. <https://carbontracker.org/california-gives-new-meaning-to-stripper-wells/>

<sup>32</sup> All production data and inferences from CalGEM’s WellSTAR database which can be accessed at [https://www.conservation.ca.gov/calgem/Online\\_Data/Pages/WellSTAR-Data-Dashboard.aspx](https://www.conservation.ca.gov/calgem/Online_Data/Pages/WellSTAR-Data-Dashboard.aspx)

CalGEM well record).<sup>33</sup> But ABA's stated possibility of "a new and deeper pool than the reservoirs from which the existing wells are producing" was not met as the well produced no oil or gas, was considered a 'dry hole,' and plugged within the same year as it was drilled. In the application, the Oil Operator mentions that this well shares a surface well site with Dorothy Moon #1<sup>34</sup> "which has been producing since 2011." This nearby well has only produced a daily average of 13.2 bbls of oil and 12.8 mcf of gas over the last year.

Maulhardt #9 was drilled in 2016 and has sat idle, not producing since 2019. But even in its last 12 months of production, the well only produced a daily average of 3.8 bbls of oil and 0.5 mcf of gas. Similarly, the Oil Operator mentions in the application that this well shares a surface well site with currently producing wells: Maulhardt #6, 7, 8, 10, 11, and 15. The average daily production of these wells is only 9.6 bbls of oil and 9.2 mcf of gas. See Table 2 on page 23 for production data on all ABA wells located on the permit.

#### 4. Stripper well operation and additional drilling have dire consequences for air quality and greenhouse gas emissions.

Despite stripper wells producing very low amounts of resources, these wells have major implications for air quality and greenhouse gas emissions. Scientific research shows that stripper wells throughout the U.S. emit methane at about 6-12 times the national average of all oil and gas well sites.<sup>35</sup> The study estimates that 4 million metric tons of methane is emitted annually from low-producing wells in the U.S.—representing about one-half of the total methane emissions from the U.S. oil and gas production sector.

Leaks from low-producing and idle wells continue to be identified across California,<sup>36</sup> Colorado,<sup>37</sup> Ohio,<sup>38</sup> and New Mexico.<sup>39</sup> Methane, a primary component of natural gas, is a powerful greenhouse gas that has over 80 times the atmospheric warming power of carbon dioxide over a 20-year time period.<sup>40</sup> A recent report from the UN's Intergovernmental Panel on Climate Change emphasizes that methane reductions are key to preventing further climate

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<sup>33</sup> To view well record, request "11122233\_DATA\_03-26-2018.pdf" from <https://filerequest.conservation.ca.gov/WellRecord?api=11122233>

<sup>34</sup> API 411122089

<sup>35</sup> Omara, M., Zavala-Araiza, D., Lyon, D. R., Hmiel, B., Roberts, K. A., & Hamburg, S. P. (2022). Methane emissions from US low production oil and natural gas well sites. *Nature Communications*, 13(1), 2085.

<sup>36</sup> Ferrar, K. (2022). FracTracker finds widespread hydrocarbon emissions from active & idle oil and gas wells and infrastructure in California. *FracTracker*. <https://www.fractracker.org/2022/08/fractracker-finds-widespread-hydrocarbon-emissions-from-active-idle-oil-and-gas-wells-and-infrastructure-in-california/>

<sup>37</sup> Klooster, A. (2022). A quite terrible update on pollution from stripper wells in Colorado (and what you can do about it). *EarthWorks*. <https://earthworks.org/blog/a-quite-terrible-update-on-pollution-from-stripper-wells-in-colorado-and-what-you-can-do-about-it/>

<sup>38</sup> Boettner, T. (2022). Methane emissions and low-producing oil & gas wells in Appalachia. *Ohio River Valley Institute*. <https://ohiorivervalleyinstitute.org/methane-emissions-and-low-producing-oil-gas-wells-in-appalachia/>

<sup>39</sup> Hedden, A. (2022). Low oil production, big impact on pollution come from New Mexico's 'stripper' wells. *Carlsbad Current Argus*. <https://www.currentargus.com/story/news/2022/04/23/low-producing-oil-wells-impact-new-mexico-air-pollution-permian-basin-stripper-environment/7383809001/>

<sup>40</sup> Learn more about methane at <https://www.epa.gov/gmi/importance-methane>



change.<sup>41</sup> In fact, this group of international scientists calls for a methane emission reduction of at least 30 percent by 2030 to avert major climate catastrophes. To help reach this goal, the panel specifically calls on local governments to ensure that wells are appropriately remediated and emissions minimized.<sup>42</sup>

The Ventura County General Plan includes ambitious and necessary greenhouse gas (GHG) emission reduction goals – most imminent, to reduce GHG emissions by 41 percent below 2015 levels by 2030. This is only seven years away. The General Plan commits the County to “improv[ing] the long-term sustainability of the community through *local efforts* [emphasis added]” to reduce GHG emissions. With 15 percent of total GHG emissions in unincorporated Ventura County coming from oil and gas production alone (275,096 MTCO<sub>2</sub>e), the responsible limiting of oil and gas permits is a prudent place to start.

The Ventura County Air Pollution Control District (VCAPCD) dictates that emissions of reactive organic compounds (ROCs) from an oil and gas well be estimated at 2 lbs/day (VCAPCD PEETS Emissions Factors CSS 31000122). To protect our climate and communities from “significant adverse impact on air quality” VCAPCD has set a threshold of 25 pounds per day for projects within Ventura County.<sup>43</sup> This redrilling project on CUP 672 exceeds this threshold by almost double at 46 lbs/day of ROC emissions. See Table 1. This estimate does not include the other various active and idle wells on this SUP.

Table 1 - Estimated ROC Emissions from Redrilling Project on SUP 672*			
# of wells	ROC Emissions/Well (lbs/day)	Total ROC Emissions (lbs/day)	VCAPCD ROC Threshold (lbs/day)
23	2	46	25

\*Not including emissions from currently active and idle wells not being re-drilled on the permit

The approval to redrill—and in some cases, reopen—low-producing oil and gas wells is inconsistent with County goals in emission reduction and exceeds safety and climate standards set by the VCAPCD.

<sup>41</sup> Learn more about the United Nations’ Intergovernmental Panel on Climate Change and their reports here <https://www.ipcc.ch/>

<sup>42</sup> Dodman, D., B. Hayward, M. Pelling, V. Castan Broto, W. Chow, E. Chu, R. Dawson, L. Khirfan, T. McPhearson, A. Prakash, Y. Zheng, and G. Ziervogel, 2022: Cities, Settlements and Key Infrastructure. In: Climate Change 2022: Impacts, Adaptation and Vulnerability. Contribution of Working Group II to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change [H.-O. Pörtner, D.C. Roberts, M. Tignor, E.S. Poloczanska, K. Mintenbeck, A. Alegría, M. Craig, S. Langsdorf, S. Löschke, V. Möller, A. Okem, B. Rama (eds.)]. Cambridge University Press, Cambridge, UK and New York, NY, USA, pp. 907–1040, doi:10.1017/9781009325844.008.

<sup>43</sup> See page 3-2 of Ventura County Air Quality Assessment Guidelines at <http://www.vcapcd.org/pubs/Planning/VCAQGuidelines.pdf>

5. Ventura County already faces risks from idle and orphan wells and should not approve the reopening of plugged wells.

Five of the wells approved for redrill on this lease are currently plugged, including Dorothy Moon #2. An oil well is generally plugged and abandoned when “it reaches the end of its useful life or becomes a dry hole”<sup>44</sup>—as was the case for Dorothy Moon #2. CalGEM, the state oil and gas regulatory agency, defines the plugging and abandonment of a well as “permanent closure and sealing.” The permanent closure and sealing of a well is summarized by CalGEM as “A well is plugged by placing cement in the wellbore or casing at certain intervals, as specified in California laws or regulations. The purpose of the cement is to seal the well-bore or casing to prevent fluid from migrating between underground rock layers. Cement plugs are required to be placed across the oil or gas reservoir (zone plug), across the base-of-fresh-water (BFW plug), and at the surface (surface plug). . . . Also, the hole is filled with drilling mud to help prevent the migration of fluids.”<sup>45</sup>

As a result of this permanent process, the surface site of Dorothy Moon #2 is flat, void of any infrastructure, and possible pathways of contamination mitigated – as *seen* in Figure 8. The redrilling and reactivation of a plugged and abandoned well defies the State’s definition of a plugged and abandoned well. This clear conflict is alarming for a few reasons.

First, Ventura County already has a significant idle, orphan, and poorly abandoned well inventory. According to State data, within Ventura County, there are 2,267 idle oil and gas wells, 1,520 of which are considered “long-term idle wells,” meaning that they have been idle for at least eight years. At least 1,275 of these wells have been idle for 15 or more years, and 155 wells have been idle for a century or more.<sup>46</sup>

The “idle well problem” is likely to soon become an “orphan well problem” in Ventura County. Orphan wells have no financially solvent operator of record, therefore pushing the cleanup to the state and costs to the taxpayer.<sup>47</sup> In fact, CalGEM has already identified 473 orphaned or deserted wells in the county.<sup>48</sup>

Figure 8 - Photo of Dorothy Mood #2 site after plugging



<sup>44</sup> According to United States Department of Labor at <https://www.osha.gov/etools/oil-and-gas/abandoning-well>

<sup>45</sup> See CalGEM’s State Oil and Gas Well Plug and Abandonments information page at <https://www.conservation.ca.gov/calgem/Pages/State-Abandonments.aspx>

<sup>46</sup> As of January 2022 per CalGEM WellSTAR database

<sup>47</sup> Alexander, A. (2022). California’s orphan well problem needs more than money. *NRDC*. <https://www.nrdc.org/experts/ann-alexander/californias-orphan-well-problem-needs-more-money>

<sup>48</sup> CalGEM’s Likely Orphan and Deserted Well Inventory here <https://www.conservation.ca.gov/calgem/Documents/202209%20Well%20Inventory%20List%20with%20Scenario%20Tiers.pdf>



In addition to unplugged orphan and idle wells, over 40 percent of the plugged wells in Ventura County cannot be confirmed as properly plugged.<sup>49</sup> One of these poorly abandoned wells is located in Lemonwood Park, neighboring Lemonwood School. After a series of redrilling, the well was abandoned in 1991, but the well record includes a note that the area did not pass surface inspection because the soil was still contaminated. Although there are no documents reporting that the soil contamination was resolved, the site passed surface inspection years later in 1994.

In addition to clear economic risks to taxpayers, the impacts caused by these wells are well-documented, including surface and drinking water contamination and air pollution. Many are located near neighborhoods, schools, farms, and waterways where air pollution can have a disproportionate impact on low-income communities and people of color.

With an already overwhelming inventory of wells that need to be plugged, reopening wells that have been determined unproductive and then properly plugged is irresponsible.

