

## CONDITIONS OF APPROVAL FOR CONDITIONAL USE PERMIT (CUP) CASE NO. PL18-0058

*These conditions of approval reflect the action of the County decision-makers to grant modified CUP PL18-0058. These conditions supersede and replace those conditions imposed with the granting of CUP 2941-1 on November 30, 1993.*

### **Resource Management Agency Conditions**

#### **Planning Division**

##### 1. Project Description:

This permit authorizes the continued operation and maintenance of an existing oil and gas facility for an additional 20-year period ending in 2038.

Oil production operations are authorized to continue on the existing 1.11-acre unvegetated graded pad located on the 120-acre Basenberg "A" Lease. There are four existing oil and gas wells located on this pad as follows:

<b>Well Name</b>	<b>API Number</b>	<b>Use</b>	<b>Status</b>
Basenberg #1	11120076	O&G Production	Active
Basenberg #2	11120120	O&G Prod./W.D.	Abandoned
Basenberg #3	11120176	Water Disposal	Idle
Basenberg #4	11120187	O&G Production	Idle

Standard well repair and maintenance activities (such as pump changes) are authorize to continue in accordance with California Geologic Energy Management Division (CalGEM) guidelines. Ancillary production equipment, such as pumping units, valves, electrical connections and pipelines, will continue to be used as part of facility operations. No flaring of gas is authorized to occur on the 1.11-acre production site or elsewhere on the subject lease. Produced fluids and gas will continue to be transported from the production facilities by existing pipelines. Oil will continue to be separated from produced wastewater at existing facilities within the Sespe Oil Field. The oil will continue to be shipped to market by pipeline. Wastewater will continue to be conveyed by pipeline from the separation facilities to existing permitted wastewater disposal wells for injection.

The three existing wells may be re-completed (i.e. perforating the existing well casing to produce fluid from a new geologic zone) or re-drilled to penetrate and produce fluid from new zones in the subsurface. Any re-drilled well would include the subsurface installation of new well casing. The existing surface casing shall continue to be used.

An existing 0.5-acre graded pad on the Basenberg "A" Lease located south of the oil production pad will be revegetated and restored as it is no longer used at part of the oil and gas operation.

The 15-acre Basenberg "B" Lease will continue to be included in the permit area. A former tank battery site that encompasses approximately 1-acre on this lease will continue to be used as a road maintenance and oil field equipment staging area. It will also be used for pipeline inspection and maintenance.

Hydraulic fracturing, acid well stimulation and other "well stimulation treatments" as defined in Public Resources Code Section 3157 are not authorized by this permit. Additional environmental review pursuant to CEQA, a modified CUP and an additional public hearing is required for these stimulation techniques to be utilized.

Re-activation of the abandoned well (Basenberg #2) is not authorized by this permit.

## 2. CUP Modification

Prior to undertaking any operational or construction-related activity which is not expressly described in these conditions, the Permittee shall first contact the Planning Director to determine if the activity requires a modification of this CUP. The Planning Director may, at the Planning Director's sole discretion, require the Permittee to file a written and/or mapped description of the activity in order to determine if a CUP modification is required. If a CUP modification is required, the modification shall be subject to:

- a. The modification approval standards of the Ventura County Ordinance Code in effect at the time the modification application is acted on by the Planning Director; and
- b. Environmental review, as required pursuant to the California Environmental Quality Act (CEQA; California Public Resources Code, §§ 21000-21178) and the State CEQA Guidelines (California Code of Regulations, Title 14, Chapter 3, §§ 15000-15387), as amended from time to time.

## 3. Site Maintenance

**Purpose:** To ensure that the oil and gas production facility is maintained in a neat and orderly manner so as not to create any hazardous conditions or unsightly conditions which are visible from outside of the oil and gas production facility.

**Requirement:** The Permittee shall maintain the Project site in a neat and orderly manner, and in compliance with the Project description set forth in Condition No. 1. Only equipment and/or materials which the Planning Director determines to substantially comply with the Project description shall be stored within the Project site during the life of the Project.

The permit area shall be maintained in a neat and orderly manner so as not to create any hazardous or unsightly conditions such as debris; pools of oil, water, or other liquids; weeds; brush; and trash. Equipment and materials may be stored on the site which are appurtenant to the operation and maintenance of the oil well located thereon.

**Documentation:** The Permittee shall maintain the oil and gas production facility in compliance with Condition No. 1 and the approved plans for the oil and gas production facility.

**Timing:** The Permittee shall maintain the oil and gas production facility in a neat and orderly manner and in compliance with Condition No. 1 throughout the life of the Project.

**Monitoring and Reporting:** The County Building Inspector, Public Works Agency Grading Inspector, Fire Marshall, and/or Planning Division staff has the authority to conduct periodic site inspections to ensure the Permittee's ongoing compliance with this condition consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

#### 4. Acceptance of Conditions and Schedule of Enforcement Responses

The Permittee's acceptance of this CUP and/or commencement of construction and/or operations under this CUP shall constitute the Permittee's formal agreement to comply with all conditions of this CUP. Failure to abide by and comply with any condition of this CUP shall constitute grounds for enforcement action provided in the Ventura County Non-Coastal Zoning Ordinance (Article 14), which shall include, but is not limited to, the following:

- a. Public reporting of violations to the Planning Commission and/or Board of Supervisors;
- b. Suspension of the permitted land uses (Condition No. 1);
- c. Modification of the CUP conditions listed herein;
- d. Recordation of a "Notice of Noncompliance" on the deed to the subject property;
- e. The imposition of civil administrative penalties; and/or
- f. Revocation of this CUP.

The Permittee is responsible for being aware of and complying with the CUP conditions and all applicable federal, state, and local laws and regulations.

#### 5. Time Limits

- a. Use inauguration:
  1. The decision to grant this CUP becomes effective upon the expiration of the 10-day appeal period following the date on which the County decision-maker rendered the decision on the Project, or when any

appeals of the decision are finally resolved. Once the decision to grant this permit becomes effective, the Permittee must obtain a Zoning Clearance for use inauguration in order to initiate the authorized land uses described in Condition of Approval No. 1.

2. This CUP shall expire and become null and void if the Permittee fails to obtain a Zoning Clearance for use inauguration within one year from the date the granting of the CUP becomes effective (see the Ventura County Non-Coastal Zoning Ordinance (§ 8111-4.7)). The Planning Director may grant a one-year extension of the deadline to the Permittee in order to obtain the Zoning Clearance for use inauguration if the Permittee can demonstrate to the satisfaction of the Planning Director that the Permittee has made a diligent effort to implement the Project, and the Permittee has requested the time extension in writing prior to the one-year expiration date.
  3. Prior to the issuance of the Zoning Clearance for use inauguration, all fees and charges billed to that date by any County agency, as well as any fines, penalties, and sureties, must be paid in full. After issuance of the Zoning Clearance for use inauguration, any final billed processing fees must be paid within 30 days of the billing date or the County may revoke this CUP.
- b. Permit Life or Operations Period: This CUP will expire on November 30, 2048. The lack of additional notification of the expiration date provided by the County to the Permittee shall not constitute grounds to continue the uses that are authorized by this CUP after the CUP expiration date. The uses authorized by this CUP may continue after the CUP expiration date if:
- (1) The Permittee has filed a permit modification application pursuant to § 8111-6 of the Ventura County Non-Coastal Zoning Ordinance prior to November 30, 2048; and
  - (2) The County decision-maker grants the requested modification.

