

MONTEREY COUNTY ZONING ADMINISTRATOR

Meeting: January 29, 2009	Time: 1:50 P.M.	Agenda Item No. 5
Project Description: Use Permit to allow Salinas Energy Corporation to drill a total of six exploratory oil and gas wells at two different sites on the same parcel. Sites are identified as the North Paris Valley site and the Central Paris Valley site; the applicant is proposing to drill three exploratory wells at each of those sites.		
Project Location: The project site is located between Paris Valley Road and State Highway 101 within Section 3 of Township 22 South and Range 9 East in southern Monterey County, approximately 4 miles north of San Ardo.		APN: 422-281-001-000
Planning File Number: PLN080414		Owner's Name: Albert Leroy Bray Applicant's Name: Salinas Energy Corporation
Plan Area: South County Area Plan		Flagged and staked: Yes
Zoning Designation: "F-40" (Farmlands Zoning District – 40 acres per dwelling unit) and "PG-40" (Permanent Grazing Zoning District – 40 acres per dwelling unit).		
CEQA Action: Categorically Exempt per Title 14, Division 2, Section 1684.2 - Class 4 - of the California Code of Regulations (re: Minor Alterations to Land).		
Department: RMA - Planning Department		

RECOMMENDATION:

Staff recommends that the Zoning Administrator approve the request for a Use Permit, based on the "Recommended Findings and Evidence" (Exhibit C) and subject to compliance with the "Recommended Conditions of Approval" (Exhibit D).

PROJECT OVERVIEW:

Salinas Energy Corporation is proposing to drill six exploratory wells in search of commercial quantities of petroleum and/or natural gas; the parcel in question is located just north of the town of San Ardo in southern Monterey County. Three wells will be drilled at each of two sites on the same parcel – the Central Paris Valley drill site (CPV-1H) with proposed wells 'CPV-1Ha', 'CPV-1Hb' and 'CPV-1Hc' and the North Paris Valley drill site (NPV-1) with proposed wells 'NPV-1a', 'NPV-1b' and 'NPV-1c'. The location of the proposed wells can be seen on a site plan presented in Exhibit E. Each of the two projects includes a site preparation phase for construction of the drill site followed by a drilling and testing phase for each well. Should exploration yield the promise of commercially-viable quantities of oil and gas, the applicant will submit a new Use Permit application for the purpose of putting the applicable well(s) into production.

OTHER AGENCY INVOLVEMENT:

- ✓ California Department of Forestry (CDF) – South County Fire Protection District
- ✓ Monterey County Public Works Department
- ✓ Monterey County Health Department – Environmental Health Division
- ✓ Monterey County Water Resources Agency

The above checked agencies and departments have reviewed this project. Four non-standard conditions recommended by the Environmental Health Division have been incorporated into the

overall recommended conditions of project approval (Exhibit D). The other three reviewing entities deemed the project complete with no conditions attached.

The project was not referred to the Bradley-Parkfield Land Use Advisory Committee (LUAC) for review. Based on the LUAC interim procedural guidelines adopted by the Monterey County Board of Supervisors per Resolution No. 08-338, this application did not warrant referral to the LUAC because the project does not involve a variance, General Plan or Area Plan amendment, ridgeline/viewshed development, subdivision, slope restrictions or lot line adjustment.

Exploratory drilling operations undertaken as part of this project will result in minor alterations to land (Class 4 activities per CEQA) and, therefore, the project has been found to be categorically exempt from the requirement for the preparation of environmental documents under Article 19, Section 15304 of CEQA and Section 21084 of the California Public Resources Code. However, should discovery of oil and/or natural gas subsequently lead to full-scale commercial production, the project will be referred to the Bradley-Parkfield LUAC and will have to undergo full CEQA review in the context of a new Use Permit application.

Note: The decision of the Zoning Administrator regarding this project can be appealed to the Planning Commission.

Guy A. Moussalli, Associate Planner
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January 27, 2009

cc: Front Counter Copy; Zoning Administrator; South County Fire Protection District; Public Works Department; Environmental Health Division; Water Resources Agency; Jacqueline R. Onciano, Planning Services Manager; Guy Moussalli, Project Planner; Carol Allen, Senior Secretary; Albert Leroy Bray (Property Owner); Vaughan Williams, Salinas Energy Corporation, Inc. (Applicant); Robert A. Booher (Consultant); Planning File PLN080414.