## **V. REQUESTED REMEDIES**

As explained in detail above, the Board of Supervisors must deny ABA's Appeal. The Planning Director committed legal error in issuing Zoning Clearances ZC22-0937 (Malhaurdt #9ST) and ZC22-0938 (Dorothy Moon #2ST), and the Board of Supervisors must not commit the same error. The Board of Supervisors must uphold County law and ensure faithful compliance, especially in light of the significant health, safety, climate, and fiscal consequences to workers, EJ communities, and the County. Furthermore, the Planning Director's approval of ABA's additional 21 oil drilling Applications in all likelihood suffer from the same legal violations. Accordingly, CFROG respectfully requests that the Board of Supervisors:

- Deny ABA's Appeal;
- Direct the Planning Director to faithfully discharge its duty to ensure that all oil and gas zoning clearance applications comply prior to accepting them, and to objectively assess and ensure compliance with each legal requirement, including referring assessments to expert consultants; and
- Direct the Planning Commission to reevaluate ABA's 21 other drilling applications and ensure their compliance as stated above.

## **VI. CONCLUSION**

The issuance of Zoning Clearances for the redrilling of 23 wells based on multiple egregious violations of basic legal requirements and protections is dangerous, irresponsible, and puts Ventura County residents at risk, specifically Environmental Justice communities in Oxnard.

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<sup>49</sup> Read more about CFROG's research on poorly abandoned oil and gas wells at <https://cfrog.org/what-we-do/what-we-do-poorly-abandoned-wells/>

We thank you for your close consideration of our position and analysis on behalf and look forward to your determination as requested above.

With urgency,

A handwritten signature in black ink, reading "Haley Ehlers". The signature is fluid and cursive, with a long horizontal stroke at the end.

Haley Ehlers, Director  
Climate First: Replacing Oil & Gas (CFROG)

CC: Supervisor Matt LaVere  
Supervisor Jeff Gorell  
Supervisor Kelly Long  
Supervisor Janice S. Parvin  
Supervisor Vianey Lopez  
Matt Carroll  
Maruja Clensay  
Mark Perryman  
Brian Miller  
Bruce Rokos  
Robert O'Riley  
Angel Garcia

<b>Table 2</b> - Production Data for ABA Wells Located on SUP 672 (CalGEM WellSTAR database)									
Zoning Clearance	API	Name	Well #	Type	Lease	Pool	Ave. Daily Oil (bbls)	Ave. Daily Gas (mcf)	Notes
ZC22-1211	411122089	Dorothy Moon	1	Active	Dorothy Moon	McInnes [15]	13.2	12.8	
<b>ZC22-0938</b>	<b>411122233</b>	<b>Dorothy Moon</b>	<b>2</b>	<b>Plugged</b>	<b>Dorothy Moon</b>		<b>0.0</b>	<b>0.0</b>	<b>Dry hole</b>
ZC22-1230	411122110	Gabrielle Maulhardt	1	Plugged	Gabrielle Maulhardt		0.8	0.2	Only produced 5 months
ZC22-1223	411122361	Gus Maulhardt	1	Active	Gus Maulhardt	McInnes [15]	11.6	11.7	
ZC22-1224	411122364	Gus Maulhardt	2	Active	Gus Maulhardt	McInnes [15]	14.4	13.7	
ZC22-1225	411122372	Gus Maulhardt	3	Idle	Gus Maulhardt	Topanga [13]	0.0	0.0	Not produced since 2003
ZC22-1226	411122376	Gus Maulhardt	4	Active	Gus Maulhardt	McInnes [15]	23.5	21.8	
ZC22-1227	411122389	Gus Maulhardt	5	Active	Gus Maulhardt	McInnes [15]	7.6	5.6	

Zoning Clearance	API	Name	Well #	Type	Lease	Pool	Ave. Daily Oil (bbls)	Ave. Daily Gas (mcf)	Notes
ZC22-1228	411122381	Gus Maulhardt	6	Active	Gus Maulhardt	McInnes [15]	11.1	10.7	
ZC22-1218	411122041	Joseph-Maulhardt	1	Plugged	Joseph-Maulhardt		0.0	0.0	Dry hole
ZC22-1217	411122187	Joseph-Maulhardt	2	Active	Joseph-Maulhardt	McInnes [15]	7.7	7.0	
ZC22-1215	411122294	Joseph-Maulhardt	4	Active	Joseph-Maulhardt	McInnes [15]	15.9	14.9	
ZC22-1214	411122302	Joseph-Maulhardt	5	Active	Joseph-Maulhardt	McInnes [15]	9.8	9.3	
ZC22-1216	411122352	Joseph-Maulhardt	6	Active	Joseph-Maulhardt	Livingston and E-D [25]	8.2	8.2	
ZC22-1219	411122357	Joseph-Maulhardt	7	Active	Joseph-Maulhardt	Livingston and E-D [25]	15.9	14.9	
ZC22-1220	411122358	Joseph-Maulhardt	8	Active	Joseph-Maulhardt	McInnes [15]	11.0	10.2	
<b>ZC22-0937</b>	<b>411122360</b>	<b>Joseph-Maulhardt</b>	<b>9</b>	<b>Idle</b>	<b>Joseph-Maulhardt</b>		<b>3.8</b>	<b>0.5</b>	<b>Not produced since 2019</b>

Zoning Clearance	API	Name	Well #	Type	Lease	Pool	Ave. Daily Oil (bbls)	Ave. Daily Gas (mcf)	Notes
ZC22-1213	411122363	Joseph-Maulhardt	10	Active	Joseph-Maulhardt	McInnes [15]	12.1	11.0	
ZC22-1221	411122390	Joseph-Maulhardt	11	Active	Joseph-Maulhardt	McInnes [15]	3.8	3.8	
ZC22-1212	411122382	Joseph-Maulhardt	13	Plugged	Joseph-Maulhardt		5.0	0.5	
ZC22-1222	411122400	Joseph-Maulhardt	15	Active	Joseph-Maulhardt	McInnes [15]	3.7	4.3	
ZC22-1210	411101076	Maulhardt	1	Active	Maulhardt	McInnes [15]	5.9	5.7	
ZC22-1229	411101081	Maulhardt	5	Plugged	Maulhardt		0.0	0.0	Last produced in 2001

**From:** [mmidsgn=sbcglobal.net@mg.gospringboard.io](mailto:mmidsgn=sbcglobal.net@mg.gospringboard.io) on behalf of [Mary Mendenhall](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** No new oil wells near homes and schools!  
**Date:** Saturday, February 25, 2023 1:48:35 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Dear Ventura County Clerk of the Board,

Oil drilling near homes and schools is a threat to people's health. I urge you to deny approval for new oil wells near schools and homes. Public health experts have found that living, working, or going to school near oil and gas drilling can be linked to a host of harmful health impacts including asthma, respiratory diseases, preterm births, and cancer.

A state law was recently passed to protect frontline communities by requiring a 3,200-foot safety zone between oil drilling and homes, schools, and hospitals. The County's General Plan also has health and safety buffer zones and Environmental Justice regulations that prevent drilling this close to frontline communities. These wells are well inside this safety buffer zone -- close to hundreds of homes and Lemonwood Elementary and Park.

Oxnard communities should not bear the burden of more pollution and environmental racism. The communities impacted by these wells already experience a pollution burden 77-93% higher than other California communities; higher than any other community in Ventura County. These are communities of color (over 90% Latinx and Asian) that experiencing poverty at rates 64-90% higher than the rest of the state. This expansion of polluting and dangerous fossil fuel infrastructure would not be happening in white, higher income neighborhoods. It should not happen here.

In addition, Ventura County has zoned this land for agriculture, and it is home to prime farmland. Hundreds of people work in the fields immediately surrounding the wells, and the impact to their health and safety has not been assessed. Farmworkers who work near these wells have been subject to dangerous and sometimes lethal air and water pollution. The impact these re-drilled wells will have on Ventura County's farmworkers and agriculture has not been analyzed.

Please use your rightful authority to deny these oil wells near schools and homes.

Sincerely,

Mary Mendenhall



Oak Park CA, 91377-1203

February 25, 2023

Supervisor Jeff Gorell  
Ventura County Board of Supervisors  
625 West Hillcrest Drive  
Thousand Oaks, CA 91360

Dear Supervisor Gorell,

I hope that you have had an opportunity to review Agenda Item 72 since our last meeting. Reflecting on our discussion, you made it clear that you were not being swayed by the fossil fuel industry (a no fossil fuel pledge) and that you have a strong commitment to our environment.

You also have experience with the city of Los Angeles, a city that voted in December 2022 to phase out existing oil drilling and ban new wells due to environmental consequences. Clearly the environmental impact of re-drilling oils wells within 3500 feet of schools, homes and parks should be assessed. It's both a public safety and health priority.

The Oil and Gas industry expends significant funding to spread disinformation about job and revenue loss. Why can't this industry be a good community partner and put some of their funds into conducting a proper environmental review?

This is not an issue just for District 3. There are oil permits throughout District 2 and other districts. Requesting an environmental review confirms that all supervisors care about public health and safety for all of the Ventura districts.

I support the 2022 Ventura County Planning Commission's decision to deny the oil and gas wells in the Lemonwood neighborhood to be re-drilled. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools assessed.

Your vote on Agenda Item 72 will show that you are fulfilling a campaign promise to "boost public safety".

Thank you.

Faith Grant  
Westlake Village

**From:** [kay](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda item #72 @ 1:30  
**Date:** Saturday, February 25, 2023 12:28:39 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Sent from [Mail](#) for Windows

Once again we are faced with the decision to permit MORE oil and gas wells. It is time to STOP. Ventura County already carries the 'pollution burden' of more than 77-93% of other California communities. What is the gain? More money? What is the risk?? Quite a bit more=

1. Communities , schools and children are exposed to increase respiratory illness, asthma, and poor health in general due to exposure of these wells near them.
2. Farmworkers are also open to these health risks
3. In this time of California historic drought, we MUST protect the water aquifers!

21 wells is MORE than enough. Do not cave under the pressure tactics of the gas industry. PUT PEOPLE AND COMMUNITIES FIRST.

DO NOT APPROVE ADDITIONAL WELLS

Sincerely,

Katharine S Simmmons



**From:** [hopeshop=sbcglobal.net@mg.gospringboard.io](mailto:hopeshop=sbcglobal.net@mg.gospringboard.io) on behalf of [Laurie Hope](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** No new oil wells near homes and schools!  
**Date:** Saturday, February 25, 2023 12:04:32 PM

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Dear Ventura County Clerk of the Board,

I urge you to deny approval for new oil wells near schools and homes.

Oil drilling near homes and schools is a threat to people's health. Public health experts have found that living, working, or going to school near oil and gas drilling can be linked to a host of harmful health impacts including asthma, respiratory diseases, preterm births, and cancer.

A state law was recently passed to protect frontline communities by requiring a 3,200-foot safety zone between oil drilling and homes, schools, and hospitals. The County's General Plan also has health and safety buffer zones and Environmental Justice regulations that prevent drilling this close to frontline communities. These wells are well inside this safety buffer zone -- close to hundreds of homes and Lemonwood Elementary and Park.

Oxnard communities should not bear the burden of more pollution and environmental racism. The communities impacted by these wells already experience a pollution burden 77-93% higher than other California communities; higher than any other community in Ventura County. These are communities of color (over 90% Latinx and Asian) that experiencing poverty at rates 64-90% higher than the rest of the state. This expansion of polluting and dangerous fossil fuel infrastructure would not be happening in white, higher income neighborhoods. It should not happen here.