The uses authorized by this CUP may continue during processing of a timely-filed modification application in accordance with § 8111-2.10 of the Ventura County Non-Coastal Zoning Ordinance.

6. Documentation Verifying Compliance with Other Agencies' Requirements Related to this CUP

**Purpose:** To ensure compliance with, and notification of, federal, state, and/or local government regulatory agencies that have requirements that pertain to the Project (Condition No. 1, above) that is the subject of this CUP.

**Requirement:** Upon the request of the Planning Director, the Permittee shall provide the Planning Division with documentation (e.g., copies of permits or agreements from other agencies, which are required pursuant to a condition of this CUP) to verify that the Permittee has obtained or satisfied all applicable federal, state, and local entitlements and conditions that pertain to the Project.

**Documentation:** The Permittee shall provide this documentation to Planning Division staff in the form that is acceptable to the agency issuing the entitlement or clearance, to be included in the Planning Division Project file.

**Timing:** The documentation shall be submitted to the Planning Division prior to the issuance of the Zoning Clearance for use inauguration.

**Monitoring and Reporting:** The Planning Division maintains the documentation provided by the Permittee in the respective Project file. In the event that the federal, state, or local government regulatory agency prepares new documentation due to changes in the Project or the other agency's requirements, the Permittee shall submit the new documentation within 30 days of receipt of the documentation from the other agency.

*Note: The existing documentation in the Planning Division Project file may be found adequate to satisfy this condition.*

7. Notice of CUP Requirements and Retention of CUP Conditions On-Site

**Purpose:** To ensure full and proper notice of these CUP/PD conditions affecting the use of the subject property.

**Requirement:** Unless otherwise required by the Planning Director, the Permittee shall notify, in writing, the Property Owner(s) of record, contractors, and all other parties and vendors who regularly conduct activities associated with the Project, of the pertinent conditions of this CUP.

**Documentation:** The Permittee shall present to the Planning Division staff copies of the conditions, upon Planning Division staff's request.

**Timing:** Prior to issuance of a Zoning Clearance for use inauguration and throughout the life of the Project.

**Monitoring and Reporting:** The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

8. Recorded Notice of Land Use Entitlement

**Purpose:** The Permittee shall record a “Notice of Land Use Entitlement” form and the conditions of this CUP with the deed for the subject property that notifies the current and future Property Owner(s) of the conditions of this CUP.

**Requirement:** The Permittee shall sign, have notarized, and record with the Office of the County Recorder, a “Notice of Land Use Entitlement” form furnished by the Planning Division and the conditions of this CUP, with the deed of the property that is subject to this CUP. For oil and gas projects, the recordation of the Notice of Land Use Entitlement can be accomplished by the holder of the subsurface mineral rights.

**Documentation:** Recorded “Notice of Land Use Entitlement” form and conditions of this CUP.

**Timing:** The Permittee shall record the “Notice of Land use Entitlement” form and conditions of this CUP, prior to issuance of a Zoning Clearance for use inauguration.

**Monitoring and Reporting:** The Permittee shall return a copy of the recorded “Notice of Land Use Entitlement” form and conditions of this CUP to Planning Division staff to be included in the Project file.

9. Condition Compliance, Enforcement, and Other Responsibilities:

a. Cost Responsibilities: The Permittee shall bear the full costs of all staff time, materials costs, or consultant costs associated with the approval of studies, generation of studies or reports, on-going permit compliance, and monitoring programs by maintaining a compliance account as described below in Condition 9.b. Specifically, the permittee shall bear the full costs of the following:

1. Condition Compliance, which is defined herein to include, but is not limited to, the staff time, materials costs, or consultant costs associated with the approval of studies, generation of studies or reports, ongoing permit condition compliance review, and CEQA Mitigation Monitoring/other monitoring programs; and,

2. Monitoring and enforcement costs, and any related fines or penalties assessed pursuant to the provisions of the Ventura County Ordinance Code, as it may be amended (Condition 9.c, below).

b. Maintenance of Revolving Condition Compliance Account: A Condition Compliance Account is required to be established prior to the issuance of the Zoning Clearance for Use Inauguration (ZCUI) with the submittal of a \$500 deposit and shall be maintained until this modified (new) CUP expires. This account shall be used by Ventura County agencies to cover costs incurred by Ventura County for Condition Compliance review, monitoring and enforcement costs (Condition 9.a, above), and for enforcement costs and penalties assessed pursuant to the provisions of the Ventura County Ordinance Code, as it may be amended (Condition 9.c, below.)

Prior to issuance of the ZCUI, the Permittee shall submit a signed reimbursement agreement that obligates the Permittee to pay any Condition Compliance review, monitoring, and enforcement costs (Condition 9.a, above). The reimbursement agreement also grants the Permittee the right to challenge any charges for Condition Compliance review, monitoring, and enforcement activities.

c. Monitoring and Enforcement Costs: The *Ventura County Non-Coastal Zoning Ordinance* (§8114-3.4) requires the Permittee, or the Permittee's successors-in-interest, to bear the full costs incurred by the County or its contractors for inspection and monitoring, and for enforcement activities related to the resolution of confirmed violations. Enforcement activities shall be in response to confirmed violations and may include such measures as inspections, public reports, penalty hearings, forfeiture of securities, and suspension of this CUP. Costs will be billed at the contract rates in effect at the time enforcement actions are required. The Permittee shall be billed for said fees and penalties pursuant to the *Ventura County Non-Coastal Zoning Ordinance* (§8114-3.4), as it may be amended.

The deposit required by Condition 9.b is imposed to ensure that funds are available for legitimate and anticipated costs incurred for Condition Compliance. These funds shall cover costs for any necessary inspections or the resolution of confirmed violations of the conditions of this CUP and/or the *Ventura County Non-Coastal Zoning Ordinance* that may occur.

#### 10. Defense and Indemnification

a. The Permittee shall defend, at the Permittee's sole expense with legal counsel acceptable to the County, against any and all claims, actions, or proceedings against the County, any other public agency with a governing body consisting of the members of the County Board of Supervisors, or any of their respective board members, officials, employees and agents (collectively, "Indemnified Parties") arising out of or in any way related to the County's issuance, administration, or enforcement of this CUP. The County shall promptly notify the Permittee of any such claim, action or proceeding and shall cooperate fully in the defense.

b. The Permittee shall also indemnify and hold harmless the Indemnified Parties from and against any and all losses, damages, awards, fines, expenses, penalties, judgments, settlements, or liabilities of whatever nature, including but not limited to court costs and attorney fees (collectively, "Liabilities"), arising out of or in any way related to any claim, action or proceeding subject to subpart (a) above, regardless of how a court apportions any such Liabilities as between the Permittee, the County, and/or third parties.

c. Except with respect to claims, actions, proceedings, and Liabilities resulting from an Indemnified Party's sole active negligence or intentional misconduct, the Permittee shall also indemnify, defend (at Permittee's sole expense with legal counsel acceptable to County), and hold harmless the Indemnified Parties from and against any and all claims, actions, proceedings, and Liabilities arising out of, or in any way related to, the construction, maintenance, land use, or operations conducted pursuant to this CUP, regardless of how a court apportions any such Liabilities as between the Permittee, the County, and/or third parties. The County shall promptly notify the Permittee of any such claim, action, or proceeding and shall cooperate fully in the defense.

d. Neither the issuance of this CUP, nor compliance with the conditions hereof, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property; nor shall the issuance of this CUP serve to impose any liability upon the Indemnified Parties for injury or damage to persons or property.