Attachments: Exhibit A Project Data Sheet
 Exhibit B Project Discussion
 Exhibit C Recommended Findings and Evidence
 Exhibit D Recommended Conditions of Approval
 Exhibit E Site Map
 Exhibit F Vicinity Map

This report was reviewed by Jacqueline R. Onciano, Planning Services Manager.

EXHIBIT A

Project Information for PLN080414

Project Title: BRAY ALBERT L & INA M BRAY TRS

Location: 9999	Primary API: 422-281-001-000
Applicable Plan: South County Area Plan	Coastal Zone: No
Permit Type: Use Permit	Zoning: F-40/PG-40
Environmental Status: Exempt	Plan Designation: Agricultural
Advisory Committee: N/A	Final Action Deadline (884): 2/8/2009

Project Site Data:

Lot Size: 103.29 Acres	Coverage Allowed: 5%
Existing Structures (sf): N/A	Coverage Proposed: 2.9%
Proposed Structures (sf): N/A	Height Allowed: 35'
Total Sq. Ft.: N/A	Height Proposed: N/A
	FAR Allowed: N/A
	FAR Proposed: N/A

Resource Zones and Reports:

Environmentally Sensitive Habitat: No	Erosion Hazard Zone: Low
Biological Report #: LIB080592	Soils Report #: LIB080590
Forest Management Rpt. #: N/A	
Archaeological Sensitivity Zone: Low	Geologic Hazard Zone: High
Archaeological Report #: LIB080593	Geologic Report #: LIB080591
Fire Hazard Zone: Very High	Traffic Report #: N/A

Other Information:

Water Source: Pensinger Trailer Rentals	Sewage Disposal (method): Portolet
Water Dist/Co: N/A	Sewer District Name: N/A
Fire District: South County FPD	Grading (cubic yds.): 13,052.0
Tree Removal: No	

EXHIBIT B PROJECT DISCUSSION

Project setting: The project area is located in southern Monterey County, approximately four miles northwest from the town of San Ardo, and is bordered to the west by Paris Valley Road. The general area surrounding the property consists of privately-owned agricultural lands used primarily for grazing.

Proposed action: Salinas Energy Corporation proposes to drill a total of six exploratory wells at two sites on the same parcel in search of commercial quantities of petroleum and natural gas. The first phase of the project involves preparation of the drilling pads, whereas the second phase involves drilling and testing. At both the North Paris Valley site and the Central Paris Valley site, drilling activities will take place in an area measuring approximately 250 ft. by 250 ft.

Site preparation: Preparation of the drill sites will include clearing, grading and compaction in order to establish a level and solid foundation for the drilling rigs. According to the applicant, some grading will be required due to the presence of moderate slopes. It is not anticipated that site preparation activities will alter natural drainage patterns and flooding and erosion or siltation either on- or off-site are also not to be expected. Although no existing oak trees will be removed, approximately 1.43 acres of non-native grassland used for cattle grazing will be impacted at each of the two sites. A temporary pit will be excavated within the sites to contain drilling fluids and wastes. Site preparation is estimated to take about one week. No new access road will be created as each of the two sites can be accessed via an existing driveway and road off Paris Valley Road.

Drilling and testing: Once the well pads are established, the drilling rigs will be mobilized and rigged up; this process will take about two to five days to complete. A company representative will be onsite 24 hours a day, seven days a week, to monitor drilling operations. A 30- to 40-foot travel trailer will be brought in to provide accommodations, with water and sewer furnished by Pensingers Trailer Rentals. Temporary facilities will be set up at the site to house the equipment and materials necessary for the drilling operations. The applicant will drill each well until reaching target depth; evaluation of each well to determine whether it can be commercially exploited and put into production would continue for up to one year.

Drilling and waste disposal practices: The applicant has indicated that all hazardous materials, such as fuels and lubricants, will be stored according to applicable federal, state and local regulations. Drilling wastes (mud and cuttings) will be managed in compliance with Regional Water Quality Control Board (RWQCB) requirements. All down hole well operations will be regulated by the California Department of Conservation – Division of Oil, Gas and Geothermal Resources (DOGGR) in order to protect groundwater. Surface well casing, designed to protect fresh water zones, will be set and cemented, and blowout prevention equipment will be installed at the well head and tested. DOGGR will regulate blowout prevention equipment and DOGGR engineers will be notified for required tests and other operations.