In addition, Ventura County has zoned this land for agriculture, and it is home to prime farmland. Hundreds of people work in the fields immediately surrounding the wells, and the impact to their health and safety has not been assessed. Farmworkers who work near these wells have been subject to dangerous and sometimes lethal air and water pollution. The impact these re-drilled wells will have on Ventura County's farmworkers and agriculture has not been analyzed.

Please use your rightful authority to deny these oil wells near schools and homes.

Sincerely,

Laurie Hope



Ojai CA, 93023-4149

**From:** [annette halpern](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Oil drilling near Lemonwood  
**Date:** Saturday, February 25, 2023 11:57:48 AM


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Dear Supervisors:

Please let's not rubber stamp potentially harmful oil drilling near schools and residential neighborhoods. We elected you to represent the needs of the people not the interests of the fossil fuels industry.

My family and friends will be watching very carefully how the Board handles this critical issue.  
Please, do the right thing.

Sincerely,  
Annette Halpern  
  
Ventura CA 93004

Sent from my iPhone

**From:** [Geoffrey Dann](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda item 72 - oil wells  
**Date:** Saturday, February 25, 2023 11:29:29 AM

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I ask that the oil company request to re-open wells be denied, for reasons explained clearly by others. These include proximity to school, homes, and agricultural fields. Fossil fuel production and use must decline. The Oxnard plain has some of the world's best farmland, which we should care for.

Thanks

Geoffrey Dann

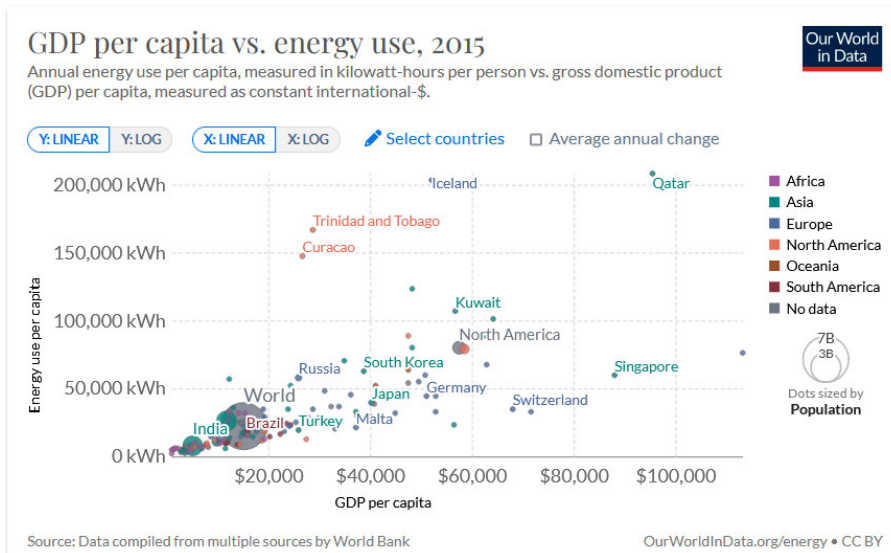
Ventura

**From:** [REDACTED]  
**Sent:** Saturday, February 25, 2023 11:35 AM  
**To:** ClerkoftheBoard  
**Subject:** Agenda Item 72

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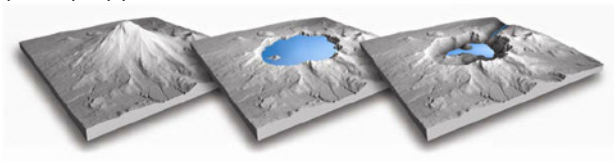
To the Board of Supervisors of Ventura County

1. The oil operator's zoning clearance applications are irrelevant to the operations requested by the Energy provider. The operations are taking existing infrastructure built which has already eliminated any potential for environmental risk.
2. **The false accusations** of Oil drilling near homes and schools threatening to human health.  
There has been a referendum on the Bill 1137 state law misrepresenting a 3,200 foot safety zone between oil drilling and homes, schools, and hospitals. This bill was supported by improper science and large NGO's who are promoting the destruction of the California civilization as we know it.
3. **Ventura County has already built reliable infrastructure which has provided energy to the citizens for 100 years. Let's utilize the current infrastructure to allow for a prosperous community.**  
With the most recent energy crisis in California increasing natural Gas prices by 300%, we need to improve on the energy sources of the county, not destroy them. By allowing more energy at be produced locally, the less fortunate of the community will not have to decide on feeding their children or keeping the lights on in their homes. I have direct reference of less fortunate children not getting anything for Christmas because their family needed the money to pay for natural Gas.
4. There is a direct correlation to the amount of energy used to GDP, worldwide.....[reference](#)



The Board of Supervisors has a hard job of helping uphold the laws of a jurisdiction that have been under attack by organizations/people of Ventura that want to deindustrialize the county and reduce the quality of life for all of Ventura county. The Board needs to recognize that the citizens of the county needs local energy to supply a health community to prosper.

G l r q # D r e u h d x / # I q h u j | # F r q v x o d q v #  
; 3 8 B ; 8 1 ; ; : 8 #



**MAZAMA ENERGY LLC**

**From:** [franlee=roadrunner.com@mg.gospringboard.io](mailto:franlee=roadrunner.com@mg.gospringboard.io) on behalf of [Frances Lee](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** No new oil wells near homes and schools!  
**Date:** Saturday, February 25, 2023 11:28:32 AM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Dear Ventura County Clerk of the Board,

I urge you to deny approval for new oil wells near schools and homes.

Oil drilling near homes and schools is a threat to people's health. Public health experts have found that living, working, or going to school near oil and gas drilling can be linked to a host of harmful health impacts including asthma, respiratory diseases, preterm births, and cancer.

A state law was recently passed to protect frontline communities by requiring a 3,200-foot safety zone between oil drilling and homes, schools, and hospitals. The County's General Plan also has health and safety buffer zones and Environmental Justice regulations that prevent drilling this close to frontline communities. These wells are well inside this safety buffer zone -- close to hundreds of homes and Lemonwood Elementary and Park.

Oxnard communities should not bear the burden of more pollution and environmental racism. The communities impacted by these wells already experience a pollution burden 77-93% higher than other California communities; higher than any other community in Ventura County. These are communities of color (over 90% Latinx and Asian) that experiencing poverty at rates 64-90% higher than the rest of the state. This expansion of polluting and dangerous fossil fuel infrastructure would not be happening in white, higher income neighborhoods. It should not happen here.

In addition, Ventura County has zoned this land for agriculture, and it is home to prime farmland. Hundreds of people work in the fields immediately surrounding the wells, and the impact to their health and safety has not been assessed. Farmworkers who work near these wells have been subject to dangerous and sometimes lethal air and water pollution. The impact these re-drilled wells will have on Ventura County's farmworkers and agriculture has not been analyzed.

Please use your rightful authority to deny these oil wells near schools and homes.

Sincerely,

Frances Lee



Moorpark CA, 93021-2339

**From:** [David and Rebecca Gilbertson](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Public Comment - Agenda Item #72  
**Date:** Saturday, February 25, 2023 11:03:43 AM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Dear Board of Supervisors,

My name is David Gilbertson and I am a resident of Camarillo. I am writing to express my concern and urge you to vote against ABA Energy Corporation's request for two Zoning Clearances within 3200' of the Lemonwood neighborhood in Oxnard.

I support the Ventura County Planning Commission's decision to deny these oil and gas wells from being re-drilled in the appeal case brought by Climate First: Replacing Oil & Gas (CFROG) in December 2022 (Case Number PL22-0152 and PL22-0153). The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools analyzed. I believe these are prudent measures the Board of Supervisors should also take into account and not ignore.

These two wells are in addition to twenty-one other oil and gas wells already approved for the area adjacent to homes, a park and a school in the Lemonwood neighborhood. These twenty-one oil & gas wells are on an "antiquated" permit issued in 1965, with no environmental reviews required. And though these wells are within the CA 3200' health and safety buffer zone, they can be approved for drilling since the buffer zone has been suspended until 2024 due to the oil industry referendum campaign.

The two oil and gas wells proposed by ABA Energy Corporation for permitting would add to the cumulative pollution burden of neighborhoods and schools nearby the proposed sites. This location has been identified as having the highest amount of pollution in Ventura County. The talking points pushing the need to protect oil and gas jobs by jettisoning health and safety reviews leaves the children of Ventura County and our neighbors vulnerable.

Respectfully,

David Gilbertson

[REDACTED]

Camarillo, CA 93012



**From:** [gdann=pacbell.net@mg.gospringboard.io](mailto:gdann=pacbell.net@mg.gospringboard.io) on behalf of [Geoffrey Dann](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** No new oil wells near homes and schools!  
**Date:** Saturday, February 25, 2023 11:03:26 AM

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Dear Ventura County Clerk of the Board,

I urge you to deny approval for new oil wells near schools and homes.

Oil drilling near homes and schools is a threat to people's health. Public health experts have found that living, working, or going to school near oil and gas drilling can be linked to a host of harmful health impacts including asthma, respiratory diseases, preterm births, and cancer.

A state law was recently passed to protect frontline communities by requiring a 3,200-foot safety zone between oil drilling and homes, schools, and hospitals. The County's General Plan also has health and safety buffer zones and Environmental Justice regulations that prevent drilling this close to frontline communities. These wells are well inside this safety buffer zone -- close to hundreds of homes and Lemonwood Elementary and Park.

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In addition, Ventura County has zoned this land for agriculture, and it is home to prime farmland. Hundreds of people work in the fields immediately surrounding the wells, and the impact to their health and safety has not been assessed. Farmworkers who work near these wells have been subject to dangerous and sometimes lethal air and water pollution. The impact these re-drilled wells will have on Ventura County's farmworkers and agriculture has not been analyzed.

Please use your rightful authority to deny these oil wells near schools and homes.

Sincerely,

Geoffrey Dann



Ventura CA, 93003-2247

**From:** [dargil@juno.com](mailto:dargil@juno.com)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda item #72 @ 1:30  
**Date:** Saturday, February 25, 2023 10:31:50 AM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Please do not allow ANY MORE oil drilling on the Oxnard Plain .Not only is it a Human hazard but also a climate hazard and those values should count more than any thing else.Sincerely,Gillian James,Camarillo.

**From:** [ptgach=sbcglobal.net@mg.gospringboard.io](mailto:ptgach=sbcglobal.net@mg.gospringboard.io) on behalf of [Peter Gachot](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** No new oil wells near homes and schools!  
**Date:** Saturday, February 25, 2023 10:21:32 AM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Dear Ventura County Clerk of the Board,

I urge you to deny approval for new oil wells near schools and homes.

Oil drilling near homes and schools is a threat to people's health. Public health experts have found that living, working, or going to school near oil and gas drilling can be linked to a host of harmful health impacts including asthma, respiratory diseases, preterm births, and cancer.

A state law was recently passed to protect frontline communities by requiring a 3,200-foot safety zone between oil drilling and homes, schools, and hospitals. The County's General Plan also has health and safety buffer zones and Environmental Justice regulations that prevent drilling this close to frontline communities. These wells are well inside this safety buffer zone -- close to hundreds of homes and Lemonwood Elementary and Park.