11. Invalidation of Condition(s)

If any of the conditions or limitations of this CUP are held to be invalid in whole or in part by a court of competent jurisdiction, that holding shall not invalidate any of the remaining CUP conditions or limitations. In the event that any condition imposing a fee, exaction, dedication, or other mitigation measure is challenged by the Permittee in an action filed in a court of competent jurisdiction, or threatened to be filed therein, the Permittee shall be required to fully comply with this CUP, including without limitation, by remitting the fee, exaction, dedication, and/or by otherwise performing all mitigation measures being challenged. This CUP shall continue in full force unless, until, and only to the extent invalidated by a final, binding judgment issued in such action.

If a court of competent jurisdiction invalidates any condition in whole or in part, and the invalidation would change the findings and/or the mitigation measures associated with the approval of this CUP, at the discretion of the Planning Director, the Planning Director may review the project and impose substitute feasible conditions/mitigation measures to adequately address the subject matter of the invalidated condition. The Planning Director shall make the determination of adequacy. If the Planning Director cannot identify substitute feasible conditions/mitigation measures to replace the invalidated condition, and cannot identify overriding considerations for the significant impacts that are not mitigated to a level of insignificance as a result of the invalidation of the condition, then this CUP may be revoked.

## 12. Consultant Review of Information and Consultant Work

The County and all other County permitting agencies for the Project have the option of referring any and all special studies that these conditions require to an independent and qualified consultant for review and evaluation of issues beyond the expertise or resources of County staff.

Prior to the County engaging any independent consultants or contractors pursuant to the conditions of this CUP, the County shall confer in writing with the Permittee regarding the necessary work to be contracted, as well as the estimated costs of such work. Whenever feasible, the County will use the lowest responsible bidder or proposer. Any decisions made by County staff in reliance on consultant or contractor work may be appealed pursuant to the appeal procedures contained in the Ventura County Zoning Ordinance Code then in effect.

The Permittee may hire private consultants to conduct work required by the County, but only if the consultant and the consultant's scope-of-work are first reviewed and approved by the County. The County retains the right to hire its own consultants to evaluate any work that the Permittee or a contractor of the Permittee undertakes. If the County hires a consultant to review any work undertaken by the Permittee, or hires a consultant to review the work undertaken by a contractor of the Permittee, the hiring of the consultant will be at the Permittee's expense.

## 13. Relationship of CUP Conditions, Laws, and Other Entitlements

The Permittee shall implement the Project in compliance with all applicable requirements and enactments of federal, state, and local authorities. In the event of conflict between various requirements, the more restrictive requirements shall apply. In the event the Planning Director determines that any CUP condition contained herein is in conflict with any other CUP condition contained herein, when principles of law do not provide to the contrary, the CUP condition most protective of public health and safety and environmental resources shall prevail to the extent feasible.

No condition of this CUP for uses allowed by the Ventura County Ordinance Code shall be interpreted as permitting or requiring any violation of law, lawful rules, or regulations, or orders of an authorized governmental agency. Neither the approval of this CUP, nor compliance with the conditions of this CUP, shall relieve the Permittee from any responsibility otherwise imposed by law for damage to persons or property.

The Permittee shall obtain a business tax certificate and regulatory licenses for the continued operation and maintenance of the oil and gas facilities authorized by modified (new) CUP No. PL18-0058.

#### 14. Contact Person

**Purpose:** To designate a person responsible for responding to complaints.

**Requirement:** The Permittee shall designate a contact person(s) to respond to complaints from citizens and the County which are related to the permitted uses of this CUP. The designated contact person shall be available, via telecommunication, 24 hours a day.

**Documentation:** The Permittee shall provide the Planning Director with the contact information (e.g., name and/or position title, address, business and cell phone numbers, and email addresses) of the Permittee's field agent who receives all orders, notices, and communications regarding matters of condition and code compliance at the oil and gas production facility.

**Timing:** Prior to the issuance of a Zoning Clearance for use inauguration, the Permittee shall provide the Planning Division the contact information of the Permittee's field agent(s) for the Project file. If the address or phone number of the Permittee's field agent(s) should change, or the responsibility is assigned to another person, the Permittee shall provide Planning Division staff with the new information in writing within three calendar days of the change in the Permittee's field agent.

**Monitoring and Reporting:** The Planning Division maintains the contact information provided by the Permittee in the Project file. The Planning Division has the authority to periodically confirm the contact information consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

#### 15. Resolution of Complaints

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

- a. The Permittee shall post the telephone number for the designated Contact Person as identified pursuant to Condition No. 14 in a visible location on the site. The Contact Person shall be available via telephone on a 24-hour basis. Persons with concerns about oil and gas production as it is occurring may directly contact the Contact Person;
- b. If County staff receives a written complaint about the Project, Planning Division staff may contact the Permittee's Contact Person or the Permittee to request information regarding the alleged violation; and
- c. If, following a complaint investigation by County staff, a violation of the Ventura County Code or a condition of this CUP is confirmed, County staff may initiate enforcement actions pursuant to § 8114-3 of the Non-Coastal Zoning Ordinance.

#### 16. Reporting of Major Incidents

**Purpose:** To ensure that the Planning Director is notified of major incidents associated with, or resulting from, the Project.

**Requirement:** The Permittee shall immediately notify the Planning Director by telephone, email, FAX, and/or voicemail of any incidents (e.g., fires, explosions, spills, landslides, or slope failures) that could pose a hazard to life or property inside or outside the oil and gas production facility.

**Documentation:** Upon request of any County agency, the Permittee shall provide a written report of any incident that shall include, but is not limited to: a description of the facts of the incident; the corrective measures used, if any; and the steps taken to prevent a recurrence of the incident.

**Timing:** The Permittee shall provide the written report to the requesting County agency and Planning Division within seven days of receiving the request.

**Monitoring and Reporting:** The Planning Division maintains any documentation provided by the Permittee related to major incidents in the Project file.

#### 17. Change of Permittee

**Purpose:** To ensure that the Planning Division is properly and promptly notified of any change of Permittee.

**Requirement:** The Permittee shall file, as an initial notice with the Planning Director, the new name(s), address(es), telephone/FAX number(s), and email addresses of the new owner(s), lessee(s), operator(s) of the permitted uses, and the company officer(s). The Permittee shall provide the Planning Director with a final notice once the transfer of ownership and/or operational control has occurred.

**Documentation:** The initial notice must be submitted with the new Permittee's contact information. The final notice of transfer must include the effective date and time of the transfer and a letter signed by the new Property Owner(s), lessee(s), and/or operator(s) of the permitted uses acknowledging and agreeing to comply with all conditions of this CUP.

**Timing:** The Permittee shall provide written notice to the Planning Director 10 calendar days prior to the change of ownership or change of Permittee. The Permittee shall provide the final notice to the Planning Director within 15 calendar days of the effective date of the transfer.