If exploration is conclusive, Salinas Energy Corporation will submit a new Use Permit application to Monterey County in order to put the wells into commercial production. If an exploratory well can demonstrate the availability of commercial quantities of petroleum and/or natural gas for a period of six consecutive months, as defined by DOGGR, that well is deemed to be a discovery well thus setting the stage for resource extraction.

EXHIBIT C
RECOMMENDED FINDINGS AND EVIDENCE

1. **FINDING: CONSISTENCY** – The project, as described in Condition No. 1 and as conditioned, conforms to the policies, requirements and standards of the Monterey County General Plan, South County Area Plan, South County Area Plan Inventory and Analysis and the Monterey County Zoning Ordinance (Title 21).

EVIDENCE: (a) The text, policies and regulations in the above-referenced documents have been evaluated during the course of review of applications. No conflicts were found to exist. No communications were received during the course of review of the project indicating any inconsistencies with the text, policies, and regulations in these documents.

- (b) The proposed project conforms to the goals, objectives and policies of the following documents:

i. Monterey County General Plan: Goals, Objectives and Policies for Natural Resources - Geology, Minerals and Soils, Goal No. 2, Objective No. 2.3, Policy No. 2.3.2;

ii. South County Area Plan: Chapter I – Natural Resources: Mineral Resources & Energy Resources; Chapter IV – Area Development: Industrial Uses;

iii. South County Area Plan Inventory & Analysis: Chapter I – Natural Resources: Mineral Resources;

iv. Monterey County Zoning Ordinance (Title 21 for Inland Areas): The property is zoned both “F-40” (Farmlands Zoning District – 40 acres per dwelling unit) and “PG-40” (Permanent Grazing Zoning District – 40 acres per dwelling unit). Both zoning designations allow the exploration and the extraction of petroleum and natural gas resources with a Use Permit. Therefore, the property is suitably zoned to accommodate the proposed development, provided a Use Permit is granted.

- (c) The application, project plans, and related support materials were submitted by the project applicant for the proposed development to the Monterey County Resource Management Agency, Planning Department, all of which can be found in Project File PLN080414.

2. **FINDING: SITE SUITABILITY** – The site is physically suitable for the use proposed.

EVIDENCE: (a) The project has been reviewed for site suitability by Monterey County’s Resource Management Agency (Planning Department & Public Works Department), Health Department (Environmental Health Division) and Water Resources Agency, and by the California Department of Forestry – South County Fire Protection District. There has been no indication from these departments/agencies that the site is unsuitable for the proposed project. Conditions recommended by the Planning Department and the Environmental Health Division have been incorporated in this staff report as part of the project approval process.

- (b) Technical reports by outside archaeological, biological, geological and geotechnical consultants concluded that there are no physical and/or environmental constraints that would indicate that the site is not suitable for the use proposed, provided the appropriate management and mitigation

recommendations outlined in those reports are followed. County staff concurs.

i. Archeological resources: A record search and literature review by consulting firm Pacific Legacy, Inc., revealed that no previously recorded ethnographic, historic or archeological sites are located within the project area. A pedestrian survey (i.e. surface inspection) of the property conducted on August 25, 2008, did not result in the discovery of any prehistoric or historic artifacts, or archeological deposits, within the project area; no cultural resources were noted during the survey. The consultant advised that construction personnel be alerted to the possibility of buried cultural remains or artifacts and that, upon discovery of any such remains or materials, work should immediately cease and the appropriate persons and authorities be contacted. Source: Archeological Assessment of North Paris Valley Well Site CPV-1H (PL 822-53), Monterey County, California (LIB080593), prepared by Pacific Legacy, Inc., Bay Area Division, Berkeley, California (August 28, 2008).