Oxnard communities should not bear the burden of more pollution and environmental racism. The communities impacted by these wells already experience a pollution burden 77-93% higher than other California communities; higher than any other community in Ventura County. These are communities of color (over 90% Latinx and Asian) that experiencing poverty at rates 64-90% higher than the rest of the state. This expansion of polluting and dangerous fossil fuel infrastructure would not be happening in white, higher income neighborhoods. It should not happen here.

In addition, Ventura County has zoned this land for agriculture, and it is home to prime farmland. Hundreds of people work in the fields immediately surrounding the wells, and the impact to their health and safety has not been assessed. Farmworkers who work near these wells have been subject to dangerous and sometimes lethal air and water pollution. The impact these re-drilled wells will have on Ventura County's farmworkers and agriculture has not been analyzed.

Please use your rightful authority to deny these oil wells near schools and homes.

Sincerely,

Peter Gachot

 St.  
Ventura CA, 93001-0340

**From:** [Mary Stanistreet](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Oil extraction  
**Date:** Saturday, February 25, 2023 9:46:42 AM

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WARNING: If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Prohibit oil companies from extracting near communities, schools, healthcare facilities!

**From:** [jenrich1=roadrunner.com@mg.gospringboard.io](mailto:jenrich1=roadrunner.com@mg.gospringboard.io) on behalf of [Jennifer Niles](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** No new oil wells near homes and schools!  
**Date:** Saturday, February 25, 2023 9:45:29 AM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Dear Ventura County Clerk of the Board,

I urge you to deny approval for new oil wells near schools and homes.

Oil drilling near homes and schools is a threat to people's health. Public health experts have found that living, working, or going to school near oil and gas drilling can be linked to a host of harmful health impacts including asthma, respiratory diseases, preterm births, and cancer.

A state law was recently passed to protect frontline communities by requiring a 3,200-foot safety zone between oil drilling and homes, schools, and hospitals. The County's General Plan also has health and safety buffer zones and Environmental Justice regulations that prevent drilling this close to frontline communities. These wells are well inside this safety buffer zone -- close to hundreds of homes and Lemonwood Elementary and Park.

Oxnard communities should not bear the burden of more pollution and environmental racism. The communities impacted by these wells already experience a pollution burden 77-93% higher than other California communities; higher than any other community in Ventura County. These are communities of color (over 90% Latinx and Asian) that experiencing poverty at rates 64-90% higher than the rest of the state. This expansion of polluting and dangerous fossil fuel infrastructure would not be happening in white, higher income neighborhoods. It should not happen here.

In addition, Ventura County has zoned this land for agriculture, and it is home to prime farmland. Hundreds of people work in the fields immediately surrounding the wells, and the impact to their health and safety has not been assessed. Farmworkers who work near these wells have been subject to dangerous and sometimes lethal air and water pollution. The impact these re-drilled wells will have on Ventura County's farmworkers and agriculture has not been analyzed.

Please use your rightful authority to deny these oil wells near schools and homes.

Sincerely,

Jennifer Niles



Ojai CA, 93023-1553

**From:** [Kathleen Wheeler](#)  
**To:** [ClerkoftheBoard](#)  
**Cc:** [LaVere, Matt](#)  
**Subject:** Agenda item 72  
**Date:** Saturday, February 25, 2023 8:25:11 AM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Dear Supervisor LaVere,

You have shown through many of your actions that you care about the public more than special interests. Please make Tuesday another example of your values, and deny ABA Energy Corporation's apparent disregard for same, reflected in their current appeal.

It should go without saying that having oil wells in close approximation to homes, schools and parks is beyond foolish. You've heard the arguments. I am concerned that your colleagues may not be hearing those arguments or taking them seriously.

I and many other concerned citizens support the 2022 Ventura County Planning Commission's decision to deny the oil and gas wells in the Lemonwood neighborhood to be re-drilled. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools assessed.

The Oil and Gas industry has the deep pockets to win time and again, putting their profits over any other human value. When you vote on agenda item 72 consider that you are voting on an environmental justice issue, as well as a public health and safety issue. One might even say a moral issue.

Our elected leaders will ideally represent those issues effectively and not be swayed by the self-interested arguments of ABA Energy.

Thank you,

Kathleen Wheeler, Constituent

**From:** [Manfred Koch](#)  
**To:** [Cecilia@theBoard](#)  
**Subject:** Agenda Item #27  
**Date:** Fri day, February 24, 2023 7:36:58 PM

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WARNING: If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to Email.Security@ventura.org.

Dear Members of the Board,

As an educator of 22 years of service teaching Science and Health K-university I am 100% against approving any drilling close to school sites, homes and public spaces. As a board member you must ensure that none of these wells get approved for drilling, not a single one. These wells were approved during our grandparents' generation without any studies on how they will impact us now. Back then most of what is now adjacent to the drill sites did not exist. You cannot allow these projects to go through unless you want the health complications and premature deaths they will cause to be signed off with your signature and want the history books filled with your names as those people who have allowed great harm to be caused for the benefit of the fossil fuel industry. You can do better than this and make a legacy out of your names as the ones going down in history protecting your citizens from harmful pollutants known to Science. The evidence and data speaking against these drilling sites is clear. You are the voice of the people. We elected you to protect us and future generations. We count on you! Don't let us down!

Sincerely,

Manfred (Manny) Koch, Ed.D.  
Aquatica Charters  
Captain/Manager

 [https://0014vzmail.slskx.com/www.divesquatca.com\\_YXAzOnZlhbR1cmE6YTpsOmU3ZjM3OGJlOGFjODczNWtsNTg1MDh0ODozZmNmMGUjQjY6N2RkOTc1N2Y3MDEyZBkYjZjZjZmMjg2NDQ4ZTZkOGUsZjllNTIsOTF2Mjk4YTl4ZjQyY3Y3OGESMTNkYjdmYmJlZWMIOnA6VA](https://0014vzmail.slskx.com/www.divesquatca.com_YXAzOnZlhbR1cmE6YTpsOmU3ZjM3OGJlOGFjODczNWtsNTg1MDh0ODozZmNmMGUjQjY6N2RkOTc1N2Y3MDEyZBkYjZjZjZmMjg2NDQ4ZTZkOGUsZjllNTIsOTF2Mjk4YTl4ZjQyY3Y3OGESMTNkYjdmYmJlZWMIOnA6VA)

**From:** [lynn adams](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda Item 72  
**Date:** Friday, February 24, 2023 7:30:08 PM

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WARNING: If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

To whom it may concern:

I do not live in Oxnard anymore but I am opposed to any more dirty fossil fuel drilling period, but especially when that drilling will impact children in nearby schools or poorer communities of color! The existing wells are already within that space and more are NOT needed.

Lynn Adams



**From:** [Jennifer Sage](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Lemonwood New Drill  
**Date:** Friday, February 24, 2023 7:13:02 PM

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WARNING: If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Please stand up against any additional oil drilling and wells in Ventura county. We all need to move quickly to less dependent on oil and focus all our energy on alternative energy. Oil is a very dirty and dangerous buisness for our health and the surrounding wildlife, it's toxic and visibly toxic. You don't need to run all these tests. If any of you would just take a walk to any area of your choice where there are 4-5 oil wells close to each other, take a look at the surroundings at what the nearby foliage looks like and the ground compared to the ground and foliage a quarter mile away. The polutants are very very evident. If any council member has not spent more than two hours walking oil fields then you have no authority to vote on this matter. If you have, then I can guarantee it's not where you would want your home to be. If you yourself would not choose to live by oil wells, then your vote should be always no more not again.

Jennifer Sage

Sent from my iPhone

## Fogg, Mindy

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**From:** Angie Solloa [REDACTED]  
**Sent:** Friday, February 24, 2023 4:27 PM  
**To:** ClerkoftheBoard  
**Subject:** Agenda Item 72

**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Hello there,

My name is Angelica and I am a resident of Oxnard and I also have relatives including young children who live in Lemonwood. I am expressing my concern about the expansion of fossil fuel infrastructure in Lemonwood, an environmental justice community in Ventura County. I respectfully urge the Board of Supervisors to deny ABA Energy Corporation's appeal based on the failure to comply with legal requirements and the Planning Division's erroneous issuance of the Zoning Clearances in violation of County law.

I support the Ventura County Planning Commission's decision to deny these oil and gas wells from being re-drilled in December 2022. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools analyzed. I believe these are prudent measures the Board of Supervisors should also take into account and not ignore.

These two wells are in addition to twenty-one other oil and gas wells already approved for the area adjacent to homes, a school, and a park in the Lemonwood neighborhood. These twenty-one oil and gas wells are on an "antiquated" permit issued in 1957, with no environmental review required. And though these wells are within the CA 3,200-foot health and safety buffer zone, they can be approved for drilling since the buffer zone has been suspended until 2024 due to the oil industry referendum campaign. This is why it is essential that the Board of Supervisors carefully review the application within procedural compliance with County law.

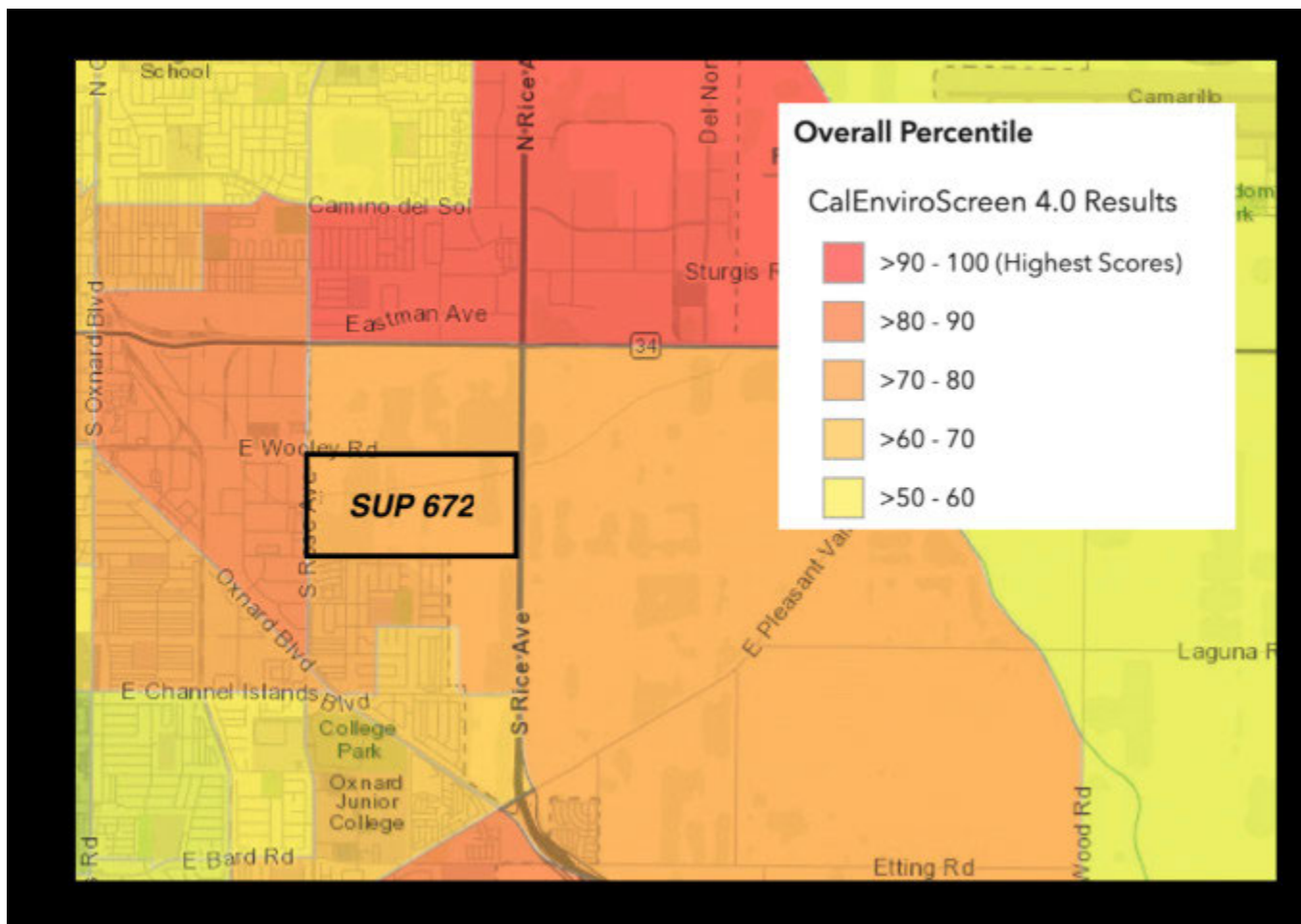
The two oil and gas wells proposed by ABA Energy Corporation for permitting would add to the cumulative pollution burden of neighborhoods and schools nearby the proposed sites. This location has been identified as having the highest amount of pollution in Ventura County. The narrative advocating for the protection of oil and gas jobs by Jettisoning Permit Compliance stems from a long history of widespread misinformation and ultimately leaves the children, families, and neighbors of Ventura County vulnerable.

