

CALIFORNIA COASTAL COMMISSION

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DATE: May 31, 2001

TO: Coastal Commissioners and Interested Parties

FROM: Peter Douglas, Executive Director
Alison Dettmer, Manager Energy and Ocean Resources Unit
Robin Blanchfield, Coastal Energy Analyst

SUBJECT: **Ventura County Local Coastal Program Amendment VNT-MAJ-1-00 (Part A)** (For public hearing and Commission action on June 13, 2001 in Los Angeles)

EXECUTIVE SUMMARY

Ventura County's submitted Local Coastal Program ("LCP") Amendment VNT-MAJ-1-00 includes proposed changes to both the Land Use Plan, which is known as the Ventura County Coastal Area Plan, (hereafter referred to as "LUP/CAP"), and to the Implementation Program, which is known as the Ventura County Coastal Zoning Ordinance ("CZO"), (hereafter referred to as "IP/CZO"). This amendment package involves two components VNT-MAJ-1-00 (Part A) and VNT-MAJ-1-00 (Part B) and has been determined to be a major amendment pursuant to the requirements of 14 CCR § 13555(b).

The VNT-MAJ-1-00 (Part A), the subject of this staff report, amends the energy development sections of the LUP/CAP and the IP/CZO. The purpose of the amendment is to make the LUP/CAP and IP/CZO consistent with the energy development sections of the County's General Plan and the Non-Coastal Zoning Ordinance, and involves changes to the LUP/CAP background text and policies and to the IP/CZO development standards for oil and gas facilities. No changes to the existing certified land use zoning designations or the zoning maps for energy development are proposed.¹

¹ VNT-MAJ-1-00 (Part B) involves non-energy related amendments and is being handled under a separate staff report by the South Central Coast District Office, which is scheduled for Commission action at a later meeting.

2. Amend the text in the LUP/CAP sections related to energy facility development to update out-of-date information and to correct errors (*e.g.*, oil and gas facility names, change in oil and gas facility owner's names, and changing future tense to past tense for actions that have occurred since adoption of LUP/CAP). The proposed changes will bring the energy development sections of the LUP/CAP into conformity with updates that have already transpired in the energy development sections for the non-coastal portions of the County's General Plan.
3. Update the text and format of LUP/CAP *Appendix 9 – Standard Oil Permit Conditions* to bring it into conformity with the *Standard Oil Permit Conditions* section in the non-coastal sections of the County's General Plan.
4. Align the language and format of IP/CZO *Section 8175-5.7 - Oil and Gas Resources and Related Industrial Development* with the County's Non-Coastal Zoning Ordinance Code as it addresses standards for oil and energy development. Several changes have been made to the Non-Coastal Zoning Ordinance Code since the adoption of the CZO, and the CZO has not been revised accordingly. The proposed amendments are intended to make it easier for the public to understand and easier for the County planning staff to administer.

Additional Information. For additional information, contact Robin Blanchfield (415-904-5247) or Alison Dettmer (415-904-5205).

1.0 Staff Recommendation, Motions, and Resolutions on the Land Use Plan/Coastal Area Plan (LUP/CAP)**1.1 Staff Recommendation to Deny Certification of the LUP/CAP as Submitted**

Motion I: *I move that the Commission certify Amendment VNT-MAJ-1-00 (Part A: Elements Related to Energy Facility Development) to the Ventura County Land Use Plan/ Ventura Coastal Area Plan as submitted by the County.*

Staff Recommendation of Rejection:

Staff recommends a NO vote. The motion passes only by an affirmative vote of a majority of the appointed members of the Commission. Failure of the motion to pass will result in adoption of the following resolution.

Resolution to Deny Certification of the Land Use Plan as Submitted

The Commission hereby denies certification for Amendment VNT-MAJ-1-00 (Part A: Elements Related to Energy Facility Development) to the Ventura County Land Use Plan/Coastal Area Plan for the specific reasons discussed below in the findings on the grounds that, as submitted, it does not meet the requirements of and is not in conformity with Chapter 3 of the Coastal Act.

1.2 Staff Recommendation to Certify the LUP/CAP if Modified

Motion II: *I move that the Commission certify Amendment VNT-MAJ-1-00 (Part A: Elements Related to Energy Facility Development) to the Ventura County Land Use Plan/Coastal Area Plan as submitted by the County, if it is modified as suggested in this staff report.*

Staff Recommendation to Certify if Modified:

Staff recommends a YES vote. The motion passes only by an affirmative vote of a majority of the appointed members of the Commission. Passage of this motion will result in adoption of the following resolution.

Resolution to Certify the LUP/CAP with Suggested Modifications

The Commission hereby certifies Amendment VNT-MAJ-1-00 (Part A) to the Ventura County Land Use Plan/Coastal Area Plan, if modified as suggested, for the reasons discussed in the findings below on the grounds that, as modified, the Land Use Plan/Coastal Area Plan as amended meets the requirements of Chapter 3 of the Coastal Act. This amendment, as modified, is consistent with applicable decisions of the Commission that guide local government actions pursuant to Section 30625(c) and approval will not have significant environmental effects for which feasible mitigation measures have not been employed consistent with the California Environmental Quality Act.

to carry out the requirements of the certified Land Use Plan/Coastal Area Plan. Certification of the Implementation Program/Coastal Zoning Ordinance if modified as suggested complies with the California Environmental Quality Act, because either 1) feasible mitigation measures and/or alternatives have been incorporated to substantially lessen any significant adverse effects of the Implementation Program/Coastal Zoning Ordinance on the environment, or 2) there are no further feasible alternatives and mitigation measures that would substantially lessen any significant adverse impacts on the environment.

LUP/CAP Issue Summary	Location of LUP/CAP Section	Staff Recommended Change	Suggested # LUP/CAP Modification
<p>LUP/CAP Issue 2: Energy and Industrial Facilities Development Policy #3, which specifies that both a Conditional Use Permit (CUP) and a Coastal Development Permit (CDP) are required for oil and gas development in the coastal zone, erroneously states that this policy only applies to those projects that are <u>not</u> regulated by the Division of Oil and Gas. In addition, the policy refers to Appendix 9 – Standard Oil Permit Conditions, which Commission Staff recommended to be deleted and the County staff has agreed to delete.</p>	<ul style="list-style-type: none"> • North Coast Policy 3, Exhibit 1, page 15. • Central Coast Policy 3, Exhibit 1, page 25. • South Coast, Policy 3, Exhibit 1, page 33. 	<p>Add clarification to these policies that a CDP and CUP is required for <u>all</u> oil and gas development in the coastal zone, including those regulated by the DOGGR. Delete the reference to Appendix 9 – Standard Oil Permit Conditions.</p>	<p>LUP/CAP Modification #2.</p>
<p>LUP/CAP Issue 3: The air quality policies related to offshore oil and gas development are out-of-date with current federal Clean Air Act regulations.</p>	<ul style="list-style-type: none"> • North Coast Policy 19, Exhibit 1, page 19. • Central Coast Policy 19, Exhibit 1, page 28. • South Coast Policy 16, Exhibit 1, page 35. 	<p>Update the LUP/CAP air quality policies related to offshore oil and gas development to be consistent with the federal Clean Air Act and its implementing regulations.</p>	<p>LUP/CAP Modification #3.</p>

3.2 Summary of Suggested Modifications to the LUP/CAP

Note: The Commission's recommended modifications for changes to the County's amended LUP/CAP are shown in double underlined for added text and ~~double strikethrough~~ for deleted text.. The County's submitted amended text, as submitted in VNT-MAJ-1-00(Part A), is shown in single underline and ~~single strikethrough~~.

Suggested LUP/CAP Modification #1

Appendix 9 – Standard Oil Permit Conditions (which the County has proposed to renumber to Appendix 6) shall be deleted from the Ventura County LUP/CAP, in accordance with the deletions shown in Exhibit 3, because most of the Appendix 9 conditions are duplicated in the CZO. The detailed condition language that exists in the current certified Appendix 9 and that is not duplicated in the certified CZO shall be transferred into the appropriate CZO sections as described in **Suggested IP/CZO Modification #1**.

Suggested LUP/CAP Modification #2

Policy #3 relates to the issuance of CUPs and CDPs is repeated for each of the North Coast, Central Coast and South Coast sections of the LUP/CAP. This policy #3 shall be modified to replace its reference to Appendix 9 conditions with a reference to the CZO standards, because Appendix 9 is to be deleted from the LUP/CAP in accordance with Suggested LUP/CAP Modification #1 above. This policy shall also be modified to correctly state that all surface activities, including those regulated by the Division of Oil, Gas, and Geothermal Resources, must also get a CUP and CDP. These modifications shall be as follows:

CAP North Coast Section

Policy 3. All surface activities, including those not regulated by the Division of Oil, ~~and Gas, and Geothermal Resources~~ Related to the development of onshore oil and gas resources in the coastal zone ~~be~~ are considered to be projects that require a Conditional Use Permit (CUP) and a Coastal Development Permit. Both permits will be issued simultaneously through one C.U.P. process. ~~See Appendix 9-6 for a list of standard conditions~~ CZO Section 8175-8.7 for a list of standard oil development design and operational criteria applied to all new permits for expanded or new oil activities. Additional conditions may be required for some oil development projects depending on the specific project proposal, design, request and the location."

CAP Central Coast Section

Policy 3. All surface activities, including those not regulated by the Division of Oil, ~~and Gas, and Geothermal Resources~~ Related to the development of onshore oil and gas resources in the coastal zone are considered to be projects that require a Conditional Use Permit (CUP) and a Coastal Development Permit. Both permits will be issued simultaneously through one C.U.P. process. ~~See Appendix 9-6 for a~~

Management Plan ~~is to be~~ shall be used as a criterion in determining the consistency of federal actions on the Outer Continental Shelf (OCS) with the California Coastal Management Program (CCMP). Pursuant to Section 328 of the Federal Clean Air Act (42 USC § 7627), and implementing regulations (40 CFR Part 55), all activities on the OCS must comply with the Ventura County Air Pollution Control District Requirements Applicable to OCS Sources (February 2000), as specified in 40 CFR Part 55, Appendix A, "California," Section (b)(8).

North Coast, (Policy 16, County proposed minor text changes, no change to number):

16. Pursuant to section 307(f) of the Coastal Zone Management Act of 1972 (16 USC § 1456(f)), the adopted Ventura County Air Quality Management Plan will shall be used as a criterion for the purpose of in determining consistency of federal actions on the Outer Continental Shelf (OCS) with the California Coastal Management Program (CCMP). Pursuant to Section 328 of the Federal Clean Air Act (42 USC § 7627) and implementing regulations (40 CFR Part 55), all activities on the OCS must comply with the Ventura County Air Pollution Control District Requirements Applicable to OCS Sources (February 2000), as specified in 40 CFR Part 55, Appendix A, "California," Section (b)(8).

Suggested LUP/CAP Modification #4

- A. The Grading Operations General Statement policies #22 and #26 on page 8 of the existing certified LUP/CAP shall be modified as follows:
- 22. Where appropriate, best management practices (BMPs) for erosion control (including but not limited to sediment basins, debris basins, desilting basins, or silt traps) shall be installed on the project site prior to or concurrent with the initial grading operations and maintained by the applicant through the development process to remove sediment from runoff waters. All sediment shall be retained on-site unless removed to an appropriate approved dumping location.
 - 26. Degradation of the water quality of groundwater basins, nearby streams, wetlands or coastal waters shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, stormwater runoff that has not met the requirements of the State and County NPDES permits/regulations and other harmful waste shall not be discharged into or alongside coastal streams or wetlands either during or after construction.
- B. In accordance with the following revised language, the LUP/CAP Energy and Industrial Facilities' "Policy 4" (which sets forth Development Plan requirements), for each of the North Coast, Central Coast, and South Coast areas, shall be modified to: (1) require a Storm Water Pollution Control Plan for construction in "Policy 4e"; (2) have a new

- C. Using the language below, add a new Policy # to the "Energy and Industrial Facilities" policy sections for the LUP/CAP North Coast Area (Exhibit 1, page 17), LUP/CAP Central Coast area (Exhibit 1, page 25), and LUP/CAP South Coast area Exhibit 1, page 33).

Policy #. Coastal Act sections 30101, 30101.3, 30255, and 30260, will be used as the criteria by the County to determine, on a case-by-case basis, whether onshore or offshore oil and gas development and an energy-related industrial facility supporting such development is defined as "coastal-dependent development" or "coastal-related development", based on the specific geographic, technological, and economic characteristics of the project being proposed.

Issue Summary	Location of Affected IP/CZO Section	Staff Recommended Change	# of Suggested Modification
<p>IP/CZO Issue 2: The revised (renumbered) CZO section 8175-8.7.6.e that requires a grading plan for oil and gas facilities is out-of-date and does not sufficiently reflect the comprehensiveness of the State's and the County Flood Control District's updated policies and zoning standards for Stormwater Pollution Control Plans and NPDES permits.</p>	<p>Exhibit 2, CZO section 8175-8.7.6., page 59.</p>	<p>Add a new Development Plan criteria to CZO Section 8175-8.7.6 which requires a Stormwater Pollution Control Plan for all facilities supporting oil and gas development, pursuant to the State and County regulations for NPDES permits and Stormwater Pollution Control Plans.</p>	<p>IP/CZO Modification #2.</p>
<p>IP/CZO Issue 3: Currently CZO sections 8175-5.7.8.b.3 and 8175-5.7.8.b.4 has environmental protection standards, which apply to all phases and types of oil and gas facilities. County's proposes to relocate these to a new CZO subsection 8175-5.7.8.e for the "installation and operation of oil and gas pipelines." This relocation in the CZO has the effect of narrowing the application of these development standards from "all oil and gas facilities" to just "oil and gas pipelines." This change is inconsistent with and will not adequately implement the LUP/CAP policies.</p>	<p>Exhibit 2, CZO section 8175-5.7.8.e.3 and 8175-5.7.8.e.4, page 60.</p>	<p>Move and renumber proposed CZO sections 8175-5.7.8.e.3 and 8175-5.7.8.e.4 to become CZO sections 8175-5.7.8.l and 8175-5.7.8.m. This move will allow the standards to be applied to all oil and gas facilities.</p>	<p>IP/CZO Modification #3.</p>
<p>IP/CZO Issue 4: County's proposed language changes to CZO section 8175-5.7.8.k delete certified language that is more protective of the coastal zone resources. The amended section is not adequate to implement the certified policies of the LUP/CAP.</p>	<p>Exhibit 2, CZO Section 8175-5.7.8.k, page 62.</p>	<p>Reinstate the language, which is proposed to be deleted.</p>	<p>IP/CZO Modification #4.</p>

Issue Summary	Location of Affected IP/CZO Section	Staff Recommended Change	# of Suggested Modification
<p>IP/CZO Issue 9: A number of the CZO sections use the word “should”, which implies discretionary compliance with the development standard. This is not the case, since these are mandatory standards that must be complied with.</p>	<p>See Exhibit 2:</p> <ul style="list-style-type: none"> (a) Section 8175-5.7.7.a, page 59. (b) Section 8175-5.7.7.b, page 60. (c) Section 8175, 5.7.7.c, page 60. (d) Section 8175-5.7.7.e.1, page 60. (e) Section 8175-5.7.7.e.2, page 60. (f) Section 8175-5.7.7.e.7, page 60. (g) Section 8175-5.7.7.e.9, page 61. (h) Section 8175-5.7.7.f, page 60. (i) Section 8175-5.7.7.g, page 61. (j) Section 8175-5.7.7.h, page 61. (k) Section 8175-5.7.7.i, page 61. (m) Section 8175-5.7.7.j, page 61. 	<p>Replace the word “should” with “shall”.</p>	<p>IP/CZO Modification # 9</p>

than two (2) equivalent round-trip tanker truck trips per day shall be permitted to haul oil and waste products generated from an area under an oil permit through residential streets unless the Planning Director authorizes additional trips.