ii. Biological resources: The biological assessment concluded that it is highly unlikely that special-status listed or sensitive plant or animal species or habitats will be negatively impacted by the proposed project, although locally and regionally common wildlife species would be temporarily disturbed – albeit at a less than significant level. An investigation was conducted for the potential presence of the San Joaquin Kit Fox at the site that led the biologist to conclude that this species is not likely to be found on the property, mainly due to habitat disturbance and exclusionary competition from badgers, coyotes and red foxes. The report recommended that best management guidelines be followed during the construction phase of the project and that the species-specific avoidance and minimization measures described in the biological analysis be implemented in order to mitigate any potential impacts to wildlife species, plants and trees. Source: Biological Survey Report, Including Observations for San Joaquin Kit Fox, for Salinas Energy North Paris Valley Well Site CPV-1H, San Ardo, California (LIB080592), prepared by Ed Mercurio, Biological Consultant, Salinas, California (September 29, 2008).

iii. Geotechnical resources: The site has been deemed suitable for the proposed development from a geotechnical engineering standpoint provided the recommendations contained in the consultant's report and pertaining to grading, slope construction and structural design are properly implemented. Source: Geotechnical Engineering Report for Proposed Oil and Natural Gas Exploration Well Pad, Site CPV-1H, Monterey County, California (LIB080590), prepared by Nicholas A. McClure, Buena Geotechnical Services, Paso Robles, California (September 9, 2008).

iv. Geological resources: A site investigation revealed evidence of potential geologic & seismic conditions which could affect the subject property. In order to minimize hazards, the consultant made several recommendations in order to mitigate any potentially negative impacts from those factors. The report recommended that all new construction be built according to current building codes and that best management practices are followed for erosion and sediment control. Liquefaction was not identified as a problem.

Source: Geologic Hazards Investigation – Proposed Oil/Gas Well Pad, Salinas Energy Corporation, Site No. CPV-1H, Paris Valley, County of Monterey, California (LIB080591), prepared by Ron Barto, Sierra Delta Corporation (September 16, 2008).

3. **FINDING: CEQA (Exempt)** – The project is categorically exempt from environmental review and no unusual circumstances were identified for the proposed project.

EVIDENCE: (a) Minor alterations to land, such as those that will result from the proposed project, have been found to be categorically exempt from the requirement for the preparation of environmental documents under California Environmental Quality Act (CEQA) Guidelines, Article 19, Section 15304. Class 4 activities, as they are known, are those that do not involve removal of healthy, mature, scenic trees except for forestry or agricultural purposes; this project will not result in the removal of existing oak trees.

(b) Under Section 21084 of the California Public Resources Code, Class 4 activities such as the exploratory drilling operations that will be conducted as part of this project have been determined not to have a significant effect on the environment and, therefore, are exempt from CEQA requirements. This is due to the fact that such activities have been determined to only result in minor public or private alterations to land with negligible or no permanent effects to the existing conditions of the land, water, air and/or vegetation.

(c) Once exploratory drilling has ended, and if no commercial quantities of mineral resources that would pave the way for full extraction and production are found, the applicant will need to restore the site to its pre-development condition as a natural grassland (Condition No. 8).

4. **FINDING: NO VIOLATIONS** – The subject property is in compliance with all rules and regulations pertaining to zoning uses and any other applicable provisions of the County’s zoning ordinance. No violations have been found to exist on the property and zoning violation abatement costs, if any, have been paid.

EVIDENCE: Staff reviewed Monterey County Planning Department and Building Services Department records. The research did not reveal any violations currently existing on the subject property.

5. **FINDING: HEALTH AND SAFETY** – The establishment, maintenance, or operation of the project applied for will not under the circumstances of this particular case be detrimental to the health, safety, peace, morals, comfort and general welfare of persons residing or working in the neighborhood of such proposed use, or be detrimental or injurious to property and improvements in the neighborhood or to the general welfare of the County.

EVIDENCE: The proposed project was reviewed by the California Department of Forestry – South County Fire Protection District and Monterey County’s Water

Resources Agency, Public Works Department, Planning Department and the Environmental Health Division. The latter two entities have recommended specific conditions of approval, where appropriate, to ensure that the project will not have adverse health and safety impacts or to reduce, whenever possible, any possible detrimental impacts through mitigation monitoring measures (Exhibit D).

6. **FINDING:** **APPEALABILITY** – The decision of the Zoning Administrator concerning this project can be appealed to the Planning Commission.

EVIDENCE: Title 21, Chapter 21.80, Section 21.80.040, Paragraph B, of the Monterey County Zoning Ordinance.