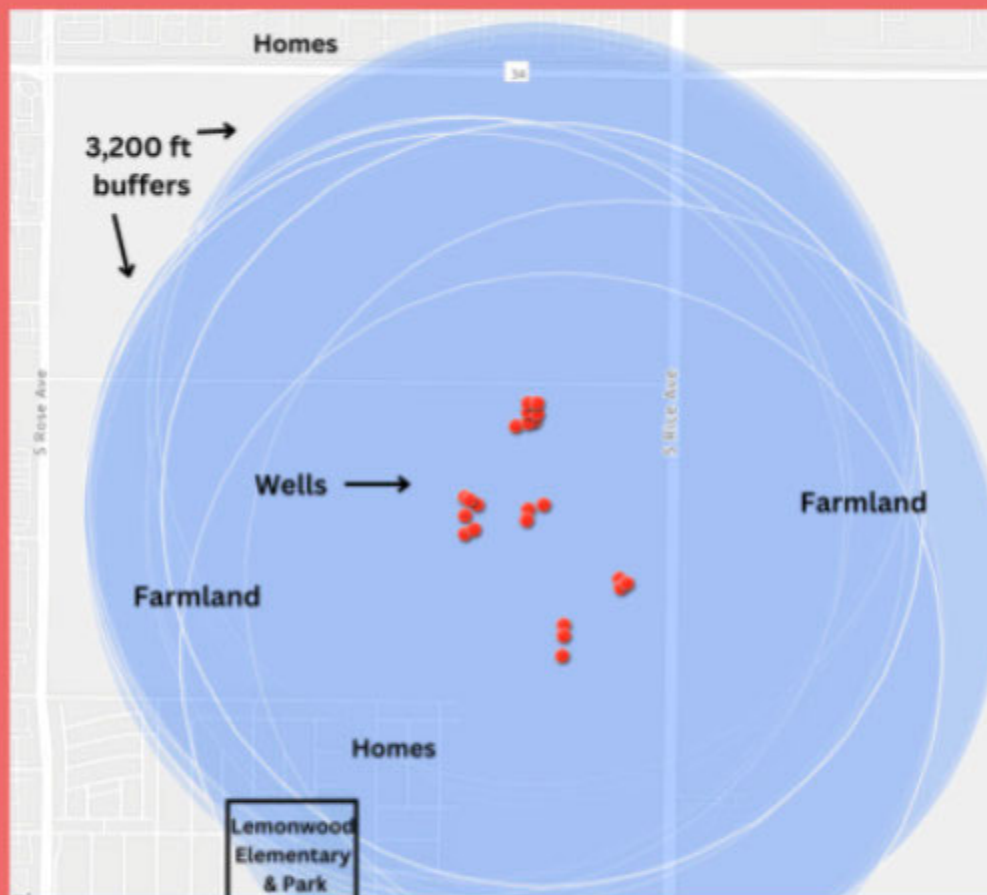
I recommend that we tap into the Inflation Reduction Act Funds to bring green jobs and infrastructure that our community can be proud of. Chevron and other polluters already take advantage of our political system with their million-dollar expenditures, please do what is right and side with the people of this community. Instead of contributing to the climate crisis, and offering jobs that put our community's health at risk and disproportionately impact Indigenous, low-income, and BIPOC communities, let's prioritize initiatives that will protect the already scarce resources (e.g., waterways, air, soil) we have remaining.

Thank you for your thoughtful consideration.

Best,

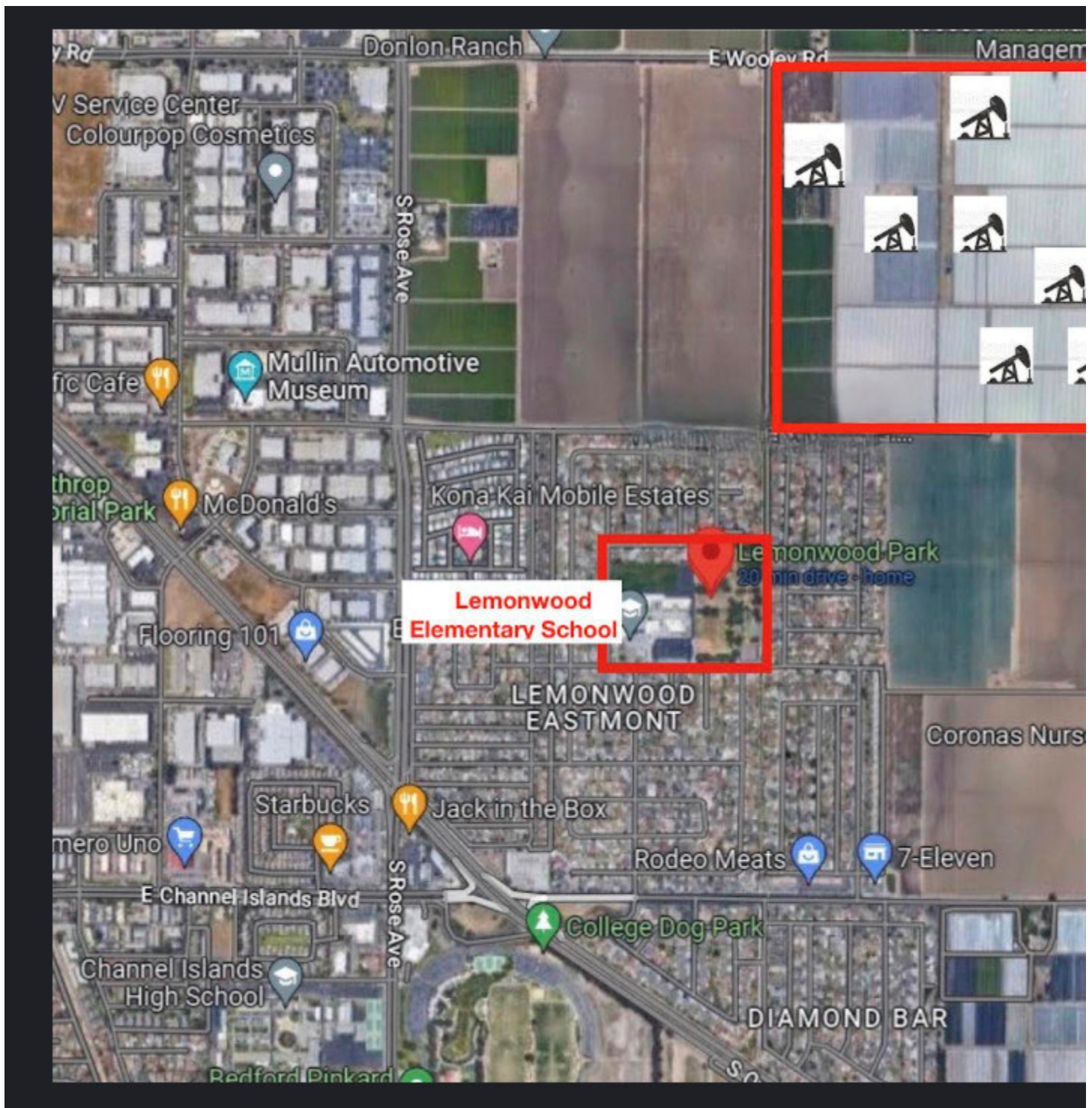
Angelica Solloa





The State has found 3,200 feet around oil and gas wells as the minimum distance to protect the health and safety of people





**From:** [Diana Troik](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda Item 72  
**Date:** Friday, February 24, 2023 4:18:49 PM

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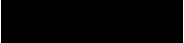
My name is Diana Troik and I am a resident of Camarillo. I am expressing my concern about the expansion of fossil fuel infrastructure in Lemonwood, an environmental justice community in Ventura County. I respectfully urge the Board of Supervisors to deny ABA Energy Corporation's appeal based on the failure to comply with legal requirements and the Planning Division's erroneous issuance of the Zoning Clearances in violation of County law.

I support the Ventura County Planning Commission's decision to deny these oil and gas wells from being re-drilled in December 2022. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools analyzed. I believe these are prudent measures the Board of Supervisors should also take into account and not ignore.

These two wells are in addition to twenty-one other oil and gas wells already approved for the area adjacent to homes, a school, and a park in the Lemonwood neighborhood. These twenty-one oil and gas wells are on an "antiquated" permit issued in 1957, with no environmental review required. And though these wells are within the CA 3,200-foot health and safety buffer zone, they can be approved for drilling since the buffer zone has been suspended until 2024 due to the oil industry referendum campaign. This is why it is essential that the Board of Supervisors carefully review the application within procedural compliance with County law.

Thank you.

**Diana**

Diana Troik  


**From:** [John Brooks](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda Item 72  
**Date:** Friday, February 24, 2023 4:10:11 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Dear Supervisors,

I know that you , like me, do not live with the direct pollution at your homes that the people of south Oxnard suffer.

Can you vote today to reject the oil company appeal and help these folks just a little bit?

Living near oil and gas drilling is scientifically linked to harmful health impacts including asthma, respiratory diseases, pre-term low weight births and cancer.

Recognizing the danger the state passed a law to require a 3200 foot safety zone. But just like with the A & B setbacks, the multimillion dollar oil company slush funds have blocked those common sense rules from going into effect. I think I read that Supervisor Gorrell refused oil & gas money in his campaign. Does that mean he will vote to help the people or cave to add some money to an oil company regardless of health impacts?