Sec. 8175-5.7.7.e.2. New pipeline corridors should be consolidated with existing pipeline or electrical transmission corridors where feasible, unless there are overriding technical constraints or significant social, aesthetic, environmental, or economic reasons not to do so. Installation of pipelines and utility lines (as applicable) shall be within the road prism of project access roads, to the extent practicable, to prevent additional loss of habitat.

D. Landscape Requirements

Add language to "Sec. 8175-8.7.8.w" that clarifies that landscape plans will be reviewed against the CAP as well as the Guide to Landscape Plan and that the more restrictive policies will prevail. Also add two new subsections Sec. 8175-8.7.8.w.1 and 8175-8.7.8.w.2 to add additional standards for landscaping around pipelines and well drill pads.

Sec. 8175-8.7.8.w Screening and Landscaping – All oil and gas production areas shall be landscaped so as to screen production equipment in a manner consistent with the natural character of the area, if required, based on the Planning Director's determination that landscaping is necessary. Required landscaping shall be implemented in accordance with a landscape and irrigation plan to be approved by the Planning Director or his/her designee after consultation with the property owner. The landscape plan shall be consistent with Ventura County Guide to Landscape Plans, or Coastal Area Plan policies, whichever are more restrictive, provided that no landscape plan shall be approved which does not comply with the Coastal Area Plan policies. This landscape plan shall include, but not be limited to, measures for adequate screening of producing wells and permanent equipment from view of public roads or residential uses, revegetation of all cut and fill banks, and the restoration of disturbed areas of the site not directly related to oil and gas production. Low water usage landscaping and use of native plants shall be encouraged.

Sec. 8175-8.7.8.w.1. Landscaping and Above Ground Pipelines. Consideration shall also be given to above ground pipelines which are part of the project. Landscape maintenance shall be subject to periodic inspection by the County. The permittee shall be required to remedy any defects in landscape maintenance within 30 days of notification by the County.

Sec. 8175-8.7.8.w.2. Landscaping and Well Drill Pads

- a. If wells are brought into production, the site shall be landscaped so as to screen production equipment from view from neighboring residences in a manner consistent with the natural character of the area.

Stormwater Permit, including the development and submittal of a Stormwater Pollution Prevention Plan.

Suggested IP/CZO Modification #3

Proposed renumbered CZO Sections 8175-5.7.7.e.3. and 8175-5.7.7.e.4. (currently numbered 8175-5.7.8.b. and 5.7.8.c. respectively) shall be moved and renumbered to become 8175-5.7.8.m and 8175-5.7.8.n.

~~Sec 8175-5.7.8.b. 3. All proposed energy and industrial facilities shall be so sited and designed to eliminate or reduce, to the maximum extent feasible, impacts to biological, geological, archaeological, agricultural, visual and recreational resources.~~

~~Sec 8175-5.7.8.c. 4. In sensitive resource areas, the extent of construction and ground surface disturbance shall be reduced to a minimum by restricting construction activities and equipment within narrow, limited, and staked work corridors and storage areas.~~

Sec. 8175-5.7.8.l (intentionally omitted)

~~Sec. 8175-5.7.8.b. Sec. 8175-5.7.7.e.3~~ Sec 8175-5.7.7.m. All proposed energy and industrial facilities shall be so sited and designed in compliance with CEQA requirements to eliminate or reduce, to the maximum extent feasible, impacts to biological, geological, archaeological, paleontological, agricultural, visual, and recreational resources; air and water quality resources, and any other resources which may be identified.

~~Sec. 8175-5.7.8.c. Sec. 8175-5.7.7.e.4~~ Sec 8175-5.7.7.n. In sensitive resource areas, the extent of construction and ground surface disturbance shall be reduced to a minimum by restricting construction activities and equipment within narrow, limited, and staked work corridors and storage areas.

Suggested IP/CZO Modification #4

Section 8175-5.7.8.k shall be modified to reinstate the proposed deleted language as follows:

~~Sec. 8175-5.7.8.a. Sec. 8175-5.7.8 k. Projects shall be located, designed and operated so as to minimize their adverse impact on the physical and social environment. To this end, dust, noise, vibration, noxious odors, intrusive light, aesthetic impacts and other factors of nuisance and annoyance shall be reduced to a minimum or eliminated through the best accepted practices incidental to the exploration and production of oil and gas. In the design and operation of new or modified oil and gas production facilities, best accepted practices in drilling and production methods should shall be utilized if capable of reducing factors of nuisance and annoyance to eliminate or minimize to the maximum extent feasible any adverse impact on the physical and social environment. To this end, dust, noise, vibration, noxious odors, intrusive light, aesthetic impacts and other factors of nuisance and annoyance shall be reduced to a minimum or eliminated through the best accepted practices incidental to the exploration and production of oil and gas.~~

Suggested IP/CZO Modification #8

Section 8175-5.7.9.j shall be deleted because it duplicates 8175-5.7.8.g.

~~Sec. 8175-5.7.9.d. Sec. 8175-5.7.7.j. Light Emanation Light emanation shall be controlled so as not to produce excessive levels of glare or abnormal light levels directed at any neighboring uses. Lighting at night should be kept to a minimum to maintain approximate normal nighttime light levels.~~

Suggested IP/CZO Modification #9

The proposed renumbered CZO sections, as indicated below, shall be revised to replace the word "should" with the word "shall" as follows:

- a) ~~Sec. 8175-5.7.8.e.~~ [Sec. 8175-5.7.7].a. Permit areas and drill sites ~~should~~ shall be consolidated, and sized generally coincide and ~~should~~ shall be only to be as large enough as necessary to accommodate permitted typical drilling and production equipment.
- b) ~~Sec. 8175-5.7.8.f.~~ [Sec. 8175-5.7.7].b. The number of drill sites in an area ~~should~~ shall be minimized by using centralized drill sites, directional drilling, and other techniques.
- c) ~~Sec. 8175-5.7.8.g.~~ [Sec. 8175-5.7.7].c. Drill sites and production facilities ~~should~~ shall be located so that they are not readily seen. All permanent facilities, structures, and aboveground pipelines on the site shall be colored so as to mask the facilities from the surrounding environment and uses in the area. Said colors shall also take into account such additional factors as heat buildup and designation of danger areas. Said colors shall be approved by the Planning Director prior to the painting of facilities.
- d) ~~Sec. 8175-5.7.13.a.~~ [Sec. 8175-5.7.7.e].1. Pipelines ~~should~~ shall be used to transport petroleum products offsite to promote traffic safety and air quality. Transshipment of crude oil through an onshore pipeline for refining shall be a condition of approval for expansion of existing processing facilities or construction of new facilities.
- e) ~~Sec. 8175-5.7.13.d.~~ [Sec. 8175-5.7.7.e].2. New pipeline corridors ~~should~~ shall be consolidated with existing pipeline or electrical transmission corridors where feasible, unless there are overriding technical constraints or significant social, aesthetic, environmental, or economic reasons not to do so.
- f) ~~8175-5.7.13.e~~ [Sec. 8175-5.7.7.e] 7. All offshore to onshore pipelines ~~should~~ shall, where feasible, be located at existing pipeline landfall sites, and ~~should~~ shall be buried from a point where wave action first causes significant bottom disturbance. In addition, landfall sites are prohibited from areas designated as "Residential" or shown as "environmentally sensitive habitat."
- g) ~~Sec. 8175-5.7.13.g~~ [Sec. 8175-5.7.7.] 9. Prior to issuance of any permit pursuant to this Chapter, a geologic investigation shall be performed by a qualified

4.0 Findings and Declarations for the Land Use Plan/Coastal Area Plan (LUP/CAP)

The Commission hereby finds and declares as follows:

4.1 Standard of Review for the Land Use Plan Amendments

The Coastal Act provides:

The commission shall certify a land use plan, or any amendments thereto, if it finds that a land use plan meets the requirements of, and is in conformity with, the policies of Chapter 3 (commencing with Section 30200)... (Section 30512(c))

The standard of review that the Commission uses in reviewing the adequacy of the land use plan is whether the land use plan is consistent with the policies of Chapter 3 of the Coastal Act.

4.2 Background of the Ventura County LUP/CAP Policies Related to Energy and Industrial Facilities

The Ventura County's LUP/CAP is intended to serve as the County's "land use plan" and "local coastal element" applicable to the unincorporated portions of the coastal zone as required by the California Coastal Act of 1976, Public Resources Code Section 3000 et seq. The LUP/CAP is the Area Plan under the County's General Plan for the Coastal areas of the County, and therefore is a component of the County's General Plan.

The Ventura County's LUP/CAP is structured to correspond to the three geographic areas of the Ventura County coastline: North Coast, Central Coast, and South Coast. The LUP/CAP contains background information that describe the types of development and types of coastal zone resources located within each of three geographic areas, and then provides the land use designations and development policies for development specific to each of the geographic areas.

With regard to energy-related development, the majority of facilities supporting onshore and offshore oil and gas development are located in the North Coast area, and a few are also located in the Central Coast area. The County does not anticipate major new oil and gas developments in the North and Central Coast areas, because the designated land use areas zoned for oil and gas are largely built out. However, there is the potential for expansion of existing facilities. No oil and gas related facilities are currently located in the South Coast area and are not anticipated to be located there in the future.

The objective and policies for Energy and Industrial Facilities are essentially the same for each of the three LUP/CAP areas (North Coast, Central Coast, and South Coast) and are repeated within each of their respective LUP/CAP sections. The goals, objectives and policies of the LUP/CAP are cumulative and as such the individual objectives and policies specific to Energy and Industrial Facilities are interpreted and applied in the context of the overall objectives, goals, and policies of the certified LUP/CAP.

the exception of Energy and Industrial Facility Policy #3 (which is discussed below), the County's proposal to add facility abandonment policies and other clarifications to its policies (see Exhibit 1) strengthen the LUP/CAP, and are consistent with the intent and language of the Chapter 3 policies of the Coastal Act.

The proposed changes to LUP/CAP Energy and Industrial Development Policy #3 as amended by the County (Exhibit 2, pages 17,25,33) reads:

- [Policy] 3. All surface activities not regulated by the Division of Oil and Gas ~~R~~related to the development of onshore oil and gas resources in the coastal zone are considered to be projects that require a Conditional Use Permit (CUP) and a Coastal Development Permit. Both permits will be issued simultaneously through one CUP process. See Appendix 9 ~~6~~ for a list of standard conditions applied to all new permits for oil activities. Additional conditions may be required depending on the specific request and the location.

The County is proposing only minor changes to Policy 3. However, those changes highlight an existing error in which the certified text erroneously states that only those oil and gas development "surface activities *not* regulated by the Division of Oil and Gas . . . require a Conditional Use Permit (CUP) and Coastal Development Permit (CDP). . ." This mistakenly suggests that those surface activities related to onshore oil and gas development that are regulated by the Division of Oil and Gas and Geothermal Resources (DOGGR) are exempt from a CDP. This is not the case. In fact, *all* surface activities related to the development of onshore oil and gas development and that are located in the coastal zone, including those regulated by the DOGGR, are required to have a CDP.

The Commission also notes that the agency title "Division of Oil and Gas" should be updated to the current agency name of "Division of Oil and Gas and Geothermal Resources (DOGGR)." In addition, the phrase in the last sentence which states, "See Appendix 9 ~~6~~ for a list of standard conditions," should be deleted and revised to refer the reader to the appropriate CZO section instead, because the Commission has recommended in **Suggested LUP/CAP Modification #1** that Appendix 9 be deleted (see Commission Findings Section 4.3).

Therefore the Commission recommends that the County revise its amended Policy #3 in accordance with the revisions described in **Suggested LUP/CAP Modification #2**. With revisions to Policy #3 done in accordance with **Suggested LUP/CAP Modification # 2**, the Commission finds the County's amended Policy #3 consistent with the Chapter 3 policies of the Coastal Act.

4.4 Proposed Changes to the LUP/CAP Appendix 9 – Standard Oil Permit Conditions and Consistency with the Chapter 3 Policies of the Coastal Act

Amendment VNT-MAJ-1-00 (Part A) updates the condition language and organization of the CAP *Appendix 9 – Standard Oil Permit Conditions* and the CZO standards for oil and gas development projects in the coastal zone. Since 1989, the zoning criteria and the comparable General Plan guidelines for oil permit conditions for the non-coastal portion of the General Plan have been revised several times. However, LUP/CAP Appendix 9, which

conditions that are required in order for an oil and gas development project to be consistent with LUP/CAP policies for oil and gas facilities. In addition, as noted above, there are inconsistencies between the Appendix 9 conditions and the oil and gas development standards in CZO Section 8175-8.7: *Oil and Gas Resources and Related Industrial Development*.

During the review of Amendment VNT-MAJ-1-00 (Part A), the Commission staff and County staff had several discussions about the relationship of the LUP/CAP Appendix 9 – Standard Oil Permit Conditions to the LUP/CAP and to the IP/CZO. The Commission staff learned that Appendix 9 is used primarily as an information document to inform the applicant about the standard oil permit conditions that are required of all oil and gas development projects and the specific conditions that may be required on a case-by-case basis. The oil and gas development standards in CZO Sections 8175-8.7.6 through 8175-8.7.8 are the final legal authority for ensuring compliance.

Subsequent to those discussions, County staff proposed to completely delete Appendix 9 from the LUP/CAP since its purpose appeared to be made redundant by CZO Sections 8175-8.7.6 through 8175-8.7.8. However, in order to streamline the process for approval of such an amendment, the County staff requested that the proposal for deletion of Appendix 9- Standard Oil Permit Conditions be made part of the Commission's Suggested Modifications for VNT-MAJ-1-00 (Part A).

In response, Commission staff conducted a review of Appendix 9 conditions to determine what effects, if any, would be caused by the deletion of LUP/CAP Appendix 9. Commission staff determined that Appendix 9 did not need to be part of the certified LUP/CAP. The County could provide the information in Appendix 9 in a separate information document to applicants.

For effective implementation of LUP/CAP policies, the Commission has determined it is less confusing and legally stronger to have the Appendix 9 condition language incorporated directly into CZO Sections. Most of the conditions in Appendix 9 are already duplicated in the CZO. For those conditions that are not in the CZO the Commission has identified the specific subsections within CZO Sections 8175-8.7.6 through 8175-8.7.8 where the condition language should be added as a new development standard or amended to one or more existing development standards. These suggestions are contained in **Suggested IP/CZO Modification #1**. A summary of the CZO sections that will be affected by the deletion of Appendix 9 is provided in *Table 2 – Summary of Issues Raised by Proposed Changes to the Implementation Program/Coastal Zoning Ordinance* on page 16.