**Monitoring and Reporting:** The Planning Division maintains notices submitted by the Permittee in the Project file and has the authority to periodically confirm the information consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

18. Proprietary Information<sup>1</sup>

Proprietary information and/or trade secrets which are required to be submitted shall be so identified by the Permittee, submitted separately from the other required materials, and confidentially maintained by the public agencies having access to it. Such information shall be requested on an as needed basis only by the applicable County agency or department head.

19. Minimizing Nuisance Impacts and Setbacks from Adjacent Uses

The Permittee shall take whatever reasonable steps are necessary, as determined by the Planning Director, to prevent significant nuisance impacts from occurring outside the CUP area. Significant nuisance impacts include, but are not limited to, noise, dust, odors, lighting, and glare. In order to determine the significance of the nuisance, the Planning Director may consider the number and types of neighbor complaints, and conduct inspections of the site and surrounding areas. Any questions about what constitutes significant off-site nuisance levels shall be resolved by the Planning Director or other public agency (e.g., the Air Pollution Control District) as the Planning Director may designate.

20. Financial Security for Facility Compliance

**Purpose:** In order to comply with § 8107-5.6.5 of the Ventura County Non-Coastal Zoning Ordinance and to ensure the conditions of this permit are fulfilled.

**Requirement:** The Permittee shall file, on a form acceptable to Planning Division, a surety in the penal amount of not less than \$10,000.00 for each well that is drilled or to be drilled or other uses. In lieu of filing such a surety for each well the Permittee may file a surety in the penal amount of not less than \$10,000.00 to cover all operations conducted in the County of Ventura, conditioned upon the Permittee well and truly obeying, fulfilling and performing each and every term and provision of the permit. Notwithstanding the foregoing, in the event the County implements new requirements for financial sureties for oil and gas operations within the 24 months after the effective date of this modified CUP, the Permittee shall provide a replacement financial surety in an amount and form that

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<sup>1</sup>"Proprietary information" means information which the County determines would reveal such things as production, reserves, manufacturing processes and patented formulas, or rate of depletion of the operations of the Permittee. Any information which is not proprietary is a matter of public record.

comply with said new requirements to the extent applicable to this project. By accepting this Conditional Use Permit and providing the financial surety for its operation, the Permittee is agreeing to cure any condition noncompliance issue that may be discovered during County compliance review. Forfeiture of the financial surety may occur if the noncompliance issue is not resolved in a manner that is acceptable to the Planning Director. Nothing in this condition shall be interpreted as limiting the Permittee's rights, under § 8107-5.6.5 of the Ventura County Non-Coastal Zoning Ordinance or otherwise, regarding the lawfulness of any replacement financial security.

**Documentation:** The Permittee shall submit a new wet signed original surety document, or verification of an existing surety, to the Operations Division. The surety shall be submitted to and approved by the Planning Director.

**Timing:** The Permittee shall submit the existing financial surety document to the Planning Division prior to the issuance of the Zoning Clearance for use inauguration. In the event the Permittee is required to provide a replacement financial security following project approval pursuant to the Requirement section above, the Permittee shall provide the replacement surety document by the due date established by the Planning Division.

**Monitoring and Reporting:** The Planning Division maintains evidence of the financial surety submittal in the project file. In cases of any failure by the Permittee to perform or comply with any term or provision of the permit, the Planning Commission may, after notice to the Permittee and a public hearing, by resolution, determine the amount of the penalty and declare all or part of the surety 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 surety shall not insulate the Permittee from liability in excess of the sum of the surety 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 surety. The Planning Division shall not exonerate the surety until the Permittee has satisfied all of the applicable conditions of this Conditional Use Permit.

*Removal of Drilling Equipment (Deleted)*

*Note: This condition was satisfied prior to the submittal of Case No. PL18-0058*

## 21. Removal of Drilling Equipment

**Purpose:** In order to comply with § 8107-5.6.3 of the Ventura County Non-Coastal Zoning Ordinance and to ensure the removal of unused equipment.

**Requirement:** All equipment used for drilling, re-drilling, and maintenance work on approved wells shall be removed from the site within 30 days of the completion of such work.

**Documentation:** If needed, the Permittee shall obtain the Planning Director's written approval for a time extension to remove the equipment after the 30 days deadline.

**Timing:** The Permittee shall remove the equipment within 30 days of the completion of such work unless the Permittee obtains the Planning Director's written approval of an extension of the 30-day deadline, prior to the end of the 30-day period.

**Monitoring and Reporting:** The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition pursuant to the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

## 22. Waste Handling and Containment of Contaminants

**Purpose:** In order to comply with § 8107-5.6.4 of the Ventura County Non-Coastal Zoning Ordinance and to ensure waste materials and other pollutants are handled appropriately according to federal, state and local laws and regulations.

**Requirement:** The Permittee shall:

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

**Documentation:** The Permittee shall prepare a containment plan.

**Timing:** The Permittee shall submit the containment plan to the Planning Division for review and approval prior to issuance of a Zoning Clearance for use inauguration.

**Monitoring and Reporting:** The Planning Division maintains the containment plan provided by the Permittee in the project file. The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition

pursuant to the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

23. Dust Prevention and Road Maintenance

**Purpose:** In order to comply with § 8107-5.6.6 of the Ventura County Non-Coastal Zoning Ordinance and to ensure pollutants are handled appropriately.

**Requirement:** The Permittee shall prepare a dust control plan. The drill site and all roads or hauling routes located between the public right-of-way and the subject site shall be improved or otherwise treated as required by the County and maintained as necessary to prevent the emanation of dust. Access roads shall be designed and maintained so as to minimize erosion, prevent the deterioration of vegetation and crops, and ensure adequate levels of safety.

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

**Timing:** The Permittee shall submit the plan prior to the issuance of a Zoning Clearance for use inauguration.

**Monitoring and Reporting:** The Planning Division shall review and approve the dust control plan prior to the issuance of a Zoning Clearance. A copy of the approved dust control plan shall be maintained in the project file. The Planning Director may require that additional dust control measures are implemented at any time. The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

24. Painting of Permanent Facilities, Structures and Pipelines

**Purpose:** In order to ensure that buildings and structures comply with the Oil Development Standards of § 8107-5.6.9 of the Ventura County Non-Coastal Zoning Ordinance and blend in with their natural surroundings.

**Requirement:** The Permittee shall:

- a. maintain the exterior surfaces of all structures using building materials and colors that are compatible with surrounding terrain (e.g., earth tones and non-reflective paints);
- b. maintain the project site in compliance with the approved plans;
- c. provide photo evidence to the Planning Division that the equipment is maintained in compliance with the approved plans; and

**Documentation:** The Permittee shall provide photo-documentation of the equipment colors to the Planning Division for review and approval.

**Timing:** Prior to the issuance of a Zoning Clearance for use inauguration, the Permittee shall obtain approval of the colors shown in the submitted photos.

**Monitoring and Reporting:** The Planning Division maintains a copy of the approved plans in the project file. The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition pursuant to the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

25. Site Restoration

**Purpose:** In order to comply with §§ 8107-5.5.5(e), 8107-5.5.6, & 8107-5.6.11 of the Ventura County Non-Coastal Zoning Ordinance.

**Requirement:** The Permittee shall restore disturbed areas in the project area to its original grade and condition, unless otherwise requested by landowner in writing and approved by the Planning Director.

**Documentation:** The Permittee shall submit a grading plan prepared by civil engineer to restore the site to the original contours. The Permittee shall also submit a restoration plan prepared by a County-approved, qualified biologist to be reviewed and approved by the Planning Division.