EXHIBIT D Monterey County Resource Management Agency Planning Department Condition Compliance and/or Mitigation Monitoring Reporting Plan	Project Name: <u>Salinas Energy Corporation – North & Central Paris Valley Oil & Gas Exploratory Wells</u> File No.: <u>PLN080414</u> APN: <u>422-281-001-000</u> Approved by: <u>Zoning Administrator</u> Date: <u>January 29, 2009</u>
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**Monitoring or Reporting refers to projects with an EIR or adopted Mitigated Negative Declaration per Section 21081.6 of the Public Resources Code.*

<i>Permit Condition Number</i>	<i>Mitigation Number</i>	<i>Conditions of Approval and Responsible Department</i>	<i>Compliance or Monitoring Actions to be performed. (Where applicable, a certified professional is required for action to be accepted.)</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
1.		PD001 – SPECIFIC USES ONLY This Use Permit (PLN 080414) allows for the drilling of six (6) exploratory oil and gas wells at two different sites on the same parcel. The property is located between Paris Valley Road to the west and State Highway 101 to the east within Section 3 of Township 22 South and Range 9 East in southern Monterey County, about four miles north of San Ardo. (Assessor’s Parcel Number 422-281-001-000), South County Area Plan. This permit was approved in accordance with County ordinances and land use regulations subject to the following terms and conditions. Neither the uses nor the construction allowed by this permit shall commence unless and until all of the conditions of this permit are met to the satisfaction of the Director of the RMA - Planning Department. Any use or construction not in substantial conformance with the terms and conditions of this permit is a violation of County regulations and may result in modification or revocation of this permit and subsequent legal action. No use or construction other than that specified by this permit is allowed unless additional permits are approved by the appropriate authorities. To the extent that the County has delegated any condition compliance or mitigation monitoring to the Monterey County Water	Adhere to conditions and uses specified in the Use Permit.	Owner/ Applicant	Ongoing unless otherwise stated.	

<i>Permit Condition Number</i>	<i>Mitigation Number</i>	<i>Conditions of Approval and Responsible Department</i>	<i>Compliance or Monitoring Actions to be performed. (Where applicable, a certified professional is required for action to be accepted.)</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
		Resources Agency, the Water Resources Agency shall provide all information requested by the County and the County shall bear ultimate responsibility to ensure that conditions and mitigation measures are properly fulfilled. (RMA - Planning Department)				
2.		PD002 – NOTICE: PERMIT APPROVAL The applicant shall record a notice which states: "A permit was approved by the Zoning Administrator for Assessor's Parcel Number 422-281-001-000 on January 29, 2009. The permit was granted subject to 14 conditions of approval, which run with the land. A copy of the permit is on file with the Monterey County RMA - Planning Department." Proof of recordation of this notice shall be furnished to the Director of the RMA - Planning Department prior to issuance of building permits or commencement of the use. (RMA - Planning Department)	Proof of recordation of this notice shall be furnished to the RMA - Planning Department.	Owner/ Applicant	Prior to the issuance of grading and building permits or start of use.	
3.		PD003(A) – CULTURAL RESOURCES: NEGATIVE ARCHAEOLOGICAL REPORT If, during the course of construction, cultural, archaeological, historical or paleontological resources are uncovered at the site (surface or subsurface resources), work shall be halted immediately within 50 meters (165 feet) of the find until a qualified professional archaeologist can evaluate it. The Monterey County RMA - Planning Department and a qualified archaeologist (i.e., an archaeologist registered with the Society of Professional Archaeologists) shall be immediately contacted by the responsible individual present on-site. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop proper mitigation measures required for the discovery. (RMA - Planning Department)	Stop work within 50 meters (165 feet) of uncovered resource and contact the Monterey County RMA - Planning Department and a qualified archaeologist immediately if cultural, archaeological, historical or paleontological resources are uncovered. When contacted, the project planner and the archaeologist shall immediately visit the site to determine the extent of the resources and to develop the required proper mitigation measures.	Owner/ Applicant/ Archaeologist	Ongoing	