The Commission finds the County's proposed changes to Appendix 9 – Standard Oil Permit Conditions, as modified by Suggested LUP/CAP Modification #1 to delete Appendix 9 from the LUP/CAP and incorporate the Appendix 9 conditions directly into the CZO, is consistent with the Coastal Act Chapter 3 policies for energy and industrial development and protection of coastal zone resources (PRC sections 302030, 30231, 30232, 30240, 30251, 30252, 30260, 30262).

which requires a site on, or adjacent to, the sea to function at all. Pursuant to Section 30101.3 of the Coastal Act, "Coastal-related development" means any use that is dependent on a coastal-dependent development or use.

Notwithstanding these added clarifications, the fact remains that when the background statement, "separation/treatment facilities supporting offshore oil and gas development would be considered coastal dependent" is read in conjunction with Policy 2 on page 54 of the LUP/CAP, it sets forth a process whereby all proposed onshore "oil and gas separation/treatment facilities supporting offshore oil and gas development" can automatically be defined as "coastal dependent development or use." As a result, under the LUP/CAP's incorporation of Coastal Act Section 30255, all oil and gas separation/treatment facilities supporting offshore oil and gas development" would be given priority over other developments on or near the shoreline and automatically receive the benefit of the County's LUP/CAP special provisions under Coastal Act section 30260 (incorporated by reference into the LUP/CAP) which allows "coastal dependent industrial" developments which are not consistent with the Coastal Act Chapter 3 policies to still be located in the coastal zone if certain alternative criteria are met.

Technologies have changed substantially since 1982 when the County's LUP/CAP was certified with the language above. Experience in Santa Barbara County (*e.g.*, Las Flores Canyon Processing Facility) has shown the Commission that, although "offshore oil and gas development" may be coastal dependent because it must be "on or adjacent to the sea to function at all," the related onshore oil and gas separation/treatment facilities are not necessarily coastal dependent and can instead be located further inland with pipelines connecting them to the offshore facilities. Thus, onshore oil and gas separation/treatment facilities that are supporting offshore oil and gas development are more correctly defined, on a general basis, as "coastal related development" pursuant to the Coastal Act Section 30101.3. Accordingly, "coastal related" industrial development would need to satisfy the Coastal Act's Chapter 3 policies, which are incorporated by reference into the County's LUP/CAP, and would not automatically receive the benefit of the "override provision" as incorporated by Coastal Act Section 30260.

In addition, the Commission notes that advances in extended reach drilling technologies now enable some onshore drilling facilities to reach state offshore oil reservoirs from further inland (and in some cases could even be sited outside the coastal zone). Therefore, from a technological perspective, not all onshore drilling for oil and gas offshore development needs to "be on or adjacent to the sea to function at all". In those cases where there is a feasible technological alternative to locate the drilling facility further inland, then the drilling facility should be defined as "development" and not "coastal dependent industrial development." In that case, in accordance with Coastal Act Policy 30255, preference should not be given to locating that drilling facility over "other developments on or near the shoreline." In addition, the facility should not automatically receive the benefit of the "override provision" pursuant to Coastal Act Section 30260.

Commission staff has had several discussions with the County staff about the most effective way to correct and update the LUP/CAP's text and policies which now state that "all separation and treatment facilities supporting offshore oil and gas development are considered to be coastal-dependent" and are allowed coastal development permits pursuant

greater than the cumulative impacts of not facilitating recharge within the same drainage area.

26. Degradation of the water quality of groundwater basins, nearby streams or wetlands shall not result from development of the site. Pollutants, such as chemicals, fuels, lubricants, raw sewage, and other harmful waste shall not be discharged into or alongside coastal streams or wetlands either during or after construction.

These and other policies in the Ventura County LUP/CAP seek to carry out Coastal Act Section 30230, which requires that marine resources shall be maintained, enhanced, and where feasible, restored, and Coastal Act Section 30231, which requires the protection of the biological productivity and the quality of coastal waters, streams, estuaries, and other water bodies.

Since the original certification of the LUP/CAP in 1982, the federal Clean Water Act and its implementing regulations, and the state level California Porter Cologne Act and its implementing regulations, have been amended to provide additional water quality protection requirements. These LUP/CAP policies have not been updated to reflect the numerous revisions the County has made to its site erosion and water quality management policies and standards to comply with these federal and state laws and regulations. Consequently, the LUP/CAP Grading Operation policies (CAP, page 8), as currently written, are not fully consistent with the intent and language of Section 30230 and 30231 of the Coastal Act, because they do not reflect the additional feasible site development and water pollution prevention measures that are available to protect the quality of coastal and marine waters.

The other changes proposed to the LUP/CAP's policies for "Energy and Industrial Facilities" affect and are affected by these grading operation and water quality policies. For example, the LUP/CAP Energy and Industrial Facility Policy 4 sets forth the requirements for what must be included in an applicant's Development Plan. As certified, the current Policy 4(e) only requires the submittal of a "grading plan" with no requirements for (1) preparation, submittal and approval of Storm Water Pollution Control Plan in accordance with the Ventura County Municipal Storm Water Permit, Order No. 00-108, Part 4 – Special Provisions, D. Programs for Construction Sites, or (2) preparation, submittal, and approval of a Storm Water Pollution Prevention Plan (SWPPP) in accordance with the State General Permit for Storm Water Discharges Associated with Construction Activity, whichever is applicable. Similarly, there is no requirement for the oil and gas facility to comply with the terms and requirements of the State General Industrial Activities Stormwater Permit, including the development and submittal of a Stormwater Pollution Prevention Plan for post-construction operations.

The Commission recommends that LUP/CAP General Statement policies #22 and #26 and Energy and Industrial Facilities Policy #4, be revised and updated as described in **Suggested LUP/CAP Modification 4A and 4B**.

The Commission finds that, with the revisions proposed in **Suggested LUP/CAP Modification 4A and 4B**, the LUP/CAP policies for grading operations for energy industrial facilities will reflect the State and County current policies and regulations for

5.0 Findings and Declarations for the Implementation Program/Coastal Zoning Ordinance (IP/CZO)

The Commission hereby finds and declares:

5.1 Standard of Review for the IP/CZO

The Coastal Act provides:

The local government shall submit to the Commission the zoning ordinances, zoning district maps, and, where necessary, other implementing actions that are required pursuant to this chapter...

The Commission may only reject ordinances, zoning district maps, or other implementing actions on the grounds that they do not conform with, or are inadequate to carry out, the provisions of the certified land use plan. If the Commission rejects the zoning ordinances, zoning district maps, or other implementing actions, it shall give written notice of the rejection specifying the provisions of land use plan with which the rejected zoning ordinances do not conform or which it finds will not be adequately carried out together with its reasons for the action taken.

The Commission may suggest modifications in the rejected zoning ordinances, zoning district maps, or other implementing actions, which, if adopted by the local government and transmitted to the Commission shall be deemed approved upon confirmation by the executive director. The local government may elect to meet the Commission's rejection in a manner other than as suggested by the Commission and may then resubmit its revised zoning ordinances, zoning district maps, and other implementing actions to the Commission... (Sec. 30513)

The standard of review used by the Commission in reviewing the adequacy of zoning and other implementing measures is whether the implementing measures are consistent with and adequate to carry out the land use plan.

5.2 LUP/CAP Energy and Industrial Facilities Policies and the Structure of the Certified IP/CZO

The Ventura County IP/CZO "implements the objectives and policies of the Ventura County's General Plan, including the Local Coastal Program Land Use Plan [known as the Coastal Area Plan (CAP)]" (Section 8171-2). CZO Section 8171-6 further provides that both documents [the certified CAP and the CZO] shall be used when analyzing development requests. No permit shall be issued for any development (construction, improvement, or otherwise) unless specifically provided for or permitted by the CZO (CZO Section 8171-4.3.).

CZO Section 8171-5.7: *Oil and Gas Resources and Related Development* sets forth the development standards for all facilities or uses related to both onshore and offshore oil and gas development.

Because the Appendix 9 conditions were largely duplicative of the CZO standards and since the CZO is the ultimate regulatory authority for permit compliance, the Commission recommends in **Suggested LUP/CAP Modification #1** that the County delete Appendix 9, with the provision that the more detailed requirements of some of the Appendix 9 Conditions that are not duplicated in the CZO be transferred to the appropriate corresponding subsections of CZO section 8175-8.7. Ventura County staff agreed with the Commission's recommendation for deletion of Appendix 9.

The deletion of Appendix 9 will create some gaps between the more detailed requirements specified in certain Appendix 9 Conditions and the corresponding CZO sections, as indicated below.

Gaps and Inconsistencies Between Appendix 9 Condition Language and Corresponding CZO Section	
<i>CAP Appendix 9 – Standard Oil Spill Conditions Requirements That Are Not Duplicated in Certified CZO</i>	Corresponding subsections within CZO Section 8175-5.7 <i>Oil and Gas Resources and Industrial Facilities</i>
(a) The "PART B- CEQA Requirements" provides detailed issue areas that must be included at a minimum in the CEQA review process.	(a) Proposed CZO section 8175-5.7.7.m does not have the detailed CEQA requirements.
(b) Appendix 9-Condition A-14 has requirements for "maximum on-site storage capacity for shipping tanks."	(b) Currently there is no CZO section to specify requirements for "shipping tanks carrying capacity."
(c) Condition A-19 pertaining to the transporting of oil, gas, and waste products has detailed requirements for maximum number of tanker truck trips are allowed in a day if the transport pipeline is infeasible or out of service.	(c) Proposed CZO section 8175-5.7.7.e.1 does not specify similar requirements for maximum number of tanker truck trips.
(d) Condition A-20 pertaining to landscape plan and screening requirements has detailed requirements for landscaping of drill pads.	(d) Proposed CZO section 8175-5.7.8.w does not include similar detailed requirements for landscaping drill pads.
(e) Condition A-21 pertaining to dust prevention, has detailed requirements for oiling dirt roads.	(e) Proposed CZO section 8175-5.7.8.f is inconsistent with the language and requirements of Condition A-21.

The conditions in Appendix 9 had been used in conjunction with the corresponding CZO standards to ensure that oil and gas development projects meet the LUP/CAP's Energy and Industrial Facilities' general objective for providing environmental protection and the more specific mandate of Policy 5 requiring that "all energy and industrial facilities be sited and designed to eliminate or reduce to the maximum extent feasible, impacts to biological, geological, archeological, agricultural, visual, and recreational resources." If Appendix 9 and its more detailed conditions are deleted without transferring the more detailed condition requirements to the applicable CZO section, then the CZO will be inconsistent with and not able to carry out implementation of the LUP/CAP's Energy and Industrial Facilities' general

- b. The County's proposed language changes to CZO section 8175-5.7.8.k deletes certified language that is more protective of the coastal zone resources. The County proposes to delete the following language from CZO Section 8175-5.7.8.k:

"Projects shall be located, designed and operated so as to minimize their adverse impact on the physical and social environment. To this end, dust, noise, vibration, noxious odors, intrusive light, aesthetic impacts and other factors of nuisance and annoyance shall be reduced to a minimum or eliminated through the best accepted practices incidental to the exploration and production of oil and gas."

The deletion of this language weakens the CZO standard in Section 8175-5.7.8.k, and is not consistent with and is insufficient to carry out the mandate of LUP/CAP Energy and Industrial Development Objectives and Policy #5. (For description of Objectives and Policy #5 see Commission Findings' Section 5.2 above.)

- c. The County's proposal to move and renumber CZO Section 8175-5.7.9 - "Operational Standards" to CZO Section 8175-8.7.7 - "Oil Development and Operational Standards" is inconsistent with and does not accurately reflect the fact that site location and design criteria follow in the subsections of CZO section 8175-5.7.7(a)-(k).
- d. The title of "Site Location and Design Criteria" proposed for CZO Section 8175-5.7.8 is inconsistent with and does not accurately describe the operational standards that are actually listed in the subsections under Section 8175-5.7.8.
- e. In CZO Section 8175-5.7.8.a - "Setbacks" there is internal inconsistency between the 800 foot setback standard in 8175-5.7.8.a and the 500 setback standard in 8175-5.7.8.a.3. This internal inconsistency creates a conflict of standards for governing for permit compliance.
- f. Proposed CZO section 8175-5.7.7.j is inconsistent with the language of proposed CZO section 8175-5.7.8.g.
- g. A number of the CZO subsections within 8175-5.7, use the word "should" which implies discretionary compliance with the development standard. This is not the case, since these are mandatory standards. The word "should" needs to be replaced with "shall."

It can be argued that these are relatively minor internal conflicts and that when the proposed changes to the CZO Section 8175-8.7 are read in the context of the larger governing standards of the CZO then CZO 8175-8.7 remains consistent with the LUP/CAP. However, the internal conflicts and inconsistencies noted above are misleading and confusing, thereby creating a CZO that is not legally adequate to fully carry out, without ambiguity, the LUP/CAP Energy and Industrial Facilities' Objectives and Policy #5, as described above in the Commission Findings' Section 5.2.

be discharged into or alongside coastal streams or wetlands either during or after construction.

As discussed previously in the Commission's Findings Section 4.5, there have been several revisions to the federal, state, and local laws and regulations strengthening the requirements for water quality protection from nonpoint source pollution and stormwater run-off, since the Ventura LUP and CZO were certified in 1982 and 1983, respectively.

The Development Plan criteria specified under the certified IP/CZO *Section 8175-5.7.e - Development Plan* require all energy industrial development projects to provide:

Section 8175-5.7.6.e. Grading Plans for all facilities requiring the movement of greater than 50 cubic yards of dirt.

These plan requirements are general and do not require the applicant to either specify or implement management measures or practices to protect water quality. The other changes proposed to the LUP/CAP's policies and CZO development standards for Energy and Industrial Facilities affect and are affected by this grading operation development standard.

CZO Section 8175-5.7.6.e has not been updated to more accurately reflect and reference the State's and County's updated policies and regulations for Storm Water Pollution Control Plans that are required for the construction of energy industrial development projects. Nor does this CZO section accurately reflect or reference the State General Industrial Activities Stormwater Permit, including the development and submittal of a Stormwater Pollution Prevention Plan.

Section 8175-5.7.6.e as currently written is not consistent with and is not adequate to carry out the LUP/CAP General Statement policies 22, 25, 26 because it does not provide the specific water quality protection measures for construction and post-construction activities that are required under the other State and County regulations and programs.

After consultation with the County staff, the Commission staff has developed **Suggested IP/CZO Modification #2**. The Commission finds that if CZO Section 8175-5.7.6 is revised in accordance with **Suggested IP/CZO Modification #2** then the CZO will be adequate to carry out the certified LUP/CAP general statement policies 22, 25, and 26 for water quality protection.

5.6 Conclusion

The Commission commends the County for updating their LUP/CAP text and policies and IP/CZO standards for Energy and Industrial Facilities. The Commission also appreciates the County staff's responsiveness to the Commission's suggestions.