We shall see. Do the right thing please.

John Brooks

Oak View



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Event Manager

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Director of Policy +  
Legislative Affairs

February 28, 2023

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

Sent via email [clerkoftheboard@ventura.org](mailto:clerkoftheboard@ventura.org)

Re: Agenda Item 72: OPPOSE ABA ENERGY CORP. APPEAL AND SUPPORT  
COMMUNITIES

Dear Chair LaVere and Members of the Board,

Los Padres ForestWatch hereby submits this comment letter in opposition to ABA Energy Corp.'s appeal of the Planning Commission's December 15, 2022 determination reversing the issuance of two oil drilling Zoning Clearances. We request that our letter be formally incorporated into the record and considered.

The Los Padres ForestWatch is dedicated to halting any further expansion of oil and gas drilling in our national forest and surrounding communities. Where existing oil drilling is allowed to continue, we promote improved management practices to protect wildlife, recreation, watersheds, and other environmental values. Part of our efforts extend to conducting research of current drilling sites to make sure the oil companies are complying with environmental laws.

With respect to the two wells subjected to this appeal, we believe that the zoning clearances were issued in error. They are inconsistent with the Zoning Ordinance and General Plan, were issued in piecemeal fashion, and would harm environmental justice communities, setting a dangerous precedent county-wide.

For these reasons, we respectfully urge the Board of Supervisors to deny ABA Energy Corp.'s Appeal based on the applicant's failure to comply with legal requirements and the Planning Division's issuance of the Zoning Clearances in violation of County law.

Sincerely,

Carla Mena, M.P.P.  
Director of Policy and Legislative Affairs  
Los Padres ForestWatch



**From:** [Allison Maires](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Re: Case Number: PL22-0152 AND PL22-0153, Feb. 28, 2023 Board of Supervisors Hearing  
**Date:** Saturday, February 25, 2023 7:42:57 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

My name is Allison Maires and I am a resident of Ventura. I am expressing my concern about the expansion of fossil fuel infrastructure in Lemonwood, an environmental justice community in Ventura County. I respectfully urge the Board of Supervisors to deny ABA Energy Corporation's appeal based on the failure to comply with legal requirements and the Planning Division's erroneous issuance of the Zoning Clearances in violation of County law.

I support the Ventura County Planning Commission's decision to deny these oil and gas wells from being re-drilled in December 2022. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools analyzed. I believe these are prudent measures the Board of Supervisors should also take into account and not ignore.

These two wells are in addition to twenty-one other oil and gas wells already approved for the area adjacent to homes, a school, and a park in the Lemonwood neighborhood. These twenty-one oil and gas wells are on an "antiquated" permit issued in 1957, with no environmental review required. And though these wells are within the CA 3,200-foot health and safety buffer zone, they can be approved for drilling since the buffer zone has been suspended until 2024 due to the oil industry referendum campaign. This is why it is essential that the Board of Supervisors carefully review the application within procedural compliance with County law.

The two oil and gas wells proposed by ABA Energy Corporation for permitting would add to the cumulative pollution burden of neighborhoods and schools nearby the proposed sites. This location has been identified as having the highest amount of pollution in Ventura County. The talking points pushing the need to protect oil and gas jobs by jettisoning permit compliance leaves the children of Ventura County and our neighbors vulnerable.

Thank you.

Allison Maires

**From:** [Diana White](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Stop oil and gas wells  
**Date:** Monday, February 27, 2023 7:28:46 AM

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WARNING: If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Please vote to not add any more drilling of oil and gas wells in our county!! These wells are a danger to our community including children who attend schools within close proximity, farm workers, and other persons working or living close by. I thought we were focused on providing a safe and sane place to live and work in this era of climate change. This expansion of oil and gas wells is a huge step backwards!  
Please think about the health and we'll be of your constituents.

Diana White

Sent from my iPhone

**From:** [student.covens0m=icloud.com@mg.gospringboard.io](mailto:student.covens0m=icloud.com@mg.gospringboard.io) on behalf of [Velia Soto ClerkoftheBoard](#)  
**To:**  
**Subject:** No new oil wells near homes and schools!  
**Date:** Sunday, February 26, 2023 11:15:37 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Dear Ventura County Clerk of the Board,

I urge you to deny approval for new oil wells near schools and homes.

Oil drilling near homes and schools is a threat to people's health. Public health experts have found that living, working, or going to school near oil and gas drilling can be linked to a host of harmful health impacts including asthma, respiratory diseases, preterm births, and cancer.

A state law was recently passed to protect frontline communities by requiring a 3,200-foot safety zone between oil drilling and homes, schools, and hospitals. The County's General Plan also has health and safety buffer zones and Environmental Justice regulations that prevent drilling this close to frontline communities. These wells are well inside this safety buffer zone -- close to hundreds of homes and Lemonwood Elementary and Park.

Oxnard communities should not bear the burden of more pollution and environmental racism. The communities impacted by these wells already experience a pollution burden 77-93% higher than other California communities; higher than any other community in Ventura County. These are communities of color (over 90% Latinx and Asian) that experiencing poverty at rates 64-90% higher than the rest of the state. This expansion of polluting and dangerous fossil fuel infrastructure would not be happening in white, higher income neighborhoods. It should not happen here.

In addition, Ventura County has zoned this land for agriculture, and it is home to prime farmland. Hundreds of people work in the fields immediately surrounding the wells, and the impact to their health and safety has not been assessed. Farmworkers who work near these wells have been subject to dangerous and sometimes lethal air and water pollution. The impact these re-drilled wells will have on Ventura County's farmworkers and agriculture has not been analyzed.

Please use your rightful authority to deny these oil wells near schools and homes.

Sincerely,

Velia Soto



Oxnard CA, 93030-4792

**From:** [brynaf\\_76@yahoo.com@mg.gospringboard.io](mailto:brynaf_76@yahoo.com@mg.gospringboard.io) on behalf of [Bryna Fuchslocher](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** No new oil wells near homes and schools!  
**Date:** Sunday, February 26, 2023 10:08:36 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Dear Ventura County Clerk of the Board,

I urge you to deny approval for new oil wells near schools and homes.

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Please use your rightful authority to deny these oil wells near schools and homes.

Sincerely,

Bryna Fuchslocher



Thousand Oaks CA, 91360-4846

**From:** [christinaciesla@yahoo.com@mg.gospringboard.io](mailto:christinaciesla@yahoo.com@mg.gospringboard.io) on behalf of [christina ciesla](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** No new oil wells near homes and schools!  
**Date:** Sunday, February 26, 2023 12:25:29 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Dear Ventura County Clerk of the Board,

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A state law was recently passed to protect frontline communities by requiring a 3,200-foot safety zone between oil drilling and homes, schools, and hospitals. The County's General Plan also has health and safety buffer zones and Environmental Justice regulations that prevent drilling this close to frontline communities. These wells are well inside this safety buffer zone -- close to hundreds of homes and Lemonwood Elementary and Park.

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Please use your rightful authority to deny these oil wells near schools and homes.

Sincerely,

christina ciesla



simi valley CA, 93063-0214

**From:** [beleighton@yahoo.com@mg.gospringboard.io](mailto:beleighton@yahoo.com@mg.gospringboard.io) on behalf of [Barbara Leighton](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** No new oil wells near homes and schools!  
**Date:** Saturday, February 25, 2023 5:36:27 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Dear Ventura County Clerk of the Board,

I urge you to deny approval for new oil wells near schools and homes. When we know better we need to act better.

Oil drilling near homes and schools is a threat to people's health. Public health experts have found that living, working, or going to school near oil and gas drilling can be linked to a host of harmful health impacts including asthma, respiratory diseases, preterm births, and cancer.

A state law was recently passed to protect frontline communities by requiring a 3,200-foot safety zone between oil drilling and homes, schools, and hospitals. The County's General Plan also has health and safety buffer zones and Environmental Justice regulations that prevent drilling this close to frontline communities. These wells are well inside this safety buffer zone -- close to hundreds of homes and Lemonwood Elementary and Park. Please show that you care about children, workers and others who are impacted and deny new wells in this area.

Oxnard communities should not bear the burden of more pollution and environmental racism. The communities impacted by these wells already experience a pollution burden 77-93% higher than other California communities; higher than any other community in Ventura County.

These are communities of color (over 90% Latinx and Asian) that experiencing poverty at rates 64-90% higher than the rest of the state. This expansion of polluting and dangerous fossil fuel infrastructure would not be happening in white, higher income neighborhoods. It should not happen here.

Please use your rightful authority to deny these oil wells near schools and homes.

Sincerely,

Barbara Leighton



Newbury Park CA, 91320-5227

**From:** [rahulmehrotra4@yahoo.com@mg.gospringboard.io](mailto:rahulmehrotra4@yahoo.com@mg.gospringboard.io) on behalf of [Rahul Mehrotra](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** No new oil wells near homes and schools!  
**Date:** Saturday, February 25, 2023 2:00:27 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Dear Ventura County Clerk of the Board,

As a 35+ year resident of Ventura County, I urge you to deny approval for new oil wells near schools and homes.

Oil drilling near homes and schools is a threat to people's health. Public health experts have found that living, working, or going to school near oil and gas drilling can be linked to a host of harmful health impacts including asthma, respiratory diseases, preterm births, and cancer.

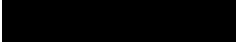
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Oxnard communities should not bear the burden of more pollution and environmental racism. The communities impacted by these wells already experience a pollution burden 77-93% higher than other California communities; higher than any other community in Ventura County. These are communities of color (over 90% Latinx and Asian) that experiencing poverty at rates 64-90% higher than the rest of the state. This expansion of polluting and dangerous fossil fuel infrastructure would not be happening in white, higher income neighborhoods. It should not happen here.

In addition, Ventura County has zoned this land for agriculture, and it is home to prime farmland. Hundreds of people work in the fields immediately surrounding the wells, and the impact to their health and safety has not been assessed. Farmworkers who work near these wells have been subject to dangerous and sometimes lethal air and water pollution. The impact these re-drilled wells will have on Ventura County's farmworkers and agriculture has not been analyzed.

Please use your rightful authority to deny these oil wells near schools and homes.

Sincerely,

Rahul Mehrotra  
 Ct.  
Camarillo CA, 93012-4070

**From:** [lzldy=att.net@mg.gospringboard.io](mailto:lzldy=att.net@mg.gospringboard.io) on behalf of [L. Adams](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** No new oil wells near homes and schools!  
**Date:** Saturday, February 25, 2023 1:21:36 PM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Dear Ventura County Clerk of the Board,

I urge you to deny approval for new oil wells near schools and homes.

Oil drilling near homes and schools is a threat to people's health. Public health experts have found that living, working, or going to school near oil and gas drilling can be linked to a host of harmful health impacts including asthma, respiratory diseases, preterm births, and cancer.

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Please use your rightful authority to deny these oil wells near schools and homes.