<i>Permit Condition Number</i>	<i>Mitigation Number</i>	<i>Conditions of Approval and Responsible Department</i>	<i>Compliance or Monitoring Actions to be performed. (Where applicable, a certified professional is required for action to be accepted.)</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
4.		PD008 – GEOLOGIC CERTIFICATION Prior to final inspection, a professional geologist shall provide certification that all development has been constructed in accordance with the geological report. (RMA - Planning Department)	Submit certification by the professional geologist to the RMA - Planning Department showing project's compliance with the geological report.	Owner/ Applicant/ Geotechnical Consultant	Prior to final inspection.	
5.		PD009 – GEOTECHNICAL CERTIFICATION Prior to final inspection, the geotechnical consultant shall provide certification that all development has been constructed in accordance with the geotechnical report. (RMA - Planning Department and Building Services Department)	Submit certification by the geotechnical consultant to the RMA – Planning Department showing project's compliance with the geotechnical report.	Owner/ Applicant/ Geotechnical Consultant	Prior to final inspection.	
6.		PD010 – EROSION CONTROL PLAN AND SCHEDULE The approved development shall incorporate the recommendations of the Erosion Control Plan as reviewed by the Director of RMA - Planning Department and Director of RMA - Building Services. All cut and/or fill slopes exposed during the course of construction shall be covered, seeded, or otherwise treated to control erosion during the course of construction, subject to the approval of the Director of RMA - Planning Department and Director of RMA - Building Services. The improvement and grading plans shall include an implementation schedule of measures for the prevention and control of erosion, siltation and dust during, and immediately following, construction and until erosion control planting becomes established. This program shall be approved by the Director of RMA - Planning Department and Director of RMA - Building Services. (RMA - Planning Department and RMA - Building Services Department)	An Erosion Control Plan shall be submitted to the RMA - Planning Department and the RMA - Building Services Department prior to issuance of building and grading permits.	Owner/ Applicant	Prior to the issuance of grading and building permits.	
			Comply with the recommendations of the Erosion Control Plan during the course of construction until project completion as approved by the Director of RMA - Planning and Director of RMA - Building Services.	Owner/ Applicant	Ongoing	
			Evidence of compliance with the Implementation Schedule shall be submitted to the RMA - Planning Department and the RMA - Building Services Department	Owner/ Applicant	Prior to final inspection.	

<i>Permit Condition Number</i>	<i>Mitigation Number</i>	<i>Conditions of Approval and Responsible Department</i>	<i>Compliance or Monitoring Actions to be performed. (Where applicable, a certified professional is required for action to be accepted.)</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
7.		PD032 – PERMIT TIME/YEAR & DATE The Use Permit shall be granted for one year, to expire on January 29, 2010, one year from today’s public hearing date. A request for a subsequent extension can be made to the RMA - Planning Department, with the stipulation that the permit cannot exceed a time period of six (6) months. Any request for an extension will be contingent upon the finding that no grading, zoning, land use policies or local and state regulations will have been violated. (RMA - Planning Department)	None unless an extension of the Use Permit is requested, in which case an application for such shall be made to the RMA - Planning Department.	Owner/ Applicant	As stated in the conditions of approval. Prior to expiration of Use Permit if an extension is sought.	
8.		PD033 – RESTORATION OF NATURAL MATERIALS & CONDITIONS Upon completion of the exploratory phase, and if no commercial quantities of oil and gas are found at the site, the area disturbed shall be restored to its pre-development condition as an annual grassland, subject to the approval of the Director of the RMA - Planning Department. Plans for such restoration shall be submitted to and approved by the Director of the RMA - Planning Department prior to commencement of use. (RMA – Planning Department)	Submit restoration plans to the RMA - Planning Department for review and approval. Site shall be restored prior to expiration of Use Permit, if no extension is requested or if no subsequent Use Permit applied for.	Owner/ Applicant	Prior to commencement of use.	
9.		PDSP001 – NON-STANDARD CONDITION Should exploration reveal the existence of commercial quantities of oil and/or natural gas, a subsequent Use Permit will be required to convert the exploratory wells to full production wells meeting the California Division of Oil & Gas guidelines for oil and gas drilling. Application for such Use Permit shall undergo full CEQA review and analysis. (RMA - Planning Department)	Quantity of oil and gas found at well site shall be furnished to the RMA - Planning Department. A new Use Permit shall be applied for if commercial quantities of oil and/or gas are found at any of the exploratory sites on the property.	Owner/ Applicant	Prior to expiration of temporary Use Permit.	