EXHIBIT 1

VNT-MAJ-1-00 (PART A) Proposed Amendments to Ventura County Coastal Area Plan

VENTURA COUNTY GENERAL PLAN AMENDMENT (GPA) NO. 00 – 3
COMPONENT B

Amended by the Ventura County Board of Supervisors on
_____, 2000

Certified by the California Coastal Commission on
_____, 2001

COUNTY GENERAL PLAN

VENTURA COUNTY GENERAL PLAN

Title page [add]: Amended - _____, 2000

pg. iii: Coastal Area Plan (12—10—96) (- - 2000)

COASTAL AREA PLAN

COASTAL AREA PLAN OF
THE VENTURA COUNTY GENERAL PLAN

Title page [add]: Amended - _____, 2000

Title page [add]: Certified - _____

COASTAL PLAN APPENDICES
(Separately bound in one volume)

- pg. iv:
- Appendix 1 — Guidelines for Orderly Development (1985)
 - Appendix 2 — National Natural Landmarks Program (1979)
 - Appendix 3 — Statewide Interpretive Guidelines for Wetlands and
Other Wet, Environmental Sensitive habitats (1981)
 - Appendix 4 1 Archaeological Guidelines (1980)
 - Appendix 5 2 Paleontological Guidelines (1980)
 - Appendix 6 3 Guidelines for Implementation of the California Land
Conservation Act of 1965 (The Williamson Act) (1989)
(2000)
 - Appendix 7 4 California Department of Navigation and Ocean
Development, Survey of Ventura County Beaches
(1977)
 - Appendix 8 5 Policy for the Location of Onshore Oil Facilities (1968)
 - Appendix 9 6 Standard Oil Permit Conditions (1989) (2000)

SUMMARY OF COASTAL ACT POLICIES

pgs. 13 & 14:

Integrating the Coastal Act policies with County needs is an important aspect of developing the Land Use Plan. County policies must be aligned with mandated State policies so the course of coastal development is clear, balanced, and in concert with the intent of the Act: "That to promote the public safety, health, and welfare, and to protect public and private property, wildlife, marine fisheries, other ocean resources, and the natural environment, it is necessary to protect the ecological balance of the coastal zone and prevent its deterioration and destruction" [§ "30001(c)].

Sections of the Coastal Act, as amended from time to time by the State, immediately relevant to each of the issues are provided in the following pages. For purposes of this land use Plan, the definitions found in the Coastal Act will be utilized.

The California State legislature recognized that there was a potential for conflicts between the policies. Section 30007.5 states that when conflicts do arise, they will be resolved by taking a balanced direction that is most protective of significant coastal resources.

Environmentally Sensitive Habitats

§ 30233(a).

"The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects. and shall be limited to the following:

- (1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.
- (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.
- (3) In wetland areas only, entrance channels for new or expanded boating facilities; and in a degraded wetland, identified by the Department of Fish and Game pursuant to subdivision (b) of Section 30411, for boating facilities if, in conjunction with such boating facilities, a substantial portion of the degraded wetland is restored and maintained as a biologically productive wetland, ~~; provided, however, that in no event shall~~ The size of the wetland area used for such boating facility facilities, including berthing space, turning basins, necessary navigation channels, and any necessary support service facilities, be greater than shall not exceed 25 percent of the total degraded wetland area to be restored.
- (4) In open coastal waters, other than wetlands, including streams, estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.
- (5) Incidental public service purposes, including, but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.

pg. 17: Commercial Fishing and Recreational Boating

§ 30234.5 "The economic, commercial, and recreational importance of fishing activities shall be recognized and protected."

modifications may delay achievement of air quality goals in the southern California air basin and other regions of the state.

(e) The County of Santa Barbara has issued an Oil Transportation Plan which assesses the environmental and economic differences among various methods for transporting crude oil from offshore California to refineries.

(f) The Governor should help coordinate decisions concerning the transport and refining of offshore oil in a manner which considers state and local studies undertaken to date, which fully addresses the concerns of all affected regions, and which promotes the greatest benefits to the people of the state.

§ 30265.5. (a) The Governor, or the Governor's designee, shall coordinate activities concerning the transport and refining of offshore oil. Coordination efforts shall consider public health risks, the ability to achieve short- and long-term air emission reduction goals, the potential for reducing California's vulnerability and dependence on oil imports, economic development and jobs, and other factors deemed important by the Governor, or the Governor's designee.

(b) The Governor, or the Governor's designee, shall work with state and local agencies, and the public, to facilitate the transport and refining of offshore oil in a manner which will promote the greatest public health and environmental and economic benefits to the people of the state.

(c) The Governor, or the Governor's designee, shall consult with any individual or organization having knowledge in this area, including, but not limited to, representatives from the following:

- (1) State Energy Resources Conservation and Development Commission.
- (2) State Air Resources Board.
- (3) California Coastal Commission.
- (4) Department of Fish and Game.
- (5) State Lands Commission.
- (6) Public Utilities Commission.
- (7) Santa Barbara County.
- (8) Santa Barbara County Air Pollution Control District.
- (9) Southern California Association of Governments.
- (10) South Coast Air Quality Management District.
- (11) Oil industry.
- (12) Public interest groups.
- (13) United States Department of the Interior.
- (14) United States Department of Energy.
- (15) United States Environmental Protection Agency.
- (16) National Oceanic and Atmospheric Administration.
- (17) United States Coast Guard.

(d) This act is not intended, and shall not be construed, to decrease, duplicate, or supersede the jurisdiction, authority, or responsibilities of any local government, or any state agency or commission, to discharge its responsibilities concerning the transportation and refining of oil.

Tanker Facilities

§ 30261(a). "Multicompany use of existing and new tanker facilities shall be encouraged to the maximum extent feasible and legally permissible, except where to do so would result in increased tanker operations and associated onshore development incompatible with the land use and environmental goals for the area. New tanker terminals outside of existing terminal areas shall be situated as to avoid risk to environmentally sensitive areas and shall use a monobuoy system, unless an alternative type of system can be shown to be environmentally preferable for a specific site. Tanker facilities shall be designed to (1) minimize the total

- pg. 24:
- (4) Minimize energy consumption and vehicle miles traveled.
 - (5) Where appropriate, protect special communities and neighborhoods which, because of their unique characteristics, are popular visitor destination points for recreational uses."

Locating and Planning New Development

§ 30244. "Where development would adversely impact archaeological or paleontological resources as identified by the State Historic Preservation Officer, reasonable mitigation measures shall be required."

§ 30250(a). "New residential, commercial, or industrial development, except as otherwise provided in this division, shall be located within, contiguous with, or in close proximity to, existing developed areas able to accommodate it, or where such areas are not able to accommodate it, in other areas with adequate public services and where it will not have significant adverse effects, either individually or cumulatively, on coastal resources. In addition, land divisions, other than leases for agricultural uses, outside existing developed areas shall be permitted only where 50 percent of the usable parcels in the area have been developed and the created parcels would be no smaller than the average size of surrounding parcels."

§ 30252. "The location and amount of new development should maintain and enhance public access to the coast by (1) facilitating the provision or extension of transit service, (2) providing commercial facilities within or adjoining residential development or in other areas that will minimize the use of coastal access roads, (3) providing nonautomobile circulation within the development, (4) providing adequate parking facilities or providing substitute means of serving the development with public transportation, (5) assuring the potential for public transit for high intensity uses such as high-rise office buildings, and (6) by assuring that the recreational needs of new residents will not overload nearby coastal recreation areas by correlating the amount of development with local park acquisition and development plans with the provisions of onsite recreational facilities to serve the new development."

§ 30253. "New development shall:

- (3) Be consistent with requirements imposed by an air pollution control district or the State Air Resources Control Board, as to each particular development.
- (4) Minimize energy consumption and vehicle miles traveled."

5. Faria. A residential area west of U.S. Highway 101 and about 5.5 miles north of the City of San Buenaventura. It encompasses 20.7 acres under single ownership. The area is zoned "R-B".
6. Solimar. Also zoned "R-B", this residential community is located between Old Coast Highway and the beach, approximately 3.75 miles north of the City of San Buenaventura.
7. Mobil Rincon. One of two industrial communities on the North Coast, it is approximately 395 acres in size, with 158 acres still potentially developable. It contains two processing facilities: Mobil the Rincon oil and gas processing facility and, what has been historically called, the Chanslor-Western/Coline facility. The major portion of development is inland of the freeway, and is zoned "C-M" (Coastal Industrial).
8. Phillips La Conchita. ~~Phillips Petroleum~~ The oil and gas processing plant at La Conchita is the second industrial community. It encompasses 9.8 acres that are fully developed under "C-M" (Coastal Industrial) zoning.

Portions of the North Coast are set aside for recreation. Emma Wood State Beach, about 7 miles south of Solimar, has 150 overnight campsites and also includes the popular surfing area at Rincon Point. Hobson County Park, Faria County Park, and the Rincon Parkway have additional opportunities for camping and beach access. A fire station is located north of, and immediately adjacent to, the community of Seacliff.

pg. 43:

There is approximately 1,000 acres of non-preserve agricultural lands located in the North Coast area. Prime soils occur on about 130 of the 1,000 acres (Figure 6). Most of the 130 acres is zones "C-A" (Coastal Agricultural, 40 acre minimum). The rest of the non-preserve agricultural acreage is primarily zoned "C-O-S" (Coastal Open Space, 10 acre minimum). These other agricultural lands occur in parcel sizes of 7 to 65 acres.

Objective

To preserve agricultural lands on the North Coast to the maximum extent feasible.

Policies

1. Soils will be conserved and erosion minimized by the use of best grading management practices as set forth by the Soil Conservation Service.
2. Land divisions in, or adjacent to, agricultural areas, will not be allowed to affect agricultural productivity.
3. LAFCO should exclude agricultural lands outside of the Coastal (Area) Plan's "stable urban boundary" line (see Figure 16.2), from any new or expanded service districts that could negatively impact agricultural viability.
4. New or expanded public works facilities will be sited or designed to mitigate environmental impacts on agricultural lands.
5. As aquaculture develops it will be considered as a potential agricultural use in appropriate areas.
6. Non-prime agricultural land defined as agricultural land, other than prime agricultural lands (as defined in Public Resources Section 30113), used or suitable for crops or grazing shall be designated as Agriculture with a minimum acreage size of 200 acres (1 DU/200 acres).

HAZARDS

The North Coast skirts the edge of a geologically complex and active area. Within coastal zone boundaries is a portion of the Santa Ynez Mountains, formed by thrust faulting and east-west fold. Sedimentary Miocene marine terraces reach from the mountains to the ocean, where they have been eroded to prominent sea cliffs.

Underlying the area is the Red Mountain Thrust Fault and its branches, including the Padre Juan Fault (Figure 7). There has been seismic activity in this fault zone within the past 20,000 years. Under the Alquist-Priolo Act of 1972, the California Division of Mines and Geology designated the Red Mountain Fault as a "special studies zone" (Figure 8). This means that engineering geology reports may be required for some new coastal zone development within the designated area. Included within the special studies zone is a portion of the La Conchita Community, the Phillips-Petroleum- La Conchita oil and gas processing facility, and the Mobil-Rincon oil and gas processing facility. Ventura County has adopted an ordinance that implements the Act.

pg. 51: There are six separation and treatment facilities on the North Coast, one of which is outside the coastal zone. Two, the Mobil-Rincon Oil and Gas Processing Facility and the Phillips-La Conchita Oil and Gas Processing Facility, are used exclusively to process production from Outer Continental Shelf (OCS) leases. These facilities are within the North Coast "Existing Community" designation, which allows expansion of the facilities per the existing zoning on the sites (Figures 9 and 10).

Mobil-Rincon Oil and Gas Processing Facility: This separation treatment facility has a net design capacity of ~~95~~110,000 barrels of oil per day (BOPD) and ~~60~~15 million cubic feet of natural gas per day (MMCF/D). Currently, there is about ~~6398~~,000 BOPD and ~~437~~ MMDF/D of unused capacity. ~~In addition, Mobile indicates that it can be expanded to handle a total production of 300,000 BOPD. This facility has the ability to accommodate most of the anticipated future production from the eastern Santa Barbara Channel.~~ Approximately 15 acres adjacent to the existing 32 acre facility could be utilized for plant expansion with a minimum of grading. The site is zoned "C-M" (Coastal Industrial). Also located on the site is a 268,000 barrel storage tank.

Phillips-La Conchita Oil and Gas Processing Facility: Also a separation treatment facility, it covers a total of 16 acres, 11 of which are developed. The site is zoned "C-M" (Coastal Industrial). Net design capacity is 27,000 BOPD and 22 MMCF/D. Currently, there are about ~~223~~,000 BOPD and ~~1920~~ MMCD/D of unused capacity. About five acres of the site can be used for expansion.

The other separation treatment facilities on the North Coast are located at the base of the mountains below the Mobil-Rincon Oil and Gas Processing Facility, inland of the U.S. Highway 101. Historically, these facilities have been called They are the Mobil-Ferguson, Cabot-Rincon, and Chanslor/Coline facilities. Their These facilities' expansion possibilities are extremely limited due to the size of the sites and the marginal amount of usable land.

The coastal onshore oil and gas fields have been experiencing declining production in recent years, thus there is sufficient capacity within existing separation/treatment facilities to handle onshore production. Additionally, the current unused capacity of the Mobil-Rincon and Phillips-La Conchita oil and gas processing facilities is projected to be sufficient to accommodate all anticipated future production from known reserves in the eastern Santa Barbara Channel. Furthermore, the Mobil-Rincon facility has enough available land to expand its throughput to accommodate all projected future production in the Channel. Therefore, no new separation/treatment facilities are necessary on the North Coast.

II. Pipelines

There are two offshore pipelines and landfall sites on the North Coast. These are Union's the Dos Cuadros Pipeline which that transports OCS oil and gas to the Mobil-Rincon facility. The landfall site is ~~near the~~ just north of the Seaciff Community ~~southeastern Mobil pier on in the Rincon area.~~ The other offshore pipeline is Phillips' ~~the~~ Carpinteria OCS Pipeline with a landfall site about 0.25 miles northwest of the community of La Conchita.

Policies

1. All land between U.S. Highway 101 (Ventura Freeway) and the shoreline; or land designated "Residential," "Recreational," or shown as "Environmentally Sensitive Habitat," will be considered as unacceptable for new energy and industrial facilities of any kind, ~~except onshore~~ Pre-existing facilities and oil/gas/communication pipelines, and repair of such will be considered acceptable.
2. Within the land area between U.S. Highway 101 (Ventura Freeway) and the landward coastal zone boundary, oil drilling and directly related facilities are permitted by Conditional Use Permit consistent with Section 30260 of the Coastal Act. No new major facilities, which require a "Coastal Industrial" (C-M) zone, or expansion of existing facilities will be permitted, unless located in an area designated "Industrial."
3. All surface activities not regulated by the Division of Oil and Gas ~~R~~related to the development of onshore oil and gas resources in the coastal zone are considered to be projects that require a Conditional Use Permit (CUP) and a Coastal Development Permit. Both permits will be issued simultaneously through one CUP process. See Appendix 9 ~~6~~ for a list of standard conditions applied to all new permits for oil activities. Additional conditions may be required depending on the specific request and the location.
4. A Development Plan shall accompany the application for a CUP for those activities statesd in Policy 3, and shall include:
 - a. The location of drilling and/or production sites, storage tanks, pipelines and access roads.
 - b. Plans for the consolidation, to the maximum extent feasible, of drilling and/or production facilities, as well as accessory facilities.
 - c. A phasing plan for the staging of development ~~which~~ that indicates the approximate anticipated timetable for project installation, completion and decommissioning.
 - d. A plan for eliminating or substantially mitigating adverse impacts on habitat areas, prime agricultural lands, recreational areas, scenic resources and archaeological sites due to siting, construction, or operation of facilities.
 - e. Grading plans for all facilities requiring the movement of greater than 50 cubic yards of dirt.
 - f. A description of means by which all oil and gas will be transported off-site to a marketing point. Pursuant to Policy 7 (below), transshipment of crude oil and gas shall be through on-shore pipeline.
 - g. A description of the procedures for the transport and disposal of all solid and liquid wastes.
 - h. Oil spill prevention and control measures.
 - i. Fire prevention procedures.
 - j. Emission control equipment.
 - k. Procedures for the abandonment and restoration of the site, including a timeline, and clarification as to whether or not the abandonment will be in place or the infrastructure will be removed.
 - l. Compliance with any other requirement of the Ventura County Zoning Ordinance for the Coastal Zone related to oil and gas development.

recovered with the previously removed vegetativeon materials and shall include other measures as deemed necessary to prevent erosion until the vegetation can become established.