**Timing:** The Permittee shall submit the grading and restoration plans to the Planning Division and Public Works Agency within 30 days of revocation, expiration, or surrender of the permit, or abandonment of the use. The Permittee shall commence restoration work on the site within 90 days of revocation, expiration, or surrender of the permit, or abandonment of the use.

**Monitoring and Reporting:** The Permittee shall submit the grading plan to the Public Works Agency and the Planning Division prior to the commencement of the restoration work. The Planning Division will not exonerate the financial securities required by Condition No. 21 until it has determined that the grading and restoration plans have been implemented as approved.

*Note: The site of the former produced fluid storage facilities (tank battery) on the Basenberg Lease "B" site (APNs 041-0-040-365, 041-0-040-415, 041-0-040-375) is authorized by this permit to be used as a road maintenance and oilfield equipment staging area. This site shall be restored in accordance with this condition of approval and §§ 8107-5.5.5(e), 8107-5.5.6, & 8107-5.6.11 of the Ventura County Non-Coastal Zoning*

*Ordinance upon the cessation of the Permittee's oil and gas operations in the Sespe Oil Field.*

26. Insurance

**Purpose:** In order to comply with § 8107-5.6.12 of the Ventura County Non-Coastal Zoning Ordinance.

**Requirement:** The Permittee shall maintain liability insurance of not less than \$500,000 for one person, and \$1,000,000 for all persons, and \$2,000,000 for property damage. The Permittee shall name the County of Ventura as additionally insured. This requirement does not preclude the Permittee from being self-insured.

**Documentation:** The Permittee shall submit a copy of the liability insurance policy documents.

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

**Monitoring and Reporting:** The Permittee shall submit the liability insurance to Planning Division for review and approval to ensure that the Oil and Gas Operation has the required coverage in a manner that is required. The Planning Division maintains a copy of the liability insurance in the project file. The Planning Director may ask for a current insurance policy at any time to confirm ongoing compliance with this condition.

27. Noise Standard for Oil and Gas Operations

**Purpose:** In order to comply with § 8107-5.6.13 of the Ventura County Non-Coastal Zoning Ordinance.

**Requirement:** The Permittee shall ensure that production, and maintenance operations associated with this permit do not exceed the following noise levels, as measured over a one-hour period at locations that are occupied by noise-sensitive receptors (e.g., residences, schools, health care facilities, or places of public assembly):

<b>Hour Average Noise Levels (LEQ)</b>		
<u>Time Period</u>	<u>Drilling _____ and Maintenance Phase</u>	<u>Producing Phase</u>
Day (6:00 a.m. to 7:00 p.m.)	55 dB(A)	45 dB(A)
Evening (7:00 p.m. to 10:00 p.m.)	50 dB(A)	40 dB(A)
Night (10:00 p.m. to 6:00 a.m.)	45 dB(A)	40 dB(A)

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

Upon the request of the Planning Director, the Permittee shall have a qualified acoustical consultant measure the offending noise, in accordance with the procedures in Ventura County General Plan Hazards Appendix. These measurements shall occur within 24 hours of the Planning Director's request.

When the Permittee has been notified by the Planning Division that the Permittee is operating in violation of the applicable noise standard, the Permittee shall correct the problem as soon as possible in coordination with the Planning Division. In the interim, operations may continue; however, the operator shall attempt to minimize the total noise generated at the site by limiting, whenever possible, such activities as the following:

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

If the noise problem has not been corrected by 7:00 p.m. of the following day, the offending operations, except for those deemed necessary for safety reasons by the Planning Director upon the advice of the California Geologic Energy Management Division, shall be suspended until the problem is corrected.

This condition applies for the life of the permit. A report from a qualified acoustical consultant shall be submitted to the Planning Division upon request. If corrective measures are required to attenuate the offending noise to acceptable levels, The Permittee shall submit written and/or photo evidence to demonstrate that the corrective measures are in place prior to restarting the offending operations.

**Documentation:** The Permittee shall prepare a noise report from a qualified acoustical consultant and provide it to the County for review and approval prior to any construction activity that causes noise.

**Timing:** If a qualified acoustical consultant is hired by the Permittee to investigate an alleged violation, the acoustical consultant shall submit their findings, by telephone, to the Planning Division immediately upon completing their measurements. Within 24 hours of completing the measurements, the acoustical consultant shall submit a written report to the Planning Division.

**Monitoring and Reporting:** The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition pursuant to the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance. The Planning Division maintains all acoustical reports, and a written description of any corrective measures, provided by the Permittee in the project file.

*Note: This permit does not authorize the drilling of any new wells. Existing wells may be redrilled or recompleted with no change in the surface casing.*

## 28. Signs

**Purpose:** In order to comply with § 8107-5.6.21 of the Ventura County Non-Coastal Zoning Ordinance.

**Requirement:** In addition to the signage otherwise allowed by the Ventura County Non-Coastal Zoning Ordinance (§ 8110-0 et seq.), the Permittee shall only place within the permit area, signs that are required for directions, instructions, and warnings, identification of wells and facilities, or signs required by other County ordinances or State and federal laws. Identification signs shall not exceed four square feet in size and shall contain, at a minimum, the following information:

- a. the CalGEM well name and number;
- b. the name of the owner/operator of the oil facility;
- c. the name of the lease and name and/or number of the well; and
- d. the name and telephone number of person(s) on 24-hour emergency call.

The Permittee shall maintain the well identification sign(s) at the well site from the time drilling operations commence until the well is abandoned. The Permittee shall submit to the Planning Division for review and approval, a sign plan for well identification, which includes the sign size, text, and site location.

**Documentation:** The Permittee shall submit an approved sign plan.

**Timing:** The Permittee shall submit the sign plan prior to the issuance of a Zoning Clearance. The Permittee shall install the approved signs prior to the commencement of drilling.

**Monitoring and Reporting:** The Planning Division maintains the approved sign plan in the project file. The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition pursuant to the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

*Note: The existing sign plan may be found adequate to satisfy this condition.*

29. Fencing

**Purpose:** In order to comply with § 8107-5.6.22 of the Ventura County Non-Coastal Zoning Ordinance.

**Requirement:** The Permittee shall securely fence all active well sites (except submersible pumps), sumps and/or drainage basins or any machinery in use or intended to be used at the well site or other associated facilities, if required, based on the Planning Director's determination that fencing is necessary due to the proximity of nearby businesses, residences, or other occupied sensitive uses. The Permittee may use a single, adequate fence, which is compatible with the surrounding area, in order to enclose the wells or well site and appurtenances. The fences must meet all California Geologic Energy Management Division regulations.

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

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

**Monitoring and Reporting:** The Planning Division maintains the approved site plan and fencing plans in the project file. The Planning Division has the authority to conduct periodic site inspections to ensure ongoing compliance with this condition pursuant to the requirements of § 8114-3 of the Ventura County Non-Coastal Zoning Ordinance.

*Note: The existing plans and fencing in place may be found adequate to satisfy this condition.*

30. Screening and Landscaping

In accordance with § 8107-5.6.24 of the *Ventura County Non-Coastal Zoning Ordinance*, 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 the Ventura County Guide to Landscape Plans and shall include 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 required.