Sincerely,

L. Adams



Ventura CA, 93004-1401



**From:** [laundrydays@yahoo.com@mg.gospringboard.io](mailto:laundrydays@yahoo.com@mg.gospringboard.io) on behalf of [Nash Rightmer](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** No new oil wells near homes and schools!  
**Date:** Saturday, February 25, 2023 1:00:35 PM

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Dear Ventura County Clerk of the Board,

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Please use your rightful authority to deny these oil wells near schools and homes.

Sincerely,

Nash Rightmer

[REDACTED]

Ventura CA, 93001-3336

**From:** [kathryncontreras=yml.com@mg.gospringboard.io](mailto:kathryncontreras=yml.com@mg.gospringboard.io) on behalf of [Kathryn Contreras](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** No new oil wells near homes and schools!  
**Date:** Saturday, February 25, 2023 11:47:26 AM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Dear Ventura County Clerk of the Board,

I urge you to deny approval for new oil wells near schools and homes.

Oil drilling near homes and schools is a threat to people's health. Public health experts have found that living, working, or going to school near oil and gas drilling can be linked to a host of harmful health impacts including asthma, respiratory diseases, preterm births, and cancer.

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Please use your rightful authority to deny these oil wells near schools and homes.

Sincerely,

Kathryn Contreras



Camarillo CA, 93012-5419

**From:** [primarybody@gmail.com@mg.gospringboard.io](mailto:primarybody@gmail.com@mg.gospringboard.io) on behalf of [James Grigsby](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Allow energy in our county  
**Date:** Saturday, February 25, 2023 11:39:29 AM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Dear Ventura County Clerk of the Board,

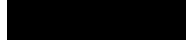
Dear Supervisors,

Please consider energy security as a whole especially in California on the front lines who need it. Thank you for supporting businesses and energy for our county and people

Please use your rightful authority to deny these oil wells near schools and homes.

Sincerely,

James Grigsby



Ojai CA, 93023-1950

**From:** [rgtuomi@yahoo.com@mg.gospringboard.io](mailto:rgtuomi@yahoo.com@mg.gospringboard.io) on behalf of [R.G. Tuomi](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** No new oil wells near homes and schools!  
**Date:** Saturday, February 25, 2023 10:50:33 AM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Dear Ventura County Clerk of the Board,

I urge you to deny approval for new oil wells near schools and homes.

Oil drilling near homes and schools is a threat to people's health. Public health experts have found that living, working, or going to school near oil and gas drilling can be linked to a host of harmful health impacts including asthma, respiratory diseases, preterm births, and cancer.

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In addition, Ventura County has zoned this land for agriculture, and it is home to prime farmland. Hundreds of people work in the fields immediately surrounding the wells, and the impact to their health and safety has not been assessed. Farmworkers who work near these wells have been subject to dangerous and sometimes lethal air and water pollution. The impact these re-drilled wells will have on Ventura County's farmworkers and agriculture has not been analyzed.

Please use your rightful authority to deny these oil wells near schools and homes.

Sincerely,

R.G. Tuomi

 Ct

Thousand Oaks CA, 91362-1460

**From:** [oakskt5@yahoo.com@mg.gospringboard.io](mailto:oakskt5@yahoo.com@mg.gospringboard.io) on behalf of [Sherry Berry](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** No new oil wells near homes and schools!  
**Date:** Saturday, February 25, 2023 10:40:31 AM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Dear Ventura County Clerk of the Board,

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Please use your rightful authority to deny these oil wells near schools and homes.

Sincerely,

Sherry Berry

[REDACTED]

Ventura CA, 93003-0860

**From:** [carolinvan953@yahoo.ca@mg.gospringboard.io](mailto:carolinvan953@yahoo.ca@mg.gospringboard.io) on behalf of [carol W ClerkoftheBoard](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** No new oil wells near homes and schools!  
**Date:** Saturday, February 25, 2023 10:37:25 AM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Dear Ventura County Clerk of the Board,

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Please use your rightful authority to deny these oil wells near schools and homes.

Sincerely,

carol W



Oxnard CA, 93035-4136

**From:** [claudiabill=roadrunner.com@mg.gospringboard.io](mailto:claudiabill=roadrunner.com@mg.gospringboard.io) on behalf of [Claudia Bill-de la Peña](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** No new oil wells near homes and schools!  
**Date:** Monday, February 27, 2023 8:53:25 AM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Dear Ventura County Clerk of the Board,

I urge you to deny approval for new oil wells near schools and homes.

Oil drilling near homes and schools is a threat to people's health. Public health experts have found that living, working, or going to school near oil and gas drilling can be linked to a host of harmful health impacts including asthma, respiratory diseases, preterm births, and cancer.

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Please use your rightful authority to deny these oil wells near schools and homes.

Sincerely,

Claudia Bill-de la Peña



Westlake Village CA, 91361-1621

**From:** [Joan Archer](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** PL22-0152 and PL22-0153  
**Date:** Monday, February 27, 2023 8:49:41 AM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Attention Board of Supervisors,

I am greatly concerned about the addition of any more gas or oil wells in the vicinity of homes, schools, and parks affecting the health of Ventura County residents. Please do not add any additional wells of these types anywhere near residential areas, even though their location may meet minimum distance requirements.

Joan Archer

45 year resident of Ventura County

Sent from [Mail](#) for Windows



**From:** [Debbie Diamond](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** PL22-0152 and PL22-0153  
**Date:** Monday, February 27, 2023 9:40:01 AM

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WARNING: If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Good morning,

Dear County Supervisors:

It's very important to protect children's health to NOT have oil drilling on these sites that are too close to homes. Please vote NO on expanding oil drilling on "Subject" sites.

Yours truly,  
Debbie Diamond  
Ventura, CA

**From:** [Gordon Clint](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Oppose PL22-0152 and PL22-0153  
**Date:** Monday, February 27, 2023 9:37:11 AM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Dear Supervisors,

We urge you to vote against major oil and gas drilling sites that endanger the health and safety of residents. Specifically, please oppose PL22-0152 and PL22-0153 which will allow new wells in the Lemonwood neighborhood within 3,200 feet of homes, a school and a community park.

Sincerely,

Gordon Clint and Barbara Leighton  
[REDACTED], Newbury Park

**From:** [Louise Roberts](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda Item 72  
**Date:** Monday, February 27, 2023 9:33:45 AM

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WARNING: If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Ventura board of Supervisors,

I am writing to urge you uphold the Ventura County Planning Commission's decision to stop the 2 oil well re-drills in the Lemonwood Area. These oil wells would be in addition to the 21 oil wells that have been approved. They are close to Oxnard neighborhoods, Lemonwood Elementary School and a public park. This poses a serious health threat to the people who live and play there.

Thank you,

Louise Roberts

Ventura County

**From:** [S. Colome](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** BOS Meeting 2/28/23 Agenda Item #72  
**Date:** Monday, February 27, 2023 9:33:26 AM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

Ventura County Board of Supervisors:

I strongly encourage the BOS to deny the Special Use Permit for two new wells and the 21 previously approved wells in the Lemonwood District.

As a public health scientist who has published extensively on the health effects from fossil fuels, this is an attempt by the industry to take advantage of antiquated approvals that would not receive permits if subjected to current public health and environmental review.

This proposal is a significant environmental justice issue with the burden of these wells being borne by a low-income community, largely of color. The pattern of injustice needs to stop here.

Do the right thing and deny all 23 drilling requests.

Sincerely,  
Steven D. Colome, Sc.D.

**From:** [Patty Jimenez](#)  
**To:** [ClerkoftheBoard](#)  
**Date:** Monday, February 27, 2023 9:26:59 AM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

My name is Patty Jimenez and I am a resident of the lemonwood area. I am expressing my concern about the expansion of fossil fuel infrastructure in Lemonwood, an environmental justice community in Ventura County. I respectfully urge the Board of Supervisors to deny ABA Energy Corporation's appeal based on the failure to comply with legal requirements and the Planning Division's erroneous issuance of the Zoning Clearances in violation of County law.

I support the Ventura County Planning Commission's decision to deny these oil and gas wells from being re-drilled in December 2022. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools analyzed. I believe these are prudent measures the Board of Supervisors should also take into account and not ignore.

These two wells are in addition to twenty-one other oil and gas wells already approved for the area adjacent to homes, a school, and a park in the Lemonwood neighborhood. These twenty-one oil and gas wells are on an "antiquated" permit issued in 1957, with no environmental review required. And though these wells are within the CA 3,200-foot health and safety buffer zone, they can be approved for drilling since the buffer zone has been suspended until 2024 due to the oil industry referendum campaign. This is why it is essential that the Board of Supervisors carefully review the application within procedural compliance with County law.

The two oil and gas wells proposed by ABA Energy Corporation for permitting would add to the cumulative pollution burden of neighborhoods and schools nearby the proposed sites. This location has been identified as having the highest amount of pollution in Ventura County. The talking points pushing the need to protect oil and gas jobs by jettisoning permit compliance leaves the children of Ventura County and our neighbors vulnerable.

Thank you.

**Patty Jimenez**

**From:** [Norene Charnofsky](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** PL22-0152 and PL22-0153."  
**Date:** Monday, February 27, 2023 9:23:05 AM

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WARNING: If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

To Whom It May Concern:

Dear County Supervisors:

Protect our children's health! Please vote NO on expanding oil drilling on these sites. They are too close to homes!!!!

Enough is enough.

Respectfully,  
Norene Charnofsky, Ventura

**From:** [Nash, Steve](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda Item 72  
**Date:** Monday, February 27, 2023 9:52:00 AM

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**WARNING:** If you believe this message may be malicious use the Phish Alert Button to report it or forward the message to [Email.Security@ventura.org](mailto:Email.Security@ventura.org).

I am against any further expansion of well drilling at this location.

I acknowledge that this project lies within County jurisdiction but due to its close proximity to the City of Oxnard I will provide goals and policies from our 2030 General Plan that do not support an expansion of this project.

Chapter 2, Sustainable Communities,

~ Goal SC 2.1, "Supporting and Participating in Global Warming and Climate Change Adaptation analysis and programs."

~ Policy SC 1.4, Awareness of Environmental Justice, Advise other agencies regarding and incorporate environmental justice within City planning, policies, programs, projects, and operations.

Chapter 3, Community Development,

~ Goal CD-4, "Commercial uses compatible with surrounding land uses to meet the present and future needs of Oxnard residents, employees, and visitors."

~ Policy CD 4.1, Mitigate Land Use Conflicts, Mitigate conflicts between commercial and other land uses, especially residential and recreational uses.

~Goal CD-5, "Development of industrial uses in appropriate areas, assistance in the location of new industry, retention and expansion of existing industry, and maintenance of the City's economic vitality."

~ Policy CD 5.2, Compatible Land Use, Ensure adequate separation between sensitive land uses (residential, educational, open space, healthcare) to minimize land use incompatibility associated with noise, odors, and air pollutant emissions.

~ Policy CD 5.4, Environmentally Friendly and "Green" Industry, Seek to attract industrial development that avoids or minimizes substantial pollution, noise, glare, odor, use of hazardous materials, or other offensive activity and/or is a component of the emerging Green industry.

Chapter 4, Infrastructure and Community Services,

~ Goal ICS-11, "Water supply, quality, distribution, and storage adequate for existing and future development."