14. Geologic investigations shall be performed by a qualified geologist or engineering geologist where a proposed petroleum pipeline route crosses potential fault zones, seismically active areas, or moderately high to high risk landslide areas. This report should shall investigate the potential risk and recommend such mitigation measures as pipeline route changes and/or engineering measures to help assure the integrity of the pipeline and minimize erosion, geologic instability, and substantial alterations of the natural topography. New pipeline corridors should shall be consolidated with existing pipeline or electrical transmission corridors where feasible, unless there are overriding technical constraints or significant social, aesthetic, environmental, or economic concerns.
- ~~15. The California Public Utilities Commission and California Energy Commission are the agencies responsible in the area of electric transmission lines which includes technical and safety performance and environmental concerns. All electric transmission lines proposed for the coastal zone are developments under the Coastal Act, thus the County will have permit review over them after certification. The only exception is electric transmission lines proposed as part of a new electric power plant being reviewed by the California Energy Commission. The Warren-Alquist Energy Resources Conservation and Development Act of 1975 exempts new power plants with capacity greater than 50 megawatts and electric transmission lines connecting such plants to the existing electricity transmission system from local government permit authority.~~
- ~~16. While impacts from erosion, grading, and the operation of equipment may occur during construction and result in damage to coastal land resources and habitat areas, the primary concerns are associated with overhead electric transmission lines and their long-term impacts on views and visual resources. Visual impacts are particularly severe in undeveloped areas, especially the foothills and upland areas, and along the coastal terrace. Mitigation measures are limited at this time to alternate routine locations and undergrounding of lines, which is expensive.~~
- ~~17~~15. Transmission line rights-of-way shall be routed to minimize impacts on the viewshed in the coastal zone, especially in scenic rural areas, and to avoid locations which are on or near habitat, recreational, or archaeological resources, whenever feasible. Scarring, grading, or other vegetative removal shall be repaired, and the affected areas re-vegetated with plants similar to those in the area to the extent safety and economic considerations allow.
- ~~18~~16. In important scenic areas, where above-ground transmission line placement would unavoidably affect views, under grounding shall be required where it is technically and economically feasible unless it can be shown that other alternatives are less environmentally damaging. When above-ground facilities are necessary, design and color of the support towers shall be compatible with the surroundings to the extent safety and economic considerations allow.
- ~~19~~17. The adopted Ventura County Air Quality Management Plan will shall be used as a criterion ~~for in~~ determining consistency of federal actions on the Outer Continental Shelf with the adopted Local Coastal Program.
- ~~20~~18. Experimental uses which that provide energy from alternative sources, such as wind or solar, may be permitted by Conditional Use Permit in areas designated "Open Space."
19. Upon decommissioning of off-shore facilities that contain on-shore facilities and/or pipelines (or "components"), a phasing plan shall be submitted delineating the timeline for disposition of the on-shore facilities.

BEACH EROSION

pg. 91: Unincorporated areas of the Central Coast with beaches include Hollywood Beach and Silver Strand. According to the Department of Navigation and Ocean Development (1979), erosion at Hollywood Beach is significantly minimized by the jetty at the north entrance of Channel Islands Harbor (Appendix 7 4).

Erosion at Silver Strand is also slight. While the middle section of the beach is subject to erosion during periods of high tides and wave action, homes on the shoreline are protected from damage by bulldozed sand dikes.

The California Public Utilities Commission and California Energy Commission are the agencies responsible in the area of electric transmission lines which includes technical and safety performance and environmental concerns. All electrical transmission lines proposed for the coastal zone are developments under the Coastal Act, thus the County will have has permit review over them after certification. ~~The only exception is electric transmission lines proposed as part of a new electric power plant being reviewed by the California Energy Commission. However,~~ [The Warren-Alquist Energy Resources Conservation and Development Act of 1975 exempts new power plants with capacity greater than 50 megawatts and electric transmission lines connecting such plants to the existing transmission system from local government permit authority.

While impacts from erosion, grading, and the operation of equipment may occur during construction and result in damage to coastal land resources and habitat areas, the primary concerns are associated with overhead electric transmission lines and their long-term impacts on views and visual resources. Visual impacts are particularly severe in undeveloped areas, especially the foothills and upland areas, and along the coastal terrace. Mitigation measures are limited at this time to alternate routine locations and undergrounding of lines, which is expensive.

~~Southern California Edison (SCE)~~ Reliant Energy operates two major electric generating stations on the Central Coast: Mandalay Beach, located on the coast within the City of Oxnard, seaward of Harbor Boulevard and approximately a half mile north of West Fifth Street; and Ormond Beach, also in the City of Oxnard on the beach, northwest of Arnold Road and approximately a half mile south of McWane Boulevard. The combined generating capacity of these two power plants is 2,010 megawatts (MW) or three times the total electrical requirements of Ventura County. Transmission lines from both generating stations cross the coastal zone.

~~Southern California Edison~~ Reliant Energy maintains four electrical distribution substations within the coastal zone. Only one of these is located in the County coastal zone - the 66KW distribution substation at Silver Strand Beach.

During a 1979 Notice of Intent proceeding (79-NOI-3), the County, Coastal Commission, Energy Commission, Department of Fish and Game, and (at that time) Southern California Edison Company agreed to some significant stipulations regarding the siting of new power plants in the Ormond Beach site. Briefly, these stipulations eliminate the construction of power plants from dunes, wetlands, or beach areas.

IV. Offshore Oil and Gas Development

Offshore oil and gas development occurs both in state tidelands and the federal Outer Continental Shelf (O.C.S.). Facilities in the Central Coast are used to support O.C.S. activities (Figure 25).

A. State Tidelands

Currently, all production from the West Montalvo offshore field is from Chevron's State Tidelands, lease PRC 735. Production is accomplished from a series of directionally drilled wells from Chevron's the onshore McGrath #4 Lease (Montalvo Field), seaward of Harbor Boulevard. Shell Oil

B. ~~Permanent Service Base~~

~~The Port of Hueneme is ideally suited to serve as the site for permanent service base for oil development in the Santa Barbara Channel. However, the Port does not have sufficient land or adequate berthing to meet all projected harbor needs (see "Coastal Energy Plan Study for the City of Port Hueneme and the Oxnard Harbor District," December 1979). The Port is negotiating with the Navy in an attempt to obtain land for sufficient expansion.~~

CB. Marine Terminals and Storage Tanks

~~A marine terminal operated by Union Oil The Ventura Marine Terminal, which is idle, is located on land just south of the Ventura Marina. The property is now annexed to the City of San Buenaventura. The terminal has a crude oil storage capacity of 285,010 barrels, and is connected to an offshore monobuoy by a 4,300 foot long, 20 inch pipeline. That pipeline has a capacity of 1,430 barrels per minute. Chevron operates There is a transit storage tank site adjoining the Union Marine Terminal on the south.~~

DC. Oil Field Waste Disposal Sites

This type of use is termed a "soil amendment activity" in the County's Non-coastal Zoning Code, and is allowed in several zoning categories including Open Space by Conditional Use Permit in the non-coastal areas of the County.

There are two sites in the Central Coast that formally handled oil field wastes. They are located at the northeast corner of Fifth Street and Harbor Boulevard. The sites closed operations in 1980.

Objective

To allow the continued exploration and production of oil and gas on in most of the Central Coast sub-area while meeting Coastal Act and County objectives, and maintaining environmental quality.

Policies

1. All land between Harbor Boulevard and the shoreline; or land designated "Residential," "Recreational," or shown as "eEnvironmentally ssensitive hHabitat" will be considered as unacceptable for new energy and industrial facilities of any kind, except oil and gas Pre-existing facilities and oil/gas/communication pipelines, and repair of such will be considered acceptable.
2. Within the land area between Harbor Boulevard and the landward coastal zone boundary, oil drilling and directly related facilities will be are permitted by Conditional Use Permit consistent with Section 30260 of the Coastal Act. No new major facilities, which require a "Coastal Industrial" (C-M) zone will be permitted unless located in an area designated "Industrial."
3. All surface activities not regulated by the Division of Oil and Gas related to the development of onshore oil and gas resources in the coastal zone be are considered to be projects that require a Conditional Use Permit (CUP) and a Coastal Development Permit. Both permits will be issued simultaneously through one CUP process. See Appendix 9 6 for a list of standard conditions new applied to all new CUP requests permits for oil activities. Additional conditions may be required depending on the specific request and location.

other areas of a significant coastal resource value, shall be done in a manner that minimizes the impacts of a spill, should it occur, by considering spill volumes, durations, and projected path. Where new liquid pipeline segments pass through sensitive resource areas, recreation areas or archaeological areas, the segment shall be isolated, in the case of a break, by automatic shutoff valves.

9. The County ~~may~~ shall determine whether spacing of automatic shutoff valves at intervals less than the maximum set by the U.S. Department of Transportation - Office of Pipeline Safety (DOT-OPS), or the California State Fire Marshall is required to protect sensitive coastal resources, and if so, shall require spacing at intervals which provide appropriate protection.
10. In sensitive resource areas the extent of construction and ground surface disturbance shall be reduced to a minimum by restricting construction activities and equipment within narrow, limited and staked work corridors and storage areas.
- ~~14~~11. All offshore to onshore pipelines ~~should~~ shall, where feasible, be located at existing pipeline landfall sites ~~where feasible,~~ and ~~should~~ shall be buried from a point offshore commencing where wave action first causes significant bottom disturbance. In addition, ~~landfill~~ landfall sites are prohibited from areas designated as "Residential" or shown as "~~e~~Environmentally Sensitive ~~H~~Habitat."
- ~~14~~12. Except for pipelines exempted from coastal development permits under Section 30610 of the Coastal Act, as defined by the State Coastal Commission's Interpretive Guidelines, a survey shall be conducted along the route of any pipeline in the coastal zone to determine what, if any, coastal resources may be impacted by construction and operation of a pipeline and any feasible mitigation measures. The costs of this survey shall be borne by the applicant. This survey may be conducted as part of an environmental review if an Environmental Impact Report or Mitigated Negative Declaration is required for a particular project.
13. Owners/operators shall notify both the County of Ventura Planning Division and any other designated affected State agencies (e.g. DOGGR, CSFM, SLC, LARWQCB) of any intent to decommission and/or remove any pipelines and/or facilities. Upon completion of pipeline construction or removal of pipelines and/or facilities, the site shall be restored to the approximate previous grade and condition. Upon removal or decommissioning of pipelines and/or facilities, an assessment of the surrounding soils shall be conducted by a qualified licensed expert, e.g. a licensed geologist or registered professional civil engineer, to determine whether or not those soils are contaminated. If the soils are found to be contaminated, a soil remediation plan delineating the method and timing of remediation shall be prepared and submitted to the County Planning Division and the Los Angeles Regional Water Quality Control Board for their review and approval. All excavated materials shall be replaced in reverse order with topsoil replaced at grade level and compacted if necessary. All sites previously covered with native vegetation shall be re-seeded with the same or recovered with the previously removed vegetation materials and shall include other measures as deemed necessary to prevent erosion until the vegetation can become established.
- ~~14~~14. Geologic investigations shall be performed by a qualified geologist or engineering geologist where a proposed petroleum pipeline route crosses potential fault zones, seismically active areas, or moderately high to high risk landslide areas. This report ~~should~~ shall investigate the potential risk and recommend such mitigation measures as pipeline route changes and/or engineering measures to help assure the integrity of the pipeline and minimize erosion, geologic instability, and substantial alterations of the

The Santa Clara River is the approximate boundary between the Oxnard and the San Buenaventura Areas of Interest. Within the Oxnard Area of Interest the potential conflict areas include the oil waste disposal facility, the Edison Canal, and a portion of the agricultural land in the Ormond Beach area.

A. ~~Oil Waste Disposal Facility: Located on the northeast corner of West Fifth Street and Harbor Boulevard is a 67-acre parcel zoned "C-O-S-40Ac" (Coastal Open Space - 40 Ac. Min.) and formerly used as a dumpsite for oil field wastes. Conflicts arose between the disposal facility and the residents of the area (in the mobile home park on the southwest corner of Fifth Street and Harbor Boulevard in the jurisdiction of the City of Oxnard). The oil waste facility was compatible with related oil field development in the area (West Montalvo Oil Field) but incompatible with the recently developed residential area to the south.~~

~~The property is designated "Open Space" in the County General Plan, and the waste disposal use is allowed by Conditional Use Permit.~~

B. Edison Canal: The "Edison Canal" (So called because it was originally associated with holdings of the Southern California Edison Company) traverses the coastal zone from Channel Islands Harbor northward to the Southern California Edison Generating Plant, currently owned by Reliant Energy, at Mandalay Beach. The canal flows through both unincorporated and City of Oxnard lands. Both recreational and residential development has been proposed along the canal. Conflicts could occur between the different land uses proposed in the Edison Canal Land Use Study and Southern California Edison Company, the owner of the canal and its right-of-way.

to preserve significant paleontological sites to the fullest extent possible and steps taken to preserve the information a site may yield.

Policies

1. Based upon the location of a proposed project on the Paleontological Sensitivity Map, prepared by the Los Angeles County Museum of Natural History, Map Series of the Planning Division's Unified Mapping System, paleontological resources will be a consideration in the environmental review process.
2. Significant fossil discoveries on a site will be reported to the Los Angeles County Museum of Natural History or to appropriate scientists to ensure preservation of the information they may yield.
3. ~~Consider adopting guidelines similar to those developed by the Los Angeles County Museum of Natural History for the City of Los Angeles as paleontology becomes part of the environmental review process (Appendix 5).~~ During the environmental review process, utilize the Initial study Assessment Guidelines adopted by the County of Ventura.
4. Fossil discoveries should also be reported to the County Cultural Heritage Board to ensure maintenance of the information in Ventura County.
5. Where new development would adversely impact paleontological resources, reasonable mitigation measures will be required. Such measures may involve covering the site, moving the structure(s) to another site on the parcel, or not constructing on the site, depending on the severity of the impacts and the significance of the resources.
6. If previously unknown resources are discovered after construction starts, all work shall cease and the Public Works Agency shall be notified. After review of the site by the Agency, or other qualified personnel, additional reasonable mitigation measures may be required.