31. Hours of Well Maintenance

In accordance with § 8107-5.6.19 of the *Ventura County Non-Coastal Zoning Ordinance*, 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. This requirement may be waived by the Planning Director if the Permittee can demonstrate that the applicable noise standard can be met or that all parties that reside within the prescribed distance have signed a waiver pursuant to § 8107-5.6.25 of the *Ventura County Non-Coastal Zoning Ordinance*.

32. Inspection, Enforcement and Compatibility Review

To ensure that adequate funds are available for the legitimate and anticipated costs incurred for monitoring and enforcement activities associated with new or modified oil and gas related Conditional Use Permits, the Permittee shall deposit with the County funds, determined on a case-by-case basis, prior to the issuance of a Zoning Clearance for Use Inauguration. The funds shall also cover the costs for any other necessary inspections or the resolution of confirmed violations that may occur. One deposit may be made to cover all of the Permittee's various permits. In addition, all new or modified Conditional Use Permits for oil and gas related uses shall, at the discretion of the Planning Director, be conditioned to require a compatibility review on a periodic basis. The purpose of the review is to determine whether the permit, as conditioned, has remained consistent with its findings for approval and if there are grounds for proceeding with public hearings concerning modification, suspension, or revocation of the permit in accordance with § 8107-5.6.27 of the *Ventura County Non-Coastal Zoning Ordinance*.

*The deposit as established in Condition No. 9 will satisfy the inspection, enforcement and compatibility review costs for this CUP.*

### 33. Spill Prevention Control and Countermeasure Plan

Implementation of a spill prevention and countermeasure control plan to address prompt and effective response to any accidental spills. All workers would be informed of the importance of preventing spills and of the appropriate measures to take should a spill occur. The plan shall require the applicant to ensure that all refueling, maintenance, and staging of equipment and vehicles be setback at least 60 feet from riparian habitat or water bodies, in a location from where a spill would not drain directly toward aquatic habitat (e.g., on a slope that drains away from the water).

*Note: The Spill Prevention Control and Countermeasure Plan maintained for this facility as required by the California Geologic Energy Management Division (CalGEM) satisfies this condition.*

### 34. Setback from Watercourses:

Oil wells and associated equipment and facilities shall be set back from watercourses as specified in Section 8107-5.6.1 of the Ventura County Non-Coastal Zoning Ordinance.

*Note: The above-listed section of the NCZO requires that oil facilities be set back from 50 to 300 feet from "Red Line" channels regulated by the County Flood Control District or channels indicated with a blue line on the USGS topographic map. The existing facilities proposed to continue in operation are entirely located outside of the required setback distances. No new oil wells or alteration of these existing facilities is authorized by this permit.*

## **Environmental Health Division**

### 35. Hazardous Materials Business Plan

**Purpose:** To comply with the California Code of Regulations Title 22, Division 4.5, California Health and Safety Code chapter 6.95; and Ventura County Ordinance Code, and to ensure the safe storage, handling, and disposal of any potentially hazardous material and/or waste.

**Requirement:** The Permittee shall submit a hazardous materials business plan (HMBP) to the Environmental Health Division/Certified Unified Program Agency (Ventura CUPA) for storage of hazardous materials above reporting thresholds (200 cubic feet gas, 55 gallons liquid, 500 pounds solid).

**Documentation:** A completed HMBP must be submitted to the Ventura CUPA electronically through the California Environmental Reporting System.

**Timing:** HMBP must be submitted through CERS annually, and whenever there is a change to the type, quantity, or location of the hazardous materials.

**Monitoring and Reporting:** Ongoing compliance with requirements shall be accomplished through field inspection by Ventura CUPA staff.

### **Public Works Agency Conditions**

#### **Advanced Planning Section Floodplain Development Conditions:**

##### 36. **NPDES Requirements**

**Purpose:** To ensure the project maintains compliance with all water quality provisions in accordance with NPDES General Permit (No. CAS000001), Waste Discharge Requirements for Discharges of Stormwater Runoff Associates with Industrial Activities.

**Requirement:** Proper filing of all compliance documents required under the NPDES General Industrial Stormwater Permit (No. CAS000001).

**Documentation:** The Permittee shall prepare and submit the following items to the Watershed Protection District – County Stormwater Program Section (CSWP) for review:

- i. Current Notice of Intent (NOI) in accordance with the State Water Resources Control Board requirements under the NPDES General Industrial Stormwater Permit (No. CAS000001); or
- ii. Verification of payment for current coverage year, whichever one is more recent;
- iii. Copy of the project Stormwater Pollution Prevention Plan (SWPPP); and
- iv. Copy of the most recent Annual Report, if applicable.

**Timing:** The above listed items shall be submitted to the CSWP for review prior to the issuance of Zoning Clearance for Use Inauguration.

**Monitoring and Reporting:** CSWP staff will review the submitted materials for consistency with the General Industrial Stormwater Permit. Current and site-specific SWPPP shall be kept on-site for periodic review by the CSWP inspectors.

### **Air Pollution Control District (APCD) Conditions**

##### 37. **APCD Rules:**

All project construction and site preparation operations shall be conducted in compliance with all applicable APCD Rules and Regulations with emphasis on Rule 50 (Opacity), Rule 51 (Nuisance), and Rule 55 (Fugitive Dust), as well as Rule 10, (Permits Required).

*Note: No new construction is authorized by this permit.*

38. APCD Permits:

An APCD Authority to Construct shall be obtained prior to installation of new equipment, including any new oil wells. An APCD Permit to Operate is required to continue oil and gas production activities.

**Ventura County Fire Protection District Conditions**

39. Prior Conditions of Approval

All Ventura County Fire Department conditions previously imposed on CUP-2941-1 (Granted November 30, 1993) shall remain in full force and effect. These conditions of approval are reproduced below and made a part of this permit.

a. UFCP Application (COA 61, CUP 2941-1)

Prior to issuance of a Zoning Clearance, permittee shall submit evidence of Uniform Fire Code Permit Application to the Planning Division

b. Requirements Prior to Drilling (COA 62, CUP 2941-1)

At least five (5) working days prior to drilling, a plot plan drawn to scale or with dimensions showing all buildings and improvements within a radius of 300 feet of the exact location of the proposed wellhead, a UFC Application for Permit, and appropriate fees shall be submitted to the Fire Prevention Division.

c. UFCP (COA 63, CUP 2941-1)

No person shall drill, own, operate, or maintain an oil well without a Uniform Fire Code Permit, issued by the Ventura County Fire Prevention Bureau. The permit for any new oil well shall be issued only after it has been determined by a field inspection that the oil well site complies with the provisions of the Uniform Fire Code.