~ Policy ICS-11.5, Sustainability of Groundwater Supply, Support the policies of the Fox Canyon Groundwater Management Agency to protect, enhance, and replenish the aquifers underlying

the Oxnard Plain.

~ Policy ICS-11.9, Groundwater Extractions, Continue to adhere to the recommendations of the Ventura County Regional Water Quality Planning Program regarding groundwater quality and extractions.

~ Policy ICS-11.11, Water Quality, Monitor water quality regularly to ensure that safe drinking water standards are met and maintained in accordance with State agencies with jurisdiction and Environmental Protection Agency (EPA) regulations, and take necessary measures to prevent contamination.

#### Chapter 5, Environmental Resources,

~ Goal ER-1, "Protection of natural and cultural resources, agriculture, and open spaces is well integrated with the built environment and human activities and achieves a symbiotic, mutually-beneficial, sustainable relationship."

~ Policy ER-1.1, Protect Oxnard's Natural and Cultural Resources, Protect the City's natural resource areas, fish and wildlife habitat, scenic areas, open space areas, parks, and cultural and historic resources from unnecessary encroachment or harm and if encroachment or harm is necessary, fully mitigate the impacts to the maximum extent feasible.

~ Policy ER-1.2, Protect Surrounding Agriculture and Open Space, Protect open space and agricultural uses around Oxnard through continued adherence to the Guidelines for Orderly Development, Ventura County Greenbelt programs, the Save Open-Space and Agricultural Resources Ordinance, and other programs or policies that may subsequently be adopted such as the SB 375 Sustainable Communities Strategy.

~ Goal ER-13, "Well managed extraction of mineral resources that protects the environment and surrounding land uses from adverse effects of extraction operations."

~ Policy ER-13.3, Compatibility with Existing Land Uses, Ensure that any mining operations produce the least amount of incompatibility with surrounding, existing land uses (i.e., limited hours of operation, pest control, etc.) and adequately mitigate environmental and aesthetic impacts.

~ Goal ER-14, "Improved air quality and minimized adverse effects of air pollution on human health and the economy."

~ Policy ER-14.7, Mitigation Monitoring, Ensure that projects with identified air quality impacts in their respective EIRs are subject to effective mitigation monitoring as required by AB 3180.

#### Chapter 6, Safety and Hazards,

~ Goal SH-7, "Minimized risk associated with the transport distribution, use, and storage of hazardous materials."

~ Policy SH-7.4, Limiting High Risk Land Uses, Actively oppose uses being considered by other agencies that pose an unacceptably high risk to the health, safety, and welfare of the residents, workers, visitors, and the natural environment.

Thank you.



Steve Nash



Oxnard, CA 93036

**From:** [polo-fitters.05@icloud.com](mailto:polo-fitters.05@icloud.com)  
**To:** [ClerkoftheBoard](#)  
**Subject:** PL22-0152 and PL22-0153  
**Date:** Monday, February 27, 2023 10:08:22 AM

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Dear County Supervisors:

Please do vote AGAINST the oil drilling near schools! The health and well beings of our children, school staff and farm workers is far more important than oil and gas!

Thank you,  
Cindy LeClaire, Ventura

**From:** [Tessa Byars](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** No More Oil Drilling in Lemonwood  
**Date:** Monday, February 27, 2023 10:25:09 AM

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My name is Tessa Byars and I am a resident of Ojai. I am expressing my concern about the expansion of fossil fuel infrastructure in Lemonwood, an environmental justice community in Ventura County. I respectfully urge the Board of Supervisors to deny ABA Energy Corporation's appeal based on the failure to comply with legal requirements and the Planning Division's erroneous issuance of the Zoning Clearances in violation of County law.

I support the Ventura County Planning Commission's decision to deny these oil and gas wells from being re-drilled in December 2022. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools analyzed. I believe these are prudent measures the Board of Supervisors should also take into account and not ignore.

These two wells are in addition to twenty-one other oil and gas wells already approved for the area adjacent to homes, a school, and a park in the Lemonwood neighborhood. These twenty-one oil and gas wells are on an "antiquated" permit issued in 1957, with no environmental review required. And though these wells are within the CA 3,200-foot health and safety buffer zone, they can be approved for drilling since the buffer zone has been suspended until 2024 due to the oil industry referendum campaign. This is why it is essential that the Board of Supervisors carefully review the application within procedural compliance with County law.

The two oil and gas wells proposed by ABA Energy Corporation for permitting would add to the cumulative pollution burden of neighborhoods and schools nearby the proposed sites. This location has been identified as having the highest amount of pollution in Ventura County. The talking points pushing the need to protect oil and gas jobs by jettisoning permit compliance leaves the children of Ventura County and our neighbors vulnerable.

Thank you.

Tessa

**From:** [Sarah Bryant](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda Item 72  
**Date:** Monday, February 27, 2023 10:18:05 AM

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My name is Sarah Bryant and I am a resident of Ventura County. I am expressing my concern about the expansion of fossil fuel infrastructure in Lemonwood, an environmental justice community in Ventura County. I respectfully urge the Board of Supervisors to deny ABA Energy Corporation's appeal based on the failure to comply with legal requirements and the Planning Division's erroneous issuance of the Zoning Clearances in violation of County law.

I support the Ventura County Planning Commission's decision to deny these oil and gas wells from being re-drilled in December 2022. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools analyzed. I believe these are prudent measures the Board of Supervisors should also take into account and not ignore.

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The two oil and gas wells proposed by ABA Energy Corporation for permitting would add to the cumulative pollution burden of neighborhoods and schools nearby the proposed sites. This location has been identified as having the highest amount of pollution in Ventura County. The talking points pushing the need to protect oil and gas jobs by jettisoning permit compliance leaves the children of Ventura County and our neighbors vulnerable.

Thank you,  
Sarah Bryant

**From:** [Diego Rico](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** PL22-0152 and PL22-0153  
**Date:** Monday, February 27, 2023 10:22:29 AM

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To Whom It May Concern:

I am writing to implore the Board of Supervisors to not approve additional oil well drilling in the agriculture fields near Lemonwood Elementary School in the city of Oxnard. The State of California recommends that oil wells be at least 3,200 feet back from residential locations; these oil wells will be well within this recommendation. I would like for the Board of Supervisor to put our residents above the desire to expand oil drilling using antiquated permits. Additionally, the county has already made clear in the 2040 General Plan that communities with lower incomes, lower levels of education, and high proportion of minority residents often bear a disproportionate burden of environmental hazards; this expansion would further disregard this fact and once again put corporate profits above our community's health and well-being. I am asking for this new Board of Supervisors to do the right thing and reject the expansion of oil drilling in these agriculture fields.

Thank you,  
Diego

**From:** [Carol Holly](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Agenda Item #72, PL22-0152, PL22-0153  
**Date:** Monday, February 27, 2023 10:51:48 AM

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Comment Letter PL22-0152 and PL22-0153

Board Agenda Item #72, February 28, 2023

February 27, 2023

Honorable Board of Supervisors,

**It's time for a MORATORIUM.**

I am writing to urge you to delay a vote on this ministerial permit approval until you have considered and evaluated the potential for enacting a moratorium on new oil drilling permits in Ventura County within the 3200' setback limit established in SB 1137 and enacted into law in January, 2023. As you are aware the setback requirements were established by the Legislature because the health and safety of California residents is at great peril without those safeguards in place. The record is clear that residents, community workers, farm workers, and school children are at risk of asthma, birth defects, lung disease, and other health perils if they live and work within the 3200' setback limit enacted into law by the California Legislature.

I remind you that your Board voted a similar moratorium into place to protect the aquifer in a portion of the Oxnard agricultural fields in April of 2019. At that time, in a 5-0 vote enacting the moratorium, all Supervisors voiced the opinion that the health and safety of their constituents was paramount and that they would put that professional obligation above all else.

We are faced with an analogous choice today. The health and safety of Oxnard residents is at risk if you allow further drilling within the necessary setback limits.

I urge you to delay a vote on the permits before you today, and then enact a moratorium on new oil and gas drilling permits within the setback limits of SB 1137 in Ventura County to be in effect until further action is taken by the State or the voters on this critical issue.

Respectfully Submitted,

Carol Holly, Ojai Valley Resident

**From:** [Jonathan Ullman](#)  
**To:** [ClerkoftheBoard](#)  
**Cc:** [Elisabeth Lamar](#); [Katie Davis](#)  
**Subject:** Please deny the ABA Energy appeal  
**Date:** Monday, February 27, 2023 11:22:32 AM

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Dear Ventura County Supervisors:

The Sierra Club Santa Barbara-Ventura Chapter opposes the expansion of fossil fuel infrastructure in Lemonwood, an environmental justice community in Ventura County.

We respectfully **ask you to deny** ABA Energy Corporation's appeal based on the failure to comply with legal requirements and the Planning Division's erroneous issuance of the Zoning Clearances in violation of County law.

The communities impacted by these wells already experience a pollution burden 77 to 93 percent higher than other California communities; higher than any other community in Ventura County.

We support the Ventura County Planning Commission's decision to deny these oil and gas wells from being re-drilled in December 2022. The Planning Commission's decision reflects the need to ensure that all health and safety reviews and requirements have been addressed, and impacts on the surrounding homes and schools analyzed.

Sincerely,

Jonathan Ullman, Director  
Sierra Club Santa Barbara-Ventura Chapter

P O Box 31241  
Santa Barbara, CA 93130-1241  
Phone: (805) 617-3106

**From:** [Karina Kaye](#)  
**To:** [ClerkoftheBoard](#)  
**Subject:** Items PL22-0152 and PL220153, 2/28/2023  
**Date:** Monday, February 27, 2023 11:12:20 AM

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Dear Supervisors,

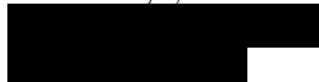
I am writing to you ahead of the decision on Tuesday, Feb 28., regarding the item to appeal the planning commission's ruling against the oil and gas operator ABA's re-drilling near the Lemonwood community in Oxnard. The site owned by ABA is situated less than one mile away from Lemonwood Elementary School and is close to residential housing and commercial agriculture. I would like to state my support for the planning commission's ruling in December 2022 against ABA because the permit owned by the operator is antiquated, and therefore unsuitable for re-drilling and expansion according to modern legislative policy and industry best management practices.

As a reminder, the Lemonwood neighborhood and surrounding communities already face a pollution burden 93% greater than other California communities and greater than any other community in the county. To allow the construction and re-drilling of these wells undermines the County's 2040 General Plan update, which considers the rights and protections of disadvantaged communities on the basis of environmental justice. Furthermore, the State has implemented a ruling to create 3,200ft setbacks between oil and gas wells and homes. The re-drilling of the 21 wells and construction of 2 additional well pads in question are within the buffer zone that the school and homes occupy. To allow ABA to continue its plans would be a violation of both state and county laws and precedents.

As a point, this is not the type of project that is needed in a community that is sorely needing advancements in sustainable development. As vice president of Climate First: Replacing Oil and Gas, I urge you to reconsider the type of development wanted and needed by those most affected by the ecological and public health legacy of this extractive, highly toxic industry.

Sincerely,

Karina Kaye, MSc.

A black rectangular redaction box covering the signature area.