ENERGY AND INDUSTRIAL FACILITIES

pg. 134-137: No energy or industrial facilities are located on the South Coast or within the inland areas of the Santa Monica Mountains at this time. It is unlikely any facilities will locate anywhere within the Santa Monica Mountains given their status as a National Recreation Area (NRA). The federal government is developing a management plan for the entire NRA.

Objective

To allow exploration and production of oil and gas in most of the South Coast sub-area while meeting Coastal Act and County objectives, and maintaining environmental quality.

Policies

1. All land between State Highway 1 and the shoreline; or land designated "Residential," "Recreational," or shown as "eEnvironmentally sSensitive hHabitat" will be considered as unacceptable for new energy or industrial facilities of any kind, except Pre-existing facilities and oil/gas/communication pipelines, and repair of such will be considered acceptable.
2. Within the land area between State Highway 1 and the landward coastal zone boundary, oil drilling and directly related facilities are permitted by Conditional Use Permit consistent with Section 30260 of the Coastal Act. No new major facilities which require a "Coastal Industrial" (C-M) zone will be permitted unless located in an area designated "Industrial".
3. All surface activities not regulated by the Division of Oil and Gas related to the development of onshore oil and gas resources in the coastal zone are considered to be projects that require a Conditional Use Permit (CUP) and a Coastal Development Permit. Both permits will be issued simultaneously through one CUP process. See Appendix 9 6 for a list of standard conditions applied to all new permits for oil activities. Additional conditions may be required depending on the specific request and the location.
4. A Development Plan shall accompany the application for a CUP for those activities stated in Policy 3, and shall include:
 - a. The location of drilling and/or production sites, storage tanks, pipelines and access roads.
 - b. Plans for the consolidation, to the maximum extent feasible, of drilling and/or production facilities, as well as accessory facilities.
 - c. A phasing plan for the staging of development which that indicates the approximate anticipated timetable for project installation, completion and decommissioning.
 - d. A plan for eliminating or substantially mitigating adverse impacts on habitat areas, prime agricultural lands, recreational areas, scenic resources and archaeological sites due to siting, construction, or operation of facilities.
 - e. Grading plans for all facilities requiring the movement of greater than 50 cubic yards of dirt.
 - f. A description of means by which all oil and gas will be transported off-site to a marketing point. Pursuant to Policy 6, transshipment of crude oil and gas shall be through on-shore pipeline.
 - g. A description of the procedures for the transport and disposal of all solid and liquid wastes.

qualified licensed expert, e.g. a licensed geologist or registered professional civil engineer, to determine whether or not those soils are contaminated. If the soils are found to be contaminated, a soil remediation plan delineating the method and timing of remediation shall be prepared and submitted to the County Planning Division and the Los Angeles Regional Water Quality Control Board for their review and approval. All excavated materials shall be replaced in reverse order with topsoil replaced at grade level and compacted if necessary. All sites previously covered with native vegetation shall be re-seeded with the same or recovered with the previously removed vegetative materials and shall include other measures as deemed necessary to prevent erosion until the vegetation can become established.

13. Geologic investigations shall be performed by a qualified geologist or engineering biologist geologist where a proposed petroleum pipeline route crosses potential fault zones, seismically active areas, or moderately high to high risk landslide areas. This report ~~should~~ shall investigate the potential risk and recommend such mitigation measures as pipeline route changes and/or engineering measures to help assure the integrity of the pipeline and minimize erosion, geologic instability, and substantial alterations of the natural topography. New pipeline corridors ~~should~~ shall be consolidated with existing pipeline or electrical transmission corridors where feasible, unless there are overriding technical constraints or significant social, aesthetic, environmental, or economic concerns.
14. Transmission line rights-of-way shall be routed to minimize impacts on the viewshed in the coastal zone, especially in scenic rural areas, and to avoid locations which are on or near habitat, recreational, or archaeological resources, whenever feasible. Scarring, grading, or other vegetative removal shall be repaired, and the affected areas re-vegetated with plants similar to those in the area to the extent safety and economic considerations allow.
15. In important scenic areas, where above-ground transmission line placement would unavoidably affect views, undergrounding shall be required where it is technically and economically feasible unless it can be shown that other alternatives are less environmentally damaging. When above-ground facilities are necessary, design and color of the support towers shall be compatible with the surroundings to the extent safety and economic considerations allow.
16. The adopted Ventura County Air Quality Management Plan ~~will~~ shall be used as a criterion ~~for the purpose of in~~ determining consistency of federal actions on the Outer Continental Shelf with the adopted LCP Local Coastal Plan.
17. Upon decommissioning of off-shore facilities that contain on-shore facilities and/or pipelines (or "components"), a phasing plan shall be submitted delineating the timeline for disposition of the on-shore facilities.

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EXHIBIT 2

VNT-MAJ-1-00 (PART A) **Proposed Amendments to** **Ventura County Coastal Zoning Ordinance** **Section 8175-5.7**

Sec. 8175-5.7 - Oil and Gas Resources and Related Industrial Development -

Sec. 8175-5.7.1 - Purpose - ~~The following standards~~ The purpose of this section is to establish reasonable and uniform limitations, safeguards and controls for oil and gas exploration and production facilities and other industrial operations within the Coastal portions of the County which will allow for the reasonable use of an important County resource.

These standards regulations shall also ensure that development activities will be conducted in harmony with other uses of land within the County and that the rights of surface and mineral owners are balanced. The standards of this section shall apply to all new development activities, even within areas covered by existing Conditional Use Permits. However, they shall not apply to any specific development for which the applicant has been granted a claim of vested rights by the Coastal Commission on the basis of a CUP. For any such development, no new coastal permit is required pursuant to this Chapter.

Sec. 8175-5.7.2 - Application - Unless otherwise indicated herein, the purposes and provisions of Section 8175-5.7 et seq. shall be and hereby automatically imposed on and made part of any permit for oil or gas exploration and development issued by Ventura County in the Coastal Zone on or after March 24, 1983. Such provisions shall be imposed in the form of permit conditions when permits are issued for new development or for existing wells/facilities without permits, or when existing permits are modified. These conditions may be modified at the discretion of the Planning Director, pursuant to Sec. 8181-7.1. Furthermore, said provisions shall apply to any oil and gas exploration and development operation initiated on or after March 24, 1983 upon Federally owned lands for which no land use permit is required by Ventura County. No permit is required by the County of Ventura for oil and gas exploration and production operations conducted on Federally owned lands pursuant to the provisions of the Mineral Lands Leasing Act of 1920 (30 U.S.C. Section 181 et seq.).

Sec. 8175-5.7.3 - Definitions - Unless otherwise defined herein, or unless the context clearly indicates otherwise, the definition of petroleum-related terms shall be that used by the California State Division of Oil and Gas and Geothermal Resources (DOGGR).

Sec. 8175-5.7.44 - Prohibition - Notwithstanding any other provisions of this Chapter, new energy or industrial facilities, except onshore pipelines, are prohibited on: land between U.S. Highway 101 (Ventura Freeway) and the shoreline; Harbor Blvd. and the shoreline; Highway 1 and the shoreline; and on land in any "residential" or "recreational" designation on the LCP Land Use Plan, or shown as an environmentally sensitive habitat or buffer area.

Sec. 8175-5.7.25 - Required Permits - No oil or gas exploration or production related use may commence without or inconsistent with a Conditional Use Permit, nor may existing conditionally permitted facilities be changed or expanded, including redrilling of existing wells, without a modification to an existing permit, approved pursuant to this Chapter. Furthermore, a Zoning Clearance must be obtained by the permittee to confirm consistency with the Coastal Zoning Ordinance and/or Conditional Use Permit prior to the drilling of every approved well, or the commencing of site preparation for such well(s), and/or expansion of existing facilities, including redrilling of existing wells or changing from a producing well to a water injection well, or installing related appurtenances as defined by the Planning Director, or prior to abandonment. This shall not preclude the issuance of However, a single Zoning Clearance may be issued for more than one well/ or drill site or structure. Possession of an approved A Conditional Use Permit issued

enough as necessary to accommodate ~~permitted~~ typical drilling and production equipment.

vegetation shall be re-seeded with the same, or recovered with the previously removed vegetative materials, and shall include other measures as deemed necessary to prevent erosion until the vegetation can become established, and to promote visual and environmental quality.

~~Sec. 8175-5.7.13.e.~~ 7. All offshore to onshore pipelines should, where feasible, be located at existing pipeline landfall sites, and should be buried from a point where wave action first causes significant bottom disturbance. In addition, landfall sites are prohibited from areas designated as "Residential" or shown as "environmentally sensitive habitat."

~~Sec. 8175-5.7.13.f.~~ 8. Except for pipelines exempted from permit requirements under Section 30610 of the Coastal Act as defined by the State Coastal Commission's Interpretive guidelines, a survey by a qualified expert in biological resources shall be conducted along the route of any pipeline in the coastal zone to determine what, if any, coastal resources may be impacted by construction and operation of a pipeline and to recommend any feasible mitigation measures. The costs of this survey shall be borne by the applicant, and may be conducted as part of environmental review if an EIR or Conditional Mitigated Negative Declaration is required for a particular project; or otherwise conducted prior to the issuance of any permit pursuant to this Chapter. The recommended mitigation measures shall be incorporated as part of the permit.

~~Sec. 8175-5.7.13.g.~~ 9. Prior to issuance of any permit pursuant to this Chapter, a geologic investigation shall be performed by a qualified geologist or engineering geologist where a proposed petroleum pipeline route crosses potential faulting zones, seismically active areas, or moderately high to high risk landslide areas. This report should investigate the potential risk and recommend such mitigation measures as pipeline route changes and/or engineering measures to help assure the integrity of the pipeline and minimize erosion, geologic instability, and substantial alterations of the natural topography. The recommended measures shall be incorporated as conditions of the permit.

~~Sec. 8175-5.7.8.d.~~ f. Cuts or fills associated with access roads and drill sites should be minimized, kept to a minimum to avoid erosion and visual impacts. They should be located in inconspicuous areas, and should generally not exceed 10 vertical feet. Cuts and fills should be restored to their original grade once the use has been discontinued.

~~Sec. 8175-5.7.13.b.~~ g. Gas from wells should be piped to centralized collection and processing facilities, rather than being flared, to preserve energy resources and air quality, and to reduce fire hazards and light sources. Oil should also be piped to centralized collection and processing facilities, in order to minimize land use conflicts and environmental degradation, and to promote visual quality.

h. Wells should be located a minimum of 800 feet from occupied sensitive uses. Private access roads to drill sites should be located a minimum of 300 feet from occupied sensitive uses, unless this requirement is waived by the occupant.

~~Sec. 8175-5.7.9.h.~~ i. ~~Traffic Safety~~ Oversized vehicles should be preceded by lead vehicles, where necessary for traffic safety.

less than 50 feet. All drill sites located within the 100-year flood plain shall be protected from flooding in accordance with Flood Control District requirements.

- (5) The applicable setbacks for accessory structures for the zone in which the use is located.
- (6) 100 feet from any marsh, small wash, intermittent lake, intermittent stream, spring or perennial stream appearing on the most current USGS 2,000' scale topographic map, unless a qualified biologist, approved by the County, determines that there are no significant biological resources present or that this standard setback should be adjusted.

b. Obstruction of Drainage Courses - Drill sites and access roads shall not obstruct natural drainage courses. Diverting or channeling such drainage courses may be permitted only in accordance with Section 8178-2.4e with the authorization of the Public Works Agency.

~~Sec. 8175-5.7.10c.~~ Removal of Equipment - All equipment used for drilling, redrilling, and maintenance work on approved wells shall be removed from the site within 30 days of the completion of such work unless a time extension is approved by the Planning Commission Director.

~~Sec. 8175-5.7.9.ed.~~ Waste Handling and Containment of Contaminants - Oil, produced water, drilling fluids, cuttings, and other contaminants associated with the drilling, production, storage, and transport of oil shall be contained on the site unless properly transported off-site or injected into a well, treated or re-used in an approved manner on-site or, if allowed, off-site. Appropriate permits, permit modifications or approvals must be secured when necessary, prior to treatment or re-use of oil field waste materials. The permittee shall furnish the Planning Commission Director with a plan for controlling oil spillage and preventing saline or other polluting or contaminating substances from reaching surface or subsurface waters. The plan shall be consistent with the requirements of the County, State and Federal Government.

~~Sec. 8175-5.7.4~~ e. Securities - Prior to the commencement or continuance of drilling or other uses on an existing permit, the permittee shall file, in a form acceptable to the County Counsel and certified by the County Clerk, a bond or other security in the penal amount of not less than \$10,000.00 for each well that is drilled or to be drilled. Any operator may, in lieu of filing such a security for each well drilled, redrilled, produced or maintained, file a security in the penal amount of not less than \$10,000.00 to cover all operations conducted in the County of Ventura, a political subdivision of the State of California, conditioned upon the permittee well and truly obeying, fulfilling and performing each and every term and provision of the permit. In cases of any failure by the permittee to perform or comply with any term or provision thereof, the Planning Commission may, after notice to the permittee and a public hearing, by resolution, determine the amount of the penalty and declare all or part of the security forfeited in accordance with its provisions. The sureties and principal will be jointly and severally obligated to pay forthwith the full amount of the forfeiture to the County of Ventura. The forfeiture of any security shall not insulate the permittee from liability in excess of the sum of the security for damages or injury, or for expense or liability suffered by the County of Ventura from any breach by the permittee of any term or

~~Sec. 8175-5.7.9.a. m.~~ Noise Standard - Unless herein exempted, drilling, production, and maintenance operations associated with an approved oil permit shall not produce noise, measured at a point outside of occupied sensitive uses such as residences, schools, health care facilities, or places of public assembly, that exceeds the following standard or any other more restrictive standard that may be established as a condition of a specific permit. Noise from the subject project shall be considered in excess of the standard when the average sound level, measured over one hour, is greater than the standard that follows. The determination of whether a violation has occurred shall be made in accordance with the provisions of the permit in question.

Nomenclature and noise level descriptor definitions are in accordance with ~~ANSI Sec. 3.33-1980, "Second Level Descriptors for Determination of Compatible Land Use."~~ the Ventura County General Plan Goals, Policies and Programs and the Ventura County General Plan Hazards Appendix. Measurement procedures shall be in accordance with the adopted ~~"Noise Measurement Guidelines and Procedures."~~ Ventura County General Plan Goals, Policies and Programs, and General Plan Hazards Appendix.

The maximum allowable average sound level is as follows:

Time Period	Average Noise Levels (LEQ)	
	Drilling and Maintenance Phase	Production Phase
Day (7 6:00 a.m. to 7:00 p.m.)	55 dBA	45 dBA
Evening (7 00 p.m. to 10 00 p.m.)	50 50 dBA	40 40 dBA
Night (7 10:00 p.m. to 7 6:00 a.m.)	45 dBA	40 dBA

For purposes of this section, a well is in the "producing phase" when hydrocarbons are being extracted or when the well is idled and not undergoing maintenance. It is presumed that a well is in the "drilling and maintenance phase" when not in the "producing phase."

~~Sec. 8175-5.7.9.a.(1)~~ n. Exceptions to Noise Standards - The noise standards established pursuant to Sec. 8175-5.7.9.~~a.8.m~~ shall not be exceeded unless ~~exempted~~ covered under any of the following provisions:

~~i.~~(1) Where the ambient noise levels (excluding the subject facility) exceed the applicable noise standards. In such cases, the maximum allowable noise levels shall not exceed the ambient noise levels plus 3 dBA.