Applicant shall contact the Fire Prevention Bureau for a UFCP application and on-site inspections.

d. Access Roads (COA 64, CUP 2941-1)

Main access roads to the drilling site shall be constructed and maintained so as to allow access by fire department apparatus.

e. Water Supply System (COA 65, CUP 2941-1)

- Water for fire protection shall be required during all drilling operations or during maintenance of a hazardous nature. Unless an adequate water supply is otherwise available and approved by the County Fire Department, such as a hydrant or reservoir, a minimum 20,000 gallon tank (500 barrel baker tank or other such tank) shall be installed on each drill pad. The water supply system shall be: 1) provided with a shutoff valve; 2) equipped with a four inch National Standard Threaded male outlet; and 3) maintained by the applicant. The location of the outlet/supply shall be subject to acceptance by the local engine company who shall be contacted prior to the preparation of the drilling site.
- Should the decision be made to bring one or more wells into production, the permittee shall consult further with the Fire Protection District and Planning Director in order to determine how best to service the project area with a reliable long-term source of water. At that time, the permittee will be required to develop the appropriate source of water, most probably via the extension of water lines in near proximity to the project area, thus eliminating the need for hauling water by truck.

f. Fire Flow Requirements (COA 66, CUP 2941-1)

When the production of oil or gas is attained at any drilling site, water for fire protection shall meet the fire flow requirements established by the Bureau of Fire Prevention.

g. Brush Clearing (COA 67, CUP 2941-1)

Brush and other combustible materials surrounding the drill site shall be cleared for 100 feet or as directed by the Bureau of Fire Prevention.

h. Spark Arresters (COA 68, CUP 2941-1)

Spark arresters shall be installed and maintained on all internal combustion engines when the drilling site is located within 500 feet of a hazardous brush area.

i. Ignition Source Locations (COA 69, CUP 2941-1)

No storage tank or boiler, fired heater, open flame device or other source of ignition shall be located nearer than 25 feet to any oil well. Engines used in the drilling production and servicing of oil wells are exempt from the above provision.

j. Site Maintenance (COA 70, CUP 2941-1)

No person shall permit or cause to be permitted any oil, waste oil, refuse or waste material to be on the surface of the ground under, around or near any oil well, pump boiler, oil storage tank or building except within an oil sump or tank.

k. Blowout Protection (COA 71, CUP 2941-1)

Adequate protection shall be provided to control and prevent the blowout of an oil well. Protection equipment shall meet the requirements as specified by Federal, State or other applicable jurisdictions.

l. Soundproofing Material (COA 72, CUP 2941-1)

Where soundproofing material is required during oil field operations, such materials shall be noncombustible, provided that fire-retardant treated material may be used and maintained subject to the approval of the Chief. (Refer to Condition 43 of CUP 2941-1 regarding the NCZO noise insulation requirements) (*Note: Underlined text added for clarity*)

m. Smoking Prohibition (COA 73, CUP 2941-1)

Smoking shall not be permitted at any oil well or tank location except as designated and posted areas approved by the Chief.

n. Well Signs (COA 74, CUP 2941-1)

Each oil well location shall have posted in a conspicuous place a legible sign with the name of the owner or operator, name or number of the lease, and number of the well printed thereon. Such signs shall be maintained on the premises from the time materials are delivered for drilling purposes until the well is abandoned.

o. Fire Extinguishers (COA 75, CUP 2941-1)

A minimum of ten fire extinguishers shall be maintained at well locations where drilling, servicing or repair work is being conducted. Each such extinguisher shall have a minimum classification of 20B as set forth in NFPA Standard No. 10, "Portable Fire Extinguishers."

p. Uniform Fire Code Compliance (COA 76, CUP 2941-1)

The project shall be in accordance with National Fire Protection Association, Pamphlet #30 and the Uniform Fire Code.

q. Flaring Operations (COA 77, CUP 2941-1)

Permittee shall obtain Air Pollution Control District approval for any flaring operation.

r. Welding and Cutting Operations (COA 78, CUP 2941-1)

Permittee shall obtain a welding permit from the Fire Protection District prior to any welding and/or cutting operations.

#### 40. Water Supply

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

**Requirement:** The Permittee shall maintain the onsite well for the fire water system (tank and hydrant). Any re-drilling or new exploratory operations shall require a 20,000-gallon baker tank to be placed on site for fire water use only.

**Documentation:** A stamped copy of the approved fire code permit or private water system plans.

**Timing:** The private water system shall be maintained and operational before the issuance of a zoning clearance for construction.

**Monitoring and Reporting:** The Fire Prevention Bureau may conduct periodic site inspections to ensure that the private water system is maintained. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and their successors in interest, shall maintain the private water system for the life of the development.

#### 41. Vegetation Clearance

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

**Requirement:** The Permittee shall have all grass or brush adjacent to any new or future drilling operation cleared for a distance of 100 feet. For all existing production well sites oil storage tanks, generators, processing equipment/pumps and flare stacks, all grass or brush shall be cleared for a minimum of 30 feet. All grass and brush shall be removed a distance of 10 feet on each side of all access road(s)/driveway(s) within the project and ten feet from electrical power poles containing electrical equipment.

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

**Timing:** The Permittee shall provide documentation that all grass and brush as outlined by the Ventura County Fire Protection District's Fire Hazard Reduction Program guidelines have been completed or are maintained as required before the issuance of a zoning clearance for construction.

**Monitoring and Reporting:** The Fire Prevention Bureau may conduct periodic inspections to ensure compliance with this condition.

42. Access Gates

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

**Requirement:** The Permittee shall maintain all gates along required fire access roads/driveways consistent with Fire Protection District Standards.

**Documentation:** A stamped copy of the approved gate plans.

**Timing:** The Permittee shall ensure all gates are unobstructed and operational prior to the issuance of a zoning clearance for construction.

**Monitoring and Reporting:** The Fire Prevention Bureau may conduct periodic inspections to ensure that access gates are installed according to the approved plans. Unless a modification is approved by the Fire Prevention Bureau, the Permittee, and their successors in interest, shall maintain the gates for the life of the development.

43. Access Roads

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

**Requirement:** The Permittee shall maintain all on-site access road(s) not included in a maintenance agreement. Access shall maintained a minimum 20 feet in width with turnouts and turnarounds as may be required in accordance with VCFPD access standards. Repairs shall be made as needed or as required by the Fire District to maintain the original design and installation of the access road(s) and driveway(s).

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

**Timing:** The Permittee shall provide evidence of provisions for road maintenance to the Fire Prevention Bureau prior to issuance of a zoning clearance.

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

**Purpose:** To comply with the requirements of the Ventura County Fire Code.

**Requirement:** The Permittee shall maintain all existing Fire Code permits issued for current use and operations.

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

**Timing:** The Permittee shall maintain current Fire Code permit documents/plans. Any changes to existing permit operations shall require new permits to be submitted for review and approval by the Fire Prevention Bureau before the use or start of any new oil well drilling operations, production or exploratory operations.

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

45. Oil well drilling requirements

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

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

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

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

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

46. Hazardous Fire Area

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

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

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

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

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

Notice: For purposes of these conditions and application of Building and Fire Codes, the term "Hazardous Fire Area" includes the following as referenced in the CBC and VCFPD Ordinance: State SRA - Fire Hazard Severity Zone, Local Agency - Very-High Fire Hazard Severity Zone, Local Agency - Wildland-Urban Interface Fire Area (WUI Area), Local Agency - Hazardous Fire Area.

### **United States Fish and Wildlife Service Conditions**

#### 47. California Condor Protection Best Management Practices (BMPs)

**Purpose:** To avoid significant impacts during construction and operation and ensure compatibility with conservation efforts outlined in the *Recovery Plan for California Condor* (April 19, 1996) and direction provided by United States Fish and Wildlife Service (USFWS) for oil and gas facilities within the range of the California Condor in Ventura County (USFWS, 2013).