<i>Permit Condition Number</i>	<i>Mitigation Number</i>	<i>Conditions of Approval and Responsible Department</i>	<i>Compliance or Monitoring Actions to be performed. (Where applicable, a certified professional is required for action to be accepted.)</i>	<i>Responsible Party for Compliance</i>	<i>Timing</i>	<i>Verification of Compliance (name/date)</i>
10.		<p>PDSP002 – NON-STANDARD CONDITION</p> <p>A pre-construction biological species clearance survey shall be conducted by a qualified biologist within 14 days of earth disturbance activities taking place at the site. If any protected special-status plant and animal species identified in the Biological Assessment report are found, a qualified biologist shall be contacted in order to delineate exclusion zones and buffer areas to avoid any negative impacts. Species that are found in the way of construction activities shall be relocated by the qualified biologist. Applicant will follow the management practices recommended for implementation in the biological report to protect common and sensitive plant and wildlife resources from any potential impacts. (RMA - Planning Department)</p>	Submit results of pre-construction biological survey to the RMA - Planning Department.	Owner/Applicant	Within 14 days prior to the start of site disturbance activities.	
<u>ENVIRONMENTAL HEALTH DIVISION – CONDITIONS OF APPROVAL</u>						
11.		<p>EHSP01 - PERMIT TO CONDUCT WELL OPERATIONS</p> <p>The applicant must obtain a permit to conduct well operations for each exploratory well prior to commencing construction pursuant to the California Department of Conservation, Division of Oil, Gas and Geothermal Resources, Public Resources Code (PRC) 01 and 04. (Environmental Health)</p>	<p>Apply for a permit to conduct well operations from the California Department of Conservation, Division of Oil, Gas and Geothermal Resources (DOGGR) for review and approval.</p> <p>Submit verification to the Environmental Health Division indicating that DOGGR has issued the required permits.</p>	Owner / Applicant	Prior to the issuance of building permits	

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12.		<p>EHSP02 - HAZARDOUS MATERIALS - SPILL PREVENTION CONTROL COUNTERMEASURE PLAN</p> <p>Above ground storage tanks for petroleum products (i.e. diesel, oil, and gasoline) with greater than 1,320 gallons of capacity, or for cumulative storage of more than 1,320 gallons, shall meet the standards as found in the California Health and Safety Code, Section 25270 et seq. and of the Code of Federal Regulations, Part 112 (commencing with Section 112.1) of Subchapter D of Chapter 1 of Title 40. (Environmental Health)</p>	<p>Submit a Spill Prevention Control Countermeasure (SPCC) Plan to Hazardous Materials Management Services of the Environmental Health Division for review and approval.</p> <p>Once approved, the applicant shall maintain an up-to-date SPCC Plan.</p>	Owner/ Applicant	<p>Prior to issuance of building permits</p> <p>Continuous</p>	
12.		<p>EHSP03 – HAZARDOUS MATERIALS: BUSINESS RESPONSE PLAN</p> <p>The applicant shall maintain an up-to-date Business Response Plan that meets the standards found in the California Code of Regulations, Title 19, Division 2, Chapter 4 (Hazardous Material Release Reporting, Inventory and Response Plans) and the California Health and Safety Code, Division 20, Chapter 6.95 (Hazardous Material Release Response Plans and Inventory). (Environmental Health Division)</p>	<p>Submit a signed <u>Business Response Plan – Memorandum of Understanding</u> (form available from EHD) that specifies an approved Business Response Plan must be on file with Hazardous Materials Management Services of Environmental Health prior to bringing hazardous materials on site and/or commencement of operations.</p> <p>Once approved, the applicant shall maintain an up-to date Business Response Plan.</p>	Owner/ Applicant	<p>Prior to issuance of grading / building permits.</p> <p>Continuous</p>	
14.		<p>EHSP04 - HAZARDOUS WASTE CONTROL</p> <p>The facility shall comply with the California Code of Regulations, Title 22, Division 4.5 and the California Health and Safety Code, Chapter 6.50 for the proper handling, storage and disposal of Hazardous Waste as approved by the Environmental Health Division (EHD). (Environmental Health)</p>	<p>Register the facility with Hazardous Materials Management Services of EHD.</p> <p>Maintain the Hazardous Materials permit and comply with all permit conditions.</p>	Owner/ Applicant	<p>Prior to commencement of operation</p> <p>Continuous</p>	