~~ii.~~(2) Where the owners/occupants of sensitive uses have signed a waiver pursuant to Sec. 8175-5.7.~~38.x~~ indicating that they are aware that drilling and production operations could exceed the allowable noise standard and that they are willing to experience such noise levels. The applicable noise levels shall apply at all locations where the owners/occupants did not sign such a waiver.

~~Sec. 8175-5.7.9.a.(2)~~ o. Compliance with Noise Standard - When a permittee has been notified by the Planning Division that his operation is in violation of the applicable noise standard, ~~he~~ the permittee shall correct the problem as soon as possible in coordination with the Planning Division. In the interim, operations may continue; however, the operator shall attempt to

waived. If the findings show a noise level will be generated above and beyond the County standards, then soundproofing must be installed sufficient to meet the applicable noise standard. Where a waiver pursuant to Sec. 8175-5.7.8.x is signed, no preventative noise insulation will be required.

r. Soundproofing Material - All acoustical blankets or panels used for required soundproofing shall be of fireproof materials and shall comply with California Industrial Safety Standards and shall be approved by the Ventura County Fire Protection District prior to installation.

Sec. 8175-5.7.9.f.(1) s. Well Maintenance Hours of Well Maintenance -All non-emergency maintenance of a well, such as the pulling of pipe and replacement of pumps, shall be limited to the hours of 7:00 a.m. to 7:00 p.m. of the same day if the well site is located within 3,000 feet of an occupied residence. The requirements may be waived by the Planning Commission. This requirement may be waived by the Planning Director if the permittee can demonstrate that the applicable noise standards can be met or that all applicable parties within the prescribed distance have signed a waiver pursuant to Sec. 8175-5.7.38.x.

Sec. 8175-5.7.9.f.(2) t. Limited Drilling Hours - All drilling activities shall be limited to the hours of 7:00 a.m. through 7:00 p.m. of the same day when they occur less than 800 feet from an occupied sensitive use. Night time drilling shall be permitted if it can be demonstrated to the satisfaction of the Planning Commission Director that the applicable noise standards can be met or that all applicable parties within the prescribed distance have signed a waiver pursuant to Sec. 8175-5.7.38.x.

u. Signs - In addition to the signage otherwise allowed by Sec. 8175-5.13, only signs required for directions, instructions, and warnings, identification of wells and facilities, or signs required by other County ordinances or State and Federal laws may be placed in areas subject to an oil and gas Conditional Use Permit. Identification signs shall be a maximum four square feet in size and shall contain, at minimum, the following information:

1. DOGGR well name and number.
2. Name of owner/operator.
3. Name of lease and name and/or number of the well.
4. Name and telephone number of person(s) on 24-hour emergency call.

The well identification sign(s) shall be maintained at the well site from the time drilling operations commence until the well is abandoned.

v. Fencing - All active well sites (except submersible pumps), sumps and/or drainage basins or any machinery in use or intended to be used at the well site or other associated facilities shall be securely fenced, if required, based on the Planning Director's determination that fencing is necessary due to the proximity of nearby businesses, residences, or other occupied sensitive uses. A single adequate fence which is compatible with surrounding area, may be used to enclose more than one oil well or well site and appurtenances. Location of fences shall be shown on a submitted plot plan and/or landscape plan, if required. Fences must meet all DOGGR regulations.

~~Sec. 8175 5.7.4 Securities~~ Prior to the commencement or continuance of drilling or other uses on an existing permit, the permittee shall file, in a form acceptable to the County Counsel and certified by the County Clerk, a bond or other security in the penal amount of not less than \$10,000.00 for each well that is drilled or to be drilled. Any operator may, in lieu of filing such a security for each well drilled, redrilled, produced or maintained, file a security in the penal amount of not less than \$10,000.00 to cover all operations conducted in the County of Ventura, a political subdivision of the State of California, conditioned upon the permittee well and truly obeying, fulfilling and performing each and every term and provision of the permit. In cases of any failure by the permittee to perform or comply with any term or provision thereof, the Planning Commission may, after notice to the permittee and a public hearing, by resolution, determine the amount of the penalty and declare all or part of the security forfeited in accordance with its provisions. The sureties and principal will be jointly and severally obligated to pay forthwith the full amount of the forfeiture to the County of Ventura. The forfeiture of any security shall not insulate the permittee from liability in excess of the sum of the security for damages or injury, or for expense or liability suffered by the County of Ventura from any breach by the permittee of any term or condition of said permit or of any applicable ordinance or of this security. No security shall be released until after all of the applicable conditions of the permit have been met.

~~Sec. 8175 5.7.5 Insurance~~ The permittee shall maintain, for the life of the permit, liability insurance of not less than \$500,000 for one person and \$1,000,000 for all persons and \$2,000,000 for property damage. This requirement does not preclude the permittee from being self-insured.

~~Sec. 8175 5.7.6 Reporting of Accidents~~ The permittee shall immediately notify the Planning Director, the Fire Department and all other applicable agencies in the event of fires, spills, or hazardous conditions not incidental to the normal operations at the permit site. Upon request of any County Agency, the permittee shall provide a written report of any incident within seven calendar days which shall include, but not be limited to, a description of the facts of the incident, the corrective measures used and the steps taken to prevent recurrence of the incident.

~~Sec. 8175 5.7.7 Development Plan~~ A development plan shall accompany the application for a permit, and shall include the following information:

- ~~a. The location of drilling and/or production sites, storage tanks, pipelines and access roads.~~
- ~~b. Plans for the consolidation, to the maximum extent feasible, of drilling and/or production facilities, as well as accessory facilities.~~
- ~~c. A phasing plan for the staging of development which indicates the approximately anticipated timetable for project installation, completion and decommissioning.~~
- ~~d. A plan for eliminating or substantially mitigating adverse impacts on habitat areas, prime agricultural lands, recreational areas, scenic resources and archaeological sites due to siting, construction, or operation of facilities.~~

- ~~f. A description of means by which all oil and gas will be transported off site to a marketing point.~~
- ~~g. A description of the procedures for the transport and disposal of all solid and liquid wastes.~~
- ~~h. Oil spill prevention and control measures.~~
- ~~i. Fire prevention procedures.~~
- ~~j. Emission control equipment.~~
- ~~k. Procedures for the abandonment and restoration of the site.~~
- ~~l. Compliance with any other requirement of the Ventura County Ordinance Code related to oil and gas development.~~

~~Sec. 8175 5.7.8 Site Location and Design Criteria The following are minimum requirements which shall be applied. More restrictive requirements may be imposed on a project through the conditions of the permit.~~

- ~~a. Projects shall be located, designed and operated so as to minimize their adverse impact on the physical and social environment. To this end, dust, noise, vibration, noxious odors, intrusive light, aesthetic impacts and other factors of nuisance and annoyance shall be reduced to a minimum or eliminated through the best accepted practices incidental to the exploration and production of oil and gas.~~
- ~~b. All proposed energy and industrial facilities shall be so sited and designed to eliminate or reduce, to the maximum extent feasible, impacts to biological, geological, archaeological, agricultural, visual and recreational resources.~~
- ~~c. In sensitive resource areas, the extent of construction and ground surface disturbance shall be reduced to a minimum by restricting construction activities and equipment within narrow, limited, and staked work corridors and storage areas.~~
- ~~d. Cuts or fills associated with access roads and drill sites should be minimized, should be located in inconspicuous areas and should generally not exceed 10 vertical feet. Cuts and fills should be restored to their original grade once the use has been discontinued.~~
- ~~e. Permit areas and drill sites should be consolidated, and sized only to be large enough to accommodate permitted drilling and production equipment.~~
- ~~f. The number of drill sites in an area should be minimized by using centralized drill sites, directional drilling and other techniques.~~
- ~~g. Drill sites and production facilities should be located so that they are not readily seen. All permanent facilities, structures, and aboveground pipelines on the site shall be colored so as to mask the facilities from the surrounding environment and uses in the area. Said colors shall also take into account such additional factors as heat buildup and designation of danger areas. Said colors shall be approved by the Planning Director prior to the painting of facilities.~~

~~a specific permit. Noise from the subject project shall be considered in excess of the standard when the average sound level, measured over one hour, is greater than the standard that follows. The determination of whether a violation has occurred shall be made in accordance with the provisions of the permit in question. Nomenclature and noise level descriptor definitions are in accordance with ANSI Sec. 3.33 1980, "Second Level Descriptors for Determination of Compatible Land Use." Measurement procedures shall be in accordance with the adopted "Noise Measurement Guidelines and Procedures."~~

<u>Time Period</u>	<u>Average Noise Levels (LEQ)</u>	
	<u>Drilling and Maintenance Phase</u>	<u>Production Phase</u>
Day (7:00 a.m. to 7:00 p.m.)	55 dBA	45 dBA
Night (7:00 p.m. to 7:00 a.m.)	45 dBA	40 dBA

~~For purposes of this section, a well is in the "producing phase" when hydrocarbons are being extracted or when the well is idled and not undergoing maintenance. It is presumed that a well is in the "drilling and maintenance phase" when not in the "producing phase."~~

~~(1) Exceptions to Noise Standards The noise standards established pursuant to Sec. 8175 5.7.9a shall not be exceeded unless exempted under any of the following provisions:~~

- ~~i. Where the ambient noise levels exceed the applicable noise standards. In such cases, the maximum allowable noise levels shall not exceed the ambient noise levels.~~
- ~~ii. Where the owners/occupants of sensitive uses have signed a waiver pursuant to Sec. 8175 5.7.3 indicating that they are aware that drilling and production operations could exceed the allowable noise standard and that they are willing to experience such noise levels. The applicable noise levels shall apply at all locations where the owners/occupants did not sign such a waiver.~~

~~(2) Compliance with Noise Standard When a permittee has been notified by the Planning Division that his operation is in violation of the applicable noise standard, he shall correct the problem as soon as possible in coordination with the Planning Division. In the interim, operations may continue, however, the operator shall attempt to minimize the total noise generated at the site by limiting, whenever possible, such activities as the following:~~

- ~~i. hammering on pipe;~~
- ~~ii. racking or making up of pipe;~~
- ~~iii. acceleration and deceleration of engines or motors;~~
- ~~iv. drilling assembly rotational speeds that cause more noise than necessary and could reasonably be reduced by use of a slower rotational speed;~~
- ~~v. picking up or laying down drill pipe, casing, tubing or rods into or out of the drill hole.~~

- ~~(2) Drilling All drilling activities shall be limited to the hours of 7:00 a.m. through 7:00 p.m. of the same day when they occur less than 800 feet from an occupied sensitive use. Night time drilling shall be permitted if it can be demonstrated to the satisfaction of the Planning Commission that the applicable noise standards can be met or that all applicable parties within the prescribed distance have signed a waiver pursuant to Sec. 8175 5.7.3.~~
- ~~g. Sharing of Facilities Permittees and operators shall share facilities such as, but not limited to, permit areas, drill sites, access roads, storage, production and separating facilities and pipelines.~~
- ~~h. Traffic Safety Oversized vehicles should be preceded by lead vehicles, where necessary for traffic safety.~~
- ~~i. Spacing of Shutoff Valves The County shall determine whether spacing of automatic shutoff valves at intervals less than the maximum set by the Department of Transportation is required to protect sensitive coastal resources, and if so, shall require spacing at intervals which provide appropriate protection.~~
- ~~Sec. 8175 5.7.10 Application of Sensitive Use Related Standards Oil operations regulations which are based on distances from occupied sensitive uses shall only apply to those occupied sensitive uses which were in existence at the time the permit for the subject oil operations was approved.~~
- ~~Sec. 8175 5.7.11 Removal of Equipment All equipment used for drilling, redrilling, and maintenance work on approved wells shall be removed from the site within 30 days of the completion of such work unless a time extension is approved by the Planning Commission.~~
- ~~Sec. 8175 5.7.12 Site Restoration Within 90 days of revocation, expiration, surrender of any permit, or abandonment of the use, the permittee shall restore and revegetate the premises to as nearly its original condition as is practicable, unless otherwise requested by the landowner.~~
- ~~Sec. 8175 5.7.13 Pipelines~~
- ~~a. Pipelines should be used to transport petroleum products offsite to promote traffic safety and air quality. Transshipment of crude oil through an onshore pipeline for refining shall be a condition of approval for expansion of existing processing facilities or construction of new facilities.~~
- ~~b. Gas from wells should be piped to centralized collection and processing facilities rather than being flared to preserve energy resources and air quality, and reduce fire hazards and light sources.~~
- ~~c. All offshore to onshore pipelines should, where feasible, be located at existing pipeline landfall sites, and should be buried from a point where wave action first causes significant bottom disturbance. In addition, landfall sites are prohibited from areas designated as "Residential" or shown as "environmentally sensitive habitat."~~

EXHIBIT 3

VNT-MAJ-1-00 (PART A)

Appendix 9 – Standard Oil Permit Conditions

Conditions for: CUP - _____

Permittee: _____

Mineral Rights

Public Hearing Date: _____

Owner(s): _____

Approval Date: _____

Page 1

Ordinance Code Date: _____ [Code Sections Related to Oil and Gas
Exploration and Production (Sec. 8175-5.7 et seq.) Attached]

OIL PERMIT CONDITIONS/REQUIREMENTS

INFORMATION

~~1. ORGANIZATION OF CONDITIONS: The conditions and requirements for this permit are organized into two sections:~~

~~Part A includes: (1) special conditions developed for this permit; (2) those requested by other County and non-County agencies; (3) those required to make findings regarding Coastal Zoning Ordinance permit standards; (4) standard oil requirements/conditions modified for this permit/site; and (5) those standard conditions developed through prior actions taken to clarify and update permit conditions.~~

~~Part B includes conditions developed as environmental mitigation pursuant to CEQA which also comprise the Mitigation Monitoring Program where appropriate.~~

~~2. APPLICABILITY OF PERMIT: This permit is issued for the particular permit area or site referenced herein and runs with the land. This permit is not transferable to another site.~~

~~3. RESPONSIBILITIES OF PERMITTEE/OPERATOR AND PROPERTY OWNER: It is the permittee's/operator's (and their successors in interest) responsibility to be aware of and to comply with permit conditions and the rules and regulations of all jurisdictions having authority over these operations. Failure to comply with permit conditions, in addition to all other legal remedies, may result in one or more of the following enforcement actions:~~

~~a) Public reporting of violations to the Planning Commission;~~

~~b) Forfeiture of penal securities;~~

~~c) Suspension of permit operations;~~

~~d) Modification of permit conditions;~~

~~e) Revocation of the permit;~~

~~f) Recording a Notice of Noncompliance on the property;~~

~~g) Issuance of a citation ("ticket") subject to Bail Schedule charges;~~

~~h) Filing of a complaint with the appropriate law enforcement agency.~~

Conditions for: CUP - _____

Permittee: _____

Mineral Rights

Public Hearing Date: _____

Owner(s): _____

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Ordinance Code Date: _____ [Code Sections Related to Oil and Gas
Exploration and Production (Sec. 8175-5.7 et seq.) Attached]