**Requirement:** During construction and operation, the Permittee shall adhere to the following USFWS recommended California condor Best Management Practices (BMPs):

#### *Landing Deterrents*

- a. All power lines, poles, and guy wires shall be retrofitted with raptor guards, flight diverters, and other anti-perching or anti-collision devices to minimize the potential for collision or electrocution of condors. Landing deterrents (e.g. Daddi Long Legs or porcupine wire) shall be attached to the walking beams on pumping units.
- b. All surface structures which are identified by the USFWS or County-approved qualified biologists as a risk to California condors, shall be modified (e.g. to include installation

of raptor guards, anti-perching devices, landing deterrents) or relocated to reduce or eliminate the risk.

#### *Microtrash*

- c. All construction debris, food items, and other trash including micro-trash e.g. small items as screws, nuts, washers, nails, coins, rags, small electrical components, small pieces of plastic, glass, or wire, and anything that is colorful or shiny) will be covered or otherwise removed from a project site at the end of each day or prior to periods when workers are not present at the site.
- d. All hoses or cords that must be placed on the ground due to drilling operations that are outside of the primary work area (immediate vicinity of the drilling rig) will be covered to prevent California condor access. Covering will take the form of burying or covering with heavy mats, planks, or grating that will preclude access by California condors.
- e. All equipment and work-related materials (including, but not limited to, loose wires, open containers, rags, hoses, or other supplies or materials) shall be contained in closed containers either in the work area or placed inside vehicles.
- f. Poly chemical lines shall be replaced with stainless steel lines to preclude condors from obtaining and ingesting pieces of poly line.
- g. Prior to issuance of a Zoning Clearance for land clearing activities or construction, informational signs describing the threat that micro-trash poses to condors, and the cleanup or avoidance measures being implemented, shall be posted at the site.
- h. Prior to conducting work on-site, employees and contractors shall be made aware of the California condor, and how to avoid impacts on them. Special emphasis shall be placed on keeping the well pad site free of micro-trash and other hazards.
- i. Wells pads shall be inspected closely for micro-trash on a daily basis.

#### *Chemicals*

- j. Ethylene glycol based anti-freeze or other ethylene glycol based liquid substances shall be avoided, and propylene glycol based antifreeze will be encouraged. Equipment or vehicles that use ethylene glycol based anti-freeze or other ethylene glycol based liquid substances shall be inspected daily for leaks, including (but not limited to) areas below vehicles for leaks and puddles. Standing fluid (e.g. a puddle of anti-freeze) will be remediated (e.g. cleaned up, absorbed, or covered) immediately upon discovery. Leaks shall be repaired immediately. The changing of antifreeze of any type shall be prohibited onsite.

- k. Open drilling mud, water, oil, or other liquid storage or retention structures shall be prohibited. All such structures must have netting or other covering that precludes entry or other use by condors or other listed avian species.
- l. The design and location of any flaring equipment shall be subject to review and approval by the Planning Director in consultation with the USFWS.

*Miscellaneous*

- m. All food items and associated refuse shall be placed in covered containers that preclude access or use by California condors.
- n. All equipment and work-related materials (including loose wires, open containers, rags, hoses, or other supplies) will be placed in closed containers or inside vehicles.
- o. No dogs or other potentially predatory domesticated animals shall be allowed on the drill site unless on a leash or otherwise contained at all times.
- p. All construction equipment, staging areas, materials, and personnel shall remain within the perimeter of the disturbed area authorized under the applicable permit.
- q. The discharge of firearms at the project site or vicinity by any employee or contractor of the Permittee shall be prohibited.
- r. Feeding of wildlife by any employee or contractor of the Permittee shall be prohibited.
- s. Access to the project site shall be made available to the representatives of the State and Federal wildlife agencies (California Department of Fish and Wildlife (CDFW) U.S. Fish and Wildlife Service) upon reasonable notice to the Permittee and compliance with all required drill site safety measures. Access to the site shall be provided within 24 hours of the receipt of the notice.
- t. The Permittee shall place signage on the project site to inform personnel and visitors of the above requirements.

The Permittee shall implement the BMPs listed above throughout the entire life of the project, unless modified by the County Planning Director in consultation with USFWS and CDFW. A County-approved qualified biologist shall confirm and photo-document the installation of the BMPs.

**Documentation:** The Permittee shall prepare photo documentation of the complete installation of the signage and above BMPs.

**Timing:** Prior to the issuance of the Zoning Clearance for Use Inauguration, the Permittee shall take the following actions:

- Install signage.
- Submit photo-documentation of the installation of the signage to the Planning Division.
- Arrange for a site inspection by County staff to confirm that the measures included in this condition have been implemented.

**Monitoring and Reporting:** Planning Division staff will review the submitted reports. The Planning Division has the authority to conduct site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*.

*Note: The existing signage on site and photos in the file may be found adequate to satisfy this condition.*

48. Additional California Condor Protection BMPs

**Purpose:** To avoid significant impacts during construction and operation and ensure compatibility with conservation efforts outlined in the *Recovery Plan for California Condor* (April 19, 1996) and direction provided by United States Fish and Wildlife Service (USFWS) for oil and gas facilities within the range of the California Condor in Ventura County (USFWS, 2013).

**Requirement:** During construction and operation, the Permittee shall adhere to the following additional USFWS recommended California condor Best Management Practices (BMPs):

- a. All food items and associated refuse shall be placed in covered containers that preclude access or use by California condors.
- b. All equipment and work-related materials (including loose wires, open containers, rags, hoses, or other supplies) will be placed in closed containers or inside vehicles.
- c. No dogs or other potentially predatory domesticated animals shall be allowed on the drill site unless on a leash or otherwise contained at all times.
- d. All construction equipment, staging areas, materials, and personnel shall remain within the perimeter of the disturbed area authorized under the applicable permit.
- e. The discharge of firearms at the project site or vicinity by any employee or contractor of the Permittee shall be prohibited.

- f. Feeding of wildlife by any employee or contractor of the Permittee shall be prohibited.
- g. Access to the project site shall be made available to the representatives of the State and Federal wildlife agencies (California Department of Fish and Wildlife, U.S. Fish and Wildlife Service) upon reasonable notice to the Permittee and compliance with all required drill site safety measures. Access to the site shall be provided within 24 hours of the receipt of the notice.

The Permittee shall implement the BMPs listed above throughout the entire life of the project, unless waived by USFWS or a County-approved qualified biologist in consultation with USFWS, California Department of Fish and Wildlife (CDFW), and the Planning Division. A County-approved qualified biologist shall confirm and photo-document the installation of the BMPs. The Permittee shall place signage on the project site to inform personnel and visitors of the above requirements.

**Documentation:** The application shall prepare photo documentation of the complete installation of the signage and implementation of the above BMPs.

**Timing:** Prior to the issuance of a Zoning Clearance for use inauguration, the Permittee must take the following actions:

- Install signage.
- Submit photo-documentation of the installation of the signage to the Planning Division.
- Arrange for a site inspection by County staff to confirm that the measures included in this condition have been implemented.

Prior issuance of a Zoning Clearance for Use Inauguration, the Permittee must provide the Planning Division with photo documentation of the implementation of the above requirements and obtain written concurrence by the Planning Division that the required BMPs are in place.

**Monitoring and Reporting:** Planning Division staff will review the submitted reports. The Planning Division has the authority to conduct site inspections to ensure ongoing compliance with this condition consistent with the requirements of § 8114-3 of the *Ventura County Non-Coastal Zoning Ordinance*.

*Note: The existing signage on site and photos in the file may be found adequate to satisfy this condition.*