A 2. Permit Time Limits

~~The permit is granted for a/an _____ year period of time, ending _____. Drilling of all approved wells must be completed by _____. The Planning Director is authorized to administratively extend the drilling phase up to _____ (_____) additional years, provided the Planning Director determines that the permittee has complied with the terms and provisions of CUP _____ and the extended drilling period will not result in a use incompatible with surrounding occupied sensitive uses. Any redrilling of an existing well requires a modification of the permit pursuant to Condition A 4.~~

~~The permit shall become null and void if:~~

~~a) A Zoning Clearance for site preparation and drilling of at least one well has not been issued within _____ (_____) years of the granting of the permit (_____, 20____) (Section 8181 7.7). Failure of the County to notify the permittee of the permit's imminent expiration shall not be grounds for the continuation of the permit beyond this deadline.~~

~~b) All the permitted well(s) have been abandoned pursuant to California State Division of Oil and Gas and Geothermal Resources (DOGGR) requirements.~~

Standard Process Requirements

A 3. Conditions/Requirements with Specific Time Limits

~~The following conditions and/or requirements have specific time limits for submittal of reports, and programs, which the permittee shall submit no later than the specified dates [See Chart which follows].~~

~~(Note: The following chart contains a partial listing of time limited conditions/requirements and is for example only; completion of the chart is dependent upon finalization of these draft conditions)~~

Cond/Ord Req.No.	Condition Req. Topic	Time Limits And Applicable Actions				
		Time Limit	Resp Dept	Req'd To Be Filed		Where Rpt. Or Data Retained
				Actual Permit Or Study	Evidence Or Verification	
==	Ufo Permit	Prior To Ze #2	Fire			Fire Dept.
==	Abandonment And Site Restoration	90 Days Prior To	Plng			Plng Case File
==	Fac. Testing	Prior To Operation	Plng			Plng Case File

Conditions for: CUP - _____

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[Code Sections Related to Oil and Gas
Exploration and Production (Sec. 8175-5.7 et seq.) Attached]

~~The Planning Director may grant a modification to allow for time extensions to deadlines herein referenced, if the permittee can demonstrate that he has diligently attempted to meet the deadline specified. Modifications may also be granted by the Planning Director for the re-drilling of the approved well(s) or additional time beyond that allowed in Condition A-2 to complete all permitted drilling if there would be no significant change in the approved plot plans and if there has been no significant changes in the land use of adjacent areas and if the permittee has complied with the terms and provisions of the permit to the satisfaction of the Planning Director.~~

~~A-6. Contact Person/Complaint Processing~~

~~Prior to the issuance of any Zoning Clearance, the permittee shall provide the Planning Director with the current name and/or position title, address, and fax and phone numbers of the permittee's field agent and other representatives who shall receive all orders and notices as well as all communications regarding matters of condition and code compliance at the permit site. There shall always be such a contact person(s) designated by the permittee. If the address, fax or phone number of the permittee's agents should change, or the responsibility be assigned to another person or position, the permittee shall provide the Planning Director with the new information without delay.~~

~~a. A third party 24 hour a day telephone service shall be established and paid for by the permittee during the drilling phase of the project, and during the construction of production facilities on Drill Pad/s ____/____, to receive and log noise, night lighting, dust, and other complaints by citizens and the County.~~

~~b. All adjacent residences and businesses shall be notified in writing of the 24 hour telephone service, its telephone number and intent.~~

~~c. The third party telephone service shall maintain a log of all complaints and, once logged, shall immediately transfer the call to the permittee's 24 hour contact person who will address the complaint as appropriate.~~

~~1. As soon as possible after receiving a noise or dust complaint from any person, but not more than three hours later, the permittee shall either remedy the cause of the complaint as necessary, or, if the complaint is noise related, cause informal measurements to be taken of the project's noise in accordance with the adopted Noise Measurement Guidelines and Procedures (NMGP).~~

~~2. As to noise complaints, the permittee shall report his remedy/findings to the complainant within three hours unless a longer time period is otherwise agreed to by the parties in question.~~

~~3. If noise measurements indicate a possible violation, the permittee shall take immediate action to take corrective action as may be appropriate. The measurements taken informally shall not be sufficient grounds to make an official determination that a violation has occurred.~~

Conditions for: CUP - _____

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Exploration and Production (Sec. 8175-5.7 et seq.) Attached]

~~permittee to comply with all such adopted Ordinance and Resolution requirements shall be a violation of this permit.~~

- ~~b. In support of Section 8175-5.7.5, the design, maintenance and operations of the permit area/s and facilities shall comply with all applicable requirements of federal, State, and County authorities and all such requirements shall, by reference, become conditions of this permit.~~

~~A 11. Inspection, Monitoring, Enforcement and Cost Recovery~~

~~Pursuant to County Coastal Zoning Ordinance Sections 8182-5.4 and 8175-5.7.8.2, (hereinafter referred to as Section/s) the permittee shall bear the full costs incurred by the County or its contractors for inspection and monitoring, and for enforcement activities related to resolution of confirmed violations. Inspection and monitoring may take place during site preparation, drilling, production, and/or restoration/rehabilitation of the site (if a producing well was not achieved) and during periodic reviews pursuant to Condition A-17. Enforcement activities shall be in response to confirmed violations and may include such measures as inspections, public reports, penalty hearings, forfeiture of securities and suspension of permits. The permittee shall be billed for said fees pursuant to the applicable section of the Zoning Ordinance.~~

~~The permittee shall deposit \$1,000.00 with the Planning Division prior to the issuance of Zoning Clearance #1 (ZC #1) to ensure funds are available for the legitimate and anticipated costs incurred for inspections, monitoring and enforcement. The funds shall also cover the costs for any other necessary inspections or the resolution of confirmed violations that may occur. The Planning Director may, once the project is in the production phase, eliminate or reduce the required deposit fee to an amount commensurate with the anticipated costs of monitoring and enforcing the permit. One deposit may be made to cover all of the permittee's various permits.~~

~~The permittee shall, upon receiving notice from the County that the required deposit fee is below the required level or that the County is to be reimbursed for its costs associated with the permit, have 30 days to bring the deposit fee up to the required level, or pay the costs billed to him/her. Such notice shall be accompanied by an accounting of how deposited funds have been spent. Failure to pay the required bill or maintain the required deposit fee balance is a violation of the permit and subjects the permittee/bond owner to enforcement.~~

~~The County shall, prior to engaging any independent consultants or contractors pursuant to this condition, confer with the permittee over the work to be contracted for and the costs of such work, and receive the approval of the Board of Supervisors. Unless otherwise required, the permittee may waive the requirement of Board approval. Whenever feasible, the lowest bidder will be used. The permittee may hire private consultants to undertake work required by the County provided the consultant and the proposed scope of work are acceptable to the County.~~

~~A 12. Legal Stipulations~~

Conditions for: CUP - _____

Permittee: _____

Mineral Rights

Public Hearing Date: _____

Owner(s): _____

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Ordinance Code Date: _____ [Code Sections Related to Oil and Gas
Exploration and Production (Sec. 8175-5.7 et seq.) Attached]

Standard Operating Requirements

A-13. Waste Storage

~~The storage, use and transport of wastes shall be in accordance with Ventura County Coastal Ordinance Code Section 8175-5.7.8.d. All waste shall be removed within thirty (30) days after completion of drilling or maintenance.~~

A-14. Shipping Tanks

~~Any production shipping tank(s) installed on the subject permit site shall have a collective rated capacity of not more than required to service any particular drill pad(s), and said tank(s) and appurtenances shall be painted within 30 days of erection of said tanks in accordance with the paint scheme approved by the Planning Director. Said tanks shall be kept painted and maintained in good condition at all times.~~

A-15. On Site Quarters

~~No one associated with this use shall reside in the permit area except those individuals who are required to be on the site 24 hours per day. These individuals include, but are not limited to, the foreman, drilling mud specialist, mud logger, and directional drilling technicians.~~

A-16. Oil Spills/Containment

~~The permittee shall provide to the Planning Director a copy of each revised site plan prepared for compliance with federal and state requirements. Revised plans shall be submitted within fourteen (14) days of submittal to the federal and state agency.~~

Ordinance Implementation

A-17. Compatibility Review

~~Every tenth year (or longer as determined by the Planning Director) from the date of permit approval, the permit shall be reviewed by the Planning Director at the permittee's expense. The permittee shall initiate the review, after receiving a letter from the Planning Director, by filing an application for said review and paying the deposit fee then applicable. Said fees shall be no greater than those for a Planning Director approved Conditional Use Permit. No application materials, other than an updated site plan, the appropriate application form and application fee, are required by the permittee to file the application.~~

~~The purpose of the review is to ascertain whether the permit, as conditioned, has remained consistent with its findings for approval and if there are grounds for the filing of an application for modification or revocation of~~

Conditions for: CUP - _____

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Ordinance Code Date: _____ [Code Sections Related to Oil and Gas
Exploration and Production (Sec. 8175-5.7 et seq.) Attached]

A-20. Landscape Plan

~~The site shall be landscaped so as to screen production equipment from view from neighboring residences in a manner consistent with the natural character of the area. This shall be accomplished pursuant to a reasonable time schedule established by the Planning Director once the Director determines that fencing, landscaping, or screening is necessary. The plans for said work shall be prepared in accordance with the County's Landscape Guidelines and shall be submitted to the County for review with the then current landscape review fee. Such plans shall include specifications and a maintenance program and shall be approved by the Planning Director prior to their implementation. Wherever practical, native drought tolerant materials shall be used for landscaping and re-vegetation, unless their use would not provide effective and timely screening. Consideration shall also be given to above ground pipelines which are part of the project. Landscape maintenance shall be subject to periodic inspection by the County. The permittee shall be required to remedy any defects in landscape maintenance within 30 days of notification by the County.~~

~~a. If Drill Pad _____ is brought into production, the site shall be landscaped so as to screen production equipment from view from neighboring residences in a manner consistent with the natural character of the area.~~

~~b. The landscaping associated with Drill Pad _____ shall also be intended to provide screening from glare that may result from on-site facilities (e.g., tanks, buildings, other).~~

~~c. The permittee shall not install production equipment on Drill Pad _____, until the Planning Director has approved the landscaping plan and a Zoning Clearance has been issued.~~

~~d. At the expense of the permittee, the County, or a County approved landscape architect, shall determine whether the visual impacts of Drill Pad _____ production facilities have been screened from view. The timing and schedule for subsequent review shall be determined prior to the issuance of a Zoning Clearance for Drill Pad _____ production facilities.~~

A-21. Dust Prevention

~~In order to provide dust control, the permittee shall treat unpaved access roads by either oiling and chipping, or use of an APCD approved chemical dust palliative (such as Dust Off[®] - MgCl₂) or use of other APCD approved mechanisms.~~

A-22. Noise Standards

~~[Note: When oil/gas development and production will be situated in close proximity to an occupied sensitive use, the following conditions shall be required]~~

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Permittee: _____

Mineral Rights

Public Hearing Date: _____

Owner(s): _____

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Ordinance Code Date: _____ [Code Sections Related to Oil and Gas
Exploration and Production (Sec. 8175-5.7 et seq.) Attached]

Conditions Required by Other County Agencies

A 23. Environmental Health Division Requirements

~~a. Potable Water~~

~~An adequate quantity of potable (drinking) water shall be provided to personnel on site. Proof of compliance shall be provided prior to issuance of Zoning Clearance #1 (ZC #1)~~

~~Permittee must submit evidence of continued compliance with this condition prior to obtaining a Zoning Clearance #2 (ZC #2) for Oil and Gas Production Facilities.~~

~~b. Sanitary Facilities~~

~~An adequate quantity of portable toilet facility(ies) shall be provided, and shall be maintain facilities in a sanitary manner. Proof of compliance shall be provided prior to issuance of Zoning Clearance #1 (ZC #1).~~

~~Permittee must submit evidence of continued compliance with this condition prior to obtaining a Zoning Clearance #2 (ZC #2) for Oil and Gas Production Facilities.~~

~~c. Cross Connection Control~~

~~Cross connection control measures as deemed necessary by the Environmental Health Division and the water purveyor shall be provided where a potable water distribution system supplies water to the project.~~

~~d. Hazardous Materials~~

~~1) The storage, handling, and disposal of any potentially hazardous material shall be in compliance with applicable local, state and federal regulations.~~

~~2) Prior to use inauguration, the applicant shall contact the Hazardous Materials Section of the Environmental Health Division and obtain all necessary permits.~~

~~NOTE: If hazardous materials in excess of 55 gallons, 500 pounds, or 200 cubic feet are to be stored on site, a Business Emergency/Contingency Plan shall be submitted to and approved by the Hazardous Materials Section prior to issuance of certificate of occupancy or use inauguration, whichever occurs first.~~

~~3) Prior to storage/use of any acutely hazardous material as defined in the California Health and Safety code Section 25532(a), the applicant shall register all acutely hazardous materials with the Hazardous Materials Section of the environmental Health Division.~~

Conditions for: CUP - _____

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Exploration and Production (Sec. 8175-5.7 et seq.) Attached]

~~Oil and gas production facility piping and equipment construction plans shall be prepared, to scale, by a State licensed engineer and submitted to the Fire Protection District, of all equipment, valving, flanges, tanks, piping, and facility appurtenances (above and below ground), as directed by the Fire Protection District. These plans shall demonstrate permittee compliance with the provisions of the Uniform Fire Code. To the extent required by law, the County will not disclose any of the records, reports or data resulting from this permit condition.~~

A-26. Sheriff's Department

~~a. Equipment Security~~

~~Construction equipment, tools, etc., will be properly secured during non-working hours.~~

~~b. Gate Lockbox~~

~~Gate shall have a Knox lockbox or Fire Department combination padlock to allow both police/fire access to the area during off hours.~~

A-27. Public Works Agency

~~a. Drainage Course Obstruction~~

~~In addition to the requirements of Coastal Zoning Ordinance Section 8175-5.7.8.b, drill sites and access roads shall not obstruct natural drainage courses. Diverting or channeling such drainage courses may be permitted only with the authorization of the Public Works Agency and as may be required through, but not limited to, the California Department of Fish and Game and Army Corps of Engineers.~~

~~b. Grading Plan~~

~~Prior to developing any access road and prior to initiating site preparation or drilling activity on Drill Pads and _____, and when determined by the Public Works Agency that a grading permit is necessary, the permittee shall submit a Grading Plan, prepared by a Registered Civil Engineer, to the Public Works Agency for approval. A copy is to be provided to the Planning Director at the same time. Upon approval of the Grading Plan by the Public Works Agency, the permittee shall provide the Planning Division with written documentation of Grading Plan approval and the issuance of the necessary Grading Permit. Upon written notification by the Planning Division, the permittee may proceed, subject to the conditions of this permit and any additional conditions resulting from Grading Plan review and approval.~~

Optional Conditions

(Conditions to be Added as Required)

Conditions for: CUP - _____

Permittee: _____

Public Hearing Date: _____

Mineral Rights

Approval Date: _____

Owner(s): _____

Ordinance Code Date: _____

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[Code Sections Related to Oil and Gas
Exploration and Production (Sec. 8175-5.7 et seq.) Attached]

PART B - CEQA REQUIREMENTS
INCLUDING MONITORING PROGRAM

B. CEQA Requirements (As Required)

~~These conditions arise from CEQA review and may include: cultural resources; paleontological resources; biological resources; visual resources; dust; light emanation; noise; air and water quality; other issues which may be identified.